

THE SWAHID KANAKLATA BARUA STATE UNIVERSITY BILL, 2024.

A

BILL

to establish and constitute a teaching, residential and affiliating University at Gohpur, Assam.

Preamble

Whereas it is expedient to establish and constitute a teaching, residential and affiliating University at Gohpur, Assam having Open and Distance Learning facilities.


It is hereby enacted in the Seventy-fifth year of the Republic of India as follows :-

Short title and commencement

1. (1) This Act may be called the Swahid Kanaklata Barua State University Act, 2024.
- (2) It shall come into force at once.

Definition

2. In this Act, unless there is anything repugnant in the subject or context, -
 - (a) "College" means any College or Institution maintained or managed by the University in accordance with the provision of the Act and the Statues;
 - (b) "Council" means the University Council;
 - (c) "Court" means the University Court, constituted under section 23 of the Act;
 - (d) "Doctors of University" means persons awarded with Doctorate Degree by the University;
 - (e) "Degree College" means the college affiliated to the University in which instruction is given to the students of the College upto a standard leading to the award of any Bachelor's degree of the University;
 - (f) "Faculty" means a Faculty of the University;
 - (g) "Government" means the Government of Assam;
 - (h) "hall" means a unit of residence for the students of the University maintained or recognized by the University in accordance with the provisions of this Act;
 - (i) "Moderation Board" means a Board constituted in the manner as may be prescribed in the statues for the purpose of scrutinizing and moderating the question papers of various examinations held and conducted by the University from time to time;
 - (j) "Patron of the University" means a person who has made a donation of not less than Rs. 100,00,000 to the funds of the University and has been declared by the Chancellor to be a patron of the University;
 - (k) "Principal" mean the head of a College and its teaching staff, and includes, where there is no principal, the person for the time being duly appointed to act as Principal, and in the absence of the Principal, a Vice-Principal duly appointed as such;
 - (l) "Professional College" means a college imparting


VETTED BY THE
LEGISLATIVE DEPARTMENT

22.01.2024

instructions in the professional subjects, namely, Law, Medicine, Engineering, Technology, Agriculture, Veterinary, Post-Graduation teachers' training and such other subjects as may be prescribed from time to time to as professional subject under the university;

- (m) "registered graduate" means a graduate registered under the provisions of this Act;
- (n) "Statutes, Ordinances and Regulations" means respectively, the Statues, Ordinances and Regulations of the University made under this Act;
- (o) "teachers" means a Professor, Readers or a Assistant Professor of the University, or of a College whether constituted or affiliated by the university, or any other person imparting instructions all conducting or supervising or guiding research either in a college or in a department from centre of study of the university and includes a person recognized as a teacher by the University;
- (p) "University" means the Swahid Kanaklata Barua State University;
- (q) "University Professor" or "University Associate Professor" means a Professor or Associate Professor appointed or recognized as such by the University;
- (r) "warden" means the head of a Hall.

Legal entity of the university

- 3. (1) The first Chancellor, the first Vice-Chancellor of the University and the members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members shall constitute the a body corporate by the name of "The Swahid Kanaklata Barua State University".
- (2) The University shall have perpetual succession and common seal and shall sue and be sued by the said name.
- (3) The University shall be deemed to have been constituted for the purposes, among others, of making provisions for imparting education, for research and for the advancement and dissemination of knowledge in such subjects as the University may deem fit.
- (4) The University shall be deemed to have to provide instructions, teaching and training in Higher Education and to create centre of excellence for research and development and for sharing knowledge and its applications.

University open to all Classes, Castes and Creeds

- 4. The University shall be open to all persons irrespective of sex, race, creed or class, and it shall not be lawful for the University to adopt or impose any test whatsoever of religious belief or professions in order to entitle a person to be admitted thereto as a teacher or student, or to hold any office therein or to graduate thereat or to enjoy or exercise any privilege thereof, except where such test is specially prescribed by the Statues or in respect of any particular benefaction accepted by the University or when such test is made a condition thereof by any testamentary or other instrument creating such benefaction.

Powers of the University

- 5. The University shall have the following powers, namely :-
 - (a) to provide for instruction in such branches of learning as the University may think fit and to make provision for research and for the advancement and dissemination of knowledge;

Handwritten signature
VETTED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

- (b) to hold examination and to grant to, and confer Degrees and other academic distinctions to persons who,
 - (i) have passed a course of study in or prescribed by the University, or
 - (ii) are teachers in educational institutions under conditions laid down in the Ordinance and Regulations; and
 - (iii) have passed the examinations of the University under like conditions;
- (c) to confer honorary degrees or other distinctions, to approved person, in the manner laid down in Statutes;
- (d) to grant such diplomas to, and to provide such lectures and instructions to, persons not being members of the University as the University may determine;
- (e) to withdraw or cancel any degrees, diplomas, certificates or other distinctions granted or conferred;
- (f) to co-operate with other Universities and authorities in such manner and for such purpose as the University may determine;
- (g) to institute any Professorship, Associate Professorship, Assistant Professorship, Professor of Practice and any other teaching posts required by the University;
- (h) to appoint or recognize persons as Professors, Associate Professors, Assistant Professors and Professor of Practice or otherwise as teachers of the University;
- (i) to institute and award Fellowships, Scholarships, Exhibitions and Prizes, in accordance with the Statutes and Regulations;
- (j) to maintain Colleges and Halls to affiliate Degree Colleges and Halls not maintained by the University and to withdraw such affiliation;
- (k) to demand and receive payments of such fees and other charges as may be authorised by the Ordinances;
- (l) to supervise and control the residence and discipline of students of the University and to make arrangements for promoting their health and general welfare;
- (m) to receive grants from Government and donations from private individual or associations for specific or general purposes;
- (n) to make grants from the funds of the University for assistance to extramural teaching;
- (o) to take, receive, purchase or hold for the purpose of the University any property movable or immovable including any funds, which is or may become vested in the University or placed at its disposal and to grant, demise, alienate, transfer or otherwise dispose of or administer all or any such property or fund for any purpose of the University under this Act including construction of any building, roads, tanks, pipelines or any other structure and also to do all other acts, incidental or appertaining thereto;
- (p) to constitute for the benefit of its officers and employees such pensions and provident funds as it may deem fit in such

manner and subject to such conditions as may be prescribed;

- (q) 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 as the Teaching and Examining body, and to cultivate and promote Arts, Science and other branches of learning;
- (r) to promote interdisciplinary and trans-disciplinary courses by establishing departments or centers to such effect with faculty members from various disciplines;
- (s) to develop the University into an academic hub of Multidisciplinary education and Research;
- (t) to design courses with employability and entrepreneurship in perspective; and in such a manner that it shall have scope to attract foreign students.

Teaching of the University

6. (1) All recognized teaching in connection with the University course shall be conducted under the control of the Academic Council by Teachers of the University and shall include lecturing and laboratory work and other teaching conducted in accordance with any syllabus prescribed in the Regulations.
- (2) All the courses shall be in line with National Education Policy-2020 and the related notifications or guidelines or O.M issued by Government of Assam from time to time.
- (3) The authorities responsible for organizing such teaching shall be prescribed in the Statutes.
- (4) The courses and curricula shall be prescribed by the Ordinance and subject thereto, the Regulations of the university.
- (5) The courses shall be designed with employability and entrepreneurship in perspective.
- (6) The courses shall be designed in such a manner that it shall have scope to attract foreign students.
- (7) To develop the University into an academic hub of Multidisciplinary education and Research.

Officers of the University

7. The following shall be the Officers of the University:-
- (i) The Chancellor;
 - (ii) The Vice-Chancellor;
 - (iii) The Rector;
 - (iv) The Registrar;
 - (v) The Academic Registrar;
 - (vi) Dean, Research and Development;
 - (vii) Dean, Extension Activities;
 - (viii) Dean, Students Welfare;
 - (ix) Controller of Examination;
 - (x) The Finance Officer; and
 - (xi) Such other Authorities and Officers as may be provided for by the Statutes.


VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22-07-2024

Chancellor

8. (1) The Governor of Assam shall be the Chancellor of the University.
- (2) The Chancellor by virtue of his office shall be the head of the University and the President of the Court and shall, when present, preside at any Convocation of the University.

Powers and Duties of the Chancellor

9. (1) Where power is conferred upon the Chancellor by this Act or by the Statutes to nominate persons to the authorities of the University or other bodies thereof, the Chancellor shall, to the extent necessary, nominate persons to represent the interest of the minorities, Scheduled Tribes and Scheduled Castes and interest not otherwise represented.
- (2) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.
- (3) The Chancellor shall have the power to cause an inspection, by himself or by such person or persons as he may direct, of the properties of the University, its buildings, laboratories and equipments and of the Colleges or Institutions 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.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) When the Executive Council does not, within a reasonable time, 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.
- (8) 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.
- (9) The Chancellor shall have such other powers as may be conferred on him by or under the provisions of this Act.
- (10) 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.

Ses
CHECKED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

Vice-Chancellor

10. (1) The Vice-Chancellor shall be appointed by the Chancellor on the recommendation of an Advisory Board constituted by the Chancellor for the purpose which shall consist of three members of whom one member shall be elected by the Executive Council, one member shall be nominated by the State Government and one member shall be nominated by the Chancellor. The Chancellor shall appoint one of them as Chairperson of the Advisory Board.
- (2) The Advisory Board shall recommend a panel of three persons to the Chancellor who may appoint one of the persons recommended to be the Vice-Chancellor. If the Chancellor does not approve any of the person recommended by the Advisory Board, he may call for the fresh recommendation.
- (3) The Vice-Chancellor shall be a whole time officer of the University who shall hold office for a period of five years and shall be eligible for re-appointment. He shall retire on the date he attains the age of 70 years.
- (4) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be determined by the Chancellor:
Provided that the salary of the Vice-Chancellor shall not be less than Rs. 2,50,000 per month including all allowances.
- (5) Whenever there is any temporary vacancy in the office of the Vice-Chancellor by reasons of leave, illness or resignation or other causes, the Chancellor shall make such other arrangements temporarily as he may think fit for exercising the powers and performing the duties of the Vice-Chancellor for such period as deem necessary. The Chancellor shall determine the emoluments or allowances if any payable to such a person temporarily appointed to exercise the powers and duties of the Vice-Chancellor.

Powers and duties of the Vice-Chancellor

11. (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 any convocation of the University. He shall be an ex-officio member and Chairperson of the Executive Council, the Standing Finance Committee, the Construction Committee and of 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 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 that immediate action should be taken, the Vice-Chancellor shall take such action as deemed necessary and shall at the earliest opportunity, report his action to the officer, 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 persons shall be entitled to prefer an appeal to the Executive Council

Shs
VETTED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

through the officer, authority or 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 Teacher of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control in the University. He shall be responsible for maintenance of discipline in the University.
- (7) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.
- (8) In consultation with the appropriate officers of the University, the Vice-Chancellor shall be responsible for taking such steps as may be necessary for the full co- ordination of teachings, research and extension activities of the University.
- (9) The Vice-Chancellor shall be responsible for the creation of conditions conducive to maximum progress in the development of new information and technology in Sciences, Social sciences and Humanities, their inclusion in the curricula and application in practice throughout the State.

Rector

12. (1) The Rector shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor on such emoluments and allowances as may be fixed by the Chancellor. He or she shall hold office for a term of five (5) years and shall be eligible for re-appointment.
- (2) The Rector shall exercise such powers and perform such duties of the Vice- Chancellor as may, from time to time, be delegated to him or her by the Vice- Chancellor.

The Registrar

13. (1) The Registrar shall be appointed by the Executive Council on such terms, conditions and remunerations as may be prescribed.
- (2) The term of office of the Register 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, the Executive Council and of the Construction Committee:

Provided that, notwithstanding anything contained in this Act, the Executive Council may either for specific purpose or in general, appoint any other officer of the University as a Secretary of any of the said authorities.

Powers and duties of the Registrar

14. 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 contracts and agreements made on behalf of the University and to act as Secretary of such other Committees as may be prescribed by the Statues;
 - (iii) to conduct the official correspondence between the Court and the Executive Council;
 - (iv) to issue all notices convening meetings of all such Committees or Councils or Boards of which he or she is the Secretary;

Sd/-
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

- (v) to arrange for and conduct the examinations of the University till such time till the University appoints other officers, if any, for this purpose; and
 - (vi) to perform such other work as may, from time to time, be prescribed by the Executive Council.
- The Academic Registrar** 15. (1) The Academic Registrar shall be appointed from amongst the Professors of the University 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 is for five years but may be reappointed,
- (2) The Academic Registrar shall support the Vice-Chancellor and the Registrar on all academic matters.
- Dean, Research and Development** 16. The Executive Council shall appoint the Dean, Research and Development from amongst the Professors of the University for a period of three years on the recommendation of the Vice-Chancellor.
- Dean, Extension Activities** 17. The Executive Council shall appoint the Dean, Extension Activities from amongst the Professors of the University for a period of three years on the recommendation of the Vice-Chancellor.
- Dean, Students Welfare** 18. The Executive Council shall appoint the Dean, Students Welfare from amongst the Professors of the University for a period of three years on recommendation of the Vice-Chancellor.
- Controller of Examination,** 19. (1) The Controller of Examination shall be a permanent employee of the University and shall be appointed by the Executive Council;
- (2) It shall be the duty of the Controller of Examinations to hold various examinations of the University and its constituent and affiliated Colleges, if any;
- (3) The Controller of Examinations shall be the authority to hold examinations and shall ensure that the results are declared in time.
- Finance Officer** 20. (1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council for a period of five years on such terms, conditions and remuneration as may be prescribed. He may be eligible for re - appointment.
- (2) The Finance Officer shall exercise general supervision over the funds of the University and advice in regard to its financial policy.
- (3) Subject to the control of the Executive Council he shall manage the investments of the University and be responsible for the preparation and presentation of the annual estimates and statements of accounts and for proper maintenance of the accounts.
- (4) He shall be Responsible for record of Annual Estimates and statements of accounts and for proper maintenance of the accounts.
- (5) Subject to the powers of the Executive Council, the Finance Officer shall be responsible for ensuring that all money are expended for the purposes for which they are granted or allotted.

des
 VERIFIED BY THE
 LEGISLATIVE DEPARTMENT
 22-01-2024

- (6) The Finance Officer shall exercise such other powers as may be prescribed by the Statutes and the Ordinances :

Provided that the Chancellor may on the recommendation of the Executive Council, in the case of any casual vacancy in the office of the Finance Officer, direct that the Registrar shall act as Finance Officer and perform all duties and exercise all the powers of the Finance Officer, and when any such directions has been made, all references to the Finance Officer in this Act, the Statutes, the ordinances and the Regulations shall be deemed to be reference to the Register.

Appointment of First Officers

21. The first Registrar, the first Finance Officer and the first Controller of Examination shall be appointed by the Vice-Chancellor on recommendation of the Government. The tenure of such officers shall be maximum for a period of two years.

Authorities of the University

22. The following shall be the Authorities of the University
- (1) The University Court;
 - (2) The Executive Council;
 - (3) The Academic Council;
 - (4) The Post-Graduate Board;
 - (5) The Under-Graduate Board;
 - (6) The Board of Studies;
 - (7) The Finance Committee;
 - (8) The Selection Committee;
 - (9) Such other authorities as may be declared by the Statues to be authorities of the Court.

The University Court

23. The Court shall consists of the following persons, namely :

Ex-officio members :-

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Rector;
- (iv) The Minister of Education;
- (v) The Registrar;
- (vi) The Finance Officer;
- (vii) The Secretary to the Government of Assam in the Education Department;
- (viii) The Director of Higher Education, Assam;
- (ix) The Director General of Police, Assam;
- (x) The Registrar of Cooperative Societies, Assam;
- (xi) The Director of Health Services, Assam;
- (xii) The Director of Health Services, Assam;
- (xiii) The Director of Agriculture, Assam;
- (xiv) The Director, Information Technology;

del
VETTED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

- (xv) The Secretary to the Government of Assam, Department of Entrepreneurship and Skill Development;
- (xvi) The Vice-Chancellor or his nominee from National Law University, Guwahati;
- (xvii) The Vice-Chancellor of any University in the State;
- (xviii) One-third of the Principals of Degree Colleges affiliated to the University by election from among themselves in the manner prescribed by the statutes. In case the number of Degree Colleges affiliated to the University being not divisible by three and found to be more than half, one more College may be included by if it is less than half, it may be ignored;
- (xix) ten (10) persons from the Heads of Departments and Professors of the University being allotted Faculty-wise by rotation to be decided by the Executive Council;

Other Members:

- (xx) persons not exceeding ten (10) in number, nominated by the Chancellor from amongst the donors, each of whom has contributed a sum of rupees fifty lakhs or more to the University;
- (xxi) seven (7) person elected by the members of the Assam Legislative Assembly from amongst themselves;
- (xxii) two (2) members of the Board of Secondary Education, Assam elected by the aforesaid Board;
- (xxiii) ten (10) persons of whom at least two shall be from the professional Degree Colleges to be elected by the teachers, other than the Heads of Departments and Professors of the Departments of the University and the Principals of the constituent and affiliated Degree Colleges from amongst themselves;
- (xxiv) two (2) Registered Graduates elected by the Registered Graduates of the University who are not employees or students of the University or affiliated colleges;
- (xxv) ten (10) persons distinguished in Literature, Law, Medicine, Engineering, Technology, Industry, Commerce and Public life nominated by the Chancellor,
- (xxvi) seven (7) representatives to be elected by the post-graduate students of the University from amongst themselves :

Provided that a student to be so elected must have been a student of the University for at least one year prior to his election:

Provided further that no student who has taken more than one year in excess of the period prescribed for the course of which he is a student shall be eligible for such election.

- (xxvii) two (2) representatives to be elected by the Law Students of the University from amongst themselves:

del
 VERIFIED BY THE
 LEGISLATIVE DEPARTMENT
 22.01.2024

Provided that a student to be so elected shall have been a student of the University for at least one year prior to his election:

Provided further that no student who has taken more than one year in excess of the period prescribed for the course of which he is a student shall be eligible for such election

- (xxviii) two (2) persons to be nominated by the Chancellor from amongst those whose interests are not otherwise represented. Save as otherwise provided, except the ex-officio members, the 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:

Provided further that any member elected or nominated 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 of his ceasing to be a student of the University. 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 his membership of the Court. With the approval of the Court, the Vice-Chancellor may remove a member, elected under clause (xxviii) of above if he does not fulfill the conditions laid down in the proviso above mentioned.

Meetings of Court

24. (1) The Court shall meet at least twice a year on dates to be fixed by the Vice-Chancellor, whenever he thinks fit, and shall upon a requisition in writing signed by not less than one-third of the members of the Court, convene a special meeting of the Court.
- (2) The Vice-Chancellor, whenever he thinks fit, and shall upon a requisition in writing signed by not less than one-third of the members of the Court, convene a special meeting of the Court.

Powers and duties of the Court

25. Subject to the provisions of this Act, the Court shall have the following powers and duties, namely:
- (a) to review from time to time, the broad policies and programmes of the University, and to suggest measures for the improvement and development of such policies, programme, works and other affairs;
- (b) to consider the annual report, the annual account, the audit report and the statement of the financial estimates for the ensuring year, to approve the financial estimates with such comments, if any, to express its views on the annual report, the annual account and the audit report and to suggest such measures as it may deem proper in the matters covered by them;
- (c) to approve, with or without modifications, the Statues submitted by the Executive Council:

Provided that before making any modifications to the

Statutes submitted by the Executive Council, the Executive Council shall be given an opportunity to consider the modification proposed by the Court and the Court shall consider the opinion expressed by the Executive Council on such modification.

The Executive Council

26. (1) The Executive Council shall be the Executive body of the University and shall consist of the following members:

Ex-officio Members:-

- (i) The Vice-Chancellor;
- (ii) The Rector;
- (iii) The Director of Higher Education, Assam;
- (iv) The Director of Technical Education, Assam;
- (v) One nominee of the Chancellor or Government of Assam;
- (vi) One nominee from Higher Education department, not below the rank of Secretary, Govt. of Assam;

Other Members:-

- (vii) Two Principals of non- Government affiliated Degree Colleges to be elected from amongst themselves,
 - (viii) One Principal of Government affiliated Degree Colleges to be elected from amongst themselves,
 - (ix) Two Heads of Department, other than Deans of Faculties, of the University who are Professors, to be chosen by the Vice-Chancellor by rotation according to seniority for a period of three years,
 - (x) One Dean of Faculty to be chosen by the Vice-Chancellor from the Deans of Faculties of the University for a period of three years, by rotations according to seniority,
 - (xi) Three members to be elected by the Court from amongst its members at its Annual General Meeting other than employees and students of the University or the affiliated Colleges.
 - (xii) Two Teachers other than a Dean of Faculty of the University and the Principals of the affiliated Colleges, to be elected by the Academic Council from amongst such Teachers who are its members,
 - (xiii) Three persons of whom at least one shall be a woman nominated by the Chancellor, and
 - (xiv) Three persons nominated by the Government.
- (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 or that body or holder of that appointment, as the case may be.

W.S.
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22-01-2024

- (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:

Provided that the Government shall appoint a date not later than six months from the date of commencement of this Act for constitution of the Court and the Executive Council.

Powers and duties of the Executive Council

27. (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 Chairperson, the Finance Officer shall be the Secretary and the other four members shall be appointed as follows :

- (a) two members to be elected to the Executive Council from amongst its members, and
(b) two members to be nominated by the Government one from the Finance Department and the other from the Education Department of this 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, the Building and Works Committee (BWC), 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 amongst 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 Government annually a full statement of the financial requirements of the University and the Colleges, if any, maintained by it.
(5) It shall administer any 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 structure of the University;
(6) It shall appoint officers (other than the Chancellor, the Vice-Chancellor and the Rector), Teachers, Librarian, the Proctor, the clerical staff and other employees of the University and shall define their duties and conditions of service and shall provide for the filling up of service of temporary vacancies;
(7) It shall have the power to accept on behalf of the University bequests, endowments, donations or transfer any movable or immovable property;
(8) It shall have the power, subject to the Statues, to recognize or withdraw recognition from a College or Hall not maintained by the University;
(9) It shall arrange for the holding of, conducting and publishing

Del
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

the results of the University Examination and 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 no action shall be taken by the Executive Council in respect of the members qualifications or emoluments of Teachers, otherwise than in consultation with the Academic Council and shall exercise all the powers of the University not otherwise provided for.

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

The Academic Council

28. (1) The Academic Council shall be the academic body of the University and shall subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation of and be responsible for the maintenance of standard of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred and imposed upon it by the Statutes. It shall have the right to advise the Executive Council on all academic matters. The constitution of the Academic Council and the terms of office of its members, other than ex-officio members shall be prescribed by the Statute.

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

(A) EX-OFFICIO MEMBERS:-

- (i) the Vice-Chancellor;
- (ii) the Director of Higher Education, Assam;
- (iii) the Director of Technical Education, Assam;
- (iv) the Deans of the Faculties;
- (v) Dean of Research and Development;
- (vi) Dean of Extension Activities;
- (vii) the Professors of the University;
- (viii) Heads of Departments of teaching;
- (ix) the Librarian of the University;

(B) OTHER MEMBERS:-

- (x) five persons of whom at least one shall be a Principal of a Professional College, elected by the Principals of colleges from among themselves;
- (xi) fifteen persons to be elected from amongst the teachers of the affiliated colleges and of the University of whom at least twelve shall be from the affiliated colleges;
- (xii) persons not exceeding three, other than teachers of the University appointed by the Chancellor being persons who by reasons of their possessing expert knowledge in subjects named for the purpose by the ex-officio members of the Academic Council are in the opinion of the Chancellor fitted to serve in the

Shel
VETTED BY THE
LEGISLATIVE DEPARTMENT
22-01-2024

Council;

- (xiii) two persons to be elected by the Court are not employees or students of the University or the affiliated colleges; and
 - (xiv) one Education Officer of the Board of Secondary Education, Assam, to be nominated by the Chairperson of the aforesaid Board.
- (b) 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.
- (c) 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.

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, Professor of Practice or other teaching posts, and in regard to the duties and emoluments thereof;
- (ii) to submit to the Executive Council draft Regulations regarding method and manner of conducting examinations including setting up of Moderation Boards and to award in accordance with such Regulations, Fellowships, Scholarships, Exhibitions, Medals and other rewards;
- (iii) to recommend examiners for appointments to be made by the Vice-Chancellor after report from the Facilities 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 with the University including the establishment of a Research Council and to require reports on such research from the persons employed therein;
- (viii) to provide for the inspection of Colleges and Halls in respect of the instruction and discipline therein, and to submit report thereon to the Executive Council;
- (ix) to organize teaching in the University and to control the work of teachers, and
- (x) such other powers and duties as may be assigned to it under the Statutes.

Faculties

29. (1) The University shall include Faculties of Arts, Science, Law, Medicine, Technology, Agriculture, Engineering, Commerce and 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 the teaching and the course of study and the research work of such subjects as may be assigned to such Faculty by the Ordinances.
- (3) Each Faculty shall consist of,
- (i) the Heads of the Departments comprised in the Faculty;
 - (ii) such teachers of subjects assigned to the Faculty as may be appointed to the Faculty by the Academic Council;
 - (iii) such teachers of subject not assigned to the Faculty but having, in the opinion of the Academic Council, an important bearing on these subjects, as may be appointed to the Faculty by the Academic Council; and
 - (iv) ten (10) teachers of the affiliated colleges representing different subjects to be elected from amongst themselves:
Provided that a teacher so elected shall hold office for a period of two years from the date of his election;
 - (v) 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 subjects assigned to the Faculty:
Provided that the total number of members of each Faculty shall not exceed twenty eight (28) members in the case of the Faculties of Arts and Science and twelve (12) members in the case of any other Faculty, except with the sanction of the Chancellor given on the request of the Academic Council.
- (4) Subject to the provisions of this Act, each Faculty shall have the following powers, namely:-
- (i) to constitute the Committee of Courses and Studies in the Departments assigned to it;
 - (ii) to recommend to the Academic Council, the Courses of studies for the different examinations, after consulting the Committees of Courses and Studies;
 - (iii) 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;
 - (iv) to recommend to the Academic Council the conditions for the award of Degrees, Diplomas and other Distinctions;
 - (v) subject to the control of the Academic Council, to organize research in the subject assigned to the Faculty; and

Shal
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22-01-2024

(vi) to deal with any other matters referred to it by the Academic Council.

(5) There shall be a Dean of each Faculty who shall be responsible for the due observance of Statutes, Ordinances and Regulations relating to the Faculty. He shall be the Executive Officer of the Faculty and shall preside at its meeting.

(6) Each Faculty shall comprise such Departments to teaching as may be prescribed by the Ordinances. The Head of every such Department shall be the Professor of the Department, or if there is no Professor, then the senior most Associate Professor. If there is more than one Professor or more than one Associate Professors of a Department, the Vice-Chancellor shall appoint to be the Head of the Department, such one of the Professors or, if there is no Professor, such one of the Associate Professors as he or she thinks fit. The head of the Department shall be responsible to the Dean for the organization of the teaching in the Department.

(7) The Dean of Faculty shall be elected by the Faculty from amongst the Heads of the Departments of the Faculty and he shall hold office of Dean for a period of three years.

**Selection
Committee**

30. (1) There shall be a Selection Committee for making recommendations to the Executive Council for appointment of Professors, Associate Professors, Assistant Professor, Registrar, Finance Officer, Librarian and other officers of the University as may be provided for by the Statutes consisting of the following members:

(i) the Vice-Chancellor as Chairperson of the Selection Committees ;

(ii) three persons not holding any office of profit under the University of whom one shall be nominated by the Chancellor or to be nominated by the State Government and the others to be nominated by the Executive Council;

(iii) the Registrar shall be the Member-Secretary of the Selection Committee except for the selection in the Selection Committee for the appointment of Registrar in which case the Vice-Chairperson shall nominate one person as Member — Secretary in consultation with the Executive Council.

(2) In making recommendations for the appointment of Professor's of the University, the Selection Committee shall co-opt the Head of the Department concerned, if he is a Professor, one Professor of the Department to be nominated by the Executive Council out of the panel of not less than five names of person recommended by the Academic Council who have special knowledge of the subject for which the Professor is to be selected.

(3) In making recommendations for the appointment of Associate Professor's or Assistant Professors and other teachers of the University, the Selection Committee shall co-opt 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 special knowledge of or interest in the subject for which the Associate Professor or Assistant Professor 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 in the post of Professors, Associate Professor or 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 decision which shall be the final:

Provided further that, whereas 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 the recommendation and direct the Registrar to advertise the vacancy again and convene a meeting of the Selection Committee for making fresh recommendation and in so doing communicate to every member of the Selection Committee the reasons recorded as above.

- (4) The Council shall record its reason in writing for not accepting the recommendation and direct the Registrar to advertise the vacancy again and convene a meeting of the Selection Committee for making fresh recommendation, and in so doing, communicate to every member of the Selection Committee the reasons recorded as above.
- (5) Where an appointment is to be made to a temporary vacancy of Teachers of the University, the appointment shall be made, if 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 sub-section and no ad-hoc appointment shall be made by the Executive Council.
- (6) 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.

Explanation: For the purpose of this section, the co - opted members shall be deemed to be members of the Selection Committee for the purpose for which they are co - opted.

Appointment of Teachers

31. (1) The teachers of the University may be appointed by the Executive Council after considering the recommendation of the Selection Committee consisting of the Vice-Chancellor and such other person or persons in a manner as may be prescribed.
- (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 three years among those who are eligible for it.
- (4) The University shall not create any post without the approval of the State Government.
- (5) If the Executive Council does not accept any of the

Shs
VETTED BY THE
LEGISLATIVE DEPARTMENT
22-07-2014

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.

- (6) 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 by Ordinance the procedure and method to be followed in making such recommendations.

**Finance
Committee**

32. (1) There shall be a Finance Committee of the University consisting of the following members, namely:-
- (i) the Vice-Chancellor as Chairman;
 - (ii) two members elected from the Court from amongst its members;
 - (iii) two members elected by the Executive Council from its members;
 - (iv) one member nominated by the Chancellor;
 - (v) one member to be nominated from the Finance Department;
 - (vi) one member to be nominated from the Education Department;
 - (vii) Finance Officer; and
 - (viii) Registrar (Administration).

**Powers of
Finance
Committee**

33. (1) The powers 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 Finance of the University;
 - (iii) to examine every proposal for new expenditures involving sum of money exceeding rupees five lakhs 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 consider and recommend revision of grades of pay and grades of pay of new posts 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.

**Students'
Advisory
Council**

34. (1) There shall be a Students' Advisory Council which shall consist of the following members namely:

- (i) One Chairperson to be nominated by the Vice Chancellor from amongst the teachers of the University.

Shri
VETTED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

- (ii) The Director of Students Welfare shall be the ex-officio Finance Officer.
 - (iii) President, Vice-President and the Secretary of the University Post Graduates Students' Union.
 - (iv) Ten (10) students from ten (10) affiliated Degree Colleges to be selected by the Executive Council by rotation in the manner to be prescribed by the Statutes.
 - (v) One student from each teaching faculty of the University to be elected as prescribed by the Statutes.
 - (vi) Five students one from each of the five activities mentioned below who have shown outstanding performances in the following activities to be nominated by the Vice- Chancellor, namely,-
 - (a) Sports;
 - (b) National Service Schemes;
 - (c) National Cadet Corps;
 - (d) Cultural activities;
 - (e) National Discipline Scheme.
 - (vii) Four female students to be nominated by the Vice-Chancellor.
 - (viii) The Director of Sports and Physical Education, if any.
 - (ix) The members of the Students' Advisory Council shall elect from amongst themselves the Secretary of the Council.
- (2) The term of office of the members of the Students' Advisory Council, other than ex-officio members shall be one year.
- (3) The quorum to constitute a meeting of the Students' Advisory Council, the rule of procedures and conduct of business to be followed at the meeting, the period within which a meeting shall be called and such other matters shall be prescribed by the Statutes:
- 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 or after he attains the age of twenty-five years. A student member shall cease to be such member if he fails to pass at the next University Examination.
- (4) The function of the Students' Advisory Council shall be as follows, namely:
- (i) To make recommendations to the Executive Council and the Academic Council in the matter effecting the Students corporate life of the University in so far as it concerns the students and the co- curricular and extra - curricular activities in the University and the Degree Colleges affiliated to the University.
 - (ii) All rules effecting discipline, welfare, sports, library, management of hotels, students home, Extension work, social work, students health, National Service Scheme, N.C.C. etc., shall be placed before the Students' Advisory Council for its views before any decision is taken by the Executive Council.

das

VERIFIED BY THE
LEGISLATIVE DEPARTMENT
 22-01-2024

- (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 Chairperson 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 in own rules of business and shall submit the same to the Executive Council for consideration and approval.

Other authorities of the University

35. The constitution, powers and duties of such other Authorities as may be declared by the Statutes shall be provided for in the manner prescribed by the Statutes.

Other Boards of the University

36. (1) The University shall include a Residence, Health and Discipline Board and such other Boards as may be prescribed by the Statutes.

(2) The constitution, power and duties of the Residence, Health and Discipline Board and of all other Boards of the University shall be prescribed by the Ordinance.

Research and Development Activities

37. (1) Experimental and Research Stations shall be established under the University subject to the provisions of this Act and the Statutes which shall have the responsibility for Research, both fundamental and applied.

(2) Research activities shall be conducted at the University departments, Incubation centers and Extension centers at other Higher Education Institutions, if any.

(3) Some of the Research activities are to be based on ideas and thrust areas, as identified by National Research Foundation (NRF) and State Research Foundation (SRF).

(4) The Research Programmes shall be initiated and developed by Dean of Research and Development under the guidance of the Academic Council. The Dean shall be responsible to the Vice-Chancellor for producing quality research from the University, as per applicable norms and mandates, upon receiving autonomy in functioning and necessary institutional and financial support from the University, as per applicable norms.

(5) The Vice-Chancellor shall be responsible for taking steps in granting autonomy in extension activities as per requirement and ensure facilitation of all necessary support and coordination of Research of the University. The Vice-Chancellor may constitute a committee to assist the Dean of Research and Development for outcome based research initiatives.

Extension Activities and community engagement

38. (1) In addition to teaching and research, the University shall have other crucial responsibilities which they will discharge through appropriate resourcing, incentives and structures. These include supporting other HEIs in their development, community engagement and service, contribution to various fields of practice.

(2) Extension and community engagement programmes shall be established in the University subject to the provisions in this Act and the Statutes to make useful information based upon the findings of research available to community and society to

[Signature]
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
 22-01-2024

help and solve their problems. It shall conduct demonstration and training programmes for the benefit of students through experiential learning.

- (3) Holistic development of students and mutual benefit to society through education shall be the principal objective of all extension activities and these activities shall be coordinated with the other functions of the University and other appropriate agencies of the State.
- (4) In order that the University may conduct such educational activities, the State Government shall provide the necessary personnel, facilities and funds in accordance with a plan to be developed and mutually agreed upon by the University and the Government.
- (5) The Extension Programmes shall be initiated and developed by Dean of Extension programmes under the guidance of the Academic Council. The Dean shall be responsible to the Vice-Chancellor for fulfillment of Institutional Social Responsibility (ISR) mandates upon receiving autonomy in functioning and necessary Institutional and financial support from the University, as per applicable norms.
- (6) The Vice-Chancellor shall be responsible for taking steps in granting autonomy in extension activities as per requirement and ensure facilitation of all necessary support and coordination of teachings and extension activities of the University. The Vice-Chancellor may constitute a committee to assist the Dean of Extension programme for fulfilment of desired objectives.

Statutes

39. (1) Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:
- (a) the conferment of Honorary Degrees;
 - (b) the institution of Fellowships, Scholarships, Exhibitions and Prizes;
 - (c) the terms of office, the method of appointment and the conditions of the services of the officers of the University;
 - (d) the designation and the powers of the officers of the University;
 - (e) the constitution, powers and duties of the Authorities of the University;
 - (f) the institution of Colleges and Halls and their maintenance;
 - (g) the conditions for affiliation by the Executive Council of Colleges and Halls not maintained by the University and for withdrawal of such affiliation with the Government:
Provided no new pre- University or Degree College shall be given permission or affiliation by the University to introduce new subject or faculty without prior concurrence of the Government of Assam;
 - (h) The constitution of pension, insurance and provident funds for the benefit of the officers, teachers, clerical staff and servants of the University;
 - (i) the maintenances of a resister of registered graduates;

Das
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22-01-2024

and

- (j) all matters which by this Act are to be or may be prescribed the Statutes.

How are Statutes made

40. (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 all matters which are required to be or may be provided for by Statutes.
- (2) The draft Statutes or draft amendments to Statutes may be approved or amended or rejected by the Court:
Provided that no draft Statutes or draft amendments to Statutes with financial implications shall be amended without further reference to the Executive Council.
- (3) Every draft or Statutes proposed by the Executive Council shall be submitted to the Court for consideration. Such draft shall be considered by the Court at its next meeting. The Court may pass the Statutes or may amend it or may return the Statutes or may amend it or may return the Statute to the Executive Council for re-consideration.
- (4) 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 re-consideration.
- (5) 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 re-consideration.
- (6) A Statute passed by the Court shall have no validity until it has been assented to by the Chancellor.
- (7) Any member of the Court may propose to the Executive Council, the draft of any Statute and the Executive Council shall submit such proposed draft to the Court with its comments.

Ordinances

41. (1) Subject to the provisions of this Act, and the Statutes, the Executive Council may frame Ordinances to provide for all or any of the following matters, namely:-
- (a) the admission of students in the University and their enrolment as such;
- (b) the courses of study to be laid down for all degrees and diplomas of the University;
- (c) the conditions under which students shall be admitted to the degree and diploma courses and the examinations of the University and shall be eligible for the degrees and diplomas;
- (d) the conditions of residence of the students of the University;
- (e) the affiliations of Colleges and recognition of the hostels;
- (f) the qualifying attendance required in the various courses;
- (g) the extension of University teaching in any suitable centre within the State by means of University extension Lectures or others;

ShS
CHECKED BY THE
LEGISLATIVE DEPARTMENT
22-01-2024

- (h) the emoluments and conditions of service of teachers of the University;
- (i) the fees to be charged for courses of study in the University and form admission to the Examinations, degrees and diplomas of the University;
- (j) the formation of the Departments of Teaching in the University;
- (k) the constitutions, powers and duties of the Boards of the University;
- (l) the conduct of examinations; and
- (m) all matters which by this Act or the Statutes are to be or may be provided by the Ordinances.

How are Ordinances made

42. (1) Save as otherwise provided, Ordinances shall be framed by the Executive Council :

Provided that no Ordinance shall be made,-

- (i) affecting the condition of residence of students, except after consultation with the Residence, Health and Discipline Board; and
 - (ii) affecting the admission or enrolment of student or prescribing examination to be recognized as equivalent to the University examination or prescribing the further qualification mentioned in sub-section (2) of Section 28 for admission in the degree courses of the University; or
 - (iii) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any course of study, unless a draft of such Ordinance has been proposed by the Academic Council.
- (2) The Executive Council shall not have power to amend any draft proposed by the Academic Council but may reject it or return it to the Academic Council for reconsideration either in whole or in part, together with any amendment which the Executive Council may suggest.
- (3) Such of the draft Ordinance proposed by the Academic Council as are rejected by the Executive Council shall be placed by the Executive Council with its comments before the Chancellor whose decisions shall be final.

Regulations

43. (1) The authorities of the University may make regulations consistent with this Act, the Statutes and the Ordinances with regard to,-

- (a) laying down the procedure to be observed at the meetings and the member required to form a quorum ;
- (b) providing for all the matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations; and
- (c) providing for all other matters solely concerning such authorities and not provided for by this Act, the Statutes and the Ordinances.

(2) Every authority of the University shall make regulations providing for the giving of notice to the members of such

Law
 VERIFIED BY THE
 LEGISLATIVE DEPARTMENT
 22.01.2024

authority of the dates of meetings, and for the keeping of a record of the business to be considered at the meetings and for the keeping of a record of the proceedings of the meetings.

- (3) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation under this section or the annulment of any Regulations made under sub-section (1):

Provided that any authority of the University which is dissatisfied with any such direction may appeal to the Chancellor whose decision in that matter shall be final.

Colleges

44. (1) The Colleges shall be such as may be named in the Statutes.
- (2) The conditions of residence in the Colleges and Halls shall be as prescribed by the Ordinance, and every college and Hall shall be subject to inspection by any member of the Residence, Health and Discipline Board authorised in this behalf by the Board and by any officer of the University authorised in this behalf by the Board and by any officer of the University authorised in this behalf by the Executive Council.
- (3) The Executive Council shall have power to suspend or withdraw the recognition of any Hall which is not conducted in accordance with the conditions prescribed by the Ordinances.

Admission in University Courses

45. (1) Admission of students to the University shall be made by an Admission Committee (including at least one Principal) appointed for that purpose by the Academic Council.
- (2) Students shall not be eligible for admission to a course of study for degree unless they have passed the Intermediate examination of an Indian University incorporated or constituted by any law for the time being in force, or an examination recognized in accordance with the provisions of this section as equivalent to such examination and possess such further qualification, if any, as may be prescribed by the Ordinances. Any such qualifications may be tested by examinations:

Provided that, during a period of five years from the commencement of this Act and such further period as the Chancellor may direct, any student who have passed the Matriculation examination of any such University or any examination recognized in accordance with the provisions of this section as equivalent thereto and possessing such further qualifications as may be deemed eligible for admission to the University. Any such qualification may be tested by examinations.

Examinations

46. (1) Subject to the provisions of this Act and of the Statutes, all arrangements for the conduct of examinations shall be made by the Academic Council in such manner as may be prescribed by this Act and the Ordinance.
- (2) If, during the course of an examination, any examiner is for any reason incapable of acting as such, the Vice-Chancellor shall appoint an examiner to fill the vacancy and shall report the appointment to the Faculty concerned and the Academic Council.
- (3) At least one examiner who is not a teacher or other person in the service of the University or a College, shall be appointed for each subject included in a Department of teaching and

Yes
2023
VEITED BY THE
LEGISLATIVE DEPARTMENT
22.01.2024

forming part of the course which is required for a University Degree.

- (4) The Academic Council shall appoint Examination Committee consisting of members of its own body or of other persons or of both, as it thinks fit, to moderate examinations and to report such result to the Executive Council through the Academic Council for publication.

Audit of Annual Accounts

47. (1) The accounts of the University shall, once at least in every year and at the intervals of not more than fifteen months be audited by the Comptroller and Auditor General and such audit report shall be placed before the Assam Legislative Assembly.
- (2) 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 Chancellor for the purpose of Audit.
- (3) The accounts when audited by the 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.
- (4) 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.

Removal of Members and Disputes

48. (1) Removal of Members of the Court and Executive Council for continued absence (not applicable for ex-officio members of the Court and the Executive Council).
- (i) If a member of the Court or the Executive Council of the University remains absent without sufficient reason from the two successive meeting of the Court or from five successive meetings of the Executive Council, as the case may be, the Chancellor may call upon that member to offer within a reasonable time such explanations as he may desire to offer.
- (ii) If a member of the Court or the Executive Council when called upon by the Chancellor to offer explanation fails to offer any explanation or given an explanation which in the opinion of the Chancellor is unsatisfactory, the Chancellor may remove such member from office.
- (2) If any question arises whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other Body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.
- (3) No act or proceeding of any authority or other body of the University shall be invalidated by reason of the existence of a vacancy or vacancies among its members.

Arbitration

49. An appeal in respect of a dispute arising out of a contract between the University and any officer or teacher of the University an authority of the University other than the Executive Council shall be preferred to the Executive Council, and in respect of a dispute between an officer

22/01/2024
VETTED BY THE
LEGISLATIVE DEPARTMENT

or a teacher and the Executive Council shall be preferred to the Chancellor. The Executive Council or the Chancellor, as the case may be, may either dispose of the appeal or may refer it to a Board of Arbitration. The constitution of terms of reference to the Board of Arbitration shall be such as may be prescribed by the Statute. The decision of the Board of Arbitration shall be final and no suit shall lie to any Civil Court in respect of the matters decided by the Board.

Tribunal of Arbitration

50. Any dispute arising out of a contract between the University and any officer or teacher of the University shall on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Indian Arbitration Act, 1940 and all the provisions of this Act, with the exceptions of section 2 thereof, shall apply accordingly.

Central
Act No
X
of 1940

Pension and Provident Fund

51. The University shall constitute, for the benefit of all its employees, in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance and provident funds as it may deem fit, without contradiction to the applicable Pension, Provident Fund (PF) and Group Insurance Scheme (GIS) Rules of the Government of Assam on the date of commencement of this Act.

Annual contribution from Government

52. The Government shall, for the purpose of this Act, contribute annually to the University a sum of not less than forty (40) lakhs of rupees to meet the recurring charges of the University. All contributions made under this section shall be charged to the revenues of the State.

Power of State Government for Inspection

53. (1) (a) The State Government shall have, for reasons to be recorded in writing, the right to cause an inspection to be made, by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museums, press establishment, workshops, and equipments and of any institution maintained by the University, and of all activities other than purely academic activities of the University and to cause an enquiry to be made into the income, expenditure assets and liabilities of the University.
- (b) The State Government shall in every case give notice to the University of its intention to cause such inspection or enquiry to be made.
- (2) The State Government shall communicate to the Executive Council, its views with reference to the results of such inspection or enquiry and may after ascertaining the opinion of the Court and the Executive Council thereon, advise the University upon the action to be taken.
- (3) The Executive Council shall report to the State Government the action, if any, which is proposed to be taken or has been taken to give effect to the advice of the State Government. Such report shall be submitted with the opinion of the Court thereon and within such time as the State Government may direct.
- (4) The State Government may, after considering the report

Shas
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22-01-2024

referred to in sub-section (3) above, advise the University to take such further action, if any, as in the opinion of the State Government is necessary, and the Executive Council and the Court shall take or cause such action to be taken within the time specified in such advice in that behalf.

The State Government's power of supervision

54. (1) If, at any time the Government of Assam is of the opinion that special reasons exist that in any respect the affairs of the University are not managed in furtherance of the objects and purpose of the University or in accordance with this Act and the Statutes and Regulations, or in furtherance of objects for which any grant or donation is specifically made by Government, public bodies or individuals, the Government of Assam may indicate to the Executive Council such matter in regard to which the Government of Assam desire 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.
- (2) If the Executive Council fails to offer any explanation or makes proposal or proposals which, in the opinion of the Government of Assam is or are unsatisfactory, the Government of Assam may issue such instructions, as appear to them to be necessary and desirable in the circumstances of the case, and the Executive Council shall give effect to such instructions.

Emergency powers of the State Government

55. (1) if at any time it appears to be necessary and expedient in the opinion of the State Government, the State Government may in prior consultation with the Chancellor, by a notification published in the Official Gazette, suspend all or any of the powers of the University as prescribed in section 5 of the Gauhati University Act and other powers as may be ancillary to such powers of management, functions of such authorities or officers including holding, conduct and superintendence of an arrangement and appointment of any powers or authority in connection with any or more examinations or publication of the result of any such examination or examinations 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.
- (2) The provisions of the Statutes, Ordinances and Regulations framed under this Act relating to any one or more preceding sub-sections as may be amended for any of the purposes mentioned therein in such manner as may be decided by the State Government with the prior consultation of the Chancellor and shall take effect accordingly for the purposes of exercising the powers under the preceding sub-section
- (3) The State Government may constitute an Advisory Committee consisting of at least three (3) 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.
- (4) All action taken under the preceding sub-sections and all examinations held and all results of any such examinations published and all other-actions taken under this section shall be deemed to have been taken, held or published in

22-01-2014
VETTED BY THE
LEGISLATIVE DEPARTMENT
22-01-2014

accordance with the provisions of this Act and shall take effect accordingly.

- (5) If, for exercising the powers under the preceding sub-section, any difficulty arises in giving effect to any one or more of the Statutes, Ordinances and Regulations framed thereunder, the State Government may in consultation with the Chancellor by order remove such difficulty as may appear to be necessary for the purpose of exercising those powers.

Removal of difficulties

56. If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or in connection with holding of the first examinations of the University and publishing results thereof or otherwise in first giving effect to the provisions of this Act, the State Government may, at any time, before all the authorities of the University have been constituted, by order make any appointment or do anything consistent so far as may be with the provisions of this Act and the Statutes which appears to be necessary or expedient for the purpose of removing the difficulty, and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.

Interpretation

57. If any dispute arises as to the interpretation of any of the provisions of this Act, the interpretation given by the State Government shall be final and binding on all concerned.

Shah
VERIFIED BY THE
LEGISLATIVE DEPARTMENT
22-01-2024

STATEMENT OF OBJECT AND REASONS

The objective is to introduce the “The Swahid Kanaklata Barua State University Bill, 2024” to establish and constitute a teaching, residential and affiliating multidisciplinary teaching, research and affiliating University at Gohpur, Assam.



(Dr. Ranaj Pegu)

Minister, Education



Principal Secretary/Secretary

Assam Legislative Assembly

FINANCIAL MEMORANDUM

There is financial involvement in the proposed Swahid Kanaklata Barua State University Bill, 2024, which necessitates expenditures from the consolidated fund of the State of Assam.

MEMORANDUM OF DELEGATED LEGISLATION

There is provision of delegated Legislation in the proposed Swahid Kanaklata Barua State University Bill, 2024.



(Dr. Ranoj Pegu)

Minister, Education