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পঞ্জীভুক্ত নম্বৰ-৭৬৮/৯৭

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অসম  ৰাজপত্ৰ
সত্যমেব জয়তে
THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT : : LEGISLATIVE BRANCH

NOTIFICATION

The 24th May, 2011

No. LGL.83/2010/32: The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. IX OF 2011

(Received the assent of the Governor on 16th March, 2011)

**THE KUMAR BHASKAR VARMA SANSKRIT AND
ANCIENT STUDIES UNIVERSITY ACT, 2011**

AN

ACT

to establish and constitute a teaching, affiliating, research and residential University at Nalbari.

Preamble

Whereas it is expedient to establish and constitute a teaching, affiliating, research and residential University at Nalbari.

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

Short title and commencement

1. This Act may be called the Kumar Bhaskar Varma Sanskrit and Ancient Studies University Act, 2011.
- (2). It shall come into force on such date or dates 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). "Affiliated College" means a College other than a constituent or recognized College, affiliated to the University and includes a College deemed to be affiliated under section 5;
 - (b). "Board of Studies" means a Board of Studies constituted under section 26;
 - (c) "Court" means the Court constituted under section 16;
 - (d). "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;
 - (e). "Executive Council" and "Academic Council" mean the executive Council and the Academic Council constituted under section 18 and 20 respectively;
 - (f). "Finance Committee" means the Finance Committee constituted under section 28;
 - (g). "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;
 - (h). "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;
 - (i). "Hostel" means a unit of residence of students maintained or recognized by the University other than a Hall;
 - (j). "post-graduate Board" and "Under-graduate Board" mean the Post Graduate Board and the Under Graduate Board constituted under sections 22 and 24 respectively;
 - (k). "Recognized College" means a College other than a constituent College or affiliated College recognized by the University and includes a College deemed to be recognized under section-5.
 - (l). "Selection Committee" means the Selection Committee constituted under section 30;
 - (m). "State Government" means the Government of Assam.
 - (n). "Statutes" "Ordinance and Regulations" means, respectively, the statutes, Ordinances, and the Regulations of the University made under the Act;
 - (o). "Teacher" means a Professor a reader or one lecturer of the University or a College whether constituent or affiliated, or any other person imparting instructions or guiding research and designated as a teacher by the University and includes a person recognized as a teacher by the University; and

- (p). "University" means the Kumar Bhaskar Varma Sanskrit and Ancient Studies University a constituted under this Act;
- The University 3. (1). The Chancellor, the Vice Chancellor, the Rector 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 the name of "The Kumar Bhaskar Varma Sanskrit and Ancient Studies University".
- (2). The University shall have perpetual succession and a common seal, and shall sue and be sued by the name.
- Powers of the University 4. The University shall have the following powers, namely:-
- (i) to provide for instruction (including correspondence courses) and research in the humanities, Science and Technology, Education, Linguistics, Ideology, Aurveda, Jyotisa, Yoga, Temple Management, courses of local relevance such as Sankardev Philosophy, Tantric and Shakti cult, Buddhist Philosophy, Nature worship environment, Gandhian studies, Gender studies etc and in other spheres of learning and knowledge of a standard and thoroughness required and expected of a University of the highest standing, and to secure the advancement, diffusion and extension of knowledge in all spheres of learning;
- (ii) to establish within the University area or outside that area such field stations and specialized laboratories and such other units for research and instruction as are necessary for the furtherance of its objects;
- (iii) to organize and to undertake extramural teaching and extension services,
- (iv) to hold examinations and to grant and confer degrees, diplomas, certificates or other academic distinctions and to deprive of any degrees, diplomas, certificate or distinctions granted to or conferred upon them by the University for good and sufficient cause;
- (v) to create such teaching, administrative and other posts as the University may deem necessary from time to time and to make appointments thereto. All posts shall, however, be created only with the prior approval of the State Government;
- (vi) to appoint or recognize persons as Professors, Associate Professors or Assistant Professors or otherwise as Teachers of the University;
- (vii) to institute and award follow-ships, scholarships, exhibitions and prizes;
- (viii) to establish and maintain colleges and halls, to recognize and supervise colleges and halls not maintained by the University and other accommodation for students and to withdraw any such recognition;
- (ix) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures in this regard as may be deemed necessary;
- (x) to make arrangements of promoting health and general welfare of students of the University;
- (xi) to determine and provide for examinations for admission into the University;
- (xii) to co-operate with any other University, Authority or Association or any other Public or Private Body having in view the promotion of purposes and objects similar to those of the University or appoint one or more representatives of the University to act upon any such Body, Authority or Association for such purposes as may be agreed upon, on such terms and conditions as may, from time to time, be prescribed;

- (xiii) to enter into any agreement for the incorporation in the University of any other institution and for taking over its rights, properties and liabilities and for any other purposes not repugnant to this Act;
- (xiv) demand and receive payment of such fees and other charges as may be prescribed from time to time;
- (xv) to acquire, hold, manage and dispose of any property movable or immovable, including trust or endowed property within or outside the University area, for the purposes or objects of the University, and to invest any funds representing such property in such property in such manner as the University thinks fit;
- (xvi) to borrow with the approval of State Govt., on the security of the University property, money for the purposes of the University; and
- (xvii) to do all such other acts and things whether identical to the powers aforesaid or not, as may be requisite in order to further the objects of the University,
- Jurisdiction 5. Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall extend to the areas of the Territorial jurisdiction of the State of Assam and to such other areas and colleges, institutions and other bodies beyond this territorial limit to which any or all of the powers of the University may be extended by it with the previous approval of the State Government.
- University Open to all classes, Castes and creeds. 6. 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 hi 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.
- Officer of the University. 7. The following shall be the Officers of the University:-
 (i). The Chancellor.
 (ii). The Vice Chancellor.
 (iii). The Rector,
 (iv). The Registrar, and
 (v). Such other persons in the service of the University as may be declared by the Statutes to be the officers of the University.
- The Chancellor 8. (1). The Chief Minister of Assam shall be the Chancellor of the University.
 (2). The Chancellor, when present, shall preside at any meeting of the Court and at any convocation of the University.
- Powers and duties of the Chancellor 9. (1). The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct of the affairs and properties of the University, of the Colleges, institutions and bodies maintained by the University and also of the examinations, teaching and other works conducted or done by the University, its officers and authorities, and to cause an enquiry to be made in the like manner in respect of all or any of the matters aforesaid and of any other 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 heard at such inspection or enquiry.

- (3) The Chancellor may address the Vice-Chancellor with reference to the result of such inspection or enquiry and the Vice Chancellor shall communicate to the Executive Council the views of the Chancellor with such advice as the Chancellor may offer on 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 on the result of such inspection or enquiry and the advice of the Chancellor.
- (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 the Executive Council, if any, 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 inspections or enquiries and certified as such by the Chancellor shall be a charge on the University.
- (7) 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 a period as deemed fit and reasonable by him.

The Vice Chancellor 10.

- (1) The Vice Chancellor shall be appointed by the Chancellor on the recommendation of an Advisory Board constituted by the Chancellor for the purpose and consisting of three members of whom one member shall be nominated by the State Government, one member to be nominated by the Chancellor and one member to be elected by the Executive Council. The Chancellor shall also appoint one of them as Chairman of such 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 the 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:
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.
- (4) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be determined by the Chancellor:
Provided that the salary of the Vice Chancellor shall not be less than Rs. 25,000/- (pre-revised) p.m. including all allowances.
- (5) Whenever there is any temporary vacancy in the office of the Vice-Chancellor by reasons of leave, illness or other cause, 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. The Chancellor shall determine the emoluments or allowances payable to a person temporarily appointed to exercise the power and duties of the Vice-Chancellor.

- Powers and Duties of the Vice-Chancellor.
11. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University. He shall be the ex-officio Chairman of the Executive Council, the Academic Council, the Post-graduate Board, the Under-graduate Board, the Finance Committee and the Selection Committee and shall, in the absence of the Chancellor preside over at all meetings of the Court and the Convocation to confer degrees. He shall be entitled, to be present at and to address any meeting of any authority or Committee of the University.
- (2) The Vice-Chancellor shall see that this Act, the Statutes, the Ordinance and the Regulations are duly observed and he shall have all powers for that purpose.
- (3) The Vice Chancellor shall have the powers of convening the meeting of the Court, the Executive Council, the Post-graduate Board, the Under Graduate Board, the Finance Committee and the Selection Committee; whenever he finds it necessary and for that purpose direct the Registrar to convene such meeting at the time and place to be determined by the Vice-Chancellor and the Registrar shall be bound to comply with that direction.
- (4) If in the opinion of the Vice-Chancellor an emergency has arisen which required immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary and shall report the same to the authority or committee which in the ordinary course would have dealt with the matter:
- Provided that where any such action taken by the Vice-Chancellor affects the services or emoluments of any person in the Service of the University, such person shall be entitled to prefer within thirty days from the date on which he received notice of such action, an appeal to the Executive Council, whose decision shall be final.
- (5) The Vice-Chancellor shall exercise general control and supervision over the affairs of the University and shall give effect to the decisions of the Authority of the University.
- (6) All powers relating to the proper maintenance of discipline in the University shall stand vested in the Vice-Chancellor.
- (7) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes or the Ordinances and shall perform such other acts as may be necessary to carry out or further the provisions of this Act, the Statutes or the Ordinances.
- Rector
- 12 (1) The Rector shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor on such emoluments and allowances as may be fixed by the Executive Council. He shall hold office for a term of two years and shall be eligible for re-appointment.
- (2) The Rector shall exercise and perform such powers and duties of the Vice-Chancellor as may be delegated to him by the Vice-Chancellor.
- Registrar
- 13 (1) The Registrar shall be whole time salaried officer of the University. The terms and conditions of the service of the Registrar shall be such as may be prescribed by the Ordinances.
- (2) The Registrar shall be Secretary of the Court, the Executive Council, the Academic Council, the Post Graduate Board, the Under Graduate Board, the Finance Committee and the Selection Committee but shall not be deemed to be a member of any of these authorities except that of the Court.

- (viii) the Director of Technical Education, Assam;
- (ix) the Secondary Education of any other State to which the jurisdiction of the University may extend;
- (x) the Director of Higher Education of any other State or States, to which the jurisdiction of the University may extend;
- (xi) the Principal of K. K. Handique Got. Sanskrit College and other affiliated Colleges of the University;
- (xii) the Vice-Chancellor of the Gauhati University and Dibrugarh University;
- (xiii) one third of the Principal of Colleges affiliated to the University, at a time by election from amongst themselves and shall retire after every three years in the manners prescribed by the statutes;
- (xiv) ten heads of the department and Professors of the University being allotted faculty wise by rotation to be decided by the executive council;

B- Other Members

- (xv) Persons not exceeding ten in number nominated by the Chancellor from among the donors of whom has contributed a sum of Rs. 5 lakhs or more to the University.
- (xvi) seven persons elected by the members of the Assam Legislative Assembly from amongst themselves;
- (xvii) two members of the board of Secondary Education, Assam elected by the aforesaid Board;
- (xviii) ten persons to be elected by the teachers, other than the head of the Departments and Professors of the Departments of the University and the Principals of the constituent and affiliated degree colleges from amongst themselves;
- (xix) ten persons distinguished in Sanskrit, Law, Language and grammar, Industry, Commerce and Public life nominated by the Chancellor;
- (xx) ten persons to be nominated by the Chancellor from amongst those whose interest are not otherwise represented;
- (xxi) two registered graduates to be elected by the Registered Graduates of the University who are not employees of the University or the affiliated Colleges;
- (xxii) Seven representatives to be elected by the post graduate students from amongst themselves:

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

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

(2) On dates to be fixed by the Vice-Chancellor the Court shall meet at least twice a year at the interval of about 6 months. The first meeting in the year is to be called and treated as the Annual General Meeting. In which the annual statement of accounts, the audit report and the budget of the University for the Next Financial Year, together with the views of the Executive Council shall be presented.

(3) The Vice-Chancellor may whenever he thinks fit, and shall, upon requisition in writing signed by not less than one-third of the members of the Court, convene a special meeting of the Court.

Powers and duties of
the Court. 17

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

- (a) to review, from time to time, the broad policies and programmes of the University, and to suggest measures for the improvement and development of such policies, programmes, works and other affairs;
- (b) to consider the annual report, the annual statement of accounts, the audit report and the budget of the University for the next financial year;
- (c) to approve the budget, with modification, if any, to express its views on the annual report, the statement of accounts and the audit report and to suggest such measures as it may deem proper on the matter converted by them;
- (d) to approve with or without modifications, the Statutes submitted by the Executive Council:

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

The Executive
Council

18. The Executive Council shall be the Chief Executive Body of the University and shall consist of the following persons, namely:-

- (i) the Vice-Chancellor;
- (ii) the Rector;
- (iii) the Director of Higher Education, Assam;
- (iv) the Director of Technical Education, Assam;
- (v) the Director of Secondary Education, Assam;
- (vi) the Chairman of Higher Secondary Education Council, Assam;
- (vii) two Heads of Departments of the departments of the University who are professors, to be chosen by the Vice-Chancellor by rotation for a period of three years according to seniority;
- (viii) two Principals of Non-Government affiliated Degree Colleges to be elected from amongst themselves;
- (ix) one Principal of Government Degree Colleges to be elected from amongst themselves;

- (x) two members of the court, other the employees of the University or affiliated or recognized Sanskrit Education;
- (xi) two persons, of whom at least one shall be woman, nominated by the Chancellor;
- (xii) two persons nominated by the State Government of Assam;
- (xiii) 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.

Powers and duties of 19.
The Executive
Council.

Subject to the provisions of the Act, and the Statues, Executive Council shall have the following powers and duties, namely:-

- (a) to institute and confer degrees, titles, diplomas, certificates and other academic distinctions to be conferred on the basis of Examinations and to withdraw any such degree, title, diploma, certificate or other academic distinctions previously conferred, after considering the recommendations, of the Post-Graduate Board, and the Under-Graduate Board, as the case may be;
- (b) to institute and confer honorary degrees or other academic distinctions and to withdraw such degrees or academic distinctions previously conferred after considering the recommendations of the Post-Graduate Board and the Under-Graduate Board, as the case may be;
- (c) to institute fellowship, scholarships, prizes and other awards and to withdraw any such fellowship, scholarship, prize or other awarded, after taking into consideration the recommendations of the Post-Graduate Board and the Under-Graduate Board, as the case may be;
- (d) institute professorship and other posts of teachers required by the to University and to recognize persons as teachers of the University, after taking into consideration the recommendations of the Post-Graduate Board and the Under-Graduate Board, as the case may be;
- (e) to create administrative, ministerial and other posts, as may be necessary;
- (f) to appoint from time to time, the officers and teachers of the University, the Principals and Teachers of constituent Colleges; the Librarian of the University library and the holders of the administrative posts of the University, after considering the recommendations of the Selection Committee and other committees, as the case may be constituted for the purpose;
- (g) to make provision for the emoluments, duties and terms and conditions of service of the teachers of the University and the employees of the constituent colleges after taking into consideration the recommendations of the Post-Graduate Board and he Under-Graduate Board in this regard, as the case may be;
- (h) to establish officiate maintain and manage Colleges, institutions, departments, laboratories, museums, halls and hostels;
- (i) to constitute an examination Committee and to make arrangement for conduct of University examination and publishing the results thereof. The constitution, powers and duties of the Examination Committee will be determined by an Ordinance;

- (j) to recognize libraries, laboratories, museums, halls and hostels not established, maintained or managed by the University and to withdraw such recognition;
- (k) to determine the form and to regulate the use of the common seal of the University;
- (l) to take, receive, purchase or sell property movable or immovable, and to grant, demise, alienate, transfer or otherwise dispose of or administer or manage any such property for the purpose of the University under this Act;
- (m) to place before the Court, the Annual Report of the working of the University, the Annual Statement of Account, the Budget of the University for next financial year, the audit report on the annual statement of account together with the views of the Executive Council upon them for consideration and necessary action:

Provided that the budget shall not be submitted to the Court unless the Finance Committee has previously examined the same, and the Executive Council has considered the advice and suggestions of the Finance Committee;

- (n) to make allocations of funds to different bodies after considering the recommendations of the Post-Graduate Board and the Under-Graduate Board in this regard, as the case may be; and
- (o) to exercise all other powers of the University for exercise of which no specific provision has been made in this Act or in the Statutes.

- Academic Council 20. The Academic Council shall consist of the following members, namely:-
- (1) the Vice-Chancellor;
 - (2) the Rector;
 - (3) all Professors and Heads of Departments of the University departments and Principals of the Constituent Colleges;
 - (4) the Principals of the Institute and affiliated Sanskrit Colleges lying within the territorial limits of the University;
 - (5) six Professors nominated by the Vice-Chancellor from the professional Colleges to be specified by the Statutes;
 - (6) six persons, who may or may not be teachers, nominated by the Vice-Chancellor;
 - (7) the Director of Higher Education, Assam;
 - (8) the Director of Secondary Education, Assam;
 - (9) one Education Officer of the Board of Secondary Education, Assam, to be nominated by the Chairman of the aforesaid Board;
 - (10) the Director of Technical Education, Assam.
- Powers and Duties of the Academic Council. 21. The academic Council shall have the following powers and duties, namely:-
- (a) to determine and specify from time to time the branches of study in which provisions for instructions, research and for advancement and dissemination of knowledge are to be made;

- (b) to approve, and when necessary revise, with or without modifications, the pattern of courses and the examinations to be held, after considering the recommendations of the Examination Committee, the Post-Graduate Board and the Under-Graduate Board, as the case may be;
- (c) to approve the conditions for admission of students to Post-Graduate and Under Graduate courses, with or without modifications after considering the recommendations of the Post-Graduate Board and the Under-Graduate Board, as the case may be;
- (d) to supervise the University library;
- (e) to give such directions and to suggest such measures, as it may think fit, to the post-Graduate Board, the Under-Graduate Board, and the Board of Studies, on any matter affecting the academic work of the University, to consider the views expressed by the said Boards on the measures suggested and to take such decisions as it may think fit;
- (f) to receive the proceedings of the meeting of the Post-Graduate Board, the Under-Graduate Board and the Examination Committee and to make such recommendations to the Boards or Committee concerned thereon, as it may think fit.

Post-Graduate Board 22.

The Post-Graduate Board shall have the following members, namely:-

- (1) the Vice-Chancellor;
- (2) the Rector;
- (3) six persons from amongst the Professors and heads of Departments of Post-Graduate Departments of the University and the heads of Department of the constituent Colleges elected by the Academic Council;
- (4) two members of the Academic Council who are not Professors or Heads of Department of the University, or of Constituent Colleges, elected by the Academic Council;
- (5) four persons who may or may not be professors of the University to be nominated by the Vice-Chancellor; and
- (6) one member of Examination Committee to be nominated by the Vice-Chancellor.

Powers and duties of
the Post Graduate
Board 23.

Subject to the provisions of this Act, the Statutes and the Ordinances, the Post-Graduate Board shall have the following powers and duties, namely:-

- (a) to recommend to the Academic Council, the pattern of Post-Graduate courses, the examinations to be held for such courses, and for their revision;
- (b) to approve the curricula and syllabi for the Post-Graduate courses and to modify them when necessary, after considering the recommendations of the Boards of Studies;
- (c) to recommend to the Executive Council for the institution and award of fellowships, scholarships, prizes, honorary degrees and other awards or other academic distinctions and for the institution and conferring of degrees, diplomas, titles, certificates and other academic distinctions in the Post-Graduate courses on the basis of examinations and for the withdrawal thereof;

- (7) one member of the Examination Committee to be nominated by the Vice-Chancellor.

Powers and
Duties of the Under-
Graduate Board

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Subject to the provisions of this Act, the Statutes and the Ordinance, the Under-Graduate Board shall have the following powers and duties, Namely:-

- (a) to recommend to the Academic Council the pattern of courses and examinations for the Under-Graduate courses and the revision thereof;
- (b) to make recommendations to the Executive Council for the institutions of professorships, or other-posts of teachers required for the Under Graduate courses in the University and the constituent colleges and for the recognition of persons as teachers of the University for such courses and regarding their emoluments, duties and terms and conditions of services;
- (c) to make recommendation to the Executive Council for the award of scholarships, prizes and other awards and for the conferment of degrees, diplomas, titles, certificates and other academic distinction in the Under-Graduate Courses;
- (d) to approve the curricula and syllabi for the Under-Graduate courses and to modify them when necessary after considering the recommendations of the Boards of Studies concerned;
- (e) to make recommendations to the Executive Council regarding the allocation of funds to the constituent colleges and institutions and to the departments imparting instructions in Under-Graduate courses;
- (f) to review the work of the Under-Graduate departments and Colleges and institutions imparting instructions in Under-Graduate courses, to call for reports thereon and to take steps necessary for the improvement of the standard of teaching and other affairs therein;
- (g) to recommend to the Academic Council the conditions for the admission of students to Under-Graduate courses and to make Regulations for their attendance and progress;
- (h) to approve the panels of examiners for Under-Graduate examinations, with or without modifications, after considering the recommendations of the Board of Studies and to modify the same at any time after consultation with the Board of Studies;
- (i) to make Regulations with regard to the residence, health and discipline of the students in Under-Graduate courses;
- (j) to consider the measures suggested by the Academic Council on any matter affecting the Academic work of the University and to express its views on them, to consider any matter referred to it by the Executive Council or the Academic Council and to submit report thereon to the Executive Council or the Academic Council, as the case may be; and
- (k) to appoint Committees, and to fix their terms of reference, in regard to any matter within the jurisdiction of the Under-Graduate Board.

Board of Studies

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- (1) There shall be a Board of Studies in each main branch of study. Those branches shall be specified, and when necessary modified by the Academic council.
- (2) Each Board of Studies shall consist of the following members, namely :-
 - (i). Chairman- A Professor or Head of Department of the University in the branch concerned, nominated by the Vice-Chancellor;

- (ii). Three persons with qualifications in the brach of study elected by the Academic Council;
- (iii). One expert consultant, not connected with the University nominated by the Chairman with approval of the Vice-Chancellor;
- (3) Subject to the previous approval of the Vice-Chancellor, the Board may consult other expert or experts when necessary on any matter within its field.
- Powers and Duties of Board of Studies 27. Subject to the provisions of this Act, the Statues and the ordinances, each Board of studies shall have the following powers and duties, namely:-
- (a). to make recommendations to the Post-Graduate or the Under-Graduate Board, as the case may be, about the 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;
- (b). to prepare, and when necessary revise, the panels of examiners for the different examinations, for submission to the Examination Committee; and
- (c). to consider any other matter referred to it by the Post-Graduate or Under-Graduate Board, 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;
- Finance Committee 28. There shall be a Finance Committee of the University consisting of the following members, namely:-
- (i) the Vice-Chancellor, as the President;
- (ii) two members elected by the Court from amongst its members;
- (iii) two members elected by the Executive Council from amongst its members, and
- (iv) two members to be nominated by the State Government, one from the Finance and the other from the Education Department.
- Powers and duties of the Finance Committee 29. 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 a sum of money exceeding rupees ten thousand 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 Statues and the Ordinances.

- Selection Committee 30.
- (1). (a) There shall be a Selection Committee for making recommendations, to the Executive Council for the appointment of Professor, Readers, Assistant Professor, Registrar, Treasurer, Librarian and other Officers of the University as may be provided by the Statutes consisting of the following members, namely:-
- (i) the Vice-Chancellor as Chairman of the Selection Committee;
 - (ii) three persons, not holding any office of profit under the University – one to be nominated by the Chancellor, one to be nominated by the State Government and other to be nominated by the Executive Council;
 - (iii) the Registrar shall be the Member-Secretary of the Selection Committee except for the Selection Committee for the appointment of Registrar in which case the Vice-Chancellor shall nominate one person as Member-Secretary in consultation with the Executive Council;
- (b). In making recommendations for the appointment of Professors of the University, the Selection Committee shall co-opt the Head of Department concerned, if he is a professor, one Professor of the Department to be nominated by the Vice-Chancellor and three persons not in the service 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;
- (c). In making recommendations for the appointment of Associate Professors 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, who have special knowledge or interest in the subject for which the Associate Professor or Assistant Professor is to be selection: Provided that, which the Executive Council proposes to make an appointment otherwise than in order of merit arranged by the Selection Committee in the posts of professors, Associate 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 above;
- (d). Where an appointment is to be made to a temporary vacancy of teachers of the University, the appointment shall be made, if the vacancy is for a period of one year or more, on the recommendation of the Selection Committee in accordance with the Executive Council.

- (2). 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 Selection 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.

- (4). 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, Vice-President and Secretary of the University Post Graduate Students' Union,;
- (iv) President and Secretary of the University Law Students' Union;
- (v) 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:-
 - 1. Games and Sports;
 - 2. National Service Schemes;
 - 3. National Cadet Corps;
 - 4. Cultural activities;
 - 5. National Discipline scheme;
- (vi) four lady students to be nominated by the Vice-Chancellor;
- (vii) the Director of Sports and Physical Education, if any;
- (viii) the students members of the Students' Advisory Council shall elected from amongst themselves the Secretary of the Council;

- (2) the Term of office of the members of the Students' Advisory Council, other than ex-officio members shall be one year.
- (3) The quorum to constitute a meeting of the Students' Advisory Council, the 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 matters shall be prescribed by the Statutes;

Provided that no student shall be eligible to be or continue to be a student members of the Students' Advisory Council unless he is enrolled as a student or after he attains the age of twenty-five years. A student member shall cease to be such member if he fails to pass at the next University Examination.

- (4) The functions of the Students' Advisory Council shall be a follows, namely:-
- (i) to make recommendations to the Executive Council and the Academic Council in the matters affecting 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 College affiliated to the University;

- (ii) all rules affecting study, 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.
- University funds 32. (1) The University shall have a fund to be known as "Kumar Bhaskar Varma University Fund" to which shall be credited all its income, fees, fines, contributions, donations, loans and advances from any other sources.
- 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.
- (2) The State Government shall for the purposes of this Act, contribute annually to the University Fund on adequate sum. The recurring charges of the University.
- Accounts and Audit 33. (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 purposes the account shall be audited by a firm of chartered accountants subject to overall audit scrutiny by the Accountant General;
- (2) Such annual statement of accounts shall, together with copies of the audit report thereon, 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 contain hereinbefore, the State Government shall have power when deemed necessary to order an audit of the accounts of the University **including those of the institutions managed by it by such auditors as it may direct.**
- (5) The annual budget estimates, referred to in Section 17(b) 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 Court.
- Statutes 34. (1) Subject to the provision of this Act and with the approval of the Court, Executive Council may make Statutes for the purposes of carrying out the provision of this Act, and in respect of all matters which are required to be or may be provided for the Statues;
- (2) Without prejudice to the generality of the proceeding sub-section, such Statutes may provide for all or any of the following matters, namely:-
- (i) declaration of persons in the service of the University to be officers of the University,

- (ii) appointments, powers, duties and terms and conditions of service of the officers other than the chancellor and of the holders of the other posts of the University in so far as these have not been specifically provide for in this Act,
- (iii) establishment and declaration of Authorities of the University,
- (iv) constitution, powers and duties of the authorities and Committees of the University of the members thereof, in so far as these have not been specifically provided for in this Act,
- (v) terms and conditions for the institution and award of fellowship, scholarship, prizes, degrees, honorary degrees, titles, diplomas, certificates, other academic distinctions and awards and for their withdrawals, the terms and conditions of affiliating colleges and recognized institutions, not established, maintained or managed by the University and the terms and conditions for recognizing libraries, laboratories, museums, halls and hostels, not established or maintained by the University and the conditions for the withdrawal of such affiliation and recognition and matters relating to the privileges to be enjoyed by the such Colleges and institutions and other bodies, whether affiliated or recognized;

Provided that no Statutes relating to the management of the Degree Colleges and Halls and the conditions of services of the employees shall apply to the Government Colleges and the Government aided Colleges in respect of which the State Government shall make necessary rules in consultation with the University. No new Colleges shall be given permission or affiliation by the University without prior concurrence of the State Government and that the University shall have no jurisdiction to permit and affiliate new Pre-University Class or College;

- (vi) the procedure to be followed in inspections or investigations made or caused to be made by the Executive Council into the affairs of Colleges, institutions and other bodies, whether constituent, recognized or affiliated, and the manner in which the Executive Council is to exercise its general control and supervision over them.
- (3) Any member of the Court may propose to the Court the draft of any Statute and the Court may refer any such draft to the Executive Council and the Executive Council shall consider the same and submit the draft with its recommendation.
- (4) Notwithstanding anything contained in this section, the Executive Council shall not submit the draft of any Statute affecting the powers, duties and constitution of any authority of the University unless such authority has been given an opportunity to express its opinion in respect of the matters and unless the Chancellor has given his approval to the Executive Council to submit the draft to the Court.
- (5) Every new Statute or addition to the Statute or any amendment or repeal of the Statute shall require the previous approval of Chancellor who may sanction, disallow or remit it for further consideration.
35. (1) Subject to the provisions of this act and Statutes, the Executive Council may make Ordinances for the purposes of carrying out the Statutes and in respect of all matters which by this act or by the Statutes are required to be or may be provided for by Ordinances.

- (2) Without prejudice to the generality of the preceding sub-section, such Ordinance may provide for all or any of the following matters, namely:-
- (a). admission of students to the departments, Colleges, Institutions and other bodies whether constituted, affiliated or recognized, and courses of study for all Degrees and Diplomas;
 - (b) the rules and procedures for holding election to the Court, the Executive Council, Academic Council and other authorities and bodies of the University and for determining the seniority of persons for the purpose of choosing of member by rotation to different authorities of the University;
 - (c). fees to be charged for different courses of study in the departments and for the admission of students to the examinations conducted by the University;
 - (d). creation of Provident Fund or other Funds for the benefit of the employees of the University;
 - (e). exercising Academic control and supervision over Colleges, Institutions and other bodies whether constituent, affiliated or recognized; and
 - (f). investigations or enquiries to be made by the Executive Council under this Act.
- (3) Notwithstanding anything contained in the preceding sub-section, no Ordinances shall be made affecting the conditions of the mode of appointment and the duties of examiners or the conduct or standard of examinations or any course of study unless a draft of such Ordinance has been considered by the Academic Council on being referred to it by the Executive Council and unless the Executive Council has considered the opinion of the Academic Council.

Regulations

36.

- (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:-
- (a). the procedure to be observed at the meeting of the authority concerned and number of members required to form a quorum;
 - (b) all matters which are required to be prescribed by the regulations under this Act, Statutes or the Ordinances;
 - (c) all matters solely concerning the authorities concerned and not otherwise provided for by or under this act, the Statutes or Ordinances.
- (3). Notwithstanding anything contained in the 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.

Acts or proceedings
not to be invalid by
reason of certain
irregularities

37.

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 member.

Delegation

41. (1) Subject to the provisions of this Act, the Vice-Chancellor, and with the previous approval of the Vice-Chancellor, the Rector or the Registrar may delegate any of his powers or duties conferred, imposed by or under this Act to an Officer under his direct administrative control.
- (2) Subject to the provisions of this Act-
- (a) the Court may delegate any of its powers and duties conferred or imposed by this Act, to-
- (i) the Vice-Chancellor;
- (ii) The Executive Council; or
- (iii) A committee constituted from among its own members.
- (b) the Executive Council may delegate any of its powers or duties conferred or imposed by or under this Act to, or
- (i) the Vice-Chancellor;
- (ii) the Rector;
- (iii) the Registrar;
- (iv) a committee constituted from among its own members;
- (v) the Post-Graduate Board or the Under-Graduate Board, or
- (vi) the Finance Committee.
- (c) The academic Council may delegate any of its powers or duties conferred or imposed by or under this Act, to-
- (i) the Vice-Chancellor;
- (ii) the Rector,
- (iii) the Registrar;
- (iv) a committee constituted from among its own members,
- (v) the Post-Graduate Board or the Under-Graduate Board, or
- (vi) any of the Boards of Studies.
- (d) The Finance Committee may delegate any of its powers and duties conferred or imposed by or under this Act, to-
- the Vice-Chancellor.

Transitory Provision 42.

- (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.
- (2) 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 be 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 Ordinance, and the first Regulations, of the University to be framed or made and published with the approval of the Chancellor and the first Statutes, the first Ordinances and the first Regulation 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 the Act relating to them.
- (3) 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 Statutes, 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.

- (4) 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 subsection (3) shall commence to exercise the powers and duties conferred upon them by or under this Act, the first Statutes, the first Ordinances and the first Regulations,
- (5) 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 provision of this Act,
- (6) 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 the sanction.
- (7) 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
Officers and
Teachers of the
University**

43. (1) Notwithstanding anything contained in this Act, the first Rector and the first Registrar shall be appointed by the Chancellor, on such terms and conditions as he may deem fit.
- (2) At any time after the commencement of this Act any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor.
- (3) The Teachers of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor and such other person or persons as the Chancellor thinks fit to associate with him.
- (4) Any appointment made under sub-sections (2) and (3) shall be for a period not exceeding five years and on such conditions as, the appointing authority thinks fit to specify provided that no such appointment shall be made until financial arrangement has been made thereof.

**The State
Government's
powers of
supervision.**

44. (1) If, at any time, the State Government are of 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 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 executive 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.

45. (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 4 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 or 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 preceding sub-section.
- (3) The State Government may constitute an Advisory Committee consisting of at least 3 persons who, in the opinion of the State Government are eminent educationists for advising the State Government in the matter of discharging the powers, duties, functions and responsibilities in respect of which such powers are taken over by the State Government under sub-section (1) of this section.
- (4) All actions taken under the preceding sub-sections and all examinations held and all results of any such examination published and all other actions taken under this section shall be deemed to have been taken, held or published in accordance with the provisions of this Act and shall take effect accordingly.
- (5) If for exercising the powers under the preceding sub-section any difficulty arises in giving effect to any one or more of the provisions of this Act or of the Statutes, Ordinances and Regulations framed there under, the State Government may, in consultation with the Chancellor, by order remove such difficulty as may appear to be necessary for the purpose of exercising these powers.

Saving

46. 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 47. 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 48. 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 them to be necessary for the purpose of removing the difficulties.

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