



COMMITTEE ON AGRICULTURE
(2012-2013)

FIFTEENTH LOK SABHA

MINISTRY OF AGRICULTURE
(DEPARTMENT OF AGRICULTURAL RESEARCH AND EDUCATION)

**'THE RANI LAKSHMI BAI CENTRAL AGRICULTURAL UNIVERSITY
BILL, 2012'**

FORTY FOURTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

MARCH, 2013 / PHALGUNA, 1934 (Saka)

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Presented to Lok Sabha on 14.03.2013

Laid on the Table of Rajya Sabha on 14.03.2013



LOK SABHA SECRETARIAT

NEW DELHI

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COMPOSITION OF THE COMMITTEE ON AGRICULTURE (2012-13)

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RAJYA SABHA

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3. Shri R.S. Negi - Committee Officer

COMPOSITION OF THE COMMITTEE ON AGRICULTURE (2011-12)

Shri Basudeb Acharia - Chairman

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28. Shri Upendra Kushwaha
29. Shri Bharatsinh Prabhatsinh Parmar
30. Shri Rajpal Singh Saini
31. Shri S. Thangavelu

* Nominated to the Committee on 04.05.2012.

INTRODUCTION

I, the Chairman, Committee on Agriculture having been authorized by the Committee to present the Report on their behalf, present this Forty-fourth Report on "The Rani Lakshmi Bai Central Agricultural University Bill, 2012".

2. The Rani Lakshmi Bai Central Agricultural University Bill, 2012 was introduced in Rajya Sabha on 22 May, 2012. The Speaker under Rule 331E (1) (b) of the Rules of Procedure and Conduct of Business in Lok Sabha referred the Bill to the Committee on 11 June, 2012 for examination and Report.

3. With a view to complete their examination of the Bill, the Committee sought two extensions from Hon'ble Speaker, Lok Sabha for presentation of their Report. The first extension was upto the end of the Winter Session, 2012. The second extension was upto the first half of the Budget Session, 2013.

4. The Committee were briefed by the representatives of the Ministry of Agriculture (Department of Agricultural Research and Education) and Ministry of Law (Departments of Legal Affairs and Legislative Department) on the Bill on 16 November, 2012. Thereafter, the Committee took Oral Evidence of the representatives of the Ministry of Agriculture (Department of Agricultural Research and Education) and Ministry of Law and Justice (Departments of Legal Affairs and Legislative Department) on 29 November, 2012.

5. The Committee at their Sitting held on 05 March, 2013 considered and adopted the Report.

6. The Committee wish to express their thanks to the officers of the Ministry of Agriculture (Department of Agricultural Research and Education) and Ministry of Law and Justice (Departments of Legal Affairs and Legislative Department) for placing before them the material and information in connection with examination of the Bill.

7. For facility of reference, the Observations/Recommendations of the Committee have been printed in bold at the end of each Part of the Report.

NEW DELHI;
12 March, 2013
21 Phalgun, 1934 (Saka)

BASUDEB ACHARIA
Chairman,
Committee on Agriculture.

REPORT

PART – I

INTRODUCTION

The Rani Lakshmi Bai Central Agricultural University Bill, 2012 (**Annexure – I**) was introduced on 22 May, 2012 in Rajya Sabha. The Bill was referred by Speaker, Lok Sabha in consultation with Chairman, Rajya Sabha to the Committee on 8 June, 2012 for examination and Report.

1.2 The Statement of Objects and Reasons appended to the Bills states that spread over 70,000 square kilometers of the central plains in India, the Bundelkhand region covers seven districts of southern Uttar Pradesh viz., Jhansi, Jalaun, Lalitpur, Banda, Chitrakoot, Hamirpur and Mahoba, and six districts of Madhya Pradesh viz., Sagar, Damoh, Tikamgarh, Panna, Chhatarpur and Datia. The region is backward relative to other regions in the country.

1.3 Agriculture is the mainstay of Bundelkhand economy. The semi-arid climate with uncertain rainfall and poor quality soils have made agriculture a difficult and non-beneficial proposition in the entire region. It is a hard rock area with limited or inadequate ground water resources, lacks infrastructure, access to improved technologies, markets and inputs as a result of which the crop productivity is amongst the lowest in the Country. Inadequacy of resources has prevented many farmers from switching to more efficient farming methods. As such, most of the agriculture has become subsistence agriculture and keeps the farmers of the region trapped in poverty.

1.4 Educational opportunities are few and the adult literacy remains low in the region. Since poverty levels are high, few families can afford to send their children outside the region for obtaining good quality education.

SALIENT FEATURES OF THE UNIVERSITY

1.5 As per the Background Note furnished to the Committee the University will integrate teaching, research and extension education functions. The University will cover all the thrust areas in agriculture, horticulture, forestry, animal sciences and fisheries. To begin with, the University is proposed to have following two constituent colleges:

- (i) College of Agriculture at Jhansi (Uttar Pradesh);
- (ii) College of Horticulture & Forestry at Jhansi (Uttar Pradesh). Apart from the above two colleges at Jhansi, two more colleges are proposed to be established in Madhya Pradesh as under at a later date;
- (iii) College of Animal Sciences; and
- (iv) College of Fisheries

1.6 The Rani Lakshmi Bai Central Agricultural University Bill, 2012, *inter alia*, provides the following:

- (a) establishment of Rani Lakshmi Bai Central Agricultural University with its head-quarters at Jhansi in the State of Uttar Pradesh.
- (b) the objects of the university, *inter alia*, shall be, to impart education in different branches of agriculture and allied sciences, to undertake research in agriculture and programmers of extension education, to promote partnership and linkages with National and International Educational Institutions:
- (c) the University shall have powers, to make provisions for instructions in agriculture and allied sciences, conduct research in agricultural and allied sciences, to disseminate the findings of research and technical information through extension programmers, to confer degrees, diplomas or other academic distinctions, to establish and maintain colleges relating to agriculture, horticulture, animal husbandry, fisheries, etc;

- (d) keeping the University open to all classes, castes, creed or races;
- (e) providing for the President of India to be the Visitor of the University;
- (f) provide for the Chancellor, the Vice-Chancellor, the Deans, the Directors, the Registrar, the Comptroller, the University Librarian and such other officers as may be prescribed by the Statutes;
- (g) the statutes of the University to be amended by the Board of Management;
- (h) the Ordinances of the University to be made by the Vice-Chancellor;
- (i) to make provision for the reference of the disputes between the University and its employees to a Tribunal of Arbitration for its decision.

1.7 Adding further, in a written submission DARE informed the Committee that the establishment of Rani Lakshmi Bai Central Agricultural University will strengthen technical backstopping, and will contribute to development of quality human resources in this backward region.

BACKGROUND

1.8 The Committee desired to know the background and the chronology of events leading to the decision regarding setting up of a Central Agricultural University (CAU) in Bundelkhand region. They were informed by DARE that a memorandum dated 27 July, 2009 was submitted to the Prime Minister by a delegation of MPs/MLAs requesting that a comprehensive package for Bundelkhand region including a CAU may be considered. The relevant portion of the said memorandum reads as follows:

“A Central Agricultural University to impart scientific education and training to the farmers to enable them to derive greater advantage from their available resources; which may be established by amalgamating Indian Grassland and Fodder Research Institute(IGFRI) and National Research Centre for Agroforestry(NRCAF) and upgrading it to a status of ‘deemed Agriculture University.’”

1.9 Consequently, on the directions of Prime Minister, a meeting was held on 30 July, 2009 under the Chairmanship of Member, Planning Commission (Shri B.K. Chaturvedi) to discuss integrated development of Bundelkhand region. The

Committee noted the following reference to the matter in the minutes of the said meeting:

“9. The Samra Committee had recommended strengthening of agricultural college at Tikamgarh, MP and upgrading IGFRI, Jhansi to a ‘deemed University’ status. Additional Secretary, Department of Agriculture stated that ICAR is of the view that IGFRI, Jhansi is involved in research and it may not be possible for the Institute to conduct teaching activities.”

1.10 On 5 August, 2009 DARE were informed by PMO that Prime Minister desired them to urgently consider establishing a CAU in Bundelkhand, possibly by amalgamating the IGFRI, Jhansi and NRCAF, Jhansi and upgrading it to the status of ‘deemed Agriculture University’ (**Annexure–II**). In response, the Committee find, DARE informed PMO on 26 August, 2009 that changing status of IGFRI and NRCAF, Jhansi would not be appropriate as it may affect focused research or grassland and fodder management and Agro-forestry System. However, a CAU can be established in Bundelkhand, if specific funds are made available (**Annexure–III**). DARE endorsed a copy of this Communication to Planning Commission as well.

1.11 The Committee note that the Planning Commission, thereafter, on 26 August, 2009 sought from DARE (i) the year-wise estimated budget for the current Plan and spill over for next Plan alongwith (ii) justification on works/activities to be executed. The requisite information was forwarded by DARE to the Planning Commission on 31 August, 2009. The proposals of DARE were agreed to during a meeting held on 14 September, 2009 in the Office of Principal Secretary to the Prime Minister. The summary record of meeting states as follows in this context:

(ii) Establishing a central agricultural university, by amalgamating IGFRI and NCRAF and upgrading it to the status of deemed agricultural university:

Proposal for a new University, as proposed by Department of Agricultural Research and Education, will be considered as the existing two institutions are specialized ones and it may not be desirably possible to dispense with their existing specialized mode. Secretary, Planning Commission endorsed this approach. Planning Commission would process the proposal expeditiously to convey in principle approval and the Ministry of Agriculture would follow-up with the usual steps involved in the establishment of a central agricultural university.

1.12 It is also noted that PMO through a communication dated 25 September, 2009 forwarded a note of the Chief Executive Officer. National Rainfed Area Authority **(Annexure-IV)**. The Officer in his note has stated that his recommendation regarding granting of 'Deemed Agricultural University' status for IGFR was made after consultation with Secretary DARE and DG, ICAR and he came to know about the alternative suggestion for setting up of an independent University in the meeting only. He has further stated that after the meeting he contacted States of Uttar Pradesh and Madhya Pradesh. UP State has already declared setting up of a University in Bundelkhand, therefore, it may insist for financial assistance to their proposal and may not spare land for an independent university. As regards MP, the Officer has stated in his note that MP had an agricultural university in Jabalpur and opened another at Gwalior last year which is almost a Bundelkhand region. The MP Government may also insist for assistance to the University at Gwalior and may not spare land for an independent central agricultural university in Bundelkhand. There are, therefore, chances that the proposal of setting up an independent agricultural university may be bogged down in the above said nitty gritty of the two States. He has also opined that the 13 districts of Bundelkhand have a population density less than half of UP and MP. Enrolment of the students in the existing agricultural university has also gone down drastically due to availability of alternative courses in IT based subjects. It is difficult to assess whether there will be sufficient number of students for maintaining the central university at Bundelkhand.

1.13 On 7 October, 2009 the Planning Commission conveyed in principle approval for setting up a new CAU in Bundelkhand and asked DARE to provide a token amount of fund from within the approved outlay/budget.

1.14 DARE, thereafter prepared and circulated the EFC note and the Detailed Project Report **(Annexure-V)** to various ministries/departments and the Planning Commission on 31 December, 2009 for their comments. The comments of some of these entities alongwith replies thereto by DARE are at **(Annexure-VI)**.

1.15 In their comments the Department of Expenditure, Ministry of Finance have *inter-alia* stated the following:

- (a) It is not clear how by imparting education in different branches of agricultural and allied sciences, which one of the objectives of the Scheme is, would translate into benefits of local community.
- (b) As per the DPR “The supporting staff in the offices, maintenance and services has been kept bare minimum and will be the core staff. Provision is made for outsourcing these works”. But as per the EFC Memo for the scheme, total number of Teachers/Professors (11+9 Professors, 22 + 18 Associate and 41 + 34 Assistant Professors and around 15 Professor level posts including VC, Dean, Registrar, Comptroller, Director etc.) to be employed is around 150. Memo however, does not mention the number of Students to be admitted at various levels (Undergraduates and post graduates and Ph.D scholars) every year. It also does not provide the modalities/terms of reference for outsourcing works. It is not clear how DPR, without having estimated the number of Students have prescribed the number of Teachers/Professors and Hostels to be built under the scheme. Department may consider to have a detailed DPR done before the commencement of work under the scheme.
- (c) It can be seen from the EFC Memo and DPR that “the new university will be established in different pattern and is expected to be a model agricultural university”. Department may indicate how the proposed University would be different and in what sense this would be a model university.
- (d) While appraising other schemes of similar nature it has been seen that the paucity of quality faculty has been one of the major constraints in the implementation of such projects. Steps being taken by the Department to overcome this likely problem may be brought on board.
- (e) Department may indicate the progress in procuring/acquisition of land towards constructing the structures under the scheme. Department may also indicate costs, if any with respect to procurement of land.

1.16 The Department of Animal Husbandry Dairying and Fisheries, Ministry of Agriculture had the following comments to offer:

For the equitable development of the region the three colleges should be established in three different regions of Bundelkhand depending on the scope of various activities that are proposed to be undertaken through these colleges, instead of at one place.

1.17 The Planning Commission has offered the following comments in the matter:

Sl. No.	Comments	Response of DARE
6.	<p>As regards the need and justification for the project, the EFC memo underlines the following facts in support of the proposal:</p> <ul style="list-style-type: none"> • Bundelkhand region spreads over 70,000 sq kilometers of plains in states of UP and MP and covers 13 districts viz. (i) Jhansi, (ii) Jalaun, (iii) Lalitpur, (iv) Banda, (v) Chitrakoot, (vi) Hamirpur, (vii) Mahoba, (viii) Sagar, (ix) Damoh, (x) Tikamgarh, (xi) Panna (xii) Chhatarpur and (xiii) Datia. • Majority of people in Bundelkhand region live in rural areas and annual per capita income is Rs. 8114 as against national average figure of Rs. 13193 in 1997-98. • Though the farming is the predominant occupation, the region is characterized by shortage of water, low cropping intensity and fertilizer consumption and lack of market chain. Semi arid climate with uncertain rainfall and poor soils of the region lead to significantly lower contribution of the region in the overall economy. • Though the region falls within jurisdiction of 3 Agricultural 	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

	<p>Universities viz. (i) JNKVV, Jabalpur, (ii) RSVAU, Gwalior and (iii) CSUA&T, Kanpur, these institutes reportedly do not focus exclusively on agriculture sector of Bundelkhand region.</p> <ul style="list-style-type: none"> • It is necessary to ensure integrated development of the region through training of youths and farmers in respect of modern and latest scientific and technological developments in agriculture sector. 	<p>The University will address all the three i.e. education, research and extension education including training needs in the region.</p>
7.	<p>The need and justification of the proposed CAU, Bundelkhand are still open to question and in view of the following a debatable issue in view of the following observations:</p> <ul style="list-style-type: none"> • Chhatarpur (MP) is the central location for entire Bundelkhand region. So ideal location would be Chhatarpur for CAU, which has not been considered by ICAR. The State Government of MP is prepared to provide land for this purpose. • There will be as many as 5 educational institutions for addressing the problems of agriculture sector of Bundelkhand region including three existing SAUs viz., (i) JNKVV, Jabalpur, (ii) NDAUT, Faizabad and (iii) CSUA&T, Kanpur plus another one i.e. SAU, Gwalior which is also nearby to Jhansi plus fifth SAU at Banda for which requisite process has already been started by the State Government of UP. In addition, two institutes of ICAR viz. IGFR I and NRCAF will also look at the issues relating to grassland and fodder 	<p>Input provided in preceding item refers. Further, the Govts. of MP and UP have agreed to provide support for setting up the CAU in Bundelkhand region. Decision about the location of CAU i.e. to establish it at Jhansi, using part of the land of IGFR I, Jhansi, without disturbing the Institute itself, was taken in consultation with Planning Commission in the interest of enabling quicker execution of work.</p> <p>ICAR feels that there is still a huge gap in the requirement and availability of agricultural education for vast country like India where food security is to be addressed in respect of an estimated population of 1.6 billion by the year 2050. However, if the Planning Commission feels that there is adequacy of such institutions, then ICAR may be directed to drop this project.</p>

	<p>and agro-forestry of the region.</p> <ul style="list-style-type: none"> • So there would be hardly scope for the CAU, Jhansi to fill up the developmental gap of the region from education point of view. It would have been better if an exhaustive survey had been conducted for taking cognizance of the preference of the students of the Bundelkhand region for another Agricultural University in the region. • The point is whether by merely opening a new educational institute like CAU, Jhansi for imparting education in different disciplines of Agricultural sector will be sufficient for ensuring development of agricultural sector of the region and render benefits to local community. Since there would be a large number of students passing out from these institutes may start looking for the employment opportunities in the Bundelkhand region itself which may not meet their aspirations. • It may be noted that there is one Central Agricultural University, Imphal (Manipur) in existence whereas "in principle approval" has already been accorded for CAU, Bihar, and CAU, Barapani (Meghalaya) apart from third one of CAU, Bundelkhand. There could be some comparatively more backward regions in the country, which may also raise voice for similar CAUs requiring exclusive focus 	<p>Since an in-principle approval for setting up the CAU at Bundelkhand was given by the Planning Commission as far back as October 2009, perhaps this issue does not arise at this stage. ICAR does not agree with the viewpoint that there is no scope for a CAU at Jhansi. This is an under-developed region with very limited educational and research facilities even counting those listed by the Planning Commission. However, if, after giving in-principle approval, the Planning Commission now feels that a CAU at Jhansi is not justified, then ICAR may be directed to drop the project.</p> <p>Naturally, merely opening a new educational institution or merely doing a single project cannot solve all the problems of development of any region. However, ICAR does believe that this is one important major and critical step towards solving these problems. ICAR has never posed this as the final and only solution for the problems of Bundelkhand region.</p> <p>As above</p>
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	<p>for their development resulting into proliferation of CAUs in various backward regions.</p> <ul style="list-style-type: none"> • In fact, there needs to be precise Government Policy framework for opening of new Central Agricultural University and new autonomous bodies under DARE/ICAR otherwise there would be mushrooming of such universities, which would lead to increasing the burden on exchequer due to increase in Plan as well as Non-Plan expenditure. • The study on availability of trained manpower and induction of vocational education in agriculture and allied sectors along with exploring the possibility of convergence of the resources already available needs to be undertaken on priority basis for ensuring optimal utilization of resources available before allowing creation of new institutes. 	<p>Noted.</p> <p>Noted.</p>
8.	<p>Further, it is necessary to put on records the total land requirement and dimensions of the infrastructure to be created for University campus as well as 2 constituent colleges viz. College of Agriculture and College of Horticulture & Forestry. Whether 300 acres of land available at this juncture with IGFR and NRCAF would be sufficient for setting up of University campus and 2 colleges, needs to be categorically spelt out. Secondly, there should be clear indication as to whether future expansion of the CAU could also be undertaken within the 300 acres of land. If not, how additional land would be acquired? Earlier, it was given to understand that the adjoining 1000 acres of barren land of State Government of UP would be used for that purpose. It would be necessary to</p>	<p>It is stated that 300 acres of land is adequate for setting up the CAU at Bundelkhand.</p>

	have categorical commitment of UP Government on this account.	
13	<p>On perusal of the details of the cost estimates (EFC memo, Tables at Page 10), it is noted that "Civil Works and Equipment" will be costing around Rs. 156 crore i.e. 75.3% of the total projected expenditure for 11th Plan period while budget for salaries and recurring contingency have been pegged at Rs. 22 crore each i.e. 11% each of total projected expenditure for 11th Plan. Cost of Equipment has been pegged at Rs 10 crore only. In this context, EFC may like to discuss the following points.</p> <ul style="list-style-type: none"> • Civil works costing Rs 146 crores include provision for students' hostel, guest houses, residential quarters, auditorium etc., and the requirement for the same needs to be revisited. It would be prudent to create requisite yet bare minimum infrastructure, which could be expanded in future after evaluating the performance of the CAU. • As regards the provision of Rs 22 crore made for contingency, it is necessary to point out that this provision needs to be scaled down. Whether this provision has been worked on the basis of scientists to be recruited and as per the standard norms of ICAR? It is also necessary to split this provision in terms of research and general contingency. 	<p>These works are very important requirement to set up a Central Agricultural University, specially in an area where such facilities do not exist, and are not even rentable.</p> <p>Since Rs. 22 crore is for both salaries and recurring contingency, the figure appears to be correct vis-à-vis Rs.200 crore. Naturally, now with only 13 months to go, this figure would be revised and contingency will also be reduced in proportion.</p>
14	The proposal envisages additional 293 posts (including about 150 posts of scientific category) for university headquarters and 2 new colleges (refer para 1.4 of this appraisal note for details). But there is no mention about the number of students' strength and	Staffing pattern and infra-structure requirement has been proposed according to the ICAR recommendations based on the IV Deans Committee Report which are in line with UGC norms.

	annual intake capacity for each discipline to be taught at the CAU at undergraduate, postgraduate and Ph.D. levels. Creation of infrastructure like class rooms, hostels, laboratories etc. will have to be decided on this basis of hard core data on these parameters. The norms of the UGC/AICTE regarding infrastructure and manpower vis-à-vis being proposed by the project authorities also need to be placed on the record.	
18.	As regards the targeted completion of the CAU by 2011-12, it is necessary to indicate some realistic date of completion as within a period of 1 ¹ / ₄ years it seems to be difficult to create new infrastructure for the CAU and start functioning. The project authorities need to spell out the realistic completion schedule of administrative- cum-educational campus along with requisite laboratories etc. The construction activity could be undertaken in a phased manner. How the objective of quick start of the university campus will be achieved needs to be spelt out.	The time for completion is going to be 2 ¹ / ₄ years. Since the approval is now likely only by March-April at the earliest, completion date will be 2 ¹ / ₄ years from that date.

1.18 Further in the sequence, the Committee found that the Government of Uttar Pradesh wrote a letter to the Planning Commission on 11 February, 2010 **(Annexure-VII)**. The letter is a follow-up to the meeting taken by Secretary, Planning Commission on 19 January, 2010 on setting up of the CAU in Bundelkhand. The letter clearly mentions that the State Government in view of Banda district of Bundelkhand region representing the geographical and socio-economic condition of the region have decided to establish Bundelkhand Agriculture University at Banda. The State Government had already acquired 346.6 hectare land for the purpose and the possession of the land was to be over by 10 February, 2010. The State Government were bringing the necessary bill for setting-up the said Agriculture University during the ongoing Budget Session of the State. The State Government have further requested in the letter that keeping these developments in view the Planning Commission may consider setting-up of the CAU in Banda or approving central assistance to the Agricultural University being established by the State

Government. A copy of the letter had also been endorsed to the Department of Agriculture and Cooperation, Ministry of Agriculture, Government of India.

1.19 A few days later on 15 February, 2010 Chief Minister, Madhya Pradesh wrote a letter (**Annexure–VIII**) to the Minister of Agriculture, Food & Civil supplies, Consumer Affairs and Public Distribution offering 596 acres, 1110 acres and 998 acres respectively of land in three tehsils of Chhatarpur district in Bundelkhand region for the proposed CAU.

1.20 From the records made available to the Committee they also found that Prof. M.S. Swaminathan, MP, Rajya Sabha addressed both the Prime Minister and the Minister of Agriculture, Food and Civil Supplies, Consumer Affairs and Public Distribution on 10 July, 2010 asking them to reconsider the proposal for conversion of IGFR into a deemed to be University because of its uniqueness of character (**Annexures - IX & X**) In his above-cited letters Dr. Swaminathan wrote to the Prime Minister that it would not be in our national interest to close the only Institute in our Country for fodder and grassland development. To the Minister he wrote that 'we can always find land for a new Central University in Bundelkhand but we cannot find a substitute to IGFR.

1.21 The Union Agriculture Minister vide letter No. 3(3)/2009-A&P (Edn.) dated 28.10.2010 addressed to the Chief Minister, Government of Uttar Pradesh indicated that the Government of India have decided to set up a Central Agricultural University for Bundelkhand region. Offers of alternative sites have been received from Madhya Pradesh Government also. Jhansi is one probable option for setting it up. The CAU Headquarters is proposed to be set up on 300 acres of land currently with the ICAR campuses of Indian Grassland & Fodder Research Institute (IGFR) and National Research Centre for Agroforestry (NRCAF) with colleges in both Uttar Pradesh and Madhya Pradesh portions of the Bundelkhand region.

CRITERIA FOR SELECTION OF SITE

1.22 Since the proposed CAU is being established with the primary intent of triggering developmental activity in Bundelkhand region, the Committee desired to know from the Government the criteria laid down for selection of site for the proposed

CAU and reasons necessitating the establishing of the headquarters of the proposed University and two out of its four colleges in Jhansi.

1.23 DARE in their written submission in this context stated that the immediate availability of land at that point of time and complementarities to be extended by IGFRI, Jhansi and the NRCAF, Jhansi with regard to faculty expertise, facilities for experimental and field work were the criteria for selection of site for setting up of the headquarters of 'The Rani Lakshmi Bai Central Agricultural University'. Further adjoining to this, there is land of State Government farm over 1000 acres.

1.24 During the course of the Oral Evidence on 16 November, 2012 justifying the choice of Jhansi the representative of DARE stated:

“इस बात में कोई दो राय नहीं हैं कि छतरपुर का एरिया पिछड़ा हुआ है। लेकिन ये सारे निर्णय सारी चीजों को देखते हुए वहाँ जो दूसरे संस्थान हैं या सैन्ट्रल लोकेशन है, कई चीजों को देखते हुए सामयिक निर्णय लिया गया और प्लानिंग कमीशन द्वारा जो मीटिंग काल की गई, उसमें यह निर्णय लिया गया और उसके अनुरूप यह बनाया गया है।“

1.25 With a view to understand the issue in all its ramification the Committee further desired to know as to whether while zeroing on Jhansi the factors like situation obtaining in various districts of the region, percentage of population depending on agriculture and livestock activities, poverty levels, migration and employment generation avenues, centraling of headquarters and per capita income of people living in each of the districts of Uttar Pradesh and Madhya Pradesh covered under the RLBCAU was actually taken into consideration. In response the Department furnished the following district-wise information to the Committee:

DISTRICT-WISE FIGURES OF BUNDELKHAND REGION

District	Area (Sq. Km.)	Population (lakhs)	Poverty level	Migration	Employment generation (in lakhs)	per capita annual income (Rs/annum)
UTTAR PRADESH						
Jhansi	5024	20.00	29%	32	4.37	26,447
Lalitpur	5039	12.18	30%	39	3.80	22,914

Jalaun	4565	16.71	48%	37	4.31	34,199
Hamirpur	4325	11.04	45%	40	3.58	18,682
Mahoba	2847	8.76	21%	42	2.53	24,452
Banda	4113	17.99	41%	48	5.52	18,019
Chitrakoot	3202	9.91	55%	45	3.03	12,728
MADHYA PRADESH						
Datia	2691*	7.86	25%	N A	2.70	25,273
Chhatarpur	8687	17.63	61%	50	4.93	20,032
Tikamgarh	5048	14.45	50%	49	4.89	18,879
Panna	7135	10.16	49%	30	3.41	19,730
Damoh	7306	12.64	59%	25	4.16	25,304
Sagar	10252	23.78	61%	42	6.37	24,760

* The most central amongst the districts is Chhatarpur.

1.26 Based on the above facts when the Committee further queried Secretary, DARE during the Oral Evidence on 29 November, 2012, he stated:

“We would only like to submit that we considered the whole Bundelkhand as a region which requires some immediate support. In that immediate support, whether it was the Planning Commission or it was the Committee headed by Dr.Samra as I mentioned earlier, everybody went by this that we should have it at Jhansi.”

1.27 He further added:

“I would like to submit that a university basically has the requirement of faculty, some kind of facilities and all that. In this regard, a committee headed by Dr. J.S. Samra, the Chairman of the National Rainfed Area Authority, also went there. We have an established institute in terms of the Indian Grassland Fodder Research Institute at Jhansi. So, only for this that it has also the same component – the kind of population, the population below poverty line, the income levels, the migration levels – it is chosen. All these components are comparable, without any major significant differences between the two portions or between the districts. We have brought the data before. That was the only concern. Otherwise, there was no bias that it should be in Jhansi. All the districts were considered, and Jhansi was decided upon because there is a facility of not only the Fodder Research Institute, but adjacent to it is the National Research Centre for Agro forestry. Since, they have been functioning for many years, the immediate attention was that we can draw the faculty and teachers from there and we can start the colleges immediately. This was how Jhansi was considered. It is not that other districts were not considered.

Now also, the University setup will be in terms of colleges. At this moment, there will be four colleges, but as we go along maybe more colleges would be

coming up, and as we are having in other agricultural universities, more and more colleges will be located in different districts. It does not in any way confine to Jhansi. So, I wanted to submit and clarify on this point.

Now, if I may draw your kind attention to some of the other things with regard to area of the different districts. We have gone by these details. For example, the district-wise population in Bundelkhand. If we take the UP region, the population density is 343 per sq. kms. whereas in MP it is 202 per sq. kms. if we take these seven districts and six districts into consideration. Similarly, the average poverty levels in UP is about 38 per cent, and in the MP region it is of the order of 50 per cent. There is a difference here. As regards migration, it is 40 per cent in UP, and 38 per cent .”

1.28 When asked pointedly about the differences in indices of the two districts he admitted:

“in case of Jhansi, migration is of the order of 32 per cent, and in Chhatarpur it is of the order of 50 per cent. Similarly, when it comes to Jhansi with regard to poverty levels, it is 29 per cent, and it is 61 per cent in Chhatarpur. The initial consideration was only this that we can immediately start with functioning of the college as against we starting *de novo* in some place where we are not able to. This was the only consideration. Otherwise, I must submit that the kind of linkages that we can have in this location with regard to both teaching and research exposure and the farms readily available. Otherwise, we also had been of the view that we do not want to part with the existing infrastructure of the institute.

We had brought up all these points. In fact, initially, the proposal was to upgrade the institute to a deemed university. We have submitted all those. Then, it was brought out that this is the only institute in the country, namely, the Grassland and Fodder Research Institute, which just by upgrading it into deemed university might be a loss to the national research system. So, we have submitted that there could be another Central Agricultural University and not to upgrade it. But I would only submit and seek your appreciation to this fact that if we locate and again I am submitting colleges will be across, but if we have some kind of a Central / coordination unit in this place, then the advantage will be access to students to ready farm facilities.

I would also like to submit that agro forestry Centre is again one of its kind in the country. We do not have a replica of it. So, the submission was that in that ambience / atmosphere the students will have an immediate access to these facilities, and while we are recruiting faculty for these university we can draw from these scientist strength in both the institutes. Hence, Jhansi was proposed. But then we would also like to submit here that Chhatarpur colleges are being located. We have brought out, for example, that in case of indigenous cattle population again it is appalling in some of these areas, and we need lot of interventions and that is why animal husbandry. All those interventions that we talk about in terms of veterinary science are mainly with regard to medicines, and animal husbandry is mainly with regard to improvement. So, we have said that there will be a focussed attention in

Chhatarpur as has been indicated / proposed by the Government of Madhya Pradesh. Also, the fisheries potential is quite high in this part.

When we compare two regions, Madhya Pradesh has again been offered. So, we have gone by this. At the same time, as we go along, maybe, there could be another one. We are just now starting. So, I would not be able to say much on that. But maybe, as time demands, there could be another College of Agriculture in the other region also. We have not closed any of these options. At this stage, having considered all these, it is absolutely not for the sake of convenience of teachers or anything like that. We are ready to go and work anywhere. But at this time, I would like to submit that the consideration was linkages.”

1.29 Defending their decision about location of proposed CAU in Jhansi the Secretary, DARE informed the Committee during Oral Evidence on 29 November, 2012:

“This is the submission. Now, I would like to also submit one more thing. Right now, there are three Agricultural Universities in the State of Madhya Pradesh. They are JNKVV, Jabalpur; Rajmata Vijaya Raje Scindia University in Gwalior, and the Veterinary and Animal Husbandry University in Jabalpur. I would like to mention, at this stage, that these three Universities are having some kind of an attention or oversight role or some kind of a backstopping happening to these districts in Madhya Pradesh. At this time, when we took up this particular matter, Chandrasekhar Azad University, Kanpur, was the only Agricultural University looking after these districts of Uttar Pradesh. Much later, very recently, came the University in Banda. That point was also discussed whether Banda University should be upgraded and so on. This also was taken into consideration that there is an oversight role of three Universities over the districts of Madhya Pradesh, while there is only one University taking note of these districts. Again, I must mention that just because we locate the University in Jhansi does not mean that attention will be focussed only on Uttar Pradesh side and not on Madhya Pradesh side. The discussion was that there is only one University, so let us have this located in Jhansi. As everybody knows, Jhansi is in the border of these two States. It has several other things, like railway links. Again, the point is should everything go there. No, absolutely not. Our consideration was this that linkages, logistics and everything would work out faster. The only consideration was to fast track the functioning of this University. Many a time, I would like to submit that from the time we start, even after five or seven years, the Universities do not take off. But here we thought that there is a good possibility, the ambience and the availability of academics. The moment we establish the University, we can start with the admissions. This was the consideration. However, we also seek your kind guidance in this matter.”

1.30 When asked specifically about the comparative situation in Bundelkhand region of both the States he admitted:

“सर, अभी वहां चार एग्रीकल्चर युनिवर्सिटीस हैं। उत्तर प्रदेश में अभी चार कृषि विश्वविद्यालय हैं। There are five agricultural-related Universities in Uttar Pradesh. In Madhya Pradesh, there are two Agricultural Universities and one Veterinary and Animal Husbandry University.”

1.31 When pointed out by the Committee that based on various indices of backwardness and socio-economic factors why Chhatarpur was not being considered for the purpose a representative of DARE stated during the Oral Evidence on 29 November, 2012:

“Being agriculture, it is a developmental institution. Its success primarily depends upon two to three things. One is that if it is able to attract talented scientists to it or not. If we put it at a place where we feel that talented scientists will be reluctant to come, then the purpose of setting up an agricultural university will be defeated.”

1.32 He further added:

“Sir, there is no doubt that if we have to use poverty criteria and other kinds of criteria, then Chhatarpur stands better than Jhansi. But my humble submission is that university is not basically a welfare institution, it is a developmental institution. “

1.33 Secretary, DARE after throughout maintaining that the central location of Jhansi was one of the important reasons behind its choice finally after persistent queries admitted during the Oral Evidence on 29 November, 2012:

“I agree that Chhatarpur is absolutely central.”

MODEL ACT AND DEANS' COMMITTEE REPORT

1.34 The Committee then sought from DARE the Model Act quoted by DARE in their response to the various ministries/departments/agencies as also the Report of Fourth Deans' Committee on Agriculture Education in India. The Model Act and relevant excerpts from the Deans' Committee are at **Annexures XI and XII** respectively. The Model Act for Agricultural Universities in India as per the document furnished to the Committee is not a Model enactment. It is infact model draft of a

legislation based on which the bills of proposed agricultural universities can be based and developed. The draft of model legislation contains various clauses relevant to establishing State Agricultural Universities. It is, however, does not contain references or clauses germane to a Central Agriculture University.

1.35 In so far as the Report of Fourth Deans' Committee is concerned it is observed that the projections for faculty and other wherewithal have been made in the DPR of the Department are more or less in consonance with the norms prescribed in the said Report.

LEGAL POSITION

1.36 The Background Note submitted to the Committee states that the University shall be established under an Act of the Parliament. The University was proposed to be established under Entry 25 of the List III (Concurrent List) of the Constitution of India. Accordingly, the Bill was moved for introduction in the Rajya Sabha on 28 December, 2011. However, the introduction of the Bill under the above entry was opposed by some members in the Rajya Sabha stating that the Central Government does not have jurisdiction for establishment of University under Entry 25, List III (Concurrent List) and the introduction was deferred. The Bill was again moved for introduction in the Rajya Sabha on 22 May, 2012. Some of the members again opposed the introduction on the same grounds. After discussion on the issue, the Leader of Opposition in the Rajya Sabha suggested that if the institution is of national importance, it could be established under Entry 63 of List I(Union List), which provides for any Institution declared by Parliament by law to be an institution of national importance. The suggestion was agreed to by the Union Agriculture Minister and the Bill was introduced in the Rajya Sabha. The matter of amendment as proposed, is under examination in consultation with the Legislative Department.

1.37 When the Committee during the oral evidence asked the representatives of the Legislative Department as to whether any such amendment(s) had been worked out and if so why the same had not been furnished to the Committee. In response the representative of Legislative Department stated:

“We have given the draft of whatever amendment is required for the purpose of Entry 63, that is declaration of Rani Lakshmi Bai Central

Agricultural University as an institution of national university. It is covered under Entry 63 of the Union List. Amendment is as 1(a) which reads as under: "Whereas the objects of the institution known as Rani Lakshmi Bai Central Agricultural University are such as to make the institution one of the national importance, it is hereby declared that the institution known as the Rani Lakshmi Bai Central Agricultural University is an institution of national importance". That is why it is now covered under Entry No.63 and the Bill is of the national importance."

1.38 The Committee further desired to know that whether the proposed CAU could be covered under Entry 64 which states that the institution for scientific or technical education, financed by the Government of India wholly or in part declared by Parliament by law to be institution of national importance. The representative of Legislative Department stated that it could be covered as in one way it is a technical Bill and Agriculture is a technical subject.

1.39 Clarifying further on this aspect the representative of DARE added:

"As you have rightly said, earlier it was under the Entry 25 and the Bill was introduced. At present we have only one university, that is the Central Agricultural University established in Imphal which was established by this particular Entry. Therefore, the earlier Bill was introduced. As per the discussion in Rajya Sabha, the hon. members of Parliament and the hon. Leader of Opposition suggested that since it involves more than one State; Uttar Pradesh and Madhya Pradesh, like Aligarh Muslim University, Delhi University and Banaras Hindu University which have been established and declared by the Parliament as institutions of national importance, this university may also be established as institution of national importance. Our hon. Agriculture Minister accepted this and suggested to bring an official amendment."

1.40 The Committee further desired to know the Entry under which Central Agricultural University at Imphal had been established and reasons for opposition by the members of Rajya Sabha. The representative of DARE informed the Committee that CAU, Imphal has been established under Entry 25. He further stated:

"Sir, it was pointed out that since agriculture, including agricultural education and research, protection against pest and prevention of plant diseases under Entry 14 of the List 2, is a State subject it cannot be established under this particular clause which is in the Concurrent List of 7th Schedule and agriculture is a State subject."

1.41 On the query as to how agriculture being State subject prevent this Act from being enacted under Entry 25 the representative stated:

“Hon. member of Parliament had indicated his objections and based on his objection there was a suggestion by the Leader of the Opposition which was agreed upon by the hon. Agriculture Minister. If you permit, I would read the objection raised by the hon. Member.”

1.42 Adding further, he stated:

“The central message was only that agriculture is a State subject. It was suggested that we cannot incorporate an agricultural university through this Act. We can have an institute of national importance but cannot incorporate agricultural university through Entry 25. Article 25 reads:

“Education, including technical education, medical education and universities subject to the provisions of entries 63, 64, 65 and 66 of List1, Vocational and technical training of labour.”

So, they have quoted 63, 64, 65 and 66. It was said that it is a State subject and the Concurrent List does not include it. So, how can we establish a Central Agricultural University under this? Therefore, it was suggested by the hon. member that it could be established only through the institute of national importance.

1.43 When the Committee further desired to know that when CAU Imphal had been established earlier under Entry 25 why RLBCAU could not be established under the same entry and was there a need to amend CAU Imphal Act too. In response the representative of Legislative Department stated:

“Sir it can be covered under 63, 64, 65 as well as 25. Earlier we had established it under Entry 25 also but when objections were raised we brought amendment. But it can be established under 63 and 64 also.”

Clarifying further the representative of DARE stated:

“Sir, 63 is better because it is very omnibus sort of clause whereas 64 talks about scientific and technical education, so again a debate will come whether agriculture is a scientific subject or not.”

1.44 During the further Oral Evidence on 29.11.2012 the representative of Department of Legal Affairs further clarified before the Committee :

‘Sir, The file was received in the Ministry of Law and Department of Legal Affairs which I am representing had to give its advice. This Department assess it as to whether it is covered under any law or as per the provisions of the constitution or not. After seeing it broadly we can tell whether this is under the power of Parliament and this field of legislation is covered under this entry. According to the Article 246 and entry 25 this advice was given. After that our Sister Department, i.e. Legislative Department had drafted this.

Sir, Then the point was that whether this should be covered under entry 63 or 64. In entry 63, there are two things – one is about those Institutes which were already existing there like Banaras University and Aligarh Muslim University and second one is about those Universities which will be set up at some other places under 371A and the Parliament has the competence over it. Any other institution declared by Parliament, by law, as institution of national importance, if Parliament declares any Institution as an institution of national importance then the competence also over it is according to this entry. In this context, when we felt like this last time when discussion was held then this thing came before us as to how it should be resolved. At that time, the leader of the opposition that it should be considered under entry 63. At that time the Minister of Agriculture immediately agreed to it and said that he would get it examined. After that the file received back and it was stated that you can cover it under entry as the institute of national importance. The Committee had asked about the possibility whether this can be covered under entry 63 or not ?

The opinion in this regard is that when we after considering the matter we find that we have both kinds of precedents and in which first institution was already in existence and functioning properly. After observing its performance the Parliament decided later on that this institution should be declared as of national importance. We have seen two such precedents wherein both the things were done simultaneously. In that case an institution was established and at the same time it was declared as an institute of national importance too I could have brought Section-5 of the All Indian Institute of Medical Sciences, there was a proposal and if you permit then I can read out that when it comes to the matter of Establishment it is mentioned in the Section – 3 that it will be established and it is written in the Section-5. “It is hereby declared that the institute shall be an institution of national importance”. This provision is approved by the Parliament. A few days back, according of Scientific and Innovative Research Act, 2011 was enacted. In which this institution was established and then it was also declared as institution of national importance Under Section – 6. If you allow me, I would like to read it out. “It is hereby declared that the academy of scientific and innovative research shall be an institution on national importance.”

Sir, We have both kinds of precedents and now it is upto the Committee or Parliament to decide whether we should do it now or later on because when there was a question of Imphal, we left this matter to our Administrative Department. We do not raise legal objections and we only say that if you have to do this, then you will have to do so under 63. Parliament has competence to declare any institution as an institution of national importance entry 63 only. “

1.45 The Rani Lakshmi Bai Central Agricultural University Bill, 2012 was introduced in Rajya Sabha on 22 May, 2012. On 8 June, 2012, Speaker, Lok Sabha asked the Committee to examine the Bill and Report to the Parliament. Bundelkhand region which is spread over 70000 square kilometers in the Central plains of India consists of six districts of Madhya Pradesh viz., Sagar, Damoh, Tikamgarh, Panna, Chhatarpur and Datia and seven districts of Uttar Pradesh viz., Jhansi, Jalaun, Lalitpur, Banda, Chitrakoot, Hamirpur and Mahoba. The Committee note that the setting-up of the proposed Central Agricultural University(CAU) is one of the several measures being contemplated/undertaken by the Government with a view to give impetus to development of this relatively backward region of the Country. The proposed CAU will be headquartered at Jhansi and have four colleges viz. Agriculture, Horticulture and Forestry, Animal Sciences and Fisheries at different locations in the Region. The intention being to integrate teaching, research and extension education with a view to strengthen technical back-stopping and to contribute to development of quality human resource in this backward region.

1.46 The Committee find that the idea of the proposed CAU germinated in the middle of 2009 when a memoranda was submitted to the Prime Minister by a delegation of MPs/MLAs on 27 July, 2009 requesting that a comprehensive package for Bundelkhand region be considered. The Memoranda in fact suggested that the proposed CAU be established by amalgamating Indian Grassland and Fodder Research Institute (IGFRI) and National Research Centre for Agro Forestry (NRCAF) both located in Jhansi and upgradation to the status of deemed to be agricultural university. The Committee note that the idea of amalgamation of these two premier ICAR research institutions and their

upgradation to a deemed to be university status was opposed by the Indian Council for Agriculture Research. Their stand being that IGFR was involved in research and it may not be possible for the Institute to conduct teaching activities. DARE/ICAR instead proposed that a Central Agricultural University could be established in Bundelkhand subject to availability of funds. This stand of DARE/ICAR was endorsed by both the Planning Commission, as well as, the Prime Minister's Office, as it was felt that 'the two institutions in question are specialized ones and it may not be desirably possible to dispense with their existing specialized mode'. Both these agencies also concurred with the view of DARE/ICAR about establishment of a Central Agricultural University in Bundelkhand region and the Planning Commission was asked to process the proposal expeditiously to convey in principle approval. Simultaneously, the Ministry of Agriculture were also asked to follow up with the usual steps involved in the establishment of a CAU.

1.47 The Committee, however, also note that while on one hand the aforementioned decisions were arrived at on 14 September, 2009, only a few days later on 25 September, 2009 the Prime Minister's Office forwarded a note of Chief Executive Officer, National Rainfed Area Authority to DARE, wherein, it was categorically mentioned that Uttar Pradesh had already declared setting up of a University in Bundelkhand and thus it may not spare land for an independent university. Madhya Pradesh already had an agricultural university in Jabalpur and had opened another at Gwalior in 2008 which was almost in Bundelkhand region. The official had also stated that in the given situation setting up of an independent CAU may be bogged down as both the States would insist on financial assistance for their respective proposals. More

tellingly, the Official had also opined that 13 districts of Bundelkhand have population density less than half of Madhya Pradesh and Uttar Pradesh and enrollment of students in agricultural universities had gone down drastically due to availability of alternative subjects in IT based subjects. Therefore, it would be difficult to assess whether there will be sufficient number of students for maintaining the proposed CAU. In spite of this note of caution, the Committee note that the Planning Commission conveyed in principle approval for setting up of a new CAU costing Rs. 500 odd crore to begin with, in Bundelkhand on 7 October, 2009 and accordingly asked DARE to provide a token amount of fund from within the approved outlay/budget. DARE, thereafter, prepared and circulated the EFC Memo and Detailed Project Report (DPR) to concerned Ministries/Departments and Planning Commission on 31 December, 2009. The Committee note that the Department of Expenditure in the Ministry of Finance raised several questions on the EFC Memo and DPR including how the activities of the proposed CAU would translate into benefits for local community; how without having estimated number of students, the number of teachers/professors and hostels to be built had been prescribed in the DPR; how and in what sense would the proposed CAU be a model university; steps taken by the Department to overcome the paucity of quality faculty which has been one of the major constraints in implementation of other such projects, procurement/acquisition of land and the indicative cost of the same; etc.

1.48 Similarly, the Department of Animal Husbandry, Dairying and Fisheries which is a sister department of DARE and also an important stakeholder in any CAU, had also recommended that for the equitable development of the region,

three colleges should be established in three different regions of Bundelkhand depending on the scope of various activities that are proposed to be undertaken through these colleges, instead of at one place.

1.49 The Planning Commission which had agreed in principle for setting up of the proposed CAU had also raised some very pertinent questions in the matter including why Chhatarpur, the most central location in entire Bundelkhand region had not been considered by ICAR inspite of its centrality and even when the Government of Madhya Pradesh was prepared to provide large tracks of land in that district for this purpose; the scope of CAU in view of the fact that five SAUs *viz.* at Jabalpur, Faizabad, Kanpur, Banda and Gwalior (adjacent to Jhansi) alongwith two institutes of ICAR *viz.* IGFRI and NRCAF already existed in the region, merely opening a new institute may not be sufficient for development of agricultural sector of the region and render benefits to local community as a large number of students passing out from these institutes may start looking for employment opportunities in the Bundelkhand region itself which may not meet their aspirations; possibility of some comparatively more backward regions in the Country seeking CAUs resulting into proliferation of CAUs in various backward regions; need for a Government Policy framework for opening of new CAU and autonomous bodies under DARE/ICAR to control mushrooming of such universities and the resultant burden on exchequer; assessment of availability of trained manpower before allowing creation of new institutes; sufficiency of the 300 acres of land being carved out of IGFRI cite a few for the requirements of the proposed CAU to. The Planning Commission had even gone to the extent of stating that in view of the proliferation of so many institutions in the region there would hardly be

scope for CAU, Jhansi to fill up the developmental gap of the region from the education point of view. They had also opined that an extensive survey for taking cognizance for preference of Bundelkhand region for another agriculture university should have been conducted before mooted the proposal.

1.50 The Committee find that inexplicably, the response of DARE to most of these important questions raised by the various agencies is a monotonous 'noted' or a reply couched in general or vague terms. Furthermore, in response to more germane ones, including financial matters, DARE have rather than resolving the queries or attending to the apprehensions of the concerned agency, brazened out by asking them to direct ICAR to drop the project. The Committee are in agreement with most of the issues raised by the various agencies and find it intriguing as why DARE/ICAR have proceeded in such an unusual haste, ignoring and suppressing the ground realities as well as facts, to push this proposal in a very unprofessional manner. Most of their actions have, infact not only been against the interest of the region and proper implementation of the project but have also been downright detrimental to the existing institutions in and around the Bundelkhand region, including two of their own premier research institutions. The Committee are constrained to say that for the reasons best known to DARE/ICAR a half baked and unscientific proposal, far away from ground reality and the genuine requirements of the region, was worked out and relentlessly pushed forward even after its shortcomings were exposed and more reasonable and rational options were available to them for the purpose.

1.51 It is beyond comprehension as to why the offer of Government of Uttar Pradesh on 11 February, 2010 for setting up the CAU in Banda where 346.6 hectare land had been acquired was ignored.

1.52 It also defies logic why the letter of 10 July, 2010 of Chief Minister, Government of Madhya Pradesh, to the Union Agriculture Minister offering huge chunks of lands measuring 596 acres, 110 acres and 998 acres respectively in three tehsils of Chhatarpur in Bundelkhand region went unanswered. The Committee also fail to understand as to why DARE/ICAR, who were initially themselves reluctant to divert the resources of IGFR I for the proposed CAU, later on decided about carving out of 300 acres of land from this premier research institution and also utilizing their infrastructure and academic resources inspite of the well reasoned strong objections of Professor M.S. Swaminathan, MP, Rajya Sabha addressed to both the Prime Minister and the Minister of Agriculture.

1.53 The Committee are also not convinced by the logic and reasoning extended by the Department for establishing the headquarters and two colleges of the proposed CAU in Jhansi. Facts were misrepresented in various proposals, EFC Memo and the DPR by showing Jhansi as central location in Bundelkhand region though it is situated at one of the corners of the region. Once the Committee pinned the Department about the centrality of Chhatarpur in the region and its justifiable claim to be the location for establishment of the proposed CAU, DARE took refuge behind *alibis* like availability of infrastructure and academic resources of IGFI and NRCAF, Jhansi, a prospect which they were vehemently opposed to earlier. In their zeal to zero in on Jhansi,

important socio-economic indices regarding area, population, poverty levels, rate of migration, employment generation, per capita income were all given a go by. DARE, forgetting that the primary aim of the proposed CAU was development of the impoverished Bundelkhand region even cited such unconvincing reasons *viz.* lack of connectivity and supposed inconvenience to the faculty of the proposed University in districts other than Jhansi, as they were lacking in infrastructure.

1.54 Keeping the forgoing in view, the Committee recommend that if the proposed CAU is to be established in Bundelkhand region and if it has to be nurtured into a successful endeavour, then it ought to be located in a central location. After giving due consideration to all socio-economic factors enumerated previously in this Report, the Committee are of the firm opinion that from all points of view Chhatarpur qualifies to be the most appropriate location for the proposed CAU rather than Jhansi. They, therefore, strongly recommend that the proposed CAU, including its headquarters and one college be immediately established in Chhatarpur, MP where the State Government has already offered three large tracts of land for the purpose. A college may also be set-up at Jhansi but without encroaching upon the land and infrastructure of IGRI and/or NRCAF. The adjoining 1000 acres of land of the State Government should be utilized for the purpose. Thereafter, the remaining two colleges should be established, one in Madhya Pradesh portion of Bundelkhand and the other on the Uttar Pradesh side. The Committee desire that the Bill be reworked accordingly.

The Committee also find that inspite of the undue hurry shown by the Government the proposed CAU is still stuck at the proposal stage since 2009 middle. The Committee strongly deprecate this inertia in planning and establishing an institute which purportedly will help development of a backward region. They, therefore, desire that the reworking of the Bill and other formalities be completed expeditiously so that proposed CAU is set-up and operationalised in Twelfth Plan without fail.

Furthermore, the Committee fully agree that CAUs should be established only after ascertaining their need and viability and keeping in view the availability of human resource, both in scientific and technical streams, so as to not render such institutions white elephants. They, therefore, strongly recommend that before contemplating any such future venture the Government should come up with a well considered and well laid out policy on CAUs before the Parliament.

1.55 The Committee have also had the occasion of going through Model Act and the Fourth Deans' Committee Report cited by DARE in their various proposals. The Model Act is nothing but a draft on which the bills of state agricultural universities can be based upon. It is not an enactment. DARE have continued to cite it in their various proposals though several of its clauses are not even remotely relevant to a Central Agricultural University. The Committee also note that with minor variations the projections for faculty and other wherewithal for the proposed CAU have been made in consonance with the Fourth Deans' Committee Report. However, keeping in view the acute shortage of scientific and technical manpower in the agricultural education

sector, the Committee desire DARE/ICAR to have a relook in the matter to make it workable.

1.56 Coming to the legal position of the Bill, the Committee have been hugely disappointed by the lack of clarity about the Entry under which the proposed CAU should be established. It transpires that the sole CAU in the Country at Imphal was established under Entry 25 of List-III (Concurrent List) of the Constitution of India). However, when the RLBCAU Bill, 2012 was moved for introduction in Rajya Sabha on 28 December, 2011 its introduction under the above Entry was opposed by some members citing that the Central Government did not have jurisdiction for establishing a university under the said Entry. This led to the introduction of the Bill being deferred. The Bill was again introduced in Rajya Sabha almost 5 months later on 22 May, 2012 when it was again opposed on the same grounds. It was subsequently introduced on the same day after the Leader of Opposition in Rajya Sabha suggested its establishment under Entry 63 of List-I (Union List) as an institution of national importance and the Agriculture Minister concurred with the suggestion. During the course of the examination of the Bill no convincing justification were forthcoming from the administrative department of the Bill viz. DARE or Legislative Department or Department of Legal Affairs as to why CAU, Imphal could be established under Entry 25 of List-III but still RLBCAU could not be afforded the same consideration. Similarly, none of these Departments could give a categorical reply about the most appropriate Entry under which the proposed CAU could be established from amongst Entries 63, 64 and 65 of List – I. According to them the proposed CAU could be established under any of these three Entries and even under Entry 25 of List – III, had the members

not objected to the introduction of the Bill in Rajya Sabha, as the Bill qualified to be included under each of these Entries. The Committee find this rationale unbelievable. In their opinion the proposed CAU has to go a long way for it being established and operationalised given the circumstances and ground realities enumerated previously in this Report. Furthermore, the Committee strongly feel that a place under Entry 63 which signifies institution of national importance should not be randomly assigned but earned by sheer performance. They, therefore, recommend that the proposed CAU may be considered for being established either under Entry 64 as it is undoubtedly an institution for scientific and technical education or under Entry 25 under which CAU, Imphal was established. In the case of former, the Department may also have to think of a solution for CAU, Imphal too. The Committee also desire that the Entry arrived at finally, out of these two, may also be factored in the Policy for CAUs recommended previously in this Report to pre-empt any confusion in this regard in future.

PART II
CLAUSE-WISE ANALYSIS

2.1 The purport of the Bill states as follows:

“A Bill to provide for the establishment and incorporation of a University for the Bundelkhand region for the development of agriculture and for the furtherance of the advancement of learning and prosecution of research in agriculture and allied sciences in that region.”

The Committee find the use of words ‘prosecution of research’ inappropriate. The said usage, as stated previously also in this Report indicates the tearing hurry in which this piece of legislation has been brought before the Parliament. The Committee desire the sentence be appropriately reworded as ‘pursuit of research’.

2.2 CLAUSE 3

“(2) the headquarters of the University shall be at Jhansi in the State of Uttar Pradesh and it may also establish campuses at such other places within its jurisdiction as it may deem fit:

Provided that the University shall, initially establish two colleges at Jhansi in the State of Uttar Pradesh and subsequently two colleges in the State of Madhya Pradesh.”

In the light of the facts emerging out of the examination of the matter in Part 1 of this Report and to ensure that the proposed CAU is able to serve its mandated purpose of revolutionizing agricultural and

allied sectors of the impoverished Bundelkhand Region the Committee recommend that sub-Clause 3(2) may be modified as under:

(2) The headquarters of the University shall be at Chattarpur in the State of Madhya Pradesh and it may also establish campuses at such other places within its jurisdiction as it may deem fit.

Provided that the University shall, initially establish one college at Chattarpur in the State of Madhya Pradesh and one college at Jhansi in the Bundelkhand Region of the State of Uttar Pradesh and subsequently two colleges in two other Districts of the State of Madhya Pradesh and the State of Uttar Pradesh respectively.

2.3 Clause - 4

4. The objects of the University shall be—

(a) to impart education in different branches of agriculture and allied sciences as it may deem fit;

(b) to further the advancement of learning and conducting of research in agricultural and allied sciences;

(c) to undertake programmes of extension education in Bundelkhand in the districts of the States under its jurisdiction;

(d) to promote partnership and linkages with national and international educational institutions; and

(e) to undertake such other activities as it may, from time to time, determine.

The Committee recommend the word 'Objects' in Clause 4 be replaced with the word 'objectives'.

2.4 Clause - 5(ix)

(ix) to establish and maintain such campuses, Krishi Vigyan Kendras, special centres, specialised laboratories, libraries, museums or other units for research and institution as are, in its opinion, necessary for the furtherance of its objects;

The Krishi Vigyan Kendras are established by the Department of Agricultural Research and Education of the Ministry of Agriculture, therefore, the power to establish KVKs cannot be vested with the proposed CAU. The Committee, therefore, recommend that the words 'Krishi Vigyan Kendras' be deleted from Clause 5(ix). Furthermore, the word 'objects' at the end of Clause 5(ix) be changed to 'objectives'.

2.5 Clause 5(xv)

(xv) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

The Committee recommend that Clause 5 (xv) may be reworded as 'to supervise the residential accommodation of the students and employees of the University as mentioned in Clause 5(xiv) and to make arrangements for promoting their health and general welfare' to make the import of the Clause clear.

2.6 Sub-Clause 6(1)

6. (1) The jurisdiction and responsibility of the University with respect to teaching, research and programmes of extension education at the University level, in the field of agriculture shall extend to the seven districts, namely Banda, Chitrakoot, Hamirpur, Jalaun, Jhansi, Lalitpur and Mahoba of the State of Uttar Pradesh and to the six districts, namely Chhatarpur, Damoh, Datia, Panna, Sagar and Tikamgarh of the State of Madhya Pradesh.

The Committee find that as in the case of several other Clauses, Clause 6(i) has also been picked up by the Department from the draft Model of the State Agricultural University Act. Apparently, therefore, the territorial jurisdiction and the responsibility of the CAU with respect to teaching and research alongwith programme of extension education have been restricted to only seven districts of Uttar Pradesh and six Districts of Madhya Pradesh comprising the region of Bundelkhand. The Committee find it incomprehensible as to how the mandate of a Central University can be scuttled due to such misapplication of logic and reasonableness and it be virtually restricted to the status of a State Agricultural University. The Committee, therefore, strongly recommend that the jurisdiction and responsibility of the proposed CAU be appropriately modified to reflect its central/national character and Clause 6(i) be accordingly changed.

2.7 Sub Clause 6(2)

(2) All colleges, research and experimental stations, Krishi Vigyan Kendras or other institutions coming under the jurisdiction and authority of the University shall come in as constituent units under the full management and control of its officers and authorities and no such units shall be recognised as affiliated units.

As in the case of Sub Clause 6(1), Sub Clause 6(2) has also been modeled after the draft meant for State Agricultural University. This is surely bound to create confusion about the authority of the proposed CAU as it is an entity of the Union which would be functioning in the territorial jurisdiction of two different States. The Committee, therefore, desire that Sub Clause 6(2) also be suitably modified to avoid any confusion regarding jurisdiction of the proposed CAU over the colleges,

research and experimental stations, KVKs and other institutions which purportedly fall under its territorial jurisdiction but are situated in two different States.

2.8 Clause 7

The proviso of Clause 7 states as follows:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, handicapped or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes, the Scheduled Tribes and Other Backward Classes.

The Committee recommend that the proviso of Clause 7 should be redrafted to be in complete conformity and consonance with the Constitutional provisions in the matter.

2.9 Clause 9

9. The following shall be the officers of the University, namely:—

- (1) the Chancellor;
- (2) the Vice-Chancellor;
- (3) the Deans;
- (4) the Directors;
- (5) the Registrar;
- (6) the Comptroller;
- (7) the University Librarian; and
- (8) such other officers as may be prescribed by the Statutes.

However in Statute 11 of the Schedule there is a mention of more than one librarian. The Committee desire the contradiction be reconciled.

2.10 Clause 15

The manner of appointment and powers and duties of the other officers of the University shall be prescribed by the Statutes.

The Committee recommend that Clause 15 be reworded as follows:

after the word shall be ‘*as prescribed in the Statutes*’.

The Committee further recommend that wherever the term “*shall be prescribed by the statutes*” has been used in the Bill it may be replaced by the words “*shall be as prescribed in the statutes*”.

2.11 Statute 1(2) under the Schedule prescribed by Clause 26 of the Bill stipulates as follows:

(2) The Chancellor shall hold office for a term of five years and shall not be eligible for reappointment:

Provided that notwithstanding the expiry of his term of office, the Chancellor shall continue to hold office until his successor enters upon his office.

The Committee are of the opinion that the timelines for the selection procedure of the Chancellor should be well defined and the process should commence well before the incumbent Chancellor’s term of five years is coming to an end. So that the next incumbent is appointed by the Visitor and announced by the Government will be before the term of the incumbent Chancellor is over. They, therefore, recommend that Statute 1(2) be accordingly modified and the proviso of Statute 1(2) be deleted.

2.12 Statute 2(4) under the Schedule prescribed by Clause 26 of the Bill stipulates as follows in the context of term of the Vice-Chancellor:

Provided that notwithstanding the expiry of the said period of five years, he shall continue in office for a period not exceeding one year or until his successor is appointed and enters upon his office.

As in the case of Schedule 1(2) the Committee strongly feel that in the case of Vice Chancellor also the timelines for the appointment procedure should be clearly stipulated in the Schedule itself to ensure advance planning and her/his appointment well before the term of the incumbent Vice Chancellor ends. The Committee, therefore, recommend Schedule 2(4) be accordingly redrafted and the proviso of Schedule 2(4) be deleted.

2.13 Statute 12(1)(ii) under the Schedule prescribed by Clause 26 of the Bill stipulates as follows:

(ii) three Secretaries, from amongst the Secretaries-in-charge of the Departments of Agriculture or Animal Husbandry, Fishery and Horticulture of the States of Uttar Pradesh and Madhya Pradesh to be nominated by the Visitor by rotation:

The Committee are of the view that given the overbearing mandate of the proposed CAU over the areas of Madhya Pradesh and Uttar Pradesh falling in Bundelkhand region, it is but imperative that the Department of Agriculture and Department of Animal Husbandry, Fishery and Horticulture of both the States be intrinsically involved with the affairs of the proposed CAU. The said Statute should, therefore, be reworded as follows:

Secretaries in charge of Department of Agriculture and Department of Animal Husbandry, Fishery and Horticulture of the States of Madhya Pradesh and Uttar Pradesh.

2.14 Similarly, Statute 12(1)(viii) reads as follows:

(viii) one woman social worker representing woman social organisation from Bundelkhand to be nominated by the Vice-Chancellor;

The Committee feel that compared to a women social worker, a woman representative of farmers on the Board of Management would be more suitable given the fact that the Board has to oversee the functioning of an agricultural university. The Committee, therefore, recommend that Statute 12(1)(viii) be deleted and Statute 12(1)(vii) be modified as follows:

“Three persons including at least a woman representing farmers in Bundelkhand to be nominated by the Vice-Chancellor by rotation in alphabetical order of States of Madhya Pradesh and Uttar Pradesh.

Provided that there shall not be more than two representatives from a State in the Board at a particular time.”

The Committee also recommend that wherever in the Bill and its Schedule the term alphabetical order has been used the States of Madhya Pradesh and Uttar Pradesh be mentioned in that order.

2.15 Statute 13

Statute 13 which prescribes the quorum for the meetings of the Board reads as follows:

Five members of the Board shall form the quorum for a meeting of the Board.

The Board of Management of the proposed CAU is vested with vast powers and responsibilities. The Committee, therefore, feel that the decision making of the Board should be broad based and ideally involve maximum number of members of the Board. In any case the quorum for the meetings of the Board should not be less than one-third of the membership of the Board. As the membership of the Board will go upto 21 in view of changes recommended by the Committee in Statute 12(1)(ii), the Committee recommend the quorum of the meetings of the Board should be seven.

2.16 In para 5(a) of the Statement of Objects and Reasons the words ‘with its headquarters at Jhansi....’ be replaced with ‘with its headquarters and one college at Chhatarpur in the State of Madhya Pradesh and one college at Jhansi in the State of Utter Pradesh’.

2.17 The Notes on Clauses and the Financial Memorandum may also be accordingly amended.

**NEW DELHI;
12 March, 2013
21 Phalguna, 1934 (Saka)**

**BASUDEB ACHARIA
Chairman,
Committee on Agriculture.**

**COMMITTEE ON AGRICULTURE
(2011-12)**

MINUTES OF THE FORTY-FIRST SITTING OF THE COMMITTEE

The Committee sat on Friday, the 27th July, 2012 from 1100 hours to 1310 hours in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Shri Basudeb Acharia - Chairman

MEMBERS

Lok Sabha

2. Shri Narayansingh Amlabe
3. Shri K.C. Singh 'Baba'
4. Smt. Ashwamedh Devi
5. Shri Sk. Nurul Islam
6. Shri Naranbhai Kachhadia
7. Shri Premdas
8. Shri Surendra Singh Nagar
9. Shri Nripendra Nath Roy
10. Shri Jagdish Thakor
11. Shri Hukmadeo Narayan Yadav
12. Shri Ramakant Yadav

Rajya Sabha

13. Shri Shashi Bhusan Behera
14. Shri Narendra Budania
15. Shri Vinay Katiyar
16. Shri Mohd. Ali Khan
17. Shri Upendra Kushwaha
18. Shri Bharatsinh Prabhatsinh Parmar
19. Shri Rajpal Singh Saini
20. Shri S. Thangavelu

SECRETARIAT

Shri P.C. Koul - Additional Director

2. At the outset, the Chairman welcomed the members to the Sitting. The Committee, thereafter, took up Memoranda No. 8 pertaining to 'The Rani Lakshmi Bai Central Agricultural University Bill, 2012' for consideration. The Chairman explained to the Committee regarding the reference of the Bill by the Hon'ble Speaker, Lok Sabha to the Committee for examination and Report by 31 July, 2012. He also recounted the reasons necessitating the postponement of examination and Report of the Bill. The Committee then authorized the Chairman to request the Hon'ble Speaker, Lok Sabha for grant of extension of time for examination and Report on the Bill till the last day of Winter Session 2012. *** **

*3. *** **

*4. *** **

*5. *** **

The Committee then adjourned.

* Matter not related with this Report

**COMMITTEE ON AGRICULTURE
(2012-13)**

MINUTES OF THE FIFTH SITTING OF THE COMMITTEE

The Committee sat on Friday, the 16th November, 2012, from 1430 hours to 1530 hours in Room No. 53 (F/F), Parliament House, New Delhi.

PRESENT

Shri Basudeb Acharia - Chairman

MEMBERS

LOK SABHA

2. Shri Narayansingh Amlabe
3. Shri Sanjay Singh Chauhan
4. Smt. Ashwamedh Devi
5. Shri L. Raja Gopal
6. Smt. Paramjit Kaur Gulshan
7. Shri Premdas Katheria
8. Shri P. Kumar
9. Dr. (Smt.) Botcha Jhansi Lakshmi
10. Sardar Sukhdev Singh Libra
11. Shri Jagdish Singh Rana
12. Shri Rajaiah Siricilla
13. Dr. Vinay Kumar Pandey 'Vinnu'
14. Shri Hukamdeo Narayan Yadav

RAJYA SABHA

15. Shri Satyavrat Chaturvedi
16. Smt. Mohsina Kidwai
17. Shri Dharmendra Pradhan
18. Dr. K.V.P. Ramachandra Rao
19. Shri Rajpal Singh Saini
20. Shri Shivanand Tiwari
21. Shri S. Thangavelu

SECRETARIAT

1. Shri P.C. Koul - Additional Director
2. Shri C. Vanlalruata - Deputy Secretary

WITNESSES

<u>S.No.</u>	<u>NAME OF THE OFFICER</u>	<u>DESIGNATION</u>
1.	Shri P.K. Pujari	Additional Secretary & FA (DARE/ICAR)
2.	Dr. Arvind Kumar	Deputy Director General (Edn.), ICAR

MINISTRY OF LAW AND JUSTICE
(LEGISLATIVE DEPARTMENT)**Smt. Sharda Jain****Joint Secretary and Legislative Counsel**

2. At the outset, the Chairman welcomed the Members to the Sitting of the Committee. Thereafter, the Chairman directed that the representatives of the Ministry of Agriculture (Department of Agricultural Research and Education) and Ministry of Law and Justice (Legislative Department) be ushered in. The Chairman then welcomed the witnesses and asked them to introduce themselves. Once the introductions were over the witnesses briefed the Committee on 'The Rani Lakshmi Bai Central Agricultural University Bill, 2012'.

3. The Members raised several queries pertaining to the Bill to which the witness duly responded.

4. The Chairman thanked the witnesses for appearing before the Committee. He also directed them to send information on points on which information could not be provided by them during the Sitting to the Secretariat of the Committee latest by 26 November, 2012.

The witnesses then withdrew.

A verbatim record of the proceedings has been kept separately.

The Committee then adjourned.

COMMITTEE ON AGRICULTURE**(2012-13)****MINUTES OF THE EIGHTH SITTING OF THE COMMITTEE**

The Committee sat on Thursday, the 29th November, 2012, from 1600 hours to 1720 hours in Room No. 62 (F/F), Parliament House, New Delhi.

PRESENT**Shri Basudeb Acharia - Chairman****MEMBERS****LOK SABHA**

2. Shri Narayansingh Amlabe
3. Shri Sanjay Singh Chauhan
4. Smt. Ashwamedh Devi
5. Shri L. Raja Gopal
6. Smt. Paramjit Kaur Gulshan
7. Shri Premdas Katheria
8. Dr. (Smt.) Botcha Jhansi Lakshmi
9. Sardar Sukhdev Singh Libra
10. Dr. Jyoti Mirdha
11. Dr. Vinay Kumar Pandey 'Vinnu'
12. Shri Hukamdeo Narayan Yadav

RAJYA SABHA

13. Shri Satyavrat Chaturvedi
14. Dr. K.V.P. Ramachandra Rao
15. Shri Shivanand Tiwari
16. Shri S. Thangavelu

SECRETARIAT

1. Shri R.S. Kambo - Joint Secretary
2. Shri P.C. Koul - Additional Director
3. Shri C. Vanlalruata - Deputy Secretary

4. The Acting Chairman thanked the witnesses for appearing before the Committee. He also directed them to send information on points on which information could not be provided by them during the sitting to the Secretariat of the Committee latest by 07 December, 2012.

The witnesses then withdrew.

A verbatim record of the proceedings has been kept separately.

The Committee then adjourned.

COMMITTEE ON AGRICULTURE**(2012-13)****MINUTES OF THE NINETEENTH SITTING OF THE COMMITTEE**

The Committee sat on Tuesday, the 05 March, 2013 from 1500 hours to 1540 hours in Committee Room 'B', Parliament House Annexe, New Delhi.

PRESENT**Shri Basudeb Acharia - Chairman****MEMBERS****LOK SABHA**

2. Shri Narayansingh Amlabe
3. Shri Sanjay Singh Chauhan
4. Shri H.D. Devegowda
5. Smt. Ashwamedh Devi
6. Smt. Paramjit Kaur Gulshan
7. Dr. (Smt.) Botcha Jhansi Lakshmi
8. Sardar Sukhdev Singh Libra
9. Dr. Jyoti Mirdha
10. Shri Naranbhai Kachhadia
11. Shri Rajaiah Siricilla
12. Shri Patel Kishanbhai V.
13. Shri Hukamdeo Narayan Yadav

RAJYA SABHA

14. Shri Satyavrat Chaturvedi
15. Dr. K.V.P. Ramachandra Rao
16. Shri S. Thangavelu

SECRETARIAT

1. Shri R.S. Kambo - Joint Secretary
2. Shri P.C. Koul - Director

2. At the outset the Chairman welcomed the members to the Sitting of the Committee. The Committee, then, took up the draft Report on “The Rani Lakshmi Bai Central Agricultural University Bill, 2012”.

3. After some deliberations, the Committee adopted the draft Report with some modifications and authorized the Chairman to finalise the Report in the light of the said modifications and present it after getting it factually verified from the concerned Department.

*4. *** **

*5. *** **

The Committee then adjourned.

* Matter not related.