

অসম  ৰাজপত্ৰ

অসমৰ ৰাজ্য

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 7th September, 2010

No. LGL. 49/2010/9:- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XXV OF 2010

(Received the assent of the Governor on 31st August, 2010)

THE ASSAM RAJIV GANDHI UNIVERSITY OF COOPERATIVE
MANAGEMENT ACT, 2010

AN

ACT

to establish and constitute a teaching and residential University in the state of Assam to Secure to all the stakeholders of the Cooperative Management, education for widening knowledge and learning, training for enhancing skill and managerial capacity, research for searching new innovative spheres, promotion for building cadres of professional managers, functionaries to man, organize, develop ever growing numbers of cooperatives and to make efforts for all-round development of Cooperative movement and rural economy.

Preamble.

Whereas it is expedient to establish and constitute a teaching and residential University in the State of Assam to secure to all the stakeholders of the Co-operative Movement, education for widening knowledge and learning, training for enhancing skill and managerial capacity, research for searching new innovative spheres, promotion for building cadres of professional managers and functionaries to man, organize, develop evergrowing numbers of Cooperatives and to make efforts for all round development of Cooperative movement and rural economy and matters connected therewith or incidental therewith;

It is hereby enacted in the Sixty-first Year of the Republic of India as follows:-

Short title and commencement

1. (1) This Act may be called the Assam Rajiv Gandhi University of Co-operative Management Act, 2010.

(2) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

Jurisdiction.

2. Save as otherwise provided in this Act, the general powers of the University conferred by or under this Act shall extend to the entire State of Assam.

Definitions

3. In this Act and in the Statutes, unless there is anything repugnant in the subject or context, -

(a) "allied subjects" means subjects relating to social, economic and rural development, trade and commerce, development of Co-operative business, Information Technology and any other subjects introduced by the University;

- (b) "Authority" means the authorities of the University as mentioned in Section 24.
- (c) "AICTE" means All India Council of Technical Education;
- (d) "Court" means the court of the University constituted under section 25;
- (e) "Co-operative Movement" means a joint and collective effort of persons for achieving a common goal of all round socio-economic and cultural development of the persons through democratic control and autonomous functioning;
- (f) "Executive Council" and "Academic Council" means the Executive Council and the Academic Council constituted under section 29 and 32 respectively;
- (g) "Employees" means a person, not being an office bearer, employed by the University on a salary or similar form of remunerations;
- (h) "Educator" means an employee of the University with expertise in English and Regional language for enabling training and education to field level functionaries and does not include a Faculty;
- (i) "Faculty" means all employees other than educator who are recognized as "teacher" by the University.
- (j) "Fee" means collection made by the University from the students/research scholars and against rendering consultancy services, by whatever means it may be called, which is not refundable;
- (k) "Finance Committee" means the Finance Committee constituted under section 43;
- (l) "Government" means the Government of Assam;
- (m) "Head of Department" means Teacher-in-charge of a department and designated as such by the university and includes any other person designated as such by the University;
- (n) "hostel" means a place of residence for the students/ research scholars of the University or its off campus centres maintained and recognized to be as such by the University;

(o) "Moderation Board" means a Board set up in the manner as provided in section 33 (ii) for the purpose of scrutinizing and moderating the question papers of various examinations held and conducted by the University from time to time;

(p) "Management Committee" means a committee newly formed by the First Vice Chancellor or adopt an existing one in consultation with State Government in Co-operation Department for the purpose of transacting various/business of the University under this Act;

(q) "NAAC" means the National Assessment and Accreditation Council;

(r) "off campus centre" means a centre of the University established by it outside the main campus operated and maintained as its constituent unit, having the University's complement of facilities, faculty and staff;

(s) "Patron of the University" means a person who has made a donation of not less than Rs. 10,00,000/- (Rupees ten lakh only) to the fund of the University and has been declared by the Chancellor to be a patron of the University;

(t) "Prescribed" means prescribed by rules made under this Act;

(u) "Registrar of Co-operative Societies" means a person appointed to perform the duties of a Registrar of Co-operative societies under the Assam Co-operative Societies Act, 1949;

Assam Act 1
of 1950

(v) "Regulating body" means a body established by the Central Government for laying down norms and conditions for ensuring academic standards of higher education such as UGC, AICTE, NAAC, etc. or any such body that may be established afresh or by amalgamation in future and includes State or Central Government;

(w) "Rules" means the rules made under this Act;

(x) "Registered Graduate" means a graduate registered under the provisions of Act;

(y) "Selection Committee" means the Selection Committee constituted under section 42 of this Act;

(z) "Statutes" "Ordinances" and "Regulations" mean respectively, the Statutes, Ordinances and the Regulations of the University made under this Act;

(za) "Stake holders" means the persons with whom any stake or interest is vested or created to facilitate the promotion of Co-operative movement, which shall include the regulators, Co-operators, promoters, educators and facilitators of the co-operative movement;

(zb) "Student" means a student of the University and includes any person who enrolled himself for pursuing any course of study of the University;

(zc) "Syllabus" means a concise statement or an ordinance of a course of study;

(zd) "Schedule" means the Schedule to this Act;

(ze) "Sponsoring Body" in relation to the University established under this Act means,-

(a) Co-operative Society registered under the Assam Co-operative Societies Act, 1949 for the time being in force or any such Act repealing or replacing it in future or any other Co-operative Societies Act of any other State of India,

Assam Act No.
1 of 1950

Or

a society registered under the Societies Registration Act. 1860.

Act No. 21
1860

(b) any public trust registered under the Indian Trust Act. 1882.

Act No. 2-
of 1982

(c) a company registered under the section 25 of the Companies

Act No. 1
of 1956

Act, 1956

(d) Central Government or any State Government or any foreign government;

(e) any other NGO (Non Government Organization)/SHG (Self Help Group) which is accepted by the Union/State as such;

(f) any institute or organization duly established in India;

(g) any Institute or Organization outside India with which MOU (Memorandum of Understanding) has been executed by the University;

(zf) "Teachers" means a Professor, a Reader or a Lecturer of the University, whether imparting instructions or guiding Research and designated as teacher by the University and includes a person recognized as a teacher by the University;

(zg) "University" means the Assam Rajiv Gandhi University of Co-operative Management;

(zh) "University Professor" or "University Reader" means a Professor or a Reader appointed by or recognized by the University;

(zi) "UGC" means the University Grants Commission.

**Establishment
and
information of
the University**

4(1) There shall be established a University by the name of the Assam Rajiv Gandhi University of Co-operative Management in the state of Assam.

(2) The head quarter of the University shall be at Sivasagar and it may also establish off campuses and Training centers in such other places within the State of Assam or Training Centres outside the State of Assam at such places as it may deem fit. Any existing training institute within the state of Assam may be brought under the fold of the University.

(3) The University may have a small Capital Campus at Guwahati for various works like liaisoning, publicity, seminars and workshops, etc.

**Objectives
of the
University**

5 (1) The following shall be the objectives of University, namely:

(i) to provide instructions, teaching and training in higher education in Co-operatives and allied subjects and make provisions for research, advancement and dissemination of knowledge;

(ii) to create higher level of intellectuals, teachers, managers and professionals in the field of Co-operatives and allied sectors:

(iii) to establish state of the art facilities for Co-operative education and training;

(iv) to carry out teaching and research and offer counselling and continuous education programme in the field of cooperative education and allied sectors ;

- (v) to create Centre of Excellence for research and education and for sharing knowledge and its application in the development of Co-operative movement and allied sectors;
- (vi) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination, or any such other method as may be prescribed in the Statutes;
- (vii) to pursue any other objective as may be approved by the authority of the University;
- (viii) to establish off campus centre by the Authority of the University;
- (ix) to participate in and contribute to the formulation of policy for Co-operatives;
- (x) to collaborate with other institution in India and abroad in furtherance of its objectives;
- (xi) to provide consultancy to State Government, Central Government or any institute or organization.
- (xii) to build database and case studies of successful Cooperative movements the world over and to promote interactions with the stakeholders of successful cooperative movements.

(2) Notwithstanding anything contained in any other law for the time being in force but without prejudice to the provisions of this Act, it shall be the duty of the University to take all such steps as it may benefit for the promotion of the University and for the determination of standards of teaching, evaluation and research in such system and for the purpose of performing these functions, the University shall have such powers, including the power to allocate and disburse grants to off campus centre whether admitted to its privileges or not or to any other University or institutions of learning as may be specified by the statutes.

**Powers of
the
University**

6. The University shall have the following powers namely :

- (i) to provide for instruction and a research in Co-operative development and allied subjects and to secure the advancement, diffusion and extension of knowledge in the field of Co-operative development and other allied subjects;
- (ii) to hold examination and to grant and confer degrees and other academic distinctions to the persons who have passed course of study in or prescribed by the University;
- (iii) to confer honorary degrees or other distinctions on approved persons as laid down in the statutes;
- (iv) to grant such diplomas to and to provide such lectures and instructions for, persons not being members of the University, as the University may determine;
- (v) to withdraw or cancel Degree, Diploma, Certificate or other distinctions granted or conferred;
- (vi) to collaborate or Co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;
- (vii) to institute any professorship, Readership, Lecturership and any other teaching posts required by the University;
- (viii) to institute or recognize persons as Professor Readers or Lecturers or otherwise as teachers of the University;
- (ix) to institute and award fellowship, scholarship, exhibitions and prizes in accordance with the statutes and Regulations;
- (x) to demand and receive payments of such fees and others charges as may be authorized by the Ordinances;
- (xi) to supervise and control the residence and discipline of students of the University, and to make arrangements for promoting health and general welfare of the students;

(xii) to receive for grants from State and Central Government and also from any body corporate recognized by Government and any donations or sponsorship from private individual, private and public companies, or associations, for specific or general purposes;

(xiii) to provide grants from the funds of the University for assisting extra teaching, if needed;

(xiv) to receive, purchase or hold for the purposes of the University and property movable or immovable including any fund, which is or may become vested in the University or placed at its disposal and to grant, demise, alienate, transfer or otherwise dispose or administer all or any such property or fund for any purpose of the University under this Act including construction of any buildings, roads, tanks, pipelines, or any other structure and also to do all other acts incidental or appertaining thereto;

(xv) 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 in the Statutes;

(xvi) to do all such other acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University and a Teaching and Examining Body, and to cultivate and promote all branches of teaching related to Co-operative, social, rural and economic development, etc.;

(xvii) to determine and provide for examinations for admission into the University;

(xviii) to organize and to undertake extra teaching and extension services;

(xix) to borrow money with the approval of the State Government by giving security of the University property, for the purpose of the University;

(xx) to establish and maintain off campus centre as may be determined by the University from time to time;

(xxi) to provide for the preparation of instruction and materials using multimedia educational kits and other software;

(xxii) to organize and conduct courses, workshop, seminars and other programmes for teachers, educators and other academic staff of the University and also sponsoring body as required and as per terms and conditions agreed upon by the authority of the University;

(xxiii) to create administrative, ministerial and other necessary posts and to make appointment thereto;

(xxiv) to appoint either on contract or otherwise to contribute to for furtherance of the objects of the University;

(xxv) to maintain hostels by the University;

(xxvi) to demand and receive payments of such fees, others charges as may be authorized by the Ordinances;

(xxvii) to assess internally its own activities or be assessed by NAAC or by any authority to be decided by the Executive Council.

**Constitution,
succession
and purposes**

7. (1) The Chancellor, the Vice Chancellor, the Reader and the members of the Court, the Executive Council and the Academic council so long as they continue to hold such office or membership shall constitute a Body Corporate by its name the Assam Rajiv Gandhi University of Co-operative Management.

(2) The University shall have perpetual succession and a common seal and shall sue and be sued by that name.

**University
open to all
classes,
castes and
creed**

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

**Officers of
the
University**

9. The following shall be the officers of the University :

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Registrar (Administration);
- (iv) The Registrar (Academic)
- (v) Finance and Accounts officer;
- (vi) Treasurer;
- (vii) The Director, Multi-Media Course Material Centre;
- (viii) The Director (Computer);
- (ix) Dean;
- (x) Such other officers as may be declared by the Statutes to be the officers of the University.

**The
Chancellor**

10(1) The Governor of Assam shall be the Chancellor of the University.

(2) The Chancellor by virtue of his office shall be the President of the Court and shall, when present, preside at the convocation of the University.

**Powers and
Duties of the
Chancellor**

11.(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 provided in this Act, or Statute, as the case may be, nominate person to represent the interest of the minorities, Scheduled Tribes and Scheduled castes and interests not otherwise represented.

(2) Every proposal to confer an Honorary degree shall be subject to a confirmation by the Chancellor.

(3) The Chancellor shall have the power to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, Laboratories and equipments and off-Campus centre maintained by the University and also of the examination, teaching and other work 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 right to be present and be heard in 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 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 charged on the University.

(9) The Chancellor as 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 the Chancellor to control the affairs of the authority or authorities so suspended in such manner and for such period as deemed fit and considered reasonable by him.

(10) The Chancellor shall have such other powers as may be specified by Statutes.

(11) In case of any temporary vacancy in the office of the Vice-Chancellor, by reason of long leave, illness, resignation or other causes, the Chancellor shall make such other arrangements temporarily in consultation with Executive Council to exercise the powers and performing the duties of the Vice-Chancellor for such period as deemed necessary. The Chancellor in consultation with Executive Council shall determine the emoluments or allowances of, if any, payable to such persons temporarily appointed to exercise the powers and duties of the Vice-Chancellor.

(12) The Chancellor shall determine the emoluments, perks and other terms and conditions of service of Vice-Chancellor.

Vice-Chancellor 12.(1) The Vice-Chancellor shall be appointed by the Chancellor in such manner, for such term and on such emoluments and other conditions of service as may be prescribed by the statutes.

(2) The Vice-Chancellor shall be a whole time officer of the University who shall hold office for a period of five years. Notwithstanding the expiry of the above period of five years, he shall be eligible for re-appointment:

Provided that notwithstanding the expiry of the aforesaid period of five years, he shall continue in office until his successor is appointed and enters upon his office.

(3) The Vice-chancellor shall retire on the date he attains the age of 65 years.

**Powers and
Duties of the
Vice Chancellor**

13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at the meeting of the Court and any convocation of the University. He shall be an ex-officio member and chairman of the Executive council, the Finance Committee, the Construction committee and of Academic council or any other Councils/committees/ Boards, etc. and shall be entitled to be present and to speak at any meeting of any authority or other bodies of the University. When present, he shall preside over all such meetings or authorize one from the members to preside such meeting of any councils, committees, and Boards, etc.

- (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 faithfully observed and he shall have all powers for that purpose.
- (3) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive council, Academic Council, the Finance committee, Development and Maintenance committee or any other Councils, Committees and Boards, etc and may for that purpose direct the Registrar to convene such meetings at times and places to be specified by the Vice-chancellor and the Registrar shall be bound to comply with such direction. The venue of meeting may be at any place other than the campus or off campus of the University, in case such a necessity arises.
- (4) In any emergency which in the option of the Vice-chancellor requires that immediate action should be taken, the Vice-Chancellor shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to the officer, authority or other body who or which in the ordinary courses, would have dealt with the matter.
- (5) Any person in the service of the University if affected by any action taken by the Vice-Chancellor shall be entitled to prefer an appeal to the Executive council through the officer, recognized authority or body of the University within thirty days from the date on which such action is communicated to him. Decision of the Executive Council in the appeal shall be final and binding on him.
- (6) The Vice-Chancellor shall give effect to any order of the Executive Council regarding the appointment, dismissal or suspension of any officer or teacher of the University or regarding the recognition or withdrawal of the recognition of any such officers or teacher and shall exercise general control over the University. He shall be responsible for the discipline of the University.
- (7) The Vice-Chancellor shall exercise and discharge such other powers and duties respectively as may be prescribed by the statutes and ordinances.

(8) The Vice-Chancellor shall exercise general control and supervision over the affairs of the University and shall give effect to the decisions of the University.

(9) The Vice-Chancellor shall be the appointing authority in all cases of appointments.

Vice-Chancellor

14.(1) The first Vice-Chancellor shall be appointed by the State Government . On the basis of recommendations by a committee headed by Chief Secretary, Government of Assam with the following as members:

(1) Principal Secretary, Personnel(A) Department-Member

(2) Principal Secretary, Co-operation Department as Member Secretary.

(2) The first Vice-Chancellor shall hold such qualification and experience as are required for appointment in the similar post in other Universities of the State:

Provided that the first Vice-Chancellor shall retire from his office if during the term of his office he completed the age of 65 years.

Dean 15. Every Dean shall be appointed in such manner, on such emoluments and other conditions of services and exercise such powers and performs such functions as may be prescribed by the Statutes.

Registrar 16. (1) There shall be two Registrars in the University, namely:

(a) The Registrar (Administration);

(b) The Registrar (Academic);

(2) All the Registrars shall be whole time salaried officer of the University and shall be appointed by the Executive council on such terms, conditions and remuneration as may be prescribed by the Executive Council.

(3) The Registrar (Administration) shall be the Ex-officio Secretary of the Court, Executive council and the Development and Maintenance Committee, and the Registrar (Academic) shall be the Ex-Officio Secretary of Academic Council, Board of Studies and Examination Committee, etc.

(4) The term of office of the Registrars shall be for a period of five years but they may be eligible for re-appointment.

(5) Division of work among Registrar (Administration) and Registrar (Academic) shall be done by Vice-Chancellor.

(6) Vice-Chancellor in case of necessity may authorize one Registrar to perform the work of other Registrar in the interest of the University.

**Duties and
responsibilities
of the
Registrars**

17. It shall be the duty of the Registrar,-

- (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 verify and sign 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 Statutes;
- (iii) to conduct the official correspondence of the Court and the Executive Council;
- (iv) to issue all notices convening meetings of all such committees or councils or Board of which he is the Secretary.
- (v) to arrange for and supervise the examination of the University till such time when the University appoint 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 or the Vice-Chancellor;
- (vii) to exercise general supervision over the funds of the University and to advise the Executive council and the Finance Committee in regard to the financial policy of the University;

(viii) to prepare and to present to the Executive Council, the Annual Report of the working of the University, the Annual statement of accounts and the budget of the University for the next financial year, and to maintain properly, the accounts of the University;

(ix) to make appointments to the ministerial and grade IV posts of the University;

(x) if not otherwise mentioned specifically, the Registrar (Administration) shall be the Member Secretary of any committee, Board and Council, etc. of the University.

**Finance and
Accounts
Officer.**

18. The Finance and Accounts officer shall be appointed in such manner, on such emoluments and other conditions of service and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Treasurer

19. The Treasurer shall be 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 by the statutes. He may be eligible for reappointment.

**Duties and
function of the
Treasurer**

20. (1) The Treasurer shall exercise general duties of supervision over the funds of the University and advise in regard to its financial policy.

(2) 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.

(3) Subject to the powers of the Executive Council, the Treasurer shall be responsible for ensuring that all money are expended for the purpose for which they are granted or allotted.

(4) The Treasurer 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 case of any casual vacancy in the office of the Treasurer, direct that the Registrar (Administration) shall act as Treasurer and exercise all the powers of the Treasurer, and when any such direction has been made, all references to the Treasurer in this Act, the Statutes, the Ordinances and the Regulations shall be deemed to be a reference to the Registrar (Administration).

- Appointment of first Registrar, first Finance and Accounts Officer and first Treasurer.** 21. Notwithstanding anything contained in this Act, the first Registrar, the first Finance and Accounts officer and the first Treasurer shall be appointed by the Chancellor on such terms and conditions as he may deem fit after recommendation of persons holding such qualifications and experience as are required for appointment in the similar post in other Universities of the state, by a committee, with the Chief Secretary as Chairperson, Principal Secretary, Co-operation as Member and Vice-Chancellor as Member Secretary, on the basis of the bio-data received through advertisement and on the basis of selection.
- Functions and duties of first Registrar, first Finance and Accounts officer and first Treasurer** 22. The first Registrar, the first Finance and Accounts officer and the first Treasurer shall function as per orders or instructions issued by the first Vice-Chancellor from time to time in accordance with the first Statutes.
- Other officers** 23. The manner of appointment, emoluments, other conditions of service and powers and duties of other officers of the University shall be such as may be prescribed by the Statutes.
- Authorities of the University.** 24. The following shall be the authorities of the University:-
- (i) the Court;
 - (ii) the Executive Council;
 - (iii) the Academic Council;
 - (iv) the Finance Committee;
 - (v) the Development and Maintenance Committee;
 - (vi) the Selection Committee;

- (vii) the Custodian Committee;
- (viii) the Examination Committee;
- (ix) the Legal Committee;
- (x) any other Committee formed and declared as the authority of the University by the Executive Council.

Court 25. The Court shall consist of the persons as follows:-

A - Ex-officio Members

- i. the Chancellor;
- ii. the Vice-Chancellor;
- iii. the Registrar (Administration); Member Secretary
- iv. the Registrar (Academic)
- v. Minister in charge of Cooperation Department of Assam;
- vi. the Principal Secretary Cooperation Department, in his absence the Secretary to the Government of Assam, Cooperation Department;
- vii. the Registrar of Cooperative Societies, Assam,
- viii. the Regional Head of NABARD, NE Region;
- ix. the Regional Head of Reserve Bank of India;
- x. the Director of Agriculture, Assam;
- xi. the Chairman/Chief Executive Officer of the Assam State Cooperative Union;
- xii. Members of eminent institutions/organizations like VAMNICOM/Tata Institute of Social Sciences/NDDDB/NFDB/IRMA etc. subject to acceptance by the concerned authorities;
- xiii. the Regional Head of IIM, NE Region.

B - Other Members

- (i) persons not exceeding three in number nominated by the Chancellor from amongst the patrons on recommendation by Executive Council through examination of bio-data, etc. and who are not members of any other State University;
- (ii) two persons to be elected by the members of the Assam Legislative Assembly from amongst themselves and who are not members of any other State University;
- (iii) five persons distinguished in Co-operation, Law, Commerce, economics, social and rural economy and public life to be nominated by the Chancellor on recommendation by the Executive Council through examination of bio-data, etc. and who are not members of any other State University;
- (iv) two eminent cooperators to be nominated by the Chancellor on recommendation by the Executive Council through examination of bio-data, etc. and who are not members of any other State University;
- (v) two representatives (one male, one female) to be elected by the students of the University from among themselves:
- Provided that a student to be so elected must have been students of the University for atleast 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.
- (vi) in the event of election by the students of the University not being held for whatever reason, the Vice-Chancellor in consultation with the student community may nominate two representatives (one male, one female) from among themselves to be representatives in the Court.

**Tenure of office
of members of
the Court.**

26.(1) Save as otherwise provided and except the ex-officio members, all other members as mentioned in section 25B (i) to (iv) shall hold office for a period of three years from the date of their election or nomination, as the case may be:

Provided that any member elected or nominated under section 25B (v) and section 25B (vi) under this Act shall hold office for a period of one year only from the date of his election or nomination, as the case may be, he shall cease to be a member of the Court on his ceasing to be a student of the University.

(2) All such persons chosen or nominated under section 25B (i) to (iv) shall end their term on the expiry of three years from the date of such election or nomination and in no case the term shall exceed more than 3 years. Exercise to choose or nominate such member shall be completed between January and March every year. Any member chosen, elected or nominated after March shall be included in the Court only in the next year:

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

(3) When a person ceases to be a member of the Court, he shall cease to be a member of any of the authorities or committees of the University.

(4) With the approval of the Court, the Vice-Chancellor may remove a member, if he does not fulfil the conditions laid down in the provision of the Act or Statutes.

**Meeting of the
Court**

27.(1) The Court shall meet once in a year on dates to be fixed by the Vice-Chancellor in consultation with the Chancellor. Such meeting shall be held once every year and be called as Annual General Meeting. The Court may also meet at such other time as it may, from time to time determine.

**Powers and
duties of the
Court**

(2) The Vice-Chancellor may, 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.

28. Subject to the provisions of this Act, the Court shall have the following the powers and duties, namely:-

(i) 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, programmes, works and other affairs;

(ii) to consider the Annual Report, the Annual accounts, the audit report and the statement of the financial estimates, for the ensuing year, to approve the financial estimates, with such comments if any, to express its views on the Annual Report and to suggest such measures as it may deem proper on the matters covered by them;

(iii) to approve, with or without modifications, the Statutes submitted by the Executive Council:

Provided that before making any modification to the Statutes submitted by the Executive Council, the Executive council shall be given an opportunity to consider the modifications proposed by the Court and the Court shall consider the opinion expressed by the Executive council on such modifications;

(iv) to advise the Chancellor in respect of any matter which may be referred to it for advice; and

(v) to perform such other functions as may be prescribed by the Statutes.

**Executive
Council**

29. The Executive Council shall be the executive body of the University and shall consist of the following members, namely:-

A-Ex-officio Members:

(i) the Vice-Chancellor;

(ii) all the Registrars;

(iii) the Registrar of Cooperative Societies, Assam;

B-Other Members

(i) two Heads of the Department of the departments of University who are Professors to be chosen by the Vice-Chancellor by rotation for a period of three years according to seniority;

(ii) one person nominated by the State Government of Assam in the Cooperation Department;

(iii) 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 rotation according to seniority;

(iv) two members of the court, other than the employees of the University to be elected by the Court at its Annual General Meeting;

(v) two persons nominated by the Chancellor based on recommendation of Executive Council in its meeting after examination of bio-data, etc.

**Tenure of
office of the
members of
the Executive
Council**

30. (1) 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 elections or nomination, as the case may be.

(2) All such persons chosen, elected or nominated under section 29 shall end their term on the expiry of the period of three years from the date of their election or nomination and in no case the term shall exceed more than 3 years. Exercise to chose, elect/or nominate such members shall be completed between January and March. Any member chosen, elected or nominated under section 29 after March shall be included in the Executive council only in the next year:

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

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

**Powers and
duties of the
Executive
Council.**

31. Subject to the provisions of this Act and the Statutes, the Executive Council shall have the following powers and duties, namely:-

- (i) to hold control and administer the property and funds of the University and shall appoint a Finance Committee to advise it on matters of finance;
- (ii) to do all works appertaining to or incidental to the construction of buildings, roads, tanks, pipeline and other structures of the University and for the purposes shall appoint a Development and Maintenance Committee consisting of members as provided under section 34;
- (iii) to determine the form and regulate the use of the common seal of the University. It shall also decide the emblem, hologram and flag etc. for the University;
- (iv) to lay before the Government annually a full statement of the financial requirements of the University, its off-campus, etc. maintained by it;
- (v) to administer funds placed at the disposal of the University for any specific purpose of building, roads, tanks, pipelines and other structures of the University;
- (vi) to appoint the officers (other than the Vice-Chancellor), teachers, the clerical staff and other employees of the University and define their duties and conditions of the service and shall provide for the filling up of temporary or permanent vacancies subject to the provisions of this Act and the Statutes;
- (vii) to have power to accept, on behalf of the University, bequests, endowments, donations or transfer of any movable or immovable property;
- (viii) to regulate and determine all matters under this Act concerning the University in accordance with this Act, the Statutes and the ordinances and on advice of the Vice-Chancellor:

Provided that no action shall be taken by the Executive council in respect of the matters, qualifications or emoluments of teachers otherwise than in consultation with the academic Council;

(ix) to exercise all the powers of the University not otherwise provided for in this Act or the Statutes; and

(x) to appoint from time to time, the officers, the Librarians of the University and holders of the administrative posts of the University, after considering the recommendations of the Selection committee and other Committees, as the case may be, duly constituted for the purpose.

Academic Council

32. (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 standards of the instruction, education and examination within the University.

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

Ex-officio Members:

- (i) the Vice-Chancellor;
- (ii) the Deans of Faculties;
- (iii) the Professors of the University;
- (iv) the University Readers who are Heads of Department;
- (v) the Librarian of the University.

Powers of the Academic Council

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

- (i) to make proposals to the Executive Council for the Institution of Professorship, Readership, Lecturership or other teaching posts and in regard to the duties and emoluments thereof;
- (ii) to submit to the Executive Council draft Regulations, regarding methods and manner of conducting examinations including setting up of the Moderation Board and to award in accordance, with such Regulations, Fellowship, Scholarship, Exhibitions, Medals and other rewards;
- (iii) to recommend examiners for appointments to be made by the Vice-Chancellor after report from the faculties concerned;

(iv) to control the University Library, to frame Regulations regarding its use, and to constitute a Library committee under the general control of the Academic Council to manage the affairs of the Library:

Provided that the Committee so constituted shall hold office for a period of three years from the date of constitution.

(v) Such other powers as may be assigned to the faculty by the Academic council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty with the approval of Executive Council.

**Development and
Maintenance
Committee**

34. The University shall have one Development and Maintenance committee with the following persons, namely:-

- (i) Vice-Chancellor as Chairperson;
- (ii) Registrar (Administration);
- (iii) Finance and Accounts Officer;
- (iv) One member to be nominated by the Executive Council;
- (v) Security Officer;
- (vi) Chief Engineer or in his absence Executive Engineer as Member Secretary

However, the Committee may co-opt any other officer of the University involved in the development and maintenance process of the University as Members, if considered necessary.

**Powers and
duties of the
Development
and
Maintenance
committee**

35. (1) The Development and Maintenance committee shall form the following wings for proper functioning of the University:-

- (i) Engineering Cell;
- (ii) Sanitation Cell;
- (iii) Security Cell;
- (iv) Transport Cell;
- (v) Event management Cell;
- (vi) any other Cell which the Development and Maintenance committee considers it necessary for the benefit of the University.

(2) The Development and Maintenance Committee shall decide the composition of various cells and define their functions and duties.

(3) Pending finalization of the Statutes, ordinances or Regulations, the First Vice-Chancellor shall form the Development and Maintenance committee with the following members:-

(i) Vice-Chancellor as Chairperson

(ii) Registrar (Administration);

(iii) Registrar (Academic);

(iv) Finance and Accounts Officer;

(v) Technical Expert of the level of Chief Engineer or in his absence Executive Engineer either appointed or borrowed on deputation or otherwise.

(4) The Development and Maintenance committee formed by the first Vice-Chancellor under sub-section (3) shall perform all the duties necessary for the University.

**Custodian
Committee**

36. There shall be a Custodian Committee for all movable and immovable properties of the University consisting of the following:-

(i) Vice Chancellor as Chairperson;

(ii) All Registrars;

(iii) Finance and Accounts Officer;

(iv) Treasurer;

(v) Chief Engineer or in his absence Executive Engineer;

(vi) Estate Officer as Member Secretary;

(vii) The Committee co-opt any officer of the University as may be considered necessary in the interest of the University.

**Powers and duties
of the Custodian
committee**

37. The duties of the Custodian Committee shall be,-

(i) to keep proper and safe custody of all movable and immovable properties of the University;

- (ii) to maintain different registers for different kinds of properties. It shall maintain a University Record Room for the purpose of preserving all circulars, notifications, old files and important results etc;
- (iii) to take steps for disposal of property either damaged or partially damaged as required to be disposed of for different reasons subject to approval of Executive Council;
- (iv) to take over of any immovable or movable properties donated, gifted, etc;
- (v) to take possession of any hired building to be utilized for the use of University;
- (vi) any other power or duty entrusted by the Executive Council.

**Examination
Committee**

38. The Examination Committee shall be constituted with the following members:-

- (i) the Vice-Chancellor as Chairperson;
- (ii) the Registrar (Academic);
- (iii) three persons from amongst the Professors and/or Heads of Departments of the University to be nominated by the Academic Council;
- (iv) two members of the Academic Council who are not Professors or Heads of the Department of the University;
- (v) two members who may or may not be Professor or Head of the Department of the University to be nominated by the Vice-Chancellor;
- (vi) Controller of Examinations as Member Secretary.

**Functions and
Duties of the
Examination
Committee**

39. The function and duties of the Examination Committee shall be,-

- (i) to conduct all examination of the University
- (ii) to appoint paper setters, moderators and examiners, etc;
- (iii) to prepare results of the examination and to report to the Executive Council with its recommendation for consideration and publication of the results;

(iv) to carry on research and investigation into the system of examination and assessment;

(v) recommend to the Executive Council for disciplinary measures against person adopting unfair means in examination or causing disturbance in smooth-holding of examinations etc.;

(vi) to decide on matters of question paper printing, its custody and despatch etc.;

(vii) to prepare design of Marksheets, Certificates, etc for various courses and training etc.;

(viii) any other duty that may be extended either by Academic council or Executive Council.

Board of Studies

40. (1) (i) There shall be a Board of Studies in the University.

(ii) Each Board of Studies shall consist of the following members, namely:-

(a) the Vice-Chancellor shall be the Chairperson of the Board of Studies;

(b) Head of Department of each department as recognized by the University to be Member;

(c) Head of the Training Division of the University.

(2) Subject to the previous approval of the Vice-Chancellor, the Board may consult other expert or experts when necessary on any matter as and when felt necessary.

Powers and Duties of the Board of Studies

41. Subject to the provisions of this Act, the Statutes and the Ordinances, each Board of Studies shall have the following powers and duties, namely:-

(i) to make recommendations to the Academic Council about the matter of pattern of courses, curricula and syllabi to be laid down for different courses and the examinations to be held for such courses and to make recommendations for revision of courses, syllabi, curricula and examinations in so far as they relate to the field of the particular branch of study;

- (ii) to prepare and when necessary revise the panels of examiners for the different examinations for submission to the Examination Committee;
- (iii) to consider any other matter referred to it by the Academic Council or the Executive Council, as the case may be, and to submit a report to the authority concerned upon the matter so referred;
- (iv) the Board of Studies may suggest hiring experts or scholars from reputed Institutions and Organizations outside the State or even abroad on contractual basis for a maximum period of five years which may be renewed for another five years based on terms and conditions of such persons and the same to be communicated to the Academic Council and then for consideration and approval by the Executive Council; and
- (v) to suggest to the Academic Council for student and Faculty/exchange programme with reputed institution of the country.

**Selection
Committee**

42. (1) There shall be a Selection Committee for making recommendations to the Executive Council for appointment of Professors, Readers, Lecturers, Registrar, Treasurer, Librarian and other officers of the University as may be provided for by the Statutes consisting of the following Members:-
- (a) the Vice-Chancellor as the Chairperson of the Selection Committee;
 - (b) the Registrar (Administration) shall be the Ex-officio Member Secretary of the Selection Committee except for the Selection committee of the appointment of Registrar in which case the Vice-Chancellor shall nominate one person as Member Secretary in consultation with the Executive Council;
 - (c) the Vice-Chancellor in consultation with the Executive Council shall constitute a selection committee for the purpose of selection of candidates for filling up of any others posts based on requirements of the post, the composition of the Selection committee shall not exceed seven and should not be below three including Vice-Chancellor and Registrar (Administration);

(d) where the Executive Council proposes to make an appointment otherwise than in order of merit arranged by the Selection Committee in case of the posts of Professor, Reader or Lecturers, it shall record its reason 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 purpose its original proposal, it shall refer the matter with full justification again to the Chancellor for his decision, which shall be final:

Provided that when a Selection Committee recommends to the Executive Council the name of one person only in case of posts of Professor, Reader or Lecturer and that person is not acceptable to the Executive Council, the Executive 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 recommendations and in so doing communicate to every member of the Selection Committee the reasons recorded as above.

(2) (a) When 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 recommendations of the Selection Committee in accordance with the provision of the preceding subsection and no adhoc appointment shall be made by the Executive Council.

(b) 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.

(c) If the Executive Council does not accept any of the recommendations of the Selection Committee in case of posts of Professor, Reader or Lecturer, it shall refer the matter to the Chancellor, stating clearly the reasons for not agreeing with the Selection Committee and the decisions given by the Chancellor thereon shall be final.

(d) In all other posts, the Executive Council shall consider the recommendation of the Selection Committee as constituted for concerned posts and unless serious faults are observed, the Executive Council shall recommend for appointment as per recommendation of Selection Committee.

(e) In special situation, Vice Chancellor in consultation with Executive Council may relax norms required for selection of candidates for any post including that of faculty. However, such relaxation may be only for a definite timeframe and candidate so selected shall have to obtain the requisite qualification required for this post.

**Finance
Committee**

43. There shall be a Finance Committee of the University consisting of the following members, namely:-

- (a) the Vice-Chancellor as the Chairperson;
- (b) two Members elected by the Court from amongst its Members;
- (c) two Members elected by the Executive Council from amongst its Members and
- (d) two Members to be nominated by the State Government, one in the Co-operation Department and one in the Finance Department.

**Powers and Duties
of the Finance
Committee**

44. (1) The Finance Committee shall have the following powers and duties, namely:

- (i) to examine the Annual Budget estimates and to give advice and suggestions 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 expenditure involving sum of money exceeding rupees one lac 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 the grades of pay of new posts to the Executive Council; and
- (vii) to deal with such other matters relating to the financial matters of the University as may be prescribed by the Statutes and the Ordinances.

(2) The Finance Committee may delegate any of its powers and duties conferred or imposed by or under this Act to the Vice-Chancellor.

Legal Committee

45. (1) There shall be a Legal Committee for the University.

(2) The constitution and members of the Legal Committee shall be as follows :-

(i) Vice-Chancellor shall be the Chairperson of the Legal Committee;

Or

He may authorize Registrar (Admn.) or Registrar (Academic) to head a meeting of legal committee in his absence;

(ii) any officer of any Branch; Department or off-campus centre, etc of the University may be co-opted as a Member for a particular meeting in which issues relating to concerned Branch, Department or off-campus centers ,etc may come up.

(iii) all Registrars – Members

(iv) Head of Department of Law – Member- Secretary.

**Powers and Duties of
Legal Committee**

46. The Legal Committee shall have the following powers and duties under this Act:-

(i) sit from time to time to discuss and dispose of various issues relating to legal implication of any Branch, Section, Department or off – campus centres, etc of the University.

(ii) take care of all RTI (Right to Information) and court cases and take appropriate action in this regard;

(iii) suggest for appointment of Standing Counsel to defend cases in various courts and also recommend for their fees, etc to Executive Council.

(iv) any other legal issues that may be entrusted by authority concerned.

Statutes

47. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-

(i) the conferment of honorary Degrees;

(ii) the institution of Fellowships, Scholarship, Exhibitions and Prizes,;

(iii) the terms of office, the method of appointment and the conditions of service of the officers of the University;

(iv) the designation and the powers of the officers of the University;

(v) the constitution, powers and duties of the authorities of the University;

(vi) the Institution of off-campus and Hostels and their maintenance;

(vii) the constitution of Pension, Insurance and Provident Funds for the benefit of the officers, Teachers, Staffs and other Servants of the University;

(viii) the maintenance of a register of registered passed out students,; and

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

**Statutes
how made**

48. (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 may be approved or amended or rejected by the Court in the manner hereinafter provided:

Provided that no draft Statutes or draft amendments to Statutes with financial implication shall be amended without further reference to the Executive Council.

(3) Every draft of 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 to the Executive Council for reconsideration.

(4) Any draft of Statutes proposed by the Executive council and rejected by the Court shall be submitted to the Chancellor who may refer it back to the court for reconsideration.

(5) Statutes passed by the Court shall be submitted to the Chancellor who may give or withhold his consent or refer it back to the Court of reconsideration.

(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 Statutes, and the Executive Council shall submit such proposed draft to the Court with its comments.

Ordinances

49. 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 :-

(i) the admission of students to the University and their enrolment as such;

(ii) the courses of study to be laid down for the University;

(iii) the conditions under which the students shall be admitted to the degree and diploma courses and the examination of the University and shall be eligible for the Degrees, Diplomas and Certificates, etc.;

(iv) the conditions of residence of the student of the University;

(v) the qualifying attendance required in the various courses;

(vi) the extension of University teaching in any suitable off-campus centre within the state by means of University extension lectures or others;

(vii) the emoluments and conditions of service of teachers of the University;

(viii) the fees to be charged for study in the University and for admission to the examination, degrees and diplomas, etc.;

(ix) the formation of departments of teaching in the University;

(x) the constitution, powers and duties of the Boards of the University;

(xi) the conduct of examinations; and

(xii) all matters which by this Act or the Statutes are to be or may be provided by Ordinances.

Ordinances how made

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

Provided that no Ordinances shall be made effecting,-

(i) The conditions of residence of students, except after consultation with the concerned authority constituted or to be constituted for the purpose;

(ii) the admission or enrolment of students or prescribed examination for admission to the degree courses of the University;

(iii) the conditions, mode of appointment or duties of examiners or 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 under the provision of this Act 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 under this Act shall be placed by the Executive council with its comments before the Chancellor whose decisions thereon shall be final.

Regulations

51. (1) The authorities of the University may make Regulation Consistent with this Act, the Statutes and the Ordinances –

(a) laying down the procedure to be observed at their meeting and the number required to form a quorum,

(b) providing for all matters which by this Act, the Statutes and Ordinances are to be prescribed by Regulations; and

(c) providing for all other matters solely concerning such authorities not provided by this Act, the Statutes and Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority, of the dates of meeting and the business to be considered at the meetings and for the keeping of record of the proceeding of the meetings.

(3) The Executive Council may direct any amendment, in such manner as it may specify of Regulation under this Act or the Annulment of any Regulations made under this Act.

**Annual
Report**

52. The Annual Report of the University shall be prepared under the direction of the Executive Council and shall be placed before the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at its Annual meeting. The Court may pass resolutions and communicate the same to the Executive Council.

**University
Fund**

53. There shall be one fund for the University called "University Fund". This Fund shall have three different heads as defined below:-

(1) General Head -

The General head of the University shall be the head to which shall be credited all the income, fees, finances, contributions, donations, loans and advances, etc. from any sources like state Government, Central Government, U.G.C., DONER etc. for capital expenditure.

(2) Recurring Head-

Out of the Grants in Aid received from State Government, a portion of the Fund according to necessity shall be kept separately in a "Recurring Head" of the University Fund to meet recurring expenditure of the University.

The Government shall, for the purposes of this Act, contribute annually to the University at least a minimum sum of rupees 1 (one) crore to meet the recurring charges of the University. All contributions made under this section shall be charged to the revenues of the State.

(3) Corpus Head –

The University shall maintain a 'Corpus Head' under "University Fund" from the sponsorship, patronage and ten percent from the recurring grants, which shall not be utilized by the University at any time. However, the interest accrued thereon may be utilized for meeting expenditures on institution of scholarship, research facilities and meeting urgent unforeseen expenditures.

Further, any unutilized fund received from any sources for general or specific purpose at the end of the financial year shall be devolved to the corpus Head as volatile temporarily for the purpose of review of utilization in next financial year by the Executive Council. During the short period, the University may earn income from such deposits.

Annual
accounts

54. (1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive council and shall be submitted to the Chancellor for the purpose of audit.

(2) The accounts when audited shall be published by the Executive Council in the Assam Gazette through Department of Co-operation, Government of Assam and copies thereof shall, together with copies of the audit report, if any, be submitted to the Court and the Chancellor. The Executive council shall also submit to the Court, on or before such date as may be prescribed by the Statutes, a statement of the financial estimates for the ensuing year.

(3) The annual accounts and the financial estimates shall be considered by the Court at its annual meeting, and the court may pass resolutions thereon and communicate the same to the Executive Council.

Act or Proceedings not to be invalid by reason of certain irregularities 55

No act or proceedings of the University or of any authority or Committee of the University shall be invalid merely by reason of the existence of any vacancy or vacancies among its members or by reason of the invalidity of the election, nomination, and appointment of any of its members or by reason of any irregularity in the manner of choosing a member.

Conditions of service of employees 56.

- (1) Every employees of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the employees concerned.
- (2) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member, appointed by the Executive Council, one member nominated by the employee concerned and Chairman appointed by the Vice-Chancellor.
- (3) 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.
- (4) Every request made by the employee under the Act, shall be deemed to be a submission to arbitration upon the terms of this Act and within the meaning of the Arbitration and Conciliation Act, 1996.
- (5) The procedure for regulating the work of Tribunal shall be prescribed by the Statutes.

Central
Act. 16 of
1996

Procedure of Appeal
and Arbitrations in
disciplinary Cases
against students

57. (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may within ten days of the date of receipt of such orders or copy of such resolution by him appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration. Every employee or student of the University, shall notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed by the statutes to the Executive Council against the decision of any officer or authority of the University and thereupon the Executive Council may confirm, modify or reserve the decision appealed against.

Matters relating to
Hostel etc.

58 (1) The Wardens and superintending staff of the Hostel shall be appointed in the manner prescribed by the Statutes.

(2) The conditions of residence in the Hostels shall be prescribed by the ordinance and every Hostel shall be subject to Inspection by any member of the Residence, Health and Discipline Board if formed and by any officer of the University authorized in the behalf by the Executive Council.

- (3) The Executive Council shall have power to suspend or withdraw the recognition of any Hostel which is not conducted in accordance with the conditions prescribed by the Ordinances.

Appeal

59.

An appeal in respect of a dispute arising out of a contract between the University and any officer or teacher of the University shall be preferred in the case of dispute between an officer or teacher and an authority of the University other than the Executive Council, to the Executive Council and in respect of a dispute between an Officer or teacher and the Executive Council, to the Chancellor, as the case may be, who may either dispose of the appeal or refer it to a Board of Arbitration. The constitution of any terms of reference to the Board of Arbitration shall be such as may be prescribed by the Statutes. The decision of the Board of Arbitration shall be final and no suit shall lie in any Civil Court in respect of the matters decided by the Board of Arbitration.

Pension, Insurance and Provident
Fund

60. (1) The University shall constitute, for the benefit of its all employees, in such manner and subject to such condition as may be prescribed by the Statutes, such pensions, insurance and provident funds as it may deem fit.

- (2) Where such a provident fund has been so constituted, the Government may,

notwithstanding anything contained in the Provident fund Act, 1925, by notification in the Official Gazette, declare that the provision of the Contributory Provident Fund Rules (Assam), 1936, shall apply to such provident fund of the University as if it were a Government Provident Fund.

- (3) The University may introduce only new scheme of pension, provident fund or insurance scheme for the benefit of employees after due deliberation and approval of Executive Council.

Disputes on matters of election of appointment to authorities, etc.

61. If any question arises as to 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.

Constitution of Committees

62. (1) Where any authority of the University is given power by this Act. or the Statutes to appoint Committees, such Committees shall, save as otherwise provided, consist of the members of the authority concerned and of such other person, if any, as the authority in each case may think fit.

- (2) All casual vacancies among the members (other than ex-officio members) of any authority or other body of the University shall be filled, as soon as may be, by the person or body who appointed, elected or co-opted the member whose place has

become vacant and person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

- (3) 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.

Proceedings, Instructions, etc.-
medium thereof.

63. (1) No act or proceeding of any authority or other body of the University shall be invalidated merely by, reason of existence of a vacancy or vacancies among its members.
- (2) The proceedings of all authorities shall be written in English.
- (3) Medium of instruction of the University shall be English. All correspondences made by the University shall be in English only.
- (4) Instructions given by the Educators to field level functionaries of Cooperatives may be bilingual for their benefit in which case both English and regional language may be made.

Protection of action taken in good
faith

64. No suit or other legal proceeding shall lie against any officer or other employee of the University for anything which is done in good faith or intended to be done in pursuance of any of the provisions of this Act, the statutes or the Ordinances.

Mode of proof

University record

65. A copy of any receipt, application, notice, order, proceeding, resolution of any authority or committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrars, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or documents or the existence of entry in the register and shall be admitted as the matters and transactions therein where the original thereof would, if produced have been admissible in evidence.

Transitory provisions

66. Notwithstanding anything contained in this Act,-

(1) It shall be the duty of the First Vice-Chancellor to make arrangements for constituting the first Councils, Committees, Boards and other authorities of the University within six months of coming into force of this Act or such longer period not exceeding one year as the Government may by notification direct.

(2) The Council, Committees, Boards and other authorities constituted under sub-section (1) shall commence to exercise their functions on such date as the Government may by notification, specify in this behalf.

(3) The First Vice-Chancellor shall within a period of three months from the date of his appointment or within such longer period not exceeding one year from the date of his appointment as Vice-Chancellor may, by

notification, direct and with the assistance of a committee consisting of not more than six members nominated by the Chancellor, cause the first Statutes the first ordinances and the first Regulations of the University to be framed or made and published with the approval of the Chancellor and first statutes, the first ordinances and the first Regulations so framed shall come into force with effect from the date of such publication as if they were framed or made under the provisions of this Act relating to them.

(4) The first Statutes, the first ordinances and first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act.

(5) The first Vice-Chancellor may, subject to the approval of the first Executive Council appoint such administrative, ministerial and others staff as he deems necessary in accordance with the provision of this Act for giving effect to the provisions of this Act. The staff so appointed shall be treated as regular appointment for the purposes of this Act.

Power to remove difficulties

67. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the official Gazette make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before the State Assembly

68. (1) Every Statutes, Ordinances and Regulations made under this Act shall be published in the Official Gazette.

(2) Every Statutes, Ordinances or Regulations made under this Act shall be laid as soon as may be after it is made before the Assam Legislative Assembly while it is in session, for a total period of fourteen days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the sessions immediately following the Assam Legislative Assembly agree in making any modification in the Statutes, Ordinances or Regulations or the Assam Legislative Assembly agree that the Statutes, Ordinances or Regulations should not be made, the Statutes, Ordinances or Regulations shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that such modification or annulment shall be without prejudice to the validity of anything previously done under that Statutes, Ordinances or Regulations.

Interpretation

69. 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 to all concerned.

Legal Jurisdiction

70. All suits and actions arising out of or relating to the Assam Rajiv Gandhi University of Cooperative Management shall be instituted within the jurisdiction of Courts at Sivasagar, Assam only.

MOHD. A. HAQUE,
Secretary to the Government of Assam,
Legislative Department, Dispur.