

The 30th April 1949.

No.L.206/49/2.—The following Act of the Assam Legislative Assembly, having been assented to in His Majesty's name by the Governor, is hereby published for general information :—

(Received the assent of the Governor on the 30th April, 1949)

ASSAM ACT VI OF 1949

THE GAUHATI UNIVERSITY (AMENDMENT) ACT, 1949

(Passed by the Assembly)

[Published in the Assam Gazette, Extraordinary of the 30th April 1949.]

An

Act to amend the Gauhati University Act, 1947 (Assam Act XVI of 1947)

Preamble. WHEREAS it is expedient to amend the Gauhati University Act, hereinafter called the Principal Act, in the manner hereinafter appearing :—

Assam Act XVI of 1947.

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Gauhati University (Amendment) Act, 1949.

(2) It shall come into force at once.

Amendment of section 5 of Assam Act XVI of 1947.

2. In clause (g) of section 5 of the Principal Act, before the words "to do all such other acts and things" the following words shall be inserted, namely :—

"save and except such functions and powers as are vested in the Development Committee under this Act".

Amendment
of section 12
of Assam
Act XVI of
1947.

3. In sub-section (1) of section 12 of the Principal Act, the last word "and" in clause (ix) shall be deleted, the comma and the word "and" shall be added after the word "woman" in clause (x) and the following new clause shall be inserted, namely:—

"(xi) two persons nominated by the Government of Assam".

Amendment
of section 13
of Assam
Act XVI
of 1947.

4. (1) In section 13 of the Principal Act, after the proviso in clause (a) the following new proviso shall be inserted, namely:—

"Provided that the Executive Council shall not administer and exercise its power of control in respect of the funds (including the Gauhati University Trust Board Fund) which have become vested in the University for the purposes of buildings, roads, tanks, pipe lines or other structures of the University, such grants from the Government and such donations from private individuals or associations as are specially given for the aforesaid purposes of the University."

(2) In clause (d) of section 13 of the Principal Act, after the words "any funds" the following words shall be inserted, namely:—

"other than those given for the purposes of buildings, roads, tanks, pipe lines and other structures of the University".

(3) In clause (i) of section 13 of the Principal Act, after the words "all matters" the following shall be inserted, namely:—

"except those which are vested in the Development Committee under this Act".

Insertion of
new sections
in Assam
Act XVI of
1947.

5. (1) After section 32 of the Principal Act, the following shall be added, namely:—

Removal of
members of
the Court
and Execu-
tive Council
for conti-
nued ab-
sence.

"32A. (1) If a member of the Court or the Executive Council of the University remains absent without sufficient reason from the two successive meetings of the Court or from five successive meetings of the Executive Council as the case may be, the Chancellor may call upon that member to offer within a reasonable time such explanations as he may desire to offer.

(2) If a member of the Court or the Executive Council when called upon by the Chancellor to offer explanation fails to offer any explanation or gives an explanation which, in the opinion of the Chancellor is unsatisfactory, the Chancellor may remove such member from office."

Insertion of
new sections
39, 40, 41
and 42 in
Assam Act
XVI of 1947.

6. To the Principal Act, the following new sections shall be added, namely:—

"39. The Chancellor shall appoint a Development Committee of not more than five persons including the Minister in charge of Education who shall be the Chairman of the

Development Committee for the following purposes of, namely :—
Committee
and its
duties.

- (a) raising of funds from Government, private individuals and associations for buildings, roads and other structures of the University,
- (b) taking by acquisition, purchase, grant, testamentary disposition or otherwise such land and property, movable or immovable, as are required and necessary for the buildings, roads, and other structures of the University,
- (c) inviting and approving plans of buildings, roads, tanks, pipe lines and other structures of the University,
- (d) inviting and accepting tenders for the construction of buildings, roads, tanks and pipe lines and other structures of the University,
- (e) doing all other acts incidental or appertaining to the construction of buildings, roads, tanks, pipe lines and other structures of the University.

Powers of the Development Committee. 40. Notwithstanding any power vested in the Executive Council, authority or person under any provisions of this Act and the Statutes, the Development Committee shall have for the purpose of discharging the duties vested in it, the power to incur, supervise and control expenditures (a) out of funds (including the Gauhati University Trust Fund) which have become vested in the University, for the purpose of buildings, roads, tanks, pipe lines and other structures of the University and (b) out of grants from Government and donations from private individuals or associations that may be given to the University for the aforesaid purposes of the University.

The estimate and audit of account of the Development Committee. 41. (1) The estimate of expenditure and annual report in respect of construction of buildings, roads, tanks, pipe lines and other structures of the University shall be prepared under the direction of the Development Committee and shall be submitted to the Executive Council for placing before the Court at least two months before the date of the annual meeting of the Court.

(2) The annual accounts and balance sheets of the Development Committee shall be prepared under the direction of the Committee and shall be submitted to the Chancellor for audit. The accounts when audited shall be submitted to the Executive Council for publication in the *Assam Gazette*, and copies thereof shall together with copies of the audit report, if any, be submitted to the Court and to the Chancellor.

(3) The annual report, estimates and accounts of the Development Committee shall be considered by the Court at its annual meeting and the Court may pass resolutions thereon and communicate the same to the Development Committee.

The Provincial Government's powers of supervision.

42. (1) If, at any time, the Government of Assam are of opinion that special reasons exist that in any respect the affairs of the University are not managed in furtherance of the objects and purposes of the University or in accordance with this Act and the Statutes and Regulations, or in furtherance of objects for which any grant or donation is specifically made by Government, Public bodies or individuals, the Government of Assam may indicate to the Executive Council such matter in regard to which the Government of Assam desire explanation and call upon that body within reasonable time to offer such explanation as it may desire to offer, with any proposal which it may desire to make.

(2) If the Executive Council fails to offer any explanation or makes proposal or proposals which, in the opinion of the Government of Assam is or are unsatisfactory, the Government of Assam may issue such instructions, as appear to them to be necessary and desirable in the circumstances of the case, and the Executive Committee shall give effect to such instructions."

S. M. LAHIRI,
Secy. to the Govt. of Assam, Leg. Deptt.