



The Bongaigaon University Act, 2023

Act No. 54 of 2023

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THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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NOTIFICATION

The 1st December, 2023

No. LGL.44/2023/6.— The following Act of the Assam Legislative Assembly which received the assent of the Governor of Assam on 22nd November, 2023 is hereby published for general information.

ASSAM ACT NO. LIV OF 2023

(Received the assent of the Governor on 22nd November, 2023)

THE BONGAIGAON UNIVERSITY ACT, 2023

AN ACT

to constitute and establish a teaching, research-oriented, affiliating and semi-residential University by upgrading the existing Bongaigaon College into University of Bongaigaon and to establish an Open and Distance Learning Center under this University.

Preamble

Whereas it is expedient to constitute and establish a teaching, research-oriented, affiliating and partially residential University at Bongaigaon by upgrading the existing Bongaigaon College into a University having Open and Distance Learning (ODL) facilities and matters connected therewith.

It is hereby enacted in the Seventy-fourth Year of the Republic of India as follows:-

Short title and commencement

1. (1) This Act may be called the Bongaigaon University Act, 2023.
- (2) It shall come into force at once.

Definitions

2. In this Act, unless there is anything repugnant to the subject or context-
 - (a) "Affiliated College" means a college affiliated to the University under section 6(iii) and section 53;
 - (b) "Affiliated Institution" means an institution affiliated to the University under section 6(iii) and section 53;
 - (c) "Board of Studies" means a Board of Studies constituted under section 37;
 - (d) "Campus" means a campus of the Bongaigaon University in different geographical locations;
 - (e) "Court" means the Court constituted under section 25;
 - (f) "Department" means an academic department of the University and designated as such by it with reference to a subject or group of subjects of study in the University;
 - (g) "Executive Council" and "Academic Council" means the Executive Council and the Academic Council constituted under section 28 and section 30, respectively;
 - (h) "Faculty" means a Faculty of the University;
 - (i) "Finance Committee" means the Finance Committee constituted under section 39;
 - (j) "Governor" means the Governor of the State of Assam;
 - (k) "Graduate" means a degree holder having a bonafide certificate from the University;
 - (l) "Hall" means a unit maintained or recognised by the University in which provision is made for imparting tutorial and supplementary instructions, holding meetings, University functions, convocations, etc;
 - (m) "Hostel" means a unit of residence for the students of the University maintained by the University in accordance with the provisions of this Act;
 - (n) "Librarian" in relation to the University means a Librarian or any other person holding the post of Librarian, appointed or recognised by the University;
 - (o) "Post-Graduate Board" and "Under-Graduate Board" means the Post-Graduate Board and Under-Graduate Board constituted under section 33 and section 35 respectively;

- (p) "prescribed" means prescribed by the Statutes, Ordinance, Regulations or rules made thereunder;
- (q) "Principal" means the Head of an affiliated college;
- (r) "Selection Committee" means the Selection Committee constituted under section 41;
- (s) "State Government" means the Government of Assam;
- (t) "Statutes", "Ordinances", and "Regulations" mean the Statutes, Ordinances and Regulations, respectively, of the University made under this Act;
- (u) "Teachers" means Professors, Associate Professors or Assistant Professors of the University;
- (v) "University" means the Bongaigaon University constituted and established by upgrading the existing Bongaigaon College into a University under this Act;
- (w) "University Laboratory" means a laboratory maintained or managed by the University, whether established by it or not;
- (x) "University Library" means a library maintained by the University whether instituted by it or not;
- (y) "University Professor", "Associate Professor", or "Assistant Professor" means a Professor, an Associate Professor, or an Assistant Professor for teaching and research in the university.
- Legal Entity of the University 3. (1) The Chancellor, the Vice-Chancellor, the members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "The Bongaigaon University".
- (2) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.
- Upgradation of the existing Bongaigaon College to University 4. From the commencement of this Act, the existing Bongaigaon College shall be deemed to have been upgraded to Bongaigaon University. All aspect of teaching and research shall be decided by the University.
- Property of Bongaigaon College to be vested to the University 5. From the date of commencement of this Act, the existing property, land, buildings, and all assets and liabilities of Bongaigaon College shall be transferred to the Bongaigaon University.
- Powers of the University 6. The University shall have the following powers, namely:—
- (i) to provide for instruction in such branches of learning, including the Open and Distance Learning (ODL) courses as the University may think fit and to make provision for research to secure advancement, diffusion and extension of knowledge in all spheres of learning;
- (ii) to establish within the university area or outside that area such field stations and specialised laboratories and such other units for research and instruction as are necessary for the furtherance of each objects;
- (iii) to affiliate with it or admit to any of its privileges or to recognise for any purpose, either in whole or in part, any college or institution or members or student thereof, on such terms and conditions as may, from time to time, be prescribed, and to withdraw such affiliation, privileges or recognitions;

- (iv) to incorporate any Provincialised College of the State as a Constituent College of the University with prior approval of the Government of Assam;
- (v) to organise and undertake extramural teaching and extension education services;
- (vi) to hold examinations, grant and confer degrees, diplomas, certificates or other academic distinctions on persons who-
 - (a) have passed a course of study in the University or in any affiliated college; or
 - (b) are teachers in educational institutions under conditions laid down in the statutes, ordinances and regulations and have passed the examinations of the University under like conditions; or
 - (c) have passed a course of study by correspondence or open and distance mode, whether residing within the territorial jurisdiction of the University or not; or
 - (d) have been registered by the University, subject to such conditions as may be laid down in the Statutes, Ordinances and Regulations as external candidates, being persons residing within the territorial units to which the powers of the University extend;
- (vii) to confer honorary degrees or other distinctions;
- (viii) to grant such diplomas and to provide such lectures and instructions for persons not being members of the University, as the University may determine;
- (ix) to deprive or withdraw any degrees, diplomas, certificates or other distinctions granted to or conferred upon by the University for good and sufficient cause;
- (x) to propose to the Government for creation of such teaching, administrative and other posts as the University may deem necessary from time to time and to make appointments thereto after the posts has been created by the Government of Assam, and due approval is accorded for recruitment;
- (xi) to recognize and appoint eminent scholar in their respective fields as "Professor of Practice", "Visiting faculties", "Professor Emeritus";
- (xii) to appoint or recognise persons as Professors, Associate Professors, Assistant Professors or otherwise as teachers of the University only against posts sanctioned by the State Government;
- (xiii) to institute and award fellowships, scholarships, exhibitions and prizes;
- (xiv) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures in this regard, as may be deemed necessary;
- (xv) to make arrangements to promote the health and general welfare of students of the University;
- (xvi) to determine conditions and make provision to conduct entrance examinations for admission into the University;
- (xvii) to cooperate or collaborate with any other Universities, authorities or associations, or any other public or private body having purposes and objectives similar to those of the University or appoint one or more representatives of the Universities to act upon any such body, authority or association for such purposes, as may be agreed upon, on such terms and conditions, as may be prescribed from time to time;
- (xviii) to enter into a contract or MoU or agreement with any other organization or institution, recognized by the Government of India, Government of Assam and any other state government, for the transfer of knowledge and technology on well-defined terms and conditions to raise funds for the University, for technical collaboration and any other collaboration with due approval of Government of Assam;
- (xix) to enter into any agreement for the incorporation in the University of any other institutions and for taking over its rights, properties and liabilities and for any other purposes not repugnant to this Act with prior approval of the Government of Assam;

- (xx) demand and receive payment of such fees and other charges, as may be prescribed from time to time and to hold, manage and dispose of any movable or immovable, including trust or endowed property within or outside the university area for the purpose or objects of the university and to invest any funds representing such property in such manner, as the University thinks fit;
- (xxi) to purchase a property for furthering the cause and objective of the University;
- (xxii) to maintain bank accounts in the name of the University;
- (xxiii) to receive grants from State and Central Government, University Grants Commission, and any private or central Government agencies, as prescribed in Statutes, Ordinances or Rules;
- (xxiv) to provide for the benefit of its members, such pension or provident fund as the University may deem fit;
- (xxv) to borrow with the approval of the State Government, on the security of university property, money for the purposes of the University;
- (xxvi) to provide for the printing, reproduction and publication of research activities;
- (xxvii) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be required in order to further the objectives of the University.
- Jurisdiction** 7. The jurisdiction of Bongaigaon University shall extend throughout the State of Assam and shall extend to the areas and colleges and research and experimental stations or other institutions and authorities of University and other constituent units of the University which are under the full management and control of the University.
- University to be open to all** 8. The University shall be open to everyone regardless of gender, race or creed. It shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession to entitle him to be admitted to it as a teacher or as a student or to hold any office therein, or to graduate or to enjoy or exercise any particular benefaction accepted by the University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction.
- Officers of the University** 9. The following shall be the Officers of the University:-
- (i) The Chancellor;
 - (ii) The Vice-Chancellor;
 - (iii) The Registrar;
 - (iv) Academic Registrar;
 - (v) Controller of Examinations;
 - (vi) Deputy Controller of Examinations;
 - (vii) The Dean, Student Welfare;
 - (viii) Finance Officer; and
 - (ix) Such other persons in the service of the University as may be declared by the states to be the officers of the University.
- Chancellor** 10. (1) The Governor of Assam shall be the Chancellor of the University.
(2) The Chancellor, when present, shall preside over the meeting of the Court and Convocation of the University.
- Powers and Duties of the Chancellor** 11. (1) The Chancellor shall have the power to cause an inspection, by himself or by such person or persons as he may direct, the properties of the University, its buildings, laboratories and equipment and Colleges or Institutions or Centres maintained by the University and also of the examinations, teaching and other works conducted or done by the University and to cause an enquiry to be made in like manner in respect of any matter connected with the University.

- (2) The Chancellor shall, in every such case, give notice to the Executive Council of his intention to cause an inspection or enquiry to be made, and the Executive Council shall be entitled to appoint a representative who shall have the duty and right to be present and be heard at such inspection or enquiry.
 - (3) The Chancellor may address the Vice Chancellor with reference to the result of such inspection and enquiry, and the Vice Chancellor shall communicate to the Executive Council the views of the Chancellor with such advice as the Chancellor may offer upon the action to be taken thereon.
 - (4) The Executive Council shall communicate through the Vice Chancellor to the Chancellor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or enquiry.
 - (5) When the Executive Council, within a reasonable time, does not take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit, and the Executive Council shall be bound to comply with such directions.
 - (6) Expenses that may be incurred in connection with such inspection or enquiry and certified as such by the Chancellor shall be a charge on the University.
 - (7) The Chancellor shall have such other powers as may be conferred on him by or under the provisions of this Act.
 - (8) The Chancellor, as the Head of the University, shall have the power to suspend the activities of the various authorities of the University as and when circumstances so demand and vest all powers and functions of these authorities in his own hand or to control the affairs of the authority or authorities so suspended in such manner and for such a period as deemed fit and reasonable by him.
- Vice-Chancellor 12.
- (1) The Chancellor shall appoint the Vice-Chancellor on the recommendation of an Advisory Board constituted by the Chancellor for the purpose and consisting of three members, of whom the Executive Council shall elect one member, the State Government shall nominate one member, and the Chancellor shall nominate one member. The Chancellor shall appoint one of them as Chairman of the Advisory Board.
 - (2) The Advisory Board shall recommend a panel of names of three persons to the Chancellor, who may appoint one of the recommended persons as Vice-Chancellor. If the Chancellor does not approve any of the person recommended by the Advisory Board, he may call for a fresh recommendation.
 - (3) The Vice-Chancellor shall be a full-time officer of the University who shall hold office for a period of five years and shall be eligible for re-appointment and shall retire on the date he attains the age of 70 years.
 - (4) Whenever there is any temporary vacancy in the Office of the Vice-Chancellor by reasons for leave, illness or other causes, the Chancellor shall make such other arrangements as he may think fit, for exercising the powers and performing the duties of the Vice-Chancellor during the absence.

- (5) The Chancellor shall determine the emoluments and other terms and conditions of service of the Vice-Chancellor, provided that the salary of the Vice-Chancellor shall not be less than Rs. 75000/- per month, as revised from time to time and all other allowances as are admissible under relevant rules.
- Powers and Duties of Vice-Chancellor** 13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Court and Convocation of the University. He shall be an ex-officio member and Chairman of the Executive Council, the Standing Finance Committee, the Construction Committee, and the Academic Council and shall be entitled to be present and to speak at any meeting of any authority or other body of the University, when present, he shall preside over all such meetings.
- (2) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes, the Ordinances and the Regulations are duly observed.
- (3) The Vice-Chancellor shall have the power to convene meetings of the Court, the Executive Council, the Academic Council, the Finance Committee and the Construction Committee.
- (4) In any emergency, which in the opinion of the Vice-Chancellor, requires immediate action to be taken, the Vice-Chancellor shall take such action as deemed necessary, and shall at the earliest opportunity, report his action to the authority or other body who or which in the ordinary course, would have dealt with the matter.
- (5) When any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Executive Council through the officer, authority or other body of the University within thirty days from the date on which such action is communicated to him.
- (6) The Vice-Chancellor shall give effect to any order of the Executive Council regarding the appointment, dismissal or suspension of an officer or a teacher of the University or regarding the recognition or withdrawal of the recognition of any such teacher. He shall exercise general control in the University. He shall be responsible for the maintenance of the discipline of the University.
- (7) The Vice Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.
- Registrar** 14. (1) The Registrar shall be appointed by the Executive Council on such terms, conditions and remunerations as may be prescribed.
- (2) The term of the Registrar shall be for five years, but he may be eligible for re-appointment.
- (3) The Registrar shall be the Ex-officio Secretary of the Court, Executive Council, and Construction Committee. All communications, in general, to be addressed to and on behalf of the University shall be in the name of the Registrar.
- Power and Duties of the Registrar** 15. The powers and duties of the Registrar shall be the following, namely:-
- (i) to be the custodian of the records, common seal, and such other property of the University as the Executive Council shall commit to his charge and to manage such properties;
- (ii) to sign and verify all appointments, contracts and agreements made on behalf of the University and to act as Secretary of such other Committees as may be prescribed by the Statutes;
- (iii) to conduct the official correspondence between the Court and the Executive Council;

- (iv) to issue all notices of convening meetings of all such Committees or Councils or Boards of which he is the Secretary;
- (v) to arrange for and conduct the examination of the University till such time when the University appoints other officers, if any, for this purpose;
- (vi) to perform such other work as may, from time to time, be prescribed by the Executive Council;
- (vii) to represent the University in any Court of Law and to sue any party for any liability to the University and breach of any contract entered into with the University.
- Controller of Examinations** 16. (1) The Controller of Examinations shall be a full-time salaried officer of the University and shall be appointed by the Executive Council on a full-time basis;
- (2) It shall be the duty of the Controller of Examination to hold various examinations of the University and its constituent and affiliated Colleges;
- (3) The Controller of Examinations shall be the authority to hold examinations and ensure that the results are declared in time.
- Deputy Controller of Examinations** 17. The Deputy Controller of Examinations shall be a full-time salaried officer of the University and shall be appointed by the Executive Council on a full-time basis.
- Academic Registrar** 18. (1) The Academic Registrar shall be appointed by the Registrar on recommendation of the Executive Council. He shall be the Secretary of the Academic Council and shall be responsible for preparation of curriculum, syllabus and text books for different courses of the University. The term of the Academic Registrar shall be for five years but may be reappointed if found eligible.
- (2) The Academic Registrar shall support the Vice Chancellor and the Registrar on all academic matters.
- Dean of Students Welfare** 19. The Executive Council shall appoint the Dean of Students Welfare from among the Professors /or Associate Professors of the University.
- Director of Open and Distance Learning** 20. The Executive Council shall appoint the Director for the Directorate of Open and Distance Learning from among the Professors /or Associate Professors of the University.
- Directors** 21. The Executive Council shall appoint Directors for different Multi or Inter-Disciplinary programmes.
- Term of Deans and Directors** 22. The term of the Deans and Directors of the University shall be for a period of three years.
- The Finance Officer** 23. (1) The Finance Officer shall be a full-time salaried officer of the University and shall be appointed by the Executive Council on a full-term basis.
- (2) The Finance Officer shall exercise general supervision over the funds of the University and advice in regard to its financial policy. He shall be responsible for the preparation of the balance sheet at the end of each financial year.
- (3) Subject to the control of the Executive Council, he shall manage the investments of the University and be responsible for preparing and presenting the annual estimates and statements of accounts and for proper maintenance of the funds.
- (4) Subject to the powers of the Executive Council, the Finance Officer shall be responsible for ensuring that all expenditure is incurred for the purposes for which they are generated.
- (5) The Finance Officer shall exercise such other powers as may be prescribed in the Statutes and the Ordinances.

- (6) The officer shall be responsible for the auditing of accounts of the University at least once in every year and at interval of not more than fifteen months and the audit shall be done by Comptroller and Auditor General of India:

Provided that the Chancellor may, on the recommendation of the Executive Council in the case of a casual vacancy, may ask the Registrar to perform the duties of Finance Officer.

Authorities of the University

24. The following shall be the authorities of the University:—

- (i) The Court;
- (ii) The Executive Council;
- (iii) The Academic Council;
- (iv) The Research Council;
- (v) The Post-Graduate Board;
- (vi) The Under-Graduate Board;
- (vii) The Board of Studies;
- (viii) The Finance Committee;
- (ix) The Selection Committees;
- (x) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Court

25. (1) The Court shall constitute of the following members, namely:—

(A) Ex - officio Member :—

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Minister of Education, Assam;
- (iv) The Registrar;
- (v) The Academic Registrar;
- (vi) The Controller of Examinations;
- (vii) The Finance Officer;
- (viii) All Deans of the University;
- (ix) All Directors of the University;
- (x) The Senior-most Secretary to the Government of Assam in the Higher Education Department;
- (xi) The Director of Higher Education, Assam;
- (xii) The Director of Technical Education, Assam;
- (xiii) The Director of Medical Education and Research, Assam;
- (xiv) The Director of Agriculture, Assam;
- (xv) The Director of Animal Husbandry and Veterinary, Assam;
- (xvi) The Vice-Chancellor of the Dibrugarh University;
- (xvii) The Vice-Chancellor of the Gauhati University;
- (xviii) The Director, Information and Technology, Electronics and Communication;
- (xix) Two members nominated by the Executive Council;
- (xx) One-third of the Principals of the Degree Colleges affiliated to the University, at a time, by election from amongst themselves and shall retire after every three years in the manner prescribed by the Statutes;
- (xxi) Two Heads of the Academic Departments of Bongaigaon University (to be selected on the basis of seniority).

(B) Other Members:—

- (xxii) two persons distinguished in Literature, Law, Medicine, Science, Engineering, Technology, Commerce, Public life etc., nominated by the Chancellor;
- (xxiii) two members (one female) of the Bongaigaon University Alumni (to be nominated by the Chancellor).

- (xxiv) two representatives with good records to be elected by the Post-Graduate Students of the University from amongst themselves:
 Provided that a student to be elected must have been a student of the University for at least one year prior to his election.
- (xxv) two representatives from Assam Legislative Assembly to be selected by the Hon'ble Speaker.
- (2) Save as otherwise provided and except that ex-officio members and student members, all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:
 Provided that no person nominated or elected in his capacity as a member of a particular body or as holder of a particular appointment shall be a member after he ceases to be a member of that body or holder of that appointment, as the case may be:
 Provided further that any member elected or nominated under clause (xxiv) shall hold office for a period of one year only from the date of his election or nomination, as the case may be. He shall cease to be a member of the Court on his ceasing to be a student of the University.
- (3) When a person ceases to be a member of the Court, he shall cease to be a member of any of the authorities or committees of the University of which he may happen to be a member by virtue of the membership of the Court.
- (4) With the approval of the Court, the Vice Chancellor may remove an elected or selected member.
- Meeting of the Court 26. The Court shall meet at least twice a year on a date or dates to be fixed by the Vice Chancellor. One such meeting shall be held in January and shall be called the Annual General Meeting. The Court may also meet at such times, as it may from time to time determine.
- Powers and Duties of the Court 27. Subject to the provisions of this Act, the Court shall have the following powers and duties, namely:—
- (i) to review, from time to time, the broad policies and programmes of the University and suggest measures for the improvements and development of such policies, programmes, works and other affairs;
- (ii) to consider the annual report, the annual accounts, the audit report and the statement of the financial estimates for the ensuing year, to approve the financial estimates, with such comments, if any, to express its views on the annual report and to suggest such measures, as it may be deemed proper on the matters covered by them;
- (iii) to approve, with or without modifications, the Statutes submitted by the Executive Council:
 Provided that before making any modification to the Statutes submitted by the Executive Council, the Executive Council shall be given an opportunity to consider the modifications proposed by the Court and the Court shall consider the opinion expressed by the Executive Council on such modifications.
- (iv) to consider the annual balance sheet prepared at the end of each financial year but not later than six months from the end of such financial year, along with the Receipts and Payment Account and Income and Expenditure Account, all of which should be in conformity with the existing accounting practices as notified from time to time by various oversight committees and the Government of Assam. These should be held up for review by the Finance Committee before it is placed for scrutiny by the Executive Council and then for approval by the Court. Such audit report, along with the audited financial statements, shall form part of the Annual Report of the University and shall be placed in the house of the Assam Legislative Assembly.

The Executive
Council

28. (1) The Executive Council shall be the executive body of the University. It shall consist of the following members, namely:—

(A) **EX – OFFICIO MEMBERS :—**

- (i) The Vice-Chancellor;
- (ii) The Registrar;
- (iii) Academic Registrar;
- (iv) Two Members of Assam Legislative Assembly;
- (v) The Director of Higher Education, Assam;
- (vi) The Director of Technical Education, Assam;
- (vii) The Director of Medical Education, Assam;
- (viii) The Director of Agriculture, Assam;
- (ix) The Director of Animal Husbandry & Veterinary, Assam;
- (x) One Principal of a Degree College affiliated with the University, at a time, selected by election from amongst themselves and shall retire after every three years in the manner as may be prescribed by the Statutes;
- (xi) Two Heads of Departments of the University who are Professors/Associate Professors, to be chosen by the Vice-Chancellor by rotation according to seniority for a period of two years;
- (xii) Two members to be elected by the Court from amongst its members at its Annual General Meeting other than employees and students of the University;

(B) **OTHER MEMBERS:—**

- (xiii) Two distinguished academicians of the district where the University is situated to be nominated by the Government;
- (xiv) Two members (one female) from Bongaigaon College/ Bongaigaon University Alumni (to be nominated by the Vice-Chancellor);
- (xv) One 'Professor of Practice' to be nominated by the Governor;
- (xvi) One successful entrepreneur to be nominated by the Governor.

- (2) Save as otherwise provided, and except the ex-officio members, all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:

Provided that no person nominated or elected in his capacity as a member of a particular body or as a holder of a particular appointment shall be a member after he ceases to be a member of that body or holder of that appointment, as the case may be.

- (3) When a person ceases to be a member of the Executive Council, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Executive Council.

Powers of the
Executive Council

29. (1) The Executive Council shall hold, control and administer the property and funds of the University and shall appoint a Finance Committee to advise it on matters of finance consisting of six members, of whom the Vice-Chancellor shall be the Chairman, the Finance Officer shall be the Secretary and the other four members shall be appointed as follows:-

- (i) two members to be elected by the Executive Council from among its members and;

(ii) two members are to be nominated by the State Government, one from the Finance Department and the other from the Higher Education Department of the State Government.

(2) It shall do all acts appertaining or incidental to the construction of buildings, roads, tanks, pipelines and other structures of the University and, for the purpose, shall appoint a Construction Committee consisting of seven members of whom the Vice-Chancellor shall be the Chairman, the Registrar shall be the Secretary, the Finance Officer, a member and the remaining four members shall be appointed from among the members of the Executive Council with power to co-opt experts as members who shall have no power to vote:

Provided that at least one member of the Committee shall be appointed from amongst the members elected to the Executive Council by the Court.

(3) It shall determine the form and regulate the use of the Common Seal of the University.

(4) It shall lay before the State Government annually a full statement of the financial requirements of the University.

(5) It shall administer funds placed at the disposal of the University for any specific purpose, including those given for the purpose of buildings, roads, tanks, pipelines and other structures of the University.

(6) Subject to the provisions of this Act and the Statutes and also Acts and Rules of the State Govt. of Assam, it shall appoint the officers (other than the Chancellor and the Vice Chancellor), teachers, office and technical staff and other employees of the University and define their duties and conditions of service and shall provide for the filling up of temporary vacancies.

(7) It shall have the power to accept, on behalf of the University, bequests, endowments, donations or transfer of any movable or immovable property.

(8) It shall arrange for holding/conducting examinations of the University and publishing the results.

(9) It shall, subject to the powers conferred by this Act on the Vice Chancellor, regulate and determine all matters under this Act concerning the University in accordance with this Act, the Statutes and the Ordinances:

Provided that the Executive Council shall take no action with respect to the numbers, qualifications or emoluments of teachers without consultation with the Academic Council.

(10) The Executive Council shall be the authority to decide on matters related to the examination, affiliation, remuneration, promotion, and appointment of both regular and contractual staff.

(11) It shall exercise all other powers of the University, of which no specific provisions have been made in this Act or in the Statutes.

The Academic Council 30.

(1) The Academic Council shall consist of the following members:-

(A) **EX-OFFICIO MEMBERS:-**

- (i) The Vice-Chancellor;
- (ii) The Registrar;
- (iii) Academic Registrar;
- (iv) The Director of Higher Education, Assam;
- (v) The Director of Technical Education, Assam;
- (vi) The Director of Medical Education and Research, Assam;
- (vii) The Director of Agriculture, Assam;
- (viii) The Director of Animal Husbandry and Veterinary, Assam;
- (ix) The Director, Information Technology, Electronics and Communication;

- (x) The Professors of the University;
- (xi) The Associate Professors of the University who are Heads of the teaching Departments;
- (xii) Librarian of the University;
- (xiii) One Principal of a Degree College affiliated with the University, nominated by the Vice Chancellor for a period of three years,

(B) OTHER MEMBERS:—

- (xiv) A maximum of three persons possessing expert knowledge in subjects having relevance to the University shall be nominated by the Vice-Chancellor to the Academic Council.
 - (xv) Two persons to be elected by the Court who are not employees or students of the University; and
 - (xvi) Two members (one female) of the Bongaigaon College or Bongaigaon University Alumni (to be nominated by the Vice Chancellor).
- (2) Save as otherwise provided, and except the ex-officio members, all other members shall hold office for a period of three years from the date of their election or nomination as the case may be.
- (3) When a person ceases to be a member of the Academic Council, he shall cease to be a member of any of the authorities of the University of which he may happen to be a member by virtue of his membership of the Academic Council.

Powers of the Academic Council

31. Powers of the Academic Council:-

The Academic Council shall have the following powers, namely:-

- (i) to make proposals to the Executive Council for the institution of Professorship, Associate Professorship, Assistant Professorship or other teaching posts, and in regard to the duties and emoluments thereof;
- (ii) to submit to the Executive Council draft Regulations regarding methods and manner of conducting examinations, including setting up of Moderation Boards and to award Fellowships, Scholarships, Medals and other rewards in accordance with such Regulations;
- (iii) to recommend examiners for appointments to be made by the Vice-Chancellor after a report from the faculties concerned;
- (iv) to control the University Library, to frame Regulations regarding its use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the library;
- (v) to assign subjects to the faculties;
- (vi) to assign teachers to the faculties;
- (vii) to promote research within the University, including the establishment of a Research Council and to call for reports on such research from the persons employed thereon;
- (viii) to organise teaching in the University and control the engagement of teachers; and
- (ix) such other powers and duties as may be assigned to it under the Statute.

Research Advisory Council

32.

There shall be a Research Advisory Council (RAC) headed by the Vice-Chancellor or his nominee as the apex body of the Research Development Cell (RDC) as prescribed by the University Grant Commission (UGC). The Executive Council shall nominate other members, as per the UGC Guidelines for the Establishment of Research and Development Cell in Higher Education Institutions.

Post-Graduate Board

33.

There shall be a Post-Graduate Board to monitor all Post Graduate programmes pertaining to admission and evaluation. The Post-Graduate Board shall have the following members, namely :—

- (1) the Vice-Chancellor;

**Powers and duties
of the Post-
Graduate Board**

34.

Subject to the provisions of this Act, the Statutes and the Ordinances, the Post-Graduate Board shall have the following powers and duties:-

- (1) six persons from amongst the Professors and heads of Departments of Post-Graduate departments of the University selected by the Academic Council;
 - (2) two members of the Academic Council who are not Professors or Heads of Departments of the University elected by the Academic Council;
 - (3) four persons who may or may not be professors of the University to be nominated by the Vice-Chancellor; and
 - (4) one member of the Examination Committee to be nominated by the Vice-Chancellor.
- (i) to recommend to the Academic Council the pattern of Post-Graduate courses, the examinations to be held for such courses, and their revision;
 - (ii) to approve the curricula and syllabi for the post-Graduate courses and to modify them, as deemed necessary, after considering the recommendations of Boards of Studies;
 - (iii) to recommend to the Executive Council for the institution and award of fellowships, scholarships, prizes, honorary degrees and other awards or other academic distinctions; and for instituting and conferring of degrees, diplomas, titles, certificates and other academic distinctions in the Post-Graduate courses on the basis of examinations and for the withdrawal of the same;
 - (iv) to make recommendations to the Executive Council for the institution of Professorships, Associate Professorships, Assistant Professorships or other posts of teachers required for the Post-Graduate Courses and for the recognition of persons as teachers of the University for such courses, and regarding their emoluments, duties and terms and conditions of their services;
 - (v) to recommend to the Academic Council the conditions for the admission of students to Post- Graduate courses and to make regulations for their attendance and progress;
 - (vi) to make Regulations with regard to the residence and discipline of students in the departments and the affiliated colleges and institutions imparting Post-Graduate courses and for the promotion of their health and welfare;
 - (vii) to make recommendations to the Executive Council regarding the allocation of funds to the Post-Graduate Departments and Colleges or Institutions or Centres engaged in Post-Graduate courses or research; and to the libraries, laboratories, and museums established by the University;
 - (viii) to review the works of the Post-Graduate Departments and Colleges or Institutions or Centres engaged in Post-Graduate courses and research, and to call for a report thereon and to take all steps necessary for the improvement of the standards of research and teaching and other affairs therein;
 - (ix) to consider the measures suggested by the Academic Council on any matter affecting the academic work of the University and to express its views on them; to consider any matter referred to it by the Executive Council or the Academic Council and to submit reports thereon to the Executive Council or the Academic Council, as the case may be;
 - (x) to approve the panels of the examiners for Post-Graduate Examinations, with or without modifications, after considering the recommendations of the Boards of Studies and to modify the same at any time after consultation with the Boards of Studies concerned.
 - (xi) to appoint committees and to fix their terms of reference in regard to any matter within the jurisdiction of the Post-Graduate Board.
 - (xii) Such other powers and duties as may be assigned to it under the statute.

- Under-Graduate Board 35. There shall be an Under-Graduate Board to monitor all Under Graduate programmes pertaining to admission and evaluation. The Under Graduate Board shall have the following members, namely:—
- (i) the Vice-Chancellor;
 - (ii) three persons from among the Professors and the Heads of Departments of the University selected by the Academic Council;
 - (iii) three Principals selected by the Academic Council from the affiliated colleges;
 - (iv) three persons who may or may not be members of the Academic Council, nominated by the Vice-Chancellor;
 - (v) ten persons to be elected from amongst the teachers of the affiliated Colleges; and
 - (vi) one member of the Examination Committee to be nominated by the Vice-Chancellor.
- Powers and Duties of the Under-Graduate Board 36. Subject to the provisions of this Act, the Statutes and the Ordinances, the Under-Graduate Board shall have the following powers and duties, namely :-
- (i) to recommend to the Academic Council the pattern of Under-Graduate courses, the examinations to be held for such courses, and their revision;
 - (ii) to approve the curricula and syllabi for the Under-Graduate courses and to modify them wherein necessary after considering the recommendations of Boards of Studies;
 - (iii) to recommend to the Executive Council for the institution and award of fellowships, scholarships, prizes, honorary degrees and other awards or other academic distinctions and for instituting and conferring of degrees, diplomas, titles, certificates and other academic distinctions in the Under-Graduate courses on the basis of examinations and for the withdrawal of the same;
 - (iv) to make recommendations to the Executive Council for the institution of Professorships, Associate Professorships, Assistant Professorships or other posts of teachers required for the Under-Graduate Courses and for the recognition of persons as teachers of the University for such courses, and regarding their emoluments, duties and terms and conditions of their services;
 - (v) to recommend to the Academic Council the conditions for the admission of students to Under-Graduate courses and to make regulations for their attendance and progress;
 - (vi) to make Regulations with regard to the residence and discipline of students in the departments and the affiliated colleges and Colleges or Institutions or Centres imparting the Under-Graduate courses and for the promotion of their health and welfare;
 - (vii) to make recommendations to the Executive Council regarding allocation of funds to the Under-Graduate Departments and constituent Colleges or Institutions or centres engaged in Under Graduate courses or research; and to the libraries, laboratories, and museums established by the University;
 - (viii) to review the works of the Under-Graduate departments and Colleges or Institutions or Centres engaged in Under-Graduate courses and research and to call for a report thereon and to take all steps necessary for the improvement of the standards of research and teaching and other affairs therein;
 - (ix) to consider the measures suggested by the Academic Council on any matter affecting the academic work of the University and to express its views on them; to consider any matter referred to it by the Executive Council or the Academic Council and to submit reports thereon to the Executive Council or the Academic Council, as the case may be;
 - (x) to approve the panels of the examiners for Under Graduate Examinations, with or without modifications, after considering the recommendations of the Boards of Studies and to modify the same at any time after consultation with the Boards of Studies concerned;

- (xi) to appoint committees and to fix their terms of reference in regard to any matter within the jurisdiction of the Under-Graduate Board.
- Board of Studies** 37. Every teaching Department and Centre shall have a Board of Studies which shall be the framing authority of all academic programmes and curricula of the respective department and centres. Each Board of Studies shall consist of the following members, namely:-
- (i) Head of the concerned Department or Director of the concerned centre of the University; - Chairman
 - (ii) All the faculty members of the concerned department; - Member
 - (iii) Three persons with qualifications in the Branch of Study elected by the Academic Council; - Member
 - (iv) One Expert Consultant, not connected with the University nominated by the Chairman with the approval of the Vice-Chancellor; - Member
 - (v) Subject to the prior approval of the Vice-Chancellor, the Board may consult other Expert or Experts, when necessary, on any matter within its field as Special Expert. - Member
- Powers and Duties of the Board of Studies** 38. Subject to the provisions of this Act, the Statutes and the Ordinances, each Board of Studies shall have the following powers and duties, namely:—
- (i) to make recommendations to the Post-Graduate or the Under-Graduate Board, as the case may be, about the pattern of courses, curriculum, and syllabi to be laid down for different courses and the examinations to be held for such courses and to make recommendations for revision of courses, syllabi, curricula and examinations in so far as they relate to the field of the particular department /or centre or branch of studies,
 - (ii) to prepare and, when necessary, revise the panel of examiners for different examinations for submission to the Examination Committees; and
 - (iii) to consider any other matter referred to it by the Post Graduate or Under Graduate Board, the Academic Council or the Executive Council, as the case may be, and to submit a report to the authority concerned upon the matter so referred.
- Finance Committee** 39. There shall be a Finance Committee of the University consisting of the following members, namely :—
- (i) The Vice-Chancellor as Chairman;
 - (ii) Registrar;
 - (iii) Two members elected from the Court from amongst its members;
 - (iv) Two members elected by the Executive Council from its members;
 - (v) Two members to be nominated by the State Government, one from the Finance Department and the other from the Higher Education Department, Government of Assam;
 - (vi) Finance (and Accounts) Officer as Member Secretary.
- Functions of the Finance Committee** 40. The functions of the Finance Committee shall be as follows:—
- (i) to examine the annual budget estimates and to give advice and suggestion to the Executive Council thereon;
 - (ii) to make recommendations to the Executive Council relating to the finances of the University;
 - (iii) to examine every proposal for new expenditures involving a sum of money exceeding rupees one lakh and to advise the Executive Council thereon;
 - (iv) to review the financial position of the University periodically;
 - (v) to suggest, in general, the means for the improvement of the financial position of the University;

- (vi) to review grades of pay for all staff of the University so that they conform to the State Government rules and policies and report to the Executive Council;
- (vii) to deal with such other matters relating to the financial matters of the University, as may be prescribed by the Statutes and Ordinances.
- (viii) The Committee shall sit at least twice a year, and all the expenditures of the University shall be placed before the Committee.
- Selection Committee 41. (1) There shall be a Selection Committee for making recommendations to the Executive Council for the appointment of Professors, Associate Professors, Assistant Professors, Registrar, Finance Officer, Controller of Examinations, Librarian, Deputy Registrars, Deputy Controller of Examinations and other officers of the University as may be provided for by the Statutes consisting of the following members, namely :-
- (i) The Vice-Chancellor as Chairman of the Selection Committee;
 - (ii) three persons not holding any office of profit under the University of whom one is to be nominated by the Chancellor, one is to be nominated by the Executive Council, and the other is to be nominated by the Academic Council;
 - (iii) the Registrar shall be the Member-Secretary of the Selection Committee, except for the Selection Committee for the appointment of Registrar, and in such a case the Vice-Chancellor shall nominate one person as Member Secretary in consultation with the Executive Council.
- (2) In making recommendations for the appointment of Professors of the University, the Selection Committee shall have the Head of the Department concerned, if he is a Professor, one Professor of the Department to be nominated by the Vice-Chancellor, and two persons not in the services of the University to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council, who have specific knowledge of the subject for which the Professor is to be selected.
- (3) In making recommendations for the appointment of Associate Professors or Assistant Professors and other teachers of the University, the Selection Committee shall be constituted with the Head of the Department concerned, one Professor of the Department to be nominated by the Vice Chancellor, and two persons to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council being persons not connected with the University, who have specific knowledge of the subject for which the teacher is to be selected:
- Provided that where the Executive Council proposes to make an appointment otherwise than in order of merit arranged by the Selection Committee, the post of Professors, Associate Professors and Assistant Professors, it shall record its reasons in writing and submit them to the Chancellor, who may approve the proposal or return it to the Executive Council for reconsideration. After reconsideration, if the Executive Council desires to pursue its original proposal, it shall refer the matter again to the Chancellor for his decision which shall be final:
- Provided further that, where a Selection Committee recommends to the Executive Council the name of one person only, and that person is not acceptable to the Executive Council, the Executive Council shall record its reasons in writing for not accepting their recommendation and direct the Registrar to advertise the vacancy again and convene a meeting of the Selection Committee for making a fresh recommendation, and in doing so, communicate to every member of the Selection Committee thereon, as recorded above.
- (4) Where an appointment is to be made to a temporary vacancy of teacher of the University, the appointment shall be made, if the vacancy is for a period of one year or more, on the recommendation of the Selection Committee in accordance with the provisions of the preceding subsections and no ad-hoc appointment shall be made by the Executive Council.
- (5) If a member of the Selection Committee is unable to attend, he may send his opinion in writing to the Vice-Chancellor, and such opinion shall be taken into consideration by the Committee in making its recommendations.

- (6) If the Executive Council does not accept any of the recommendations of the Selection Committee, it shall refer the matter to the Chancellor, stating clearly the reasons for not agreeing with the Selection Committee, and the decision given by the Chancellor thereon shall be final.
- (7) The Executive Council shall constitute one or more Committees for making recommendations to the Executive Council for appointment to other administrative posts and may prescribe through Ordinance the procedure and methods to be followed in making such recommendations.
- Faculties** 42. (1) The University shall include the Faculty of Humanities, Science, Law, Agriculture, Commerce, Management, Mass Communication, Environmental Science, Indian Fine Arts and such other Faculties as may be prescribed by the Statutes.
- (2) Each faculty shall, subject to the control of the Academic Council, have charge of teaching, the courses of study and the research work, including delivery of consultancy services in such subjects as may be assigned to such faculty by the Ordinances.
- (3) Each faculty shall consist of,—
- (i) The Heads of the Departments;
 - (ii) Such teachers of subjects assigned to the faculty as may be appointed to the faculty by the Academic Council;
 - (iii) Such teachers of subjects not assigned to the faculty but have, in the opinion of the Academic Council, an important bearing on those subjects:
Provided that a teacher so elected shall hold office for a period of two years from the date of his election;
 - (iv) Such other persons as may be appointed to the faculty by the Academic Council on account of their possessing expert knowledge in a subject or subject assigned to the faculty.
- Powers of Faculty** 43. Subject to the provisions of this Act, each faculty shall have the following powers, namely:—
- (a) to constitute the Committees of Courses and Studies in Departments assigned to it;
 - (b) to recommend to the Academic Council the courses of studies for the different examinations after consulting the Committees of Course and Studies;
 - (c) to recommend to the Academic Council, after consulting the Committees of Courses and Studies, the names of the examiners in subjects assigned to the faculty;
 - (d) to recommend to the Academic Council the conditions for the award of Degrees, Diplomas and other distinctions;
 - (e) to encourage, subject to prior approval of the Academic Council, research in subjects assigned to the faculty; and
 - (f) to deal with any other matter referred to it by the Academic Council.
- Directors of Centre** 44. (a) There shall be a Director of each Centre who shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the Centre. He or she shall be the Executive Officer of the Centre and shall preside at its meeting.
- (b) The Director of each Centre shall hold office for a period of three years and be appointed by the Executive Council from amongst the Professors/Associate Professors of the University.
- Students' Advisory Council** 45. (1) There shall be a Students' Advisory Council which shall consist of the following members, namely:—
- (i) The Dean of Students' Welfare as the Chairman;
 - (ii) The Director/ Deputy Director of Students' Welfare as Ex-officio Treasurer;
 - (iii) President and Secretary of the University Teachers' Association;

- (iv) President, Vice-President and Secretary of the University Students' Union;
 - (v) Principals of the Affiliated and constituent Colleges, if any;
 - (vi) One student from each teaching Faculty of the University is to be elected as prescribed by the Statutes;
 - (vii) Six students, one from each of the five activities mentioned below who have shown outstanding performances in the following activities, are to be nominated by the Vice-Chancellor, namely:—
 - (a) Sports;
 - (b) National Service Schemes;
 - (c) National Cadet Corps;
 - (d) Cultural activities;
 - (e) Art and Literature;
 - (f) Specially abled;
 - (viii) four female students to be nominated by the Vice-Chancellor;
 - (ix) the Director of Sports and Physical Education, if any;
 - (x) the members of the Students' Advisory Council shall elect from amongst themselves the Secretary of the Council;
 - (xi) two members (one female) from Bongaigaon University Alumni (to be nominated by the Vice-Chancellor).
- (2) The term of the members of the Students' Advisory Council other than ex-officio members shall be one year.
- (3) The quorum of a meeting of the Students' Advisory Council, the rules of procedures and conduct of business to be followed at a meeting, the period within which a meeting shall be called, and such other matters as may be prescribed by the statute:

Provided that no student shall be eligible to be or continue to be a member of the Students' Advisory Council unless he is enrolled as a student. A student member shall cease to be such a member if he fails to pass at the next University Examination.

Functions of the Students' Advisory Council 46.

The functions of the Students' Advisory Council shall be as follows:

- (i) to make recommendations to the Executive Council and the Academic Council in the matters affecting the students' corporate life of the University in so far as it concerns the students and the co-curricular activities;
- (ii) all rules affecting discipline, welfare, sports, library, Management of Hostels, extension work, social work, students' health, N.C.C, National Service Scheme etc., shall be placed before the Students' Advisory Council for its views before the Executive Council takes any decision;
- (iii) the Vice-Chancellor or any authority of the University may ask for the views of the Students' Advisory Council on any matter concerning the welfare of students;
- (iv) the Chairman of the Students' Advisory Council shall be the authority to decide whether a matter does or does not concern the students;
- (v) the Students Advisory Council shall frame its own rules of business and shall submit the same to the Executive Council for consideration and approval.

University Fund 47.

- (1) The University shall have a Fund to be known as "Bongaigaon University Fund" to which shall be credited all its income, fees, fines, contributions, donations, loans and advances from any other sources.
- (2) The University may also create, by Ordinance made on this behalf, one or more separate special funds for the administration of endowments, trusts or other grants for specific purposes.
- (3) The State Government shall, for the purpose of this Act, contribute annually to the University Fund so as to enable the University to run smoothly and efficiently.

- Accounts and Audit 48.**
- (1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Comptroller and Auditor General for the purpose of Audit.
 - (2) The account when audited by Comptroller and Auditor General shall be submitted through the Executive Council, to the University Court, the Chancellor and to the State Government and thereupon, the State Government shall publish the same in the Official Gazette. The Executive Council shall also submit to the Court on or before such date as may be prescribed by the Statutes, a statement of the financial estimates for the ensuing year.
 - (3) The annual accounts and the final estimates shall be considered by the Court at its annual meeting and the court may pass resolutions whereon and communicate the same to the Executive council.
 - (4) Such Annual Statement of Accounts shall, together with copies of the audit report, be tabled before Assam Legislative Assembly.
 - (5) The Finance Committee of the University shall conduct half-yearly internal audit and the report of such audit shall be submitted to the State Government regularly.
 - (6) Notwithstanding anything contained hereunder, the State Government shall have powers, as deemed necessary, to order an audit of the accounts of the University.
 - (7) The annual budget estimates shall, after the Executive Council finalises these, be circulated to the Chancellor, State Government and all members of the Court at least fifteen days before they are submitted to the State Government.
 - (8) The University shall obtain prior approval from the Finance (Budget) Department of the State Government for opening any account in a Nationalized Bank or any other Bank. The operation of such Account by the University shall be, as per approvals accorded from time to time, by the said Department.
- Statutes 49.** Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-
- (i) introduction of Chair;
 - (ii) the conferment of honorary Degrees;
 - (iii) the Institution of Fellowships, Scholarship, Exhibition and Prizes;
 - (iv) the terms of office, the method of appointment and the conditions of service of the officers of the University;
 - (v) the designation and the powers of the officers of the University;
 - (vi) the constitution, powers and duties of the authorities of the University;
 - (vii) the establishment of Hostels and their maintenance;
 - (viii) the constitution of Pensions, Insurance and Provident Funds for the benefit of the officers, teachers, clerical and other staff;
 - (ix) the maintenance of a register of registered graduates; and
 - (x) All matters, which by this Act, are to be or may be prescribed by the Statutes.
- Framing of Statutes 50.**
- (1) Subject to the provisions of this Act and with the approval of the Court, the Executive Council may make Statutes for the purpose of carrying out the provisions of this Act and in respect of the following all matters, namely :-
 - (2) The draft Statutes or draft amendments may be approved or amended, or rejected by the Court in the manner hereinafter provided that no draft Statutes or draft amendments to Statutes with financial implication shall be amended without further reference to the Executive Council:-
 - (i) every draft of the Statute proposed by the Executive Council shall be submitted to the Court for consideration. The Court shall consider such a draft at its next meeting. The Court may pass the Statute or may amend it or may return the Statute to the Executive Council for re-consideration;

- (ii) any draft of a Statute proposed by the Executive Council and rejected by the Court shall be submitted to the Chancellor, who may refer it back to the Court for reconsideration;
- (iii) every Statute passed by the Court shall be submitted to the Chancellor, who may give or withhold his consent or refer it back to the Court for reconsideration;
- (iv) a Statute passed by the Court shall have no validity until it has been assented to by the Chancellor;
- (v) any member of the Court may propose to the Executive Council the draft of any Statutes, and the Executive Council shall submit such proposed draft to the Court with its comments.
- Ordinances** 51. Subject to the provisions of this Act, and Statutes, the Executive Council may frame Ordinances to provide for all or any of the following matters, namely:—
- (i) the admission of students to the University and their enrolment as such;
 - (ii) the courses of study to be laid down for all Degrees and Diplomas of the University;
 - (iii) the conditions under which the students shall be admitted to the Degree and Diploma courses, the examinations of the University and the eligibility for the Degrees and Diplomas;
 - (iv) the conditions of residence of the students of the University;
 - (v) recognition of the Hostels;
 - (vi) the qualifying attendance required in the various courses;
 - (vii) the extension of teaching in any suitable Centre within the State by means of University extension lectures or others;
 - (viii) the emoluments and conditions of service of teachers of the University;
 - (ix) the fees to be charged for study in the University and for admission to the examinations, Degrees and Diplomas of the University;
 - (x) the formation of Departments of teaching in the faculties;
 - (xi) the constitution, powers and duties of the Boards of the University;
 - (xii) the conduct of examinations; and
 - (xiii) all matters which by this Act or the Statutes are to be or may be provided by the Ordinances.
- Regulations** 52. (1) Subjects to the provisions of this Act, Statutes and Ordinances, each of the authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the purpose of carrying out the duties and for exercising the powers assigned to the authority concerned under this Act, the Statutes and the Ordinances.
- (2) Without prejudice to the generality of the preceding sub-section, such Regulations may provide for all or any of the following matters, namely:—
- (i) number of members required to form a quorum;
 - (ii) all matters which are required to be prescribed by the regulations under this Act, Statutes or the Ordinances;
 - (iii) all matters solely concerning the authorities and not otherwise provided for by or under this Act, Statutes or Ordinances.
- (3) Notwithstanding anything contained in preceding sub-sections, the Executive Council may direct, except the Court, to make such amendments and annulments of any regulations framed by the authority in such manner as it may specify :
- Provided that any authority which is dissatisfied with such directions of the Executive Council may appeal to the Chancellor, and the decisions of the Chancellor given in the appeal shall be final.

- Affiliation** 53. After the commencement of this Act, any College or Institution applying for affiliation to the University shall satisfy the Executive Council,-
- (a) that the College shall be under the management of a duly constituted Governing Body, which shall include at least two representatives of the teaching staff of the College or Institution, as the case may be, including the Principal;
 - (b) that the land and buildings of the College or Institution, as the case may be, and the equipment for teaching therein are adequate and suitable;
 - (c) that the strength and qualification of the teaching staff are sufficient for the courses to be imparted in the College or Institution and that the tenure of the office of teaching staff is reasonable;
 - (d) that adequate arrangement shall be made for the welfare, discipline and supervision of its students;
 - (e) that the financial resources of the College or Institution are adequate to make provisions for its continued maintenance and efficient working;
 - (f) that the affiliation of the College or Institution shall not affect the educational facilities provided by other Colleges or Institutions in the same neighbourhood.
- Acts or Proceedings not to be invalid by reasons of certain irregularities** 54. No act or proceedings of the University or of any authority or Committee of the University shall be invalid merely by reasons of the existence of any vacancy or vacancies among its members or by reason of the invalidity of the election, nomination, appointment of any of its members or by reason of any irregularity in the manner of choosing a member.
- Chancellor's decision to be final in certain matters** 55. Whenever any question arises as to whether any person has been duly elected, appointed, chosen or nominated as, or is entitled to be, a member of any authority or Body of the University or whether any decision of any of the Authorities or of the Vice-Chancellor of the University is in conformity with this Act, the Statutes and the Ordinances, the question shall be referred to the Chancellor whose decision shall be final.
- Delegation** 56. Subject to the provisions of this Act, the Vice-Chancellor, with due approval of the Chancellor, may delegate any of his powers or duties conferred upon, imposed by or under this Act, to an Officer under his direct administrative control.
- Transitory Provisions:** 57.
- (1) All posts of Bongaigaon College, including the vacant posts, shall be transferred immediately to the Bongaigaon University with effect from the date of commencement of this Act. Further, new posts shall be created as per requirement with the approval of the Government.
 - (2) The existing teaching staff of Bongaigaon College qualified to teach in the University shall become teaching staff of the Bongaigaon University as per the transitory provision of this Act. The unqualified teaching staff, if any, may be transferred to nearby colleges.
 - (3) For Associate Professors who wish to be promoted to Professors, they must go through the proper selection of Professorship, as per University Grant Commission (UGC) guidelines applicable, for appointment of Professors in a University and not through Career Advancement Scheme (CAS). They shall be considered as fresh appointments, and service rules applicable for University professors at the time of appointment shall be considered.
 - (4) Pension matters of all existing teaching and non-teaching staff of Bongaigaon College under both Old Pension Scheme (OPS) and New Pension Scheme (NPS), as the case may be, shall be protected and carried over under the financial jurisdiction of Bongaigaon University. For pensions, the window for opting for the route of Accountant General, Government of Assam or Bongaigaon University will remain open for up to two years; after that period, Bongaigaon University shall be responsible for the payment of pensions. However, if any Associate Professor is selected as per University Grant Commission (UGC) guidelines for the University, he shall be governed by the service condition of the University.
 - (5) The age of superannuation of Professors shall be as per University Grant Commission (UGC) norms.

- (6) From the date of commencement of the Bongaigaon University Act, the Governing Body of the existing Bongaigaon College shall cease to exist, and the Executive Council under section 28 and other statutory bodies, formed under section 24 of Bongaigaon University Act, shall function as the executive body of the University.
- (7) The Chancellor shall, within three months from the date of the commencement of this Act, shall appoint, on such terms and conditions as he deems fit, a person to be the Vice-Chancellor. For this purpose, he may constitute an Advisory Board as per University Grant Commission (UGC) guidelines.
- (8) The first Vice-Chancellor shall, within a period of three months from the date of his appointment or within such longer period, not exceeding six months from the date of his appointment as the Vice-Chancellor, may by notification, direct and with the assistance of a Committee consisting of not more than six members nominated by the Chancellor, cause the first Statutes, the first Ordinances and the first Regulation so framed to come into force with effect from the date of such publication as if they were framed or made under the provisions of the Act relating to them.
- (9) The first Vice-Chancellor shall within three months or within such a longer period not exceeding six months as the State Government may, by notification direct, from the date of coming into force of the first Statutes, the first Ordinance and the first Regulation, cause arrangements to be made for constituting the first Court, the first Executive Council, the first Post-Graduate Board in accordance with the first Regulations.
- (10) The State Government shall, by notification in the Official Gazette, appoint a date, and on and from such date, the authorities of the University constituted under section 24 shall commence exercising the powers and duties conferred upon them by or under this Act, the first Statutes, and the first Regulations,
- (11) The first Statutes, the first Ordinances and the first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act.
- (12) The first Vice-Chancellor may, subject to the sanction of the Chancellor, appoint such administrative, ministerial and other staff as he deems necessary for giving effect to the provisions of this section with prior approval of the Government.
- (13) Notwithstanding that all the officers and members of the authorities constituting the University have not been appointed, nominated, chosen or elected, as the case may be, the University shall be deemed to have come into existence on and from the date on which this Act comes into force.
- (14) The existing Councils and Boards of the Bongaigaon College shall remain functional till the formation of the same by the Vice-Chancellor.
- The first appointment of Registrar . 58. Notwithstanding anything contained in this Act, the present Principal of the College shall hold the post/position of Registrar or any other academic / administrative post deemed appropriate to the rank, status and qualification of the incumbent.
- Appointment of Teachers 59. (1) The teachers of the University may be appointed by the Executive Council after considering the recommendations of a Selection Committee consisting of the Vice-Chancellor and such other person or persons as per rules and regulations of the University.
- (2) The seniority of the teachers in the integrated Degree and Post-Graduate course shall be maintained as per norms.
- (3) The headship in the Department shall rotate every two years among those who are eligible for it.

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| Existing Teacher and Staff | 60. | <p>(4) The University shall not create any post without prior approval of the State Government.</p> <p>(1) All post of Bongaigaon College and Bongaigaon University including the vacant posts shall be transferred immediately to the Bongaigaon University with effect from the date of commencement of this Act.</p> <p>(2) The existing teachers and staff of the Bongaigaon College and Bongaigaon University shall constitute a special cadre with respect to their service condition at the time of their appointments.</p> <p>(3) All salary and pension matters of the present and past teacher and staff of Bongaigaon College (now upgraded to Bongaigaon University) shall be handled by the Directorate of Higher Education, Assam.</p> |
| State Government's Power of Supervision | 61. | <p>(1) If, at any time, the State Government is of the opinion that special reasons exist that the affairs of the University are not managed in furtherance of the objective of the University for which any grant or donation is specifically made by the State Government, public bodies or individuals, or that the University Funds are misappropriated or misapplied, the State Government may indicate to the Executive Council such matter in regard to which the State Government desires an explanation and call upon that body within reasonable time to offer such explanation as it may desire to offer, with any proposal which it may desire to make.</p> <p>(2) If the Council fails to offer any explanation or make proposal(s) which, in the opinion of the State Government is or are unsatisfactory, the State Government may issue such instructions as may appear to them to be necessary and desirable in the circumstances of the case, and the Executive Council shall give effect to such instructions.</p> |
| Emergency Power of the State Government | 62. | <p>(1) If, at any time, it appears to be necessary and expedient in the opinion of the State Government, the State Government may, with prior consultation with the Chancellor, by a notification published in the Official Gazette, suspend all or any of the powers of the University as provided in section 6 and other powers as may be ancillary to such powers and take over all or any of the powers of management, functions of such authorities or officers including holding, conduct and superintendence and management of, and appointment of any person or authority in connection with any or more examination or publication of the result of any such examination or to any matter incidental thereto for such period as may be specified in the notification and may be exercised by the State Government, if and when necessary, during such period, in such manner and through such officers or authority as may be considered fit by the State Government.</p> <p>(2) Provisions of the Statutes, Ordinance and Regulations framed under this Act relating to any one or more of the matters referred to in the preceding sub-section may be amended for any of the purposes mentioned therein in such manner as may be decided by the State Government in prior consultation with the Chancellor and shall take effect accordingly for the purposes of exercising the powers under the preceding sub-section.</p> <p>(3) The State Government may constitute an Advisory Committee consisting of at least three persons who, in the opinion of the State Government, are eminent educationists for advising the State Government in the matter of discharging the powers, duties, functions and responsibilities in respect of which such powers are taken over by the State Government under sub-section (1) of this section.</p> |
| Interpretation | 63. | <p>If any dispute arises as to the interpretation of any of the provisions of this Act, the interpretation given by the Chancellor shall be final and binding to all concerned.</p> |

Removal of
Difficulties

64.

- (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act or otherwise in giving effect to the provisions of this Act, the State Government may, by order, remove the difficulties as deemed necessary for the purpose.
- (2) Notwithstanding all that is contained in this Act, any difficulty or dispute encountered by the University shall be attended to by the Vice-Chancellor in order to provide a solution, in consultation with the Chancellor.

In all such matters, the Chancellor's decision shall be final.

GEETANJALI DAS SAIKIA,
Secretary to the Government of Assam,
Legislative Department, Dispur.