



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 5th September, 2011

No.LGL.101/2011/28.-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

THE ASSAM ACT NO.XIX OF 2011

THE COTTON COLLEGE STATE UNIVERSITY ACT, 2011.

ASSAM ACT NO. XIX OF 2011

(Received the assent of the Governor on 03-09-2011)

AN
ACT

to upgrade the Cotton College, Guwahati as a State University, to constitute and establish a teaching, affiliating, residential University at Guwahati by upgrading the existing Cotton College into a University.

Preamble

Whereas it is expedient to constitute and establish a teaching, affiliating, residential University at Guwahati by upgrading the existing Cotton College into a University;

It is here by enacted in the Sixty-second Year of the Republic of India as follows:-

Short title and commencement

1. (1) This Act may be called the Cotton College State University Act, 2011.
- (2) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

Definitions

2. In this Act, unless there is anything repugnant to the subject or context,-
 - (a) "State Government" means the Government of Assam;
 - (b) "Board of Secondary Education" means the Board of Secondary Education, Assam established by the State Government;
 - (c) "University" means the Cotton College State University;
 - (d) "Executive Council" and "Academic Council" means the Executive Council and the Academic Council constituted under sections- 22 and 24 respectively;
 - (e) "Court" means the court constituted under section- 19;
 - (f) "Department" means a department of the University and designated as such by it with reference to a subject or group of subjects of study in the University;
 - (g) "Degree College" means a 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 Bachelors' degree by the University;
 - (h) "Faculty" means a Faculty of the University;
 - (i) "Recognised College" means a College other than a constituent College or an affiliated College recognised by the University or a college deemed to be recognised by the University under this Act;
 - (j) "Selection Committee" means the Selection Committee constituted under section- 30;

- (k) "Statutes", "Ordinances" and "Regulations" means respectively the Statutes, Ordinances and Regulations of the University made under this Act;
- (l) "Constituent College" means the existing Cotton College which is part of the University and imparting Under Graduate and Post Graduate level education and situated in the same campus and declared by the University as such;
- (m) "Hostel" means a unit of residence for the students of the University maintained or recognised by the University in accordance with the provisions of this Act;
- (n) "Moderation Board" means a Board constituted in the manner as may be prescribed in the statutes for the purpose of scrutinising and moderating the question papers of various examinations held and conducted by the University from time to time;
- (o) "Principal" means the head of a College and of 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;
- (p) "Professional College" means a College imparting instructions in the professional subjects namely, Law, Medicine, Engineering, Technology, Agriculture, Veterinary, Post-graduate teachers training and such other subjects as may be prescribed from time to time as professional subjects under the statutes;
- (q) "Registered Graduate" means a graduate registered under the provisions of this Act;
- (r) "Statutes", "Ordinance" and "Regulations" means, respectively, the Statutes, Ordinances and Regulations of the University made under this Act;
- (s) "Teachers" means a Professor, a Reader, an Associate Professor or an Assistant Professor of the University or College whether constituent or affiliated, or any other person imparting instructions or guiding Research and designated as teacher by the University and includes a person recognised as a teacher by the University;
- (t) "University Professor", "Reader", "Associate Professor", "Assistant Professor" means a Professor, a Reader, an Associate Professor, an Assistant Professor, appointed for teaching in the University;
- (u) "Hall" means a unit of residence of the students maintained or recognized by the University at which provision is made for imparting tutorial and other supplementary instructions.

Officers of the
University

3.

The following shall be the Officers of the University:

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Registrar;
- (iv) Academic Registrar,
- (v) The Controller of Examinations;

(vi) The Finance Officer;

(vii) Such other persons in the service of the University

as may be declared by the statutes to be the officers of the University.

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| Legal entity | 4. | The University shall be a legal entity with perpetual succession with common seal. It can sue in the name of the Registrar and can be sued in his name. |
| Existing Cotton College to be a constituent College | 5. | From the date of coming into force of this Act, the existing Cotton College shall be a Constituent College of the Cotton College State University. The Post Graduate level Departments shall, however, come under the jurisdiction of the University from the date of coming into force of this Act. |
| Property to vest in the University | 6. | From the date of commencement of this Act, the existing property, land and building shall vest with the Cotton College State University. The liquid assets, however, shall remain the property of the Cotton College. |
| Powers of the University | 7. | <p>The University shall have the following powers, namely :-</p> <p>(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;</p> <p>(b) to hold examinations and to grant to, and confer Degrees and other academic distinctions on, persons who, -</p> <p style="padding-left: 40px;">(i) have passed a course of study in or prescribed by the University; or</p> <p style="padding-left: 40px;">(ii) are teachers in educational institutions under conditions laid down in the Ordinances and Regulations and have passed the examination of the University under like conditions;</p> <p>(c) to confer honorary degrees or other distinctions;</p> <p>(d) to grant such diplomas and to provide such lectures and instructions for, persons not being members of the University, as the University may determine;</p> <p>(e) to withdraw or cancel Degrees, Diplomas, Certificates or other distinctions conferred;</p> <p>(f) to institute any Professorship, Readership, Lecturership and any other teaching posts required by the University;</p> <p>(g) to appoint and recognize persons as Professors, Readers, or Lecturers, Assistant Professors, Associate Professors as teachers of the University;</p> <p>(h) to maintain Colleges, Hostels and Halls, to recognize Colleges, Hostels and Halls not maintained by the University, and to withdraw such recognition;</p> |

- (i) to demand and receive payments of such fees as may be fixed by the Ordinances;
- (j) to receive grants from Government, University Grants Commission and any other Private Agencies or Central Government;
- (k) to purchase property, to maintain Bank Accounts in the name of the University;
- (l) to institute for the benefit of its members such pension, provident-fund as the University may deem fit;
- (m) to do all other things, whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University.

Chancellor 8. The Chief Minister of Assam shall be the Chancellor of the University.

Powers and duties of Chancellor 9. (1) 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 of every institution maintained by the University and also of the examinations 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.

(2) The Chancellor shall in every such case, give notice to the Executive Council of his intention to cause an inspection or enquiry to be made and the Executive Council shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or enquiry.

(3) The Chancellor may address the Vice-Chancellor with reference to the result of such inspection and enquiry and the Vice-Chancellor shall communicate to the Executive Council the views of the Chancellor with such advice as the Chancellor may offer upon the action to be taken thereon.

(4) The Executive Council shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or enquiry.

(5) When the Executive Council 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 Executive Council issue such directions as he may think fit and the Executive Council shall be bound to comply with such directions.

(6) Expenses that may be incurred in connection with such inspection or enquiry and certified as such by the Chancellor shall be a charge on the University.

(7) The Chancellor shall have such other powers as may be conferred on him by or under the provisions of this Act.

(8) The Chancellor as 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. In such circumstances the Chancellor, if he so wishes can administer the affairs of the University by appointing a person not below the rank of an Additional Chief Secretary in the State Administration to be in-charge Vice-Chancellor for so long as the Officers suspended are appointed under the provisions of this Act.

University to be open to all 10.

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

Jurisdiction 11.

The jurisdiction of the Cotton College State University shall extend throughout the State of Assam. No College or Institution situated within the local limits of the jurisdiction of the University shall be compulsorily affiliated to the University and affiliation shall be granted by the University only to such Colleges or Institutions as may agree to accept the Statutes and Ordinances. Any College or Institution admitted to the privileges of the University shall cease to be associated with, or be admitted to the privileges of, any other University. The Constituent College as on the date of coming into force of this Act shall automatically be deemed to be affiliated to the University.

The Vice-Chancellor 12.

- (1) The Vice-Chancellor shall be appointed by the Chancellor on the recommendation of an Advisory Board constituted by the Chancellor for the purpose and consisting 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 Chairman of the Advisory Board.
- (2) The Advisory Board shall recommend a panel of names of three persons to the Chancellor who may appoint one of the persons recommended to be Vice-Chancellor. If the Chancellor does not approve any of the person recommended by the Advisory Board, he may call for a fresh recommendation.
- (3) The Vice-Chancellor shall be a whole time officer of the University who shall hold office for a period of five years and shall be eligible for re-appointment.
- (4) The Vice-Chancellor shall retire on the date he attains the age of 65 years.

- (5) Whenever there is any temporary vacancy in the Office of the Vice-Chancellor by reasons for leave, illness or other causes, the Chancellor shall make such other arrangements as he may think fit for exercising the powers and performing the duties of the Vice-Chancellor during the absence.
- (6) 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. 75000/- per month including all allowances.

Powers and duties of Vice-Chancellor

13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall, in the absence of the Chancellor, preside at meetings of the Court and any convocation of the University. He shall be an ex-officio member and Chairman of the Executive Council, the Standing Finance Committee, the Construction Committee, and 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 faithfully 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 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 course, would have dealt with the matter.
- (5) When any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Executive Council through the officer, authority or other body of the University within thirty days from the date on which such action is communicated to him.
- (6) The Vice-Chancellor shall give effect to any order of the Executive Council regarding the appointment, dismissal or suspension of an officer or 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 the discipline of the University.
- (7) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.

- The Registrar** 14. (1) The Registrar shall be a whole time salaried officer of the University and shall be appointed by the Executive Council on such terms, conditions and remunerations as may be prescribed.
- (2) The term of the Registrar shall be for five years but he may be eligible for re-appointment.
- (3) The Registrar shall be the Secretary, ex-officio, of the Court, Executive Council and of the Construction Committee, provided that, notwithstanding anything contained in this Act, the Executive Council may, either for special purpose or in general, appoint any other officer of the University as Secretary. All communications in general shall be addressed to and on behalf of the University and shall be received by the Registrar.
- Powers and duties of the Registrar** 15. The powers and duties of the Registrar shall be the following, namely:-
- (i) to be the custodian of the records, common seal and such other property of the University as the Executive Council shall commit to his charge and to manage such properties;
- (ii) to sign and verify all 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 Boards of which he is the Secretary;
- (v) to arrange for and superintend 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;
- (vii) to represent the University in any Court of Law and to sue any party for any liability to the University and for breach of any contract entered into with the University.
- The Finance Officer** 16. (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 reappointment.
- (2) The Finance officer shall exercise general supervision over the funds of the University and advise 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) Subject to the powers of the Executive Council, the Finance officer shall be responsible for ensuring that all moneys are expended for the purposes for which they are generated.
- (5) 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 casual vacancy, may ask the Registrar to perform the duties of Finance officer.

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| The Controller of Examination | 17. | <ol style="list-style-type: none"> (1) It shall be the duty of the Controller of Examination to hold various examinations of the University, its constituent College and its affiliated Colleges. (2) The Controller of Examination shall be the authority to hold examinations and shall ensure that results are given in time. |
| Authorities of the University | 18. | <p>The following shall be the authorities of the University :-</p> <ol style="list-style-type: none"> (i) The Court; (ii) The Executive Council; (iii) The Academic Council; (iv) The Post Graduate Board; (v) The Under Graduate Board; (vi) The Board of Studies; (vii) The Finance Committee; (viii) The Selection Committee; (ix) Such other authorities as may be declared by the Statutes to be the authorities of the University. |
| The Court | 19. | <ol style="list-style-type: none"> (1) The Court shall consist of the following persons, namely:- <p>EX-OFFICIO MEMBERS :</p> <ol style="list-style-type: none"> (i) The Chancellor; (ii) The Vice-Chancellor; (iii) The Minister of Education, Assam; (iv) The Registrar; (v) Academic Registrar; (vi) The Controller of Examinations; (vii) The Finance Officer; (viii) The senior most Secretary in the Education (Higher) Department of the Government of Assam; (ix) The Director of Higher Education, Assam; (x) The Director of Technical Education, Assam; |

- (xi) The Director of Medical Education, Assam;
- (xii) The Director of Agriculture, Assam;
- (xiii) The Director of Animal Husbandry and Veterinary, Assam;
- (xiv) The Vice-Chancellors of the Gauhati University and the Dibrugarh University;
- (xv) President and Secretary, Cotton College University Teachers' Association;
- (xvi) Two members nominated by the Executive Council;
- (xvii) The Principal of the Constituent College;
- (xviii) Two Heads of the Academic Departments of Cotton College University (to be selected by election);

OTHER MEMBERS :

- (xix) Two principals of affiliated Colleges (to be elected by election);
- (xx) Five teachers from affiliated colleges (to be elected by election);
- (xxi) Two persons distinguished in Literature/ Law/ Medicine/ Engineering/ Technology/ Commerce/ Public life nominated by the Chancellor;
- (xxii) Seven 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 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 would be eligible for such election.

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

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

Provided further that any member elected or nominated under clause (xxi) shall hold office for a period of one year only from the date of his election or nomination, as the case may be. He shall cease to be a member of the Court on his ceasing to be a student of the University.

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

(4) With the approval of the Court, the Vice-Chancellor may remove an elected or selected member.

Meeting of the Court

20.

The Court shall meet at least twice a year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be held in January and shall be called the Annual General Meeting. The Court may also meet at such other times as it may, from time to time determine.

Powers and Duties of the Court

21.

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

(i) to review, from time to time, the broad policies and programmes, of the University and to suggest measures for the improvements and development of such policies, programmes, works and other affairs ;

(ii) to consider the annual report, the annual accounts, the audit report and the statement of the financial estimates, for the ensuing year, to approve the financial estimates, with such comments, if any, to express its views on the annual report and to suggest such measures as it may 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,

The Executive Council

22.

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

EX-OFFICIO MEMBERS :

(i) The Vice-Chancellor;

(ii) The Registrar;

(iii) Academic Registrar;

(iv) Two Members of Assam Legislative Assembly;

(v) The Director of Higher Education, Assam;

(vi) The Director of Technical Education, Assam;

(vii) The Director of Health Services, Assam;

- (viii) The Chairman, Board of Secondary Education, Assam;
- (ix) Chairman, Higher Secondary Education Council, Assam;
- (x) The Principal of constituent College;
- (xi) President and Secretary, Cotton College University Teachers' Association.

OTHER MEMBERS :

- (xii) Two Principals of Provincialised affiliated Degree Colleges to be elected from amongst themselves;
- (xiii) Two Heads of Departments, 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;
- (xiv) One Dean of Faculty to be chosen by the Vice-Chancellor from the Dean of Faculties of the University for a Period of three years, by rotation according to Seniority;
- (xv) 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;
- (xvi) 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;
- (xvii) Three persons of whom at least one shall be a woman to be nominated by the Chancellor; and
- (xviii) Three persons be nominated by the State 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 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 that appointment, as the case may be.

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

**Powers of
Executive
Council**

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

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

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

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

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

- (3) It shall determine the form and regulate, the use of the Common Seal of the University.
- (4) It shall lay before the State Government annually a full statement of the financial requirements of the University and the colleges maintained by it.
- (5) It shall administer funds placed at the disposal of the University for any specific purpose including those given for the purpose of buildings, roads, tanks, pipelines and other structures of the University.
- (6) Subject to the provisions of this Act and the Statutes, it shall appoint the officers (other than the Chancellor and the Vice-Chancellor), teachers, the clerical staff and other employees of the University and define their duties and conditions of service and shall provide for the filling up of temporary vacancies.
- (7) It shall have power to accept, on behalf of the University, bequest, endowments, donations, or transfer of any movable or immovable property.
- (8) It shall have power subject to Statutes, to recognize or withdraw recognition from a College maintained by the University.
- (9) It shall arrange for holding of conducting and publishing the results of the University examination.
- (10) It shall subject to the powers conferred by this Act on the Vice-Chancellor regulate and determine all matters under this Act concerning the University in accordance with this Act, the Statutes and the Ordinances:

Provided that no action shall be taken by the Executive Council in respect to the numbers, qualifications or emoluments of teachers otherwise than in consultation with the Academic Council; and

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

- The Academic Council 24. 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 instruction, education, and examination within the University.
- Constitution of Academic Council 25. (1) The Academic Council shall consist of the following members, namely:-
- (a) **EX-OFFICIO MEMBERS :**
- (i) The Vice-Chancellor;
 - (ii) Academic Registrar;
 - (iii) The Director of Higher Education;
 - (iv) The Director of Technical Education, Assam;
 - (v) The Director of Health Services, Assam;
 - (vi) The Deans of Faculties;
 - (vii) The Professors of the University;
 - (viii) The University Associate Professor who are Heads of Department of Teaching;
 - (ix) The Librarian of the University;
 - (x) President and Secretary of University Teachers' Association;
 - (xi) The Principal of Constituent College;
- (b) **OTHER MEMBERS:**
- (xii) Five persons of whom at least one shall be a Principal of a Professional College, elected by the Principals of Colleges, from among themselves;
 - (xiii) Seven persons to be elected from among the teachers of the affiliated colleges and of the University of whom at least three shall be from the affiliated Colleges;
 - (xiv) 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 Council; and
 - (xv) Two persons to be elected by the Court, who are not employees or students of the University or the affiliated Colleges.

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

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

Powers of the Academic Council

26.

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

- (i) to make proposals to the Executive Council for the institution of Professorships, Associate Professorship, Assistant Professorship or other teaching posts, and in regard to the duties and emoluments thereof;
- (ii) to submit to the Executive Council draft Regulations, regarding methods and manner of conducting examinations including setting up of Moderation Boards and to award 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 Faculties concerned;
- (iv) to control the University Library, to frame Regulations regarding its use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the Library;
- (v) to assign subjects to the faculties;
- (vi) to assign teachers to the faculties;
- (vii) to promote research within the University including the establishment of a Research Council and to require reports on such research from the persons employed thereon;
- (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

27.

(1) The University shall include Faculties of Arts, Science, Law, Medicine, Technology, Agriculture, Engineering, Commerce, Business Administration, Mass Communications, Environmental Science 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 courses of study and the research work in such subjects as may be assigned to such Faculty by the Ordinances.

(3) Each Faculty shall consist of –

- (i) the Heads of the Departments 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 subjects not assigned to the Faculty but having, in the opinion of the Academic Council, an important bearing on those subjects, as may be appointed to the Faculty by the Academic Council; and
- (iv) five 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.

Powers of faculty 28.

Subject to the provisions of this Act, each Faculty shall have the following powers, namely :-

- (a) to constitute the Committees of Courses and Studies in Departments assigned to it;
- (b) to recommend to the academic Council the courses of studies for the different examinations, after consulting the Committees of Courses and Studies;
- (c) to recommend to the Academic Council, after consulting the Committees of Courses and Studies, the names of the examiners in subjects assigned to the Faculty;
- (d) to recommend to the Academic Council the conditions for the award of Degrees, Diplomas and other distinctions;
- (e) subject to the control of the Academic Council, to organize research in subjects assigned to the Faculty; and
- (f) to deal with any other matters referred to by the Academic Council.

- Dean of faculty 29. (1) There shall be a Dean of each Faculty who shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the faculty. He shall be the executive Officer of the Faculty and shall preside at its meeting.
- (2) Each Faculty shall comprise such Departments of teaching as may be prescribed by the Ordinances. The Head of every such Department shall be Professor of the Department or, if there is no Professor, the Associate Professor. If there is more than one Professor, or more than one Associate Professor of a Department, the Vice-Chancellor shall appoint as the Head of the Department such one of the Professors or, if there is no Professor, such one of the Associate Professor as he thinks fit. The Head of the Department shall be responsible to the Dean for the organization of the teaching in the Department and smooth running of the Department.
- (3) The Dean of a Faculty be elected by the Faculty from among the Heads of the Departments of the Faculty and shall hold office for a period of three years.
- (4) The Dean of a Faculty be elected by the Faculty from among the Heads of the Departments of the Faculty and shall hold office 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 Professor, Associate Professor, Assistant Professor, Registrar, Rector, Finance Officer, Controller of Examinations, Librarian, Deputy Registrars, Deputy Controller of Examinations and other officers of the University as may be provided for by the Statutes consisting of the following members:-
- (i) the Vice-Chancellor as Chairman of the Selection Committee;
- (ii) three persons not holding any office of profit under the University of whom one to be nominated by the Chancellor, one to be nominated by the Executive Council and other to be nominated by the Academic Council;
- (iii) the Registrar shall be the 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.
- (2) In making recommendations for the appointment of Professors 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 Vice-Chancellor and two persons not in the services of the University to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council, who have special knowledge of the subject for which the Professor is to be selected.

- (3) In making recommendations for the appointment of Associate Professor or Assistant Professor 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 teacher is to be selected:

Provided that where the Executive Council proposes to make an appointment otherwise than in order of merit arranged by the Selection Committee the post of Professors, Associate Professor and Assistant Professor, it shall record its reasons in writing and submit them to the Chancellor who may approve the proposal or return it to the Executive Council for reconsideration. After reconsideration, if the Executive Council desires to pursue its original proposal, it shall refer the matter again to the Chancellor for his decision which shall be final:

Provided further that, where a Selection Committee recommends to the Executive Council the name of one person only and that person is not acceptable to the Executive Council, the Executive Council shall record its reasons in writing for not accepting 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) 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-sections and no ad-hoc appointment shall be made by the Executive Council.
- (5) If a member of the Selection Committee is unable to attend, he may send his opinion in writing to the Vice-Chancellor and such opinion shall be taken into consideration by the Committee in making its recommendations.
- (6) If the Executive Council does not accept any of the recommendations of the Selection Committee it shall refer the matter to the Chancellor, stating clearly the reasons for not agreeing with the Selection Committee, and the decision given by the Chancellor thereon shall be final.
- (7) The Executive Council shall constitute one or more Committees for making recommendations to the Executive Council for appointment to other administrative posts and may prescribe by Ordinance the procedure and methods to be followed in making such recommendations.

Students'
Advisory Council

31. (1) There shall be a students' Advisory Council which shall consist of the following members, namely :-
- (i) one Chairman to be nominated by the Vice-Chancellor from amongst the teachers of the University;
 - (ii) the Director of Students Welfare Ex-officio Treasurer;
 - (iii) President and Secretary of the University Teachers' Association;
 - (iv) President, Vice-President and Secretary of the University Students' Union;
 - (v) Principals of the Constituent college;
 - (vi) five students from five affiliated Degree Colleges to be selected by the Executive Council by rotation in the manner to be prescribed by the statutes;
 - (vii) one student from each teaching faculty of the University to be elected as prescribed by the Statutes;
 - (viii) 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;
 - (ix) four lady students to be nominated by the Vice-Chancellor;
 - (x) the Directors of Sports and Physical Education, if any;
 - (xi) the members of the Students' Advisory Council shall elect from amongst themselves the Secretary of the Council.
- (2) The term 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 rules of procedures and conduct of business to be followed at a meeting, the period within which a meeting shall be called and such other matter 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.

Functions of
Students
Advisory Council

32.

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

- (i) to make recommendations to the Executive Council and the Academic Council in the matters 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, Literary, Management of Hostels, 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;
- (iii) the Vice-Chancellor or any authority of the University may ask for the views of the Students' Advisory Council on any matter concerning the welfare of students;
- (iv) the Chairman of the Students' Advisory Council shall be the Authority to decide whether a matter does or does not concern the students;
- (v) the Students' Advisory Council shall frame its own rules of business and shall submit the same to the Executive Council for consideration and approval.

Finance
Committee

33.

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

- (i) the Vice-Chancellor as President;
- (ii) two members elected from the Court from amongst its members;
- (iii) two members elected by the Executive Council from its members;
- (iv) two members to be nominated by the State Government, one from the Finance Department and the other from the Education Department.

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| Powers of Finance Committee | 34. | <p>The powers of the Finance Committee shall be as follows:-</p> <ol style="list-style-type: none"> (a) to examine the annual budget estimates and to give advice and suggestion to the Executive Council thereon; (b) to make recommendations to the Executive Council relating to the Finance of the University; (c) to examine every proposal for new expenditures involving sum of money exceeding rupees ten thousand and to advise the Executive Council thereon; (d) to review the financial position of the University periodically; (e) to suggest in general the means for the improvement of the financial position of the University; (f) to consider and recommend revision of grades of pay and grades of pay of new posts to the Executive Council; (g) to deal with such other matters relating to the financial matters of the University as may be prescribed by the statutes and ordinances. |
| University Fund | 35. | <ol style="list-style-type: none"> (1) The University shall have a Fund to be known as "Cotton College State University Fund" to which shall be credited all its income, fees, fines, contributions, donations, loans and advances from any other sources. (2) The University may also create by Ordinance made in this behalf one or more separate special funds for the administration of endowments, trusts or other grants for specific purposes. (3) The State Government shall for the purpose of this Act, contribute annually to the University Fund an adequate sum. |
| Accounts and Audit | 36. | <ol style="list-style-type: none"> (1) The Statement of Accounts of every completed financial year shall be placed for consideration of the Court together with the Audit Report in the next year. For this purpose the accounts shall be audited by a firm of Chartered Accountants subject to overall Audit Scrutiny by the Accountant General, Assam. (2) Such Annual Statement of Accounts shall, together with copies of the audit report, be submitted, through the Executive Council, to the Court and to the State Government and thereupon, the State Government may publish the same in the Official Gazette. (3) The Finance Committee of the University shall conduct quarterly internal audit and the report of such audit shall be submitted to the State Government regularly. (4) Notwithstanding anything contained hereunder, the State Government shall have power when deemed necessary to order an audit of the accounts of the University. (5) The annual budget estimates, shall after these are finalized by the Executive Council be circulated to the State Government, Chancellor, and all members of the Court at least fifteen days before they are submitted to the State Government. |

- (6) The University shall obtain prior approval from the Finance (Budget) Department of the State Government for opening any account in a Nationalized Bank or any other Bank. The operation of such Account by the University shall be as per approvals accorded from time to time by the said Department.

Statutes

37.

Subject to the provisions of this Act, the Statutes may provide for all 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 establishment of Colleges and Hostels and their maintenance;
- (vii) the condition for affiliation by the Executive Council of Colleges and Hostels not maintained by the University and for withdrawals of such affiliation in consultation with the Government:

Provided that no Statute relating to the management of Colleges and condition of services of employees, shall apply to the Government Colleges and Government Aided Colleges in respect of which the Government of Assam, under whose territorial jurisdiction the Colleges are situated, shall make necessary rules in consultation with the University. No new Degree Colleges shall be given permission or affiliation by the University without the prior concurrence of the State Government.

- (viii) the constitution of Pension, Insurance and Provident Funds for the benefit of the officers, teachers, clerical staff and servants of the University;
- (ix) the maintenance of a register of registered graduates; and
- (x) all matters, which by this Act, are to be or may be prescribed by the Statutes.

Statutes how made

38.

- (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 the 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.

- (a) every draft of Statute 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 Statute or may amend it or may return the Statute to the Executive Council for re-consideration;

- (b) any draft of a Statute proposed by the Executive Council and rejected by the Court shall be submitted to the Chancellor who may refer it back to the Court for reconsideration;
- (c) every Statute passed by the Court shall be submitted to the Chancellor who may give or withhold his consent or refer it back to the Court for reconsideration;
- (d) a Statute passed by the Court shall have no validity until it has been assented to by the Chancellor;
- (e) 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

39.

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 all degrees and diplomas of the University;
- (iii) the conditions under which the 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;
- (iv) the conditions of residence of the students of the University;
- (v) the affiliations of colleges and recognition of the Hostels;
- (vi) the qualifying attendance required in the various courses;
- (vii) the extension of University teaching in any suitable centre within the State by means of University extension lectures or others;
- (viii) the emoluments and conditions of service of teachers of the University;
- (ix) the fees to be charged for study in the University and for admission to the examinations, degrees and diplomas of the University;
- (x) the formation of Departments of teaching in the Faculties;
- (xi) the constitution powers and duties of the Boards of the University;
- (xii) the conduct of examinations; and
- (xiii) all matters which by this Act or the Statutes are to be or may be provided by the Ordinances.

Regulations

40.

- (1) Subject to the provisions of this Act, Statutes and Ordinances, each of the Authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances, for the purpose of carrying out the duties and for exercising the powers assigned to the Authority concerned under this Act, the Statutes and the Ordinances.
- (2) Without prejudice to the generality of the preceding sub-section such Regulations may provide for all or any of the following matters, namely:-
 - (i) number of members required to form a quorum;
 - (ii) all matters which are required to be prescribed by the regulations under this Act, Statutes or the Ordinances;
 - (iii) all matters solely concerning the authorities and not otherwise provided for by or under this Act, Statutes or Ordinances.

- (3) Notwithstanding anything contained in preceding sub-sections, the Executive Council may direct except the Court to make such amendments and annulments of any regulations framed by the authority in such manner as it may specify:

Provided that any Authority which is dissatisfied with such directions of the Executive Council may appeal to the Chancellor and the decisions of the Chancellor given in the appeal shall be final.

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| Acts or proceedings not to be invalid by reasons of certain irregularities | 41. | 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, appointment of any of its members or by reason of any irregularity in the manner of choosing a members. |
| Chancellor's decision to be final in certain matters | 42. | Whenever any question arises as to whether any person has been duly elected, appointed, chosen or nominated as, or is entitled to be a member of any Authority or Body of the University or whether any decision of any of the Authorities or of the Vice-Chancellor of the University is in conformity with this Act, the Statutes and the Ordinances, the question shall be referred to the Chancellor whose decision shall be final. |
| Period of membership of the Authorities | 43. | <p>(1) All Ex-Officio members of all authorities of the University shall hold office so long as they hold membership, offices or posts by virtue of which they become members of such Authorities.</p> <p>(2) Save as otherwise provided in this Act, all other members of the Authorities of the University shall hold office for a period of five years or till the expiry of the term of membership, whichever is earlier from the date of election, nomination, appointment or choosing of the members concerned.</p> |
| Delegation | 44. | Subject to the provisions of this Act, the Vice-Chancellor, and with the previous approval of the Vice-Chancellor, the Registrar, may delegate any of his powers or duties conferred upon, imposed by or under this Act to an Officer under his direct administrative control. |
| Transitory Provisions | 45. | <p>(1) The Chancellor shall, within three months from the date of the commencement of this Act, appoint, on such terms and conditions as he thinks fit, a person to be the Vice-Chancellor. For this purpose he may constitute a Search Committee comprising of two distinguished persons. A Deputy Secretary in the Education (Higher) Department shall be the Secretary to the Search Committee so constituted.</p> <p>(2) The Administrative Officer of the Cotton College shall act as the first Registrar of the University until a regular Registrar is appointed.</p> |

- (3) The existing bank balances, bank accounts of the Cotton College shall be the property of the Cotton College as a Constituent College of the University.
- (4) The first Vice-Chancellor shall, within a period of three months from the date of his appointment or within such longer period, not exceeding six months from the date of his appointment as the Chancellor, may by notification, direct and with the assistance of a Committee consisting of not more than six members nominated by the Chancellor, cause the first Statutes, the first Ordinances and the first Regulation so framed to come into force with effect from the date of such publication as if they were framed or made under the provisions of the Act relating to them.
- (5) The first Vice-Chancellor shall within three months or within such a longer period not exceeding six months as the State Government may, by notification direct, from the date of coming into force of the First Statues, the first Ordinance and the first Regulation, cause arrangements to be made for constituting the first Court, the first Executive Council, the first Post-Graduate Board in accordance with the first Regulations.
- (6) The State Government shall, by notification in the Official Gazette, appoint a date, and on and from such date the Authorities of the University constituted under sub-section (3) shall commence to exercise the powers and duties conferred upon them by or under this Act, the first Statutes, the first Regulations.
- (7) The first Statutes, the first Ordinances and the first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act.
- (8) The first Vice-Chancellor may, subject to the sanction of the Chancellor appoint such administrative, ministerial and other staff as he deems necessary for giving effect to the provisions of this section.
- (9) Notwithstanding that all the officers and members of the Authorities, constituting the University have not been appointed, nominated chosen or elected, as the case may be, the University shall be deemed to have come into existence on and from the date on which this Act comes into force.

First appointment of Teachers and Authorities

46. Notwithstanding anything contained in this Act, the first Registrar shall be appointed by the Chancellor, on such terms and conditions as he may deem fit. The Administrative officer of the Cotton College shall be the first Registrar until a regular Registrar is appointed by the Chancellor.

Existing Teachers

47. (1) The existing Teachers who fulfill the norms to be a Teacher in the University shall be given option to apply for such posts in the University. Their pay and pension etc. as admissible under rules in the University shall be protected as against the existing posts they are occupying in the Cotton College. Those who do not have the requisite norms shall remain in the constituent College.

- (2) The Teachers of the University may be appointed by the Chancellor after considering the recommendation of an Advisory Committee consisting of the Vice-Chancellor and such other person or persons as the Chancellor thinks fit to associate with him.
- (3) The University shall not create any post without the approval of the State-Government in the Finance Department.
- State Government's power of supervision**
48. (1) If, at any time, the State Government 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 for which any grant or donation is specifically made by the State Government, Public bodies or individuals, University Funds are misappropriated or misapplied, the State Government may indicate to the Executive Council such matter in regard to which the State Government 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 Council fails to offer any explanation or makes proposal or proposals which, in the opinion of the State Government is or are unsatisfactory, the State Government 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 power of the State Government**
49. (1) If, at any time, it appears to be necessary and expedient in the opinion of the State Government, the State Government may with prior consultation with the Chancellor, by a notification published in the official Gazette, suspend all or any of the powers of the University as provided in section 7 and other powers as may be ancillary to such powers and take over all or any of the powers of management, functions of such authorities or officers including holding, conduct and superintendence of and arrangement, and appointment of any person or authority in connection with any or more examination or publication of the result of any such examination or to any matter incidental thereto for such period as may be specified in the notification and may be exercised by the State Government if and when necessary, during such period, in such manner and through such officers or authority as may be considered fit by the State Government.
- (2) Provisions of the Statutes, Ordinance and Regulations framed under this Act relating to any one or more of the matters referred to in the preceding sub section may be amended for any of the purposes mentioned therein in such manner as may be decided by the State Government with prior consultation with the Chancellor and shall take effect accordingly for the purpose of exercising the powers under the proceeding sub-section.
- (3) The State Government may constitute an Advisory Committee consisting of at least three persons who, in the opinion of the State Government are eminent educationists for advising the State Government in the matter of discharging the powers, duties, functions and responsibilities in respect of which such powers are taken over by the State Government under sub-section (1) of this section.

- Savings** 50. Notwithstanding anything contained in this Act, any decision given, order made, anything done, any action taken or any proceedings commenced under any of the provisions of the Act or rules, Statutes, Regulations in force immediately before the commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act, continue in force and shall be deemed to have been given, made, done or taken, commenced under the provisions of this Act.
- Interpretation** 51. 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.
- Removal of difficulties** 52. If any difficulty arises as to the first constitution or reconstitution of any Authority of the University after the commencement of this Act or otherwise in first giving effect to the provisions of this Act, the State Government may, by order, do anything which appears to it to be necessary for the purpose of removing the difficulties.

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