

Appendix-1



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Separate paging is given to this part in order that it
may be filed as a Separate Compilation

PART- IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat legislature, having been assented to by the governor on the 4th March, 2004 is here by published for general information.

S.S. PARMAR

Secretary to the Government of Gujarat
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 5 OF 2004

(First published, after having received the assent of the Governor in the "*Gujarat Government Gazette*" on 6th March, 2004).

AN ACT

to establish and incorporate teaching and affiliating Universities for Imparting education in agriculture and allied sciences in the State of Gujarat to be known as the Anand Agricultural University, the Junagadh Agricultural University, the Navsari Agricultural University and the Sardar Krushinagar Dantiwada Agricultural University.

It is here by enacted in the Fifty-fifth Year of the Republic of India as follows:-

CHAPTER - I**PRELIMINARY**

1. (1) This act may be called the Gujarat Agricultural Universities Act, 2004.
- (2) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions of the Act and any reference in any such provision to the date of the commencement of this Act shall be construed as the reference to the date of coming into force of that provision.

**Short title
and
Commence-
ment.**

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2. In this Act, unless the context otherwise requires,-

Definitions.

- (1) "Academic Council" means the Academic Council of the University;
- (2) "agriculture" means the basic and applied sciences relating to soil and water management, crop production(including production of all garden crops and control of plants, pest and diseases), horticulture, animal husbandry including veterinary and dairy science, fisheries, forestry including farm forestry, land use and management and economics, co-operation, processing and marketing relating to agriculture;
- (3) "affiliated college" means a college affiliated under section 31;
- (4) "Board" means the Board of Management constituted under section 18;
- (5) "college" means—
 - (i) a constituent college of the University under the control & management of a principal,located in the University area; or
 - (ii) an affiliated college which is authorised to submit its students to an examination qualifying for any degree of the University;
- (6) "constituent college" means a University college.
- (7) "department" means a department designated as such by Statutes with reference to a subject or group of subjects;
- (8) "extension education" means the educational activities concerned with the training of farmers and homemakers and other groups serving agriculture, in improved agricultural practices and the various phases of scientific technology related to agriculture and agricultural production and marketing;
- (9) "Head of Department" means a teacher principally responsible for imparting education in agriculture and allied sciences or conducting and guiding research in agriculture or conducting and guiding programmes of extension education in a department;
- (10) "hostel" means a unit of residence for students maintained or recognised by the University;
- (11) "prescribed" means prescribed by Statutes;
- (12) "principal" means the Head of a college;
- (13) "recognised institution" means an institution for research in agriculture or extension education other than an affiliated college;
- (14) "registered graduate" means a graduate registered under the provisions of this Act;

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- (15) "Statutes" and "Regulations" mean respectively the Statutes and Regulations of the University made under this Act;
- (16) "student of the University" means a person enrolled in the University for studying for a degree, diploma or other academic distinction;
- (17) "teachers" means professors, associate professors, assistant professors and such other persons imparting education in agriculture and allied sciences or conducting and guiding research in agriculture or conducting and guiding programmes of extension education;
- (18) "teachers of University" means teachers appointed or recognised by the University for imparting education in agriculture and allied sciences or conducting and guiding research in agriculture or conducting and guiding programmes of extension education;
- (19) "University" means the University constituted under section 3 of this Act;
- (20) "University area" means the area of the Anand Agricultural University, the Junagadh Agricultural University, the Navsari Agricultural University and the Sardar Krushinagar Dantiwada Agricultural University respectively specified in Part I, II, II and IV of Schedule I;
- (21) "University College" means a college which the University may establish or maintain under this Act;
- (22) "University Department" means any college or Department maintained by the University.

CHAPTER II
UNIVERSITIES

- 3. (1) (a)** The Chancellor, the first Vice-Chancellor and the first members of the Board of Management and the Academic Council of the Anand Agricultural University and all persons, who may hereafter become such officers or members so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "the Anand Agricultural University". **Incorporation of Universities.**
- (b) The Chancellor, the first Vice-Chancellor and the first members of the Board of Management and the Academic Council of the Junagadh Agricultural University and all persons, who may hereafter become such officers or members so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "the Junagadh Agricultural University".
- (c) The Chancellor, the first Vice-Chancellor and the first members of the Board of Management and the Academic Council of the Navsari Agricultural University and all persons, who may hereafter become such officers or members so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "the Navsari Agricultural University".
- (d) The Chancellor, the first Vice-Chancellor and the first members of the Board of Management and the Academic Council of the Sardar Krushinagar Dantiwada Agricultural University and all persons, who may hereafter become such officers or members so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of " the Sardar Krushinagar Dantiwada Agricultural University".
- (2) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.
- (3) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may vest in or be acquired by it for the purpose of the University, to raise loans on the securities of its assets and to contract and do all other things necessary for the purpose of this Act:
- Provided that the, power to raise any such loan shall be exercised after obtaining previous permission of the State Government.
- (4) The head quarters of —
- (a) the Anand Agricultural University shall be at Anand;
- (b) the Junagadh Agricultural University shall be at Junagadh;

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- (c) the Navsari Agricultural University shall be at Navsari; and
- (d) the Sardar Krushinagar Dantiwada Agricultural University shall be at Dantiwada.

4. (1) With respect to teaching of agriculture and allied sciences at the University or college level and research and extension education programme in the field of agriculture, the territorial jurisdiction and responsibility of the University shall extend to the University area.

**Territorial
Jurisdiction.**

(2) The University may assume responsibility for the establishment and maintenance of all institutions imparting terminal training including training of field extension staff such as State agricultural schools, Gramsevak training centers and stockmen training classes, at all levels of education in agriculture.

(3) All collages, research and experimental stations or other institutions coming under the jurisdiction and authority of the University shall consist of constituent units of the University under the management and control of the University.

(4) No educational institution imparting education in agriculture and allied sciences or conducting and guiding research in agriculture or conducting and guiding programmes of extension education and situate within the University area shall, save with the consent of the University and the sanction of the State Government, be associated in any way with, or seek admission to any of the privileges of, any other University established by law.

5. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the grounds only of religion, race, creed, caste, language, sex, place of birth, class or profession of political or other opinion or any of them.

**University
open to all
irrespective of
sex, religion,
class, creed or
opinion.**

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to religious belief, race, creed, caste, language, sex, place of birth, class or profession of political or other opinion in order to entitle him to be admitted as a teacher or a student of the University or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

(3) Subject to the provisions contained in sub-sections (1) and (2), the State Government may direct that the University shall reserve for any Socially and Educationally Backward Classes of citizens or for the Scheduled Castes or the Scheduled Tribes or for citizens from any other State in India, seats for the purposes of admission as students in any college:

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Provided that nothing in this section shall require the University to admit to any course of study, students exceeding a prescribed number or possessing academic or other qualification lower than that prescribed.

6. The University shall have the following powers, namely:-

**Powers of
University.**

- (1) to provide for education and instruction in agriculture and allied sciences and in such other branches of learning as the University may deem fit;
- (2) to make provision for research in agriculture and allied branches of learning;
- (3) to make provision for dissemination of the findings of research and technical information through extension education programmes;
- (4) to make such provision which would enable affiliated colleges and recognised institutions undertake specialisation of studies;
- (5) to institute degrees, diplomas and other academic distinctions;
- (6) to lay down courses of study and instruction for various examinations;
- (7) to hold examinations and confer degrees, diplomas and other academic distinctions and grant certificates to persons who—
 - (a) have pursued approved courses of study in the University or in a college unless exempted there from, in the manner prescribed and have passed the examinations prescribed by the University, or
 - (b) have carried on research under conditions prescribed;
- (8) to withdraw or cancel any degree, diploma or certificate conferred or granted by the University in such manner as may be prescribed;
- (9) to confer honorary degrees and other distinctions in the manner prescribed;
- (10) to provide lectures, instructions and training to persons who are not enrolled students of the University and to grant such certificates to them as may be prescribed;
- (11) to co-operate with any other University or authority in such manner and for such purpose as the University may determine;
- (12) to establish and maintain colleges for imparting education in agriculture and allied sciences,
- (13) to establish and maintain laboratories, libraries, research stations and institutions and museums for teaching, research and extension education;

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- (14) to create such teaching, administrative and other posts as the University may deem necessary from time to time and make appointments thereto;
- (15) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;
- (16) to associate or admit educational institutions imparting education in agriculture and allied sciences with, or to the privileges of the University by way of affiliation or recognition;
- (17) to withdraw or modify, either in whole or part, affiliation or recognition of educational institutions;
- (18) to inspect colleges and recognised institutions and to take measures to ensure that proper standards of instruction, teaching and training are maintained in them and that adequate library and laboratory provisions are made therein;
- (19) to lay down and regulate the salary scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff of the University;
- (20) to lay down and regulate the salary scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff in the affiliated colleges and recognised institutions;
- (21)
 - (a) to control and co-ordinate the activities of, and to give financial aid to, affiliated colleges and recognised institutions; and
 - (b) to regulate fees to be paid by the students in affiliated Colleges and recognised institutions;
- (22) to institute and maintain residential accommodation for students and staff of the University;
- (23) to fix, demand and receive or recover such fees and other charges as may be prescribed;
- (24) to supervise, regulate and control the residence, conduct and discipline of the students of the University, and to make arrangements for promoting their health and general welfare;
- (25) to conduct, co-ordinate, supervise, regulate and control post-graduate teaching and research work in the University departments and affiliated colleges and recognised institutions;
- (26) to co-ordinate, supervise, regulate and control conduct of undergraduate teaching and instruction in the affiliated colleges and to undertake the same in University colleges;

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(27) to make special provision for agricultural education, research and extension in relation to arid areas and areas prone to scarcity in the University area;

(28) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

7. (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 University, its buildings, laboratories, libraries, museums, workshops and equipment of any institution, college or hostel maintained, recognised or approved by, the University, of the teaching and other work conducted by the University or under its auspices and of the conduct of examinations held by the University and to cause an inquiry to be made in respect of any matter connected with the University.
- (2) The Chancellor shall, in every case inform the University, in writing, of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat.
- (3) The Chancellor shall communicate to the University his views with reference to the results of such inspection or inquiry, and shall, after ascertaining the opinion thereon of the University, advise the University upon the action to be taken.
- (4) (a) The University shall report to the Chancellor such action, if any, as it has taken or may propose to take on the advice tendered by the Chancellor.
- (b) Such report shall be submitted with the opinion of the University thereon and within such time as the Chancellor may direct.
- (5) Where the University does not, within a reasonable time, take action or takes action which is not satisfactory to the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the University, issue such directions as he may think fit and the University shall comply with such direction.

**Inspection
and
Inquiry.**

CHAPTER III
OFFICERS OF THE UNIVERSITY

- 8.** The following shall be the officers of the University, namely: -
- (i) the Chancellor,
 - (ii) the Vice-Chancellor,
 - (iii) the Director of Research and Dean of Post-graduate Studies,
 - (iv) the Deans of Faculties,
 - (v) the Director of Extension Education,
 - (vi) the Registrar,
 - (vii) the Accounts Officer,
 - (viii) the Librarian, and
 - (ix) such other officers in the service of the University as may be declared by the Statutes to be the officers of the University.
- 9.** (1) The Governor of the State shall be the Chancellor of the University.
- (2) The Chancellor shall, by virtue of his office, be the Head of the University and shall, when present, preside at any convocation of the University.
- (3) Every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.
- (4) The Chancellor shall exercise such other powers as may be conferred on him by this Act or the Statutes.
- 10.** (1) (a) The Vice-Chancellor shall be a whole time officer of the University and shall be appointed by the Chancellor in consultation with the State Government from amongst three persons recommended under sub-section (3) by a committee appointed for the purpose under sub-section (2).
- (b) A person, who possesses adequate knowledge in the subjects of agriculture and allied sciences and has not attained the age of more than sixty-five years on the date of appointment shall, subject to the provisions of sub-section (7), be eligible for being appointed as a Vice-Chancellor.
- (2) (a) For the purposes of sub-section (1), the Chancellor shall appoint a committee which shall consist of the following members, namely:-
- (i) two members (not being persons connected with the University or with any college) out of whom one shall be a person nominated in the manner prescribed by the Statutes by the Board of Management and the Academic Council jointly and the other shall be a person nominated in the manner prescribed by the Statutes by the Vice-Chancellors of all the Agricultural Universities established by law in the State of Gujarat;

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- (ii) one member to be nominated by the Chancellor;
 - (iii) one member to be nominated by the Indian Council of Agricultural Research.
- (b) The Chancellor shall appoint one of the four members of the committee as its Chairman.
- (3) The Committee so appointed shall, within such time and in such manner as may be prescribed by the Statutes, select three persons who possess the qualifications mentioned in clause (b) of sub-section (1) and who are not disqualified under sub-section (7) and whom it considers fit for being appointed as Vice-Chancellor and shall recommend to the Chancellor the names of the persons so selected together with such other particulars as may be prescribed by the Statutes.
- (4) The Vice-Chancellor shall hold office for a term of five years from the date he enters upon his office and shall not be eligible for reappointment to that office after the expiry of the term of his office:

Provided that—

- (a) no person appointed as the Vice-Chancellor shall continue to hold his office as such after he attains the age of sixty-five years;
 - (b) the Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office.
- (5) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not be varied to his disadvantage during his tenure of office without his consent.
- (6)
 - (a) During the leave or absence of the Vice-Chancellor, or
 - (b) in the event of a vacancy in the office of the Vice-Chancellor until an appointment is made under sub-section (1) to that office, the Director of Research and Dean of Post-graduate Studies or, in his absence, one of the Deans of Faculties nominated by the Chancellor for the purpose shall carry on the current duties of the office of the Vice-Chancellor.
- (7) A person shall be disqualified for being appointed as, or for being, a Vice-Chancellor—
 - (i) if he is a Member of the Parliament or of any State Legislature or of any local authority, or
 - (ii) if he is a member of a political party, or

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- (iii) if he is or any time has been adjudged an insolvent or he has suspended payment of his debts or has compounded with his creditors, or
 - (iv) if he is of unsound mind or stands so declared by a competent court, or
 - (v) if he is or has been convicted of an offence, which in the opinion of the Chancellor, involves moral turpitude.
- (8) Not with standing anything contained in sub-section (4), the Chancellor may at any time remove the Vice-Chancellor from office if, in his opinion, the Vice-Chancellor —
- (a) is or has been subject to any of the disqualifications mentioned in sub-section (7), or
 - (b) has been guilty of misconduct in discharge of his duties, or
 - (c) has become physically or mentally incapable of discharging his duties as a Vice-Chancellor, or
 - (d) has abused his position as to render his continuance in office prejudicial to public interest, or
 - (e) has, without reasonable cause, refused or failed to perform his duties for a period of not less than three months:

Provided that a Vice-Chancellor shall not be removed from his office unless an opportunity of being heard is given to him.

- 11.** (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in absence of the Chancellor, preside at any convocation of the University. He shall be an *ex-officio* member and Chairman of the Board and of the Academic Council.
- (2) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the maintenance of discipline in the University.
- (3) (a) The Vice-Chancellor shall have power to convene meetings of the Board and the Academic Council.
- (b) He may delegate the power under clause (a) to any other officer of the University.
- (4) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes and regulations are faithfully observed and he shall have all the powers necessary for the purpose.
- (5) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and the annual accounts and balance sheet of the University to the Board.

**Powers of
Vice-
Chancellor.**

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- (6) (a) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer, authority or body as would have in ordinary course dealt with the matter.
- (b) When action taken by the Vice-Chancellor under this sub-section affects any person in the service of the University, such person shall be entitled to prefer an appeal through the said officer, authority or body to the Board within one month from the date on which such action is communicated to him.
- (7) The Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, dismissal, suspension and punishment of officers, teachers and other employees of the University.
- (8) The Vice-Chancellor shall be responsible for the proper administration of the University and for close co-ordination and integration of teaching, research and extension education.
- (9) (a) Subject to the provisions contained in sub-section (6) and notwithstanding anything contained in sub-section (7), where the Vice-Chancellor, after making such inquiry as may be deemed fit, is of the opinion that the execution of any order or resolution of an authority specified in or declared under section 17 or the doing of anything which is about to be done or is being done by or on behalf of the University,-
- (i) is inconsistent with the provisions of this Act or of any Statutes, or Regulations, or
 - (ii) is not in the interest of the University, or
 - (iii) is likely to lead to breach of peace,

he may forward a copy of the order or resolution or, as the case may be, refer the doing of the thing, with a statement of reasons, to the authority which made the order or passed the resolution or proposes to do the thing for reconsideration by that authority as to whether the said order or resolution may not be rescinded, or revised or modified in the manner stated by him or the doing of the thing be refrained from.

- (b) Where the authority, after reconsideration, revises or modifies the order or the resolution in the manner stated by the Vice-Chancellor, then notwithstanding anything contained in clause (e), such revised or modified order or resolution shall revive from the date of such revision or modification.

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(c) Where the authority revises or modifies the order or resolution in such manner as is inconsistent with the manner stated by the Vice-Chancellor, the Vice-Chancellor shall refer the matter to the Chancellor for his decision.

(d) The Chancellor may, on such reference being made, revise or modify the order or resolution or direct that the order or resolution shall continue to be in force with or without, modification permanently or for such period as he may specify:

Provided that the order or resolution shall not be revised or modified or continued by the Chancellor without giving the concerned authority a reasonable opportunity of showing the cause against the order proposed to be made by him.

(e) The order, resolution or, as the case may be, the doing of thing, shall remain in abeyance from the date of the action of the Vice-Chancellor of forwarding the copy of order or resolution or of making reference under clause (a) till the date of the order of the Chancellor under clause (d).

(10) The Vice-Chancellor shall exercise such other powers as may be prescribed.

12. (1) The Director of Research and Dean of Post-graduate Studies shall be a whole time salaried officer of the University and shall be appointed by the Vice-Chancellor with the previous approval of the Board in accordance with the Statutes made in this behalf.

**Director of
Research
and Dean of
Post-
graduate
Studies.**

(2) The qualification, emoluments and the terms and conditions of service of the Director shall be such as may be prescribed.

(3) The Director shall exercise such powers and perform such duties as may be prescribed.

13. (1) There shall be a Dean of each Faculty who shall be chosen in such manner as may be prescribed.

**Deans of
Faculties.**

(2) The Dean shall hold office for a term of three years and shall be eligible for being chosen to that office for a further term of three years.

(3) The Dean shall be the Chairman of the Board of Studies of the Faculty.

(4) The Dean of each Faculty shall be responsible for due observance of Statutes and Regulations relating to that Faculty.

(5) The Dean shall exercise such powers and perform such functions and duties as may be prescribed.

14. (1) Director of Extension Education shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor with the previous approval of the Board in accordance with the Statutes made in this behalf.

**Director of
Extension
Education.**

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- (2) The qualifications, emoluments and the terms and conditions of service of the Director shall be such as may be prescribed.
- (3) The Director shall exercise such powers and perform such functions and duties as may be prescribed.
- 15.** (1) The Registrar shall be a whole time salaried officer of the University and shall act as the Secretary of the Board and the Academic Council. **Registrar.**
- (2) He shall be appointed by the Vice-Chancellor with the previous approval of the Board and his qualifications, emoluments and the terms and conditions of service shall be such as may be prescribed.
- (3) He shall exercise such powers and perform such duties as may be prescribed by the Statutes and Regulations.
- 16.** (1) The officers mentioned at items (vii) and (viii) and officers, declared as such by the Statutes under item (ix) of section 8 shall be appointed by the Vice-Chancellor with the previous approval of the Board. **Other officers.**
- (2) The qualifications, emoluments and the terms and conditions of service of the officers shall be such as may be determined by Statutes.
- (3) The powers and duties of the officers shall be such as may be prescribed.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

- 17.** The following shall be the authorities of the University, namely:- **Authorities of the University.**
- (1) the Board of Management,
- (2) the Academic Council,
- (3) the Faculties,
- (4) the Board of Studies of each Faculty including Board of Post-graduate Studies, and
- (5) such other bodies of the University as may be declared by the Statutes to be the authorities of the University.
- 18.** (1) The Board of Management shall consist of the following members, namely:-- **Constitution of the board of Management.**
- Class I - Ex-officio Members*
- (i) the Vice-Chancellor,
- (ii) the Secretary to the Government of Gujarat, Agriculture and Co-operation Department or an officer not below the rank of Deputy Secretary of that Department designated by the Secretary,

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- (iii) the Secretary to the Government of Gujarat, Education Department, or an officer not below the rank of Deputy Secretary of that Department designated by the Secretary,
- (iv) the Secretary to the Government of Gujarat, Finance Department,
- (v) the Director of Agriculture, Gujarat State,
- (vi) the Director of Animal Husbandry, Gujarat State;
- (vii) the Director of Horticulture, Gujarat State; and
- (viii) one member nominated by the Vice-Chancellor by rotation in the prescribed manner from amongst the Deans of Faculties.

Class II — Ordinary Members

Five persons, not being officers, to be nominated, as follows, namely:--

- (a) to be nominated by the State Government,—
 - (i) one Member of the Gujarat Legislative Assembly,
 - (ii) two agricultural scientists having background of agricultural research or education.
 - (iii) one farmer,
 - (b) one representative nominated by the Director General of Indian Council, of Agricultural Research.
- (2) The Vice-Chancellor shall be the *ex-officio* Chairman of the Board.
- (3) The term of office of the nominated members shall be three years.
- (4) The nominated members of the Board shall be entitled to such daily and travelling allowances as may be prescribed.
- 19.** (1) The Board shall, on a date and a place fixed by the Vice-Chancellor, hold its meeting: Provided that the Vice-Chancellor shall fix a date and a place for the meeting of the Board at least once every two months.
- (2) One-third of the members of the Board shall constitute a quorum for the transaction of its business at the meeting.
- (3) (a) The Board may, for the purpose of consultation, invite any person having experience or special knowledge on a subject under its consideration to attend its meeting.
- (b) A person invited under clause (a) shall have the right to speak in and otherwise to take part in the proceedings of the meeting, but shall not be entitled to vote at such meeting.
- (c) A person invited under clause (a) shall be entitled to such allowance for attending the meeting as may be prescribed.

**Meetings
of Board.**

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20. (1) The Board shall exercise the following powers and perform the following functions, namely:--

Powers and Functions of Board.

- (i) to consider and decide the matters of general policy relating to the progress and development of the University;
- (ii) to suggest steps to be taken by the authorities of the University in pursuance of the policy decided by the Board;
- (iii) to hold, control and administer the property and funds of the University;
- (iv) to enter into, vary, carry out and cancel contracts on behalf of the University in exercise or performance of the powers and functions assigned to it by or under this Act or the Statutes;
- (v) to determine the form, and provide for the custody of and to regulate the use, of the common seal of the University;
- (vi) to administer the funds placed at the disposal of the University for specific purposes;
- (vii) to arrange for the investment and withdrawal of funds of the University;
- (viii) to borrow money for capital improvements and to make suitable arrangements for its repayment;
- (ix) to approve the annual accounts and the annual financial estimates of the University;
- (x) to make provision for buildings, premises, furniture apparatus and other means needed for carrying on the work of the University;
- (xi) to accept, on behalf of the University, bequests, donations and transfers of any movable and immovable property to the University;
- (xii) to transfer any movable or immovable property on behalf of the University;
- (xiii) to manage and regulate the finances, accounts and investments of the University;
- (xiv) to establish, manage and maintain colleges, departments, institutes of research, experimental farms, laboratories, libraries, hostels and such other facilities necessary for carrying out the purposes of this Act;
- (xv) to affiliate colleges or recognise institutions of research in agriculture or extension education as may be provided by Statutes;

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- (xvi) to arrange for, and to direct, the inspection of affiliated colleges, recognised institutions and hostels, to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment including salary scales and allowances for the members of their teaching, other academic and non-teaching staff;
- (xvii) (a) to withdraw, either in whole or in part, or to modify the rights conferred on a college by affiliation or on an institution by recognition, and
(b) to recommend to the State Government withdrawal or reduction of a grant of a college which makes default in carrying out the conditions of affiliation;
- (xviii) (a) to control and co-ordinate the activities of and to give financial aid to, affiliated colleges and recognised institutions, and
(b) to regulate fees to be paid by the students in affiliated colleges and recognised institutions;
- (xix) to call for reports, returns and other information from colleges, recognised institutions or hostels;
- (xx) to recognise a member of the staff of an affiliated college or recognised institution as a professor, reader, lecturer or teacher of the University and to withdraw such recognition;
- (xxi) to make such provision as to enable affiliated colleges and recognised institutions to undertake specialisation of studies;
- (xxii) to lay down and regulate the salary scales, allowances and conditions of service of officers, members of the teaching, other academic and non-teaching staff of the University;
- (xxiii) to lay down and regulate the salary scales, allowances and conditions of service of the members of teaching, other academic and non-teaching staff of affiliated colleges, constituent colleges and recognised institutions;
- (xxiv) to supervise and control the residence, conduct and discipline of the students of affiliated colleges, constituent colleges, University departments and recognised institutions and to make arrangements for promoting their health and general welfare and to take disciplinary action against the students;
- (xxv) to institute and award fellowships and scholarships, studentships, medals, prizes and other awards;

[PART IV]

- (xxvi) to institute and confer or grant degrees, diplomas and other academic distinctions;
- (xxvii) to appoint officers, teachers and other staff of the University in the prescribed manner;
- (xxviii) to promote post-graduate teaching, research and extension education;
- (xxix) to make provision for instruction, teaching and training in such branches of learning and courses of study as may be determined by the Academic Council, for research and for the advancement and dissemination of knowledge;
- (xxx) to fix, demand and receive such fees and other charges as may be prescribed;
- (xxxi) to make provision relating to use of Gujarati as medium of instruction and examination;
- (xxxii) to make, amend or repeal Statutes;
- (xxxiii) to exercise such other powers and perform such other functions as may be conferred or imposed on it by or under this Act, Statutes and Regulations and
- (xxxiv) to exercise all powers of the University not otherwise provided for in this Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes.
- (2) The powers and functions under clauses (xv) to (xvii), (xx), (xxi), (xxv), (xxvi), (xxvii), (xxix) and (xxxii) of sub-section (1) shall not be exercised or performed by the Board except upon the recommendation made by the Academic Council.
- (3) The exercise of the powers by the Board under clauses (xxii) and (xxiii) of sub-section (1) in so far as they relate to the laying down and regulating salary scales and allowances of officers, members of the teaching, other academic and non-teaching staff of the University, constituent college, affiliated college and recognised institution shall be subject to the approval of the State Government,
- (4) The Board may, by Statutes, appoint committees to carry out its administrative work and define their constitution, functions and tenures.

21. (1) The Academic Council shall consist of the following Council members, namely:--

Academic Council.

[PART IV]

- (i) the Vice-Chancellor, *ex-officio*,
 - (ii) the Director of Research and Dean of Post-graduate Studies, *ex-officio*,
 - (iii) the Deans of Faculties, *ex-officio*,
 - (iv) the Director of Extension Education, *ex-officio*.
 - (v) six members nominated by the Vice-Chancellor by rotation in the prescribed manner from amongst the Heads of Departments of the Faculties and the research scientists of the University.
- (2) As soon as the Academic Council is constituted under sub-section (1): it may co-opt for such period as may be prescribed as its additional members not more than ten persons representing different disciplines of agriculture and allied sciences irrespective of whether they are connected with the University as its members, teachers or otherwise.
- (3) The term of office of the members of the Academic Council other than *ex-officio* members shall be three years.
- 22.** (1) The Academic Council shall have the control and general regulation of, and be responsible for, maintenance of the standards of teaching and examinations of the University.
- (2) Without prejudice to the generality of the foregoing provision and subject to such conditions as may be prescribed by or under the provisions of this Act, the Academic Council shall exercise the following powers and perform the following duties, namely:—
- (i) to make proposals for establishment of University departments of teaching, research and extension education, libraries and laboratories;
 - (ii) to recommend to the Board the institution of Departments and Faculties;
 - (iii) to make proposals for the institution of professorships, Associate Professorships, Assistant Professorships and any other posts of teachers required by the University and for prescribing the duties of the persons occupying such posts;
 - (iv) to make regulations relating to admission of students to the University and the number of students to be admitted;
 - (v) to arrange for co-ordination of studies and teaching in affiliated colleges and recognised institutions;

Powers and Duties of Academic Council.

[PART IV]

- (vi) to approve regulations prescribing the manner of granting exemption in approved courses of studies in the University or in affiliated colleges for qualifying for degrees, diplomas and certificates;
- (vii) to recommend to the Board the affiliation of a college and recognition of an institution;
- (viii) to make regulations relating to the courses of study leading to degrees, diplomas, certificates and other academic distinctions;
- (ix) to make regulations relating to the conduct of examinations;
- (x) to make proposals for allocating subjects to a Faculty;
- (xi) to make proposals for post-graduate teaching, research and extension education;
- (xii) to recommend qualifications to be prescribed for teaching, research and extension staff in the University;
- (xiii) to make regulations regarding examinations of the University and the conditions on which the students shall be admitted to them;
- (xiv) generally to advise the University on all academic matters; and
- (xv) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act and Statutes.

23. (1) The University shall include Faculties of agriculture and allied sciences and such other Faculties as may be prescribed.

Faculties.

(2) Each Faculty shall comprise of such subjects as may be prescribed.

(3) The constitution, powers and duties of the Faculties referred to in sub-section (1) shall be such as may be prescribed.

24. (1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed.

**Board of
Studies.**

(2) The constitution of each Board and the term of office of its members shall be such as may be prescribed.

(3) Each Board shall exercise such powers and perform such duties as may be prescribed.

CHAPTER V

COUNCIL OF STATE AGRICULTURAL UNIVERSITIES

25. (1) There shall be a Council of State Agricultural Universities consisting of the following members, namely:-
- (a) the Minister for Agriculture, Government of Gujarat, *ex-officio*,
 - (b) the Secretary to the Government of Gujarat, General Administration Department, *ex-officio*,
 - (c) the Secretary to the Government of Gujarat, Finance Department,
 - (d) the Secretary to the Government of Gujarat, Agriculture and Co-operation Department, *ex-officio*,
 - (e) the Vice-Chancellor of each of the Universities, *ex-officio*,
 - (f) the Director of Agriculture, Gujarat State, *ex-officio*,
 - (g) the Director of Animal Husbandry, Gujarat State, *ex-officio*,
 - (h) the Director of Horticulture, Gujarat State, *ex-officio*:

Provided that when a proclamation made under article 356 of the Constitution is in force in the State, the Central Government may appoint one person in place of the Minister for Agriculture to be the Chairman and the person so appointed shall vacate his office upon the revocation or cesser of operation of such proclamation.

- (2) (a) The Minister shall be the Chairman of the Council and shall preside over its meetings:

Provided that when the Minister is unable to preside over any meeting, he may nominate the Deputy Minister for Agriculture to preside over the meeting.

- (b) The Joint Secretary or the Deputy Secretary to the Government of Gujarat, Agriculture and Co-operation Department, in-charge of the subject matter of Agricultural Universities, shall be the Member-Secretary of the Council.
- (3) The Headquarters of the Council shall be at Gandhinagar.
- (4) The Council shall meet at least twice in a year.
- (5) Subject to sub-section (4), the Council shall meet at such time and such place as the Chairman may appoint in this behalf and observe such rules of procedure in regard to transaction of its business at its meetings as may be determined by it.

**Council of
State
Agricultural
Universities.**

[PART IV]

- (6) Four members shall form a quorum and all questions at a meeting of the Council shall be decided by a majority of the members present and voting,
- (7) The Council shall perform the following functions, namely:
 - (a) to review the functioning of the Universities twice in a year and make a report to the State Government and the Chancellor,
 - (b) to advise the State Government on any matter relating to functioning of the Universities on a reference made to it in that behalf by the State Government,
 - (c) (c) to assess the requirement of finance by the Universities and recommend the grants to be given to the Universities by the State Government,
 - (d) to review the annual plan of activities and annual financial estimates of the Universities before they are passed by the Boards of the Universities,
 - (e) to assess requirements of Universities of having new faculties, disciplines or departments,
 - (f) to co-ordinate education in agriculture and allied sciences imparted by the Universities and the agricultural research activities and agricultural extension educational activities carried on by the Universities and matters related thereto,
 - (g) to supervise and co-ordinate the centralised admissions to various degree courses in Universities,
 - (h) to arrange programmes to upgrade capability of teachers of faculties in their respective disciplines according to the requirements of the University,
 - (i) such other functions as may be specified by the State Government by notification in the *Official Gazette*.
- (8) For the purpose of performing its functions, the Council may call for, from the Universities, such reports, returns and information, as may be necessary and the Universities shall furnish such reports, returns and information.

CHAPTER VI

RESEARCH AND EXTENSION EDUCATION

26. (1), Subject to the provisions of this Act and the Statutes, the University shall carry on research directed towards solving the problems of agriculture and allied sciences for the purpose of development of agriculture and of providing benefits to the rural population of the University area and for carrying out such research, it shall establish an Agricultural Research Organisation.

**Agricultural
Research
Organisation.**

(2) The Agricultural Research Organisation shall consist of the following officers and employees, namely:--

- (a) the Director of Research and Dean of Post-graduate Studies, who shall be the Head of the Organisation,
- (b) Associate Directors of Research appointed by the University for various agro-climatic zones falling in the University area,
- (c) Scientists entrusted with the work of research on various crops, commodities or natural resources, by the University,
- (d) such other officers and employees appointed by the University for the purpose of the Organisation.

(3) The Agricultural Research Organisation shall have control also over other agricultural research activities in the University area.

27.(1) The University shall establish an Agricultural Extension Education Organisation.

**Agriculture
Extension
Education
Organisation.**

(2) The Agricultural Extension Education Organisation shall consist of the following officers and employees, namely:--

- (a) the Director of Extension Education who shall be the Head of the Organisation,
- (b) extension scientists entrusted with the work of assessment, refinement and transfer of technologies of agriculture by the University,
- (c) such other officers and employees appointed by the University for the purpose of Organisation.

(3) The Agricultural Extension Education Organisation shall perform the following functions, namely:--

- (a) to carry out extension activities for the purpose of increasing agricultural production;
- (b) to make available to the farmers information based upon the findings of research carried out by it;

[PART IV]

- (c) to conduct demonstrations and training programmes for the benefit of students, extension workers and the persons whose occupation is agriculture;
- (d) to co-ordinate the extension activities with other functions of the University, and
- (e) such other functions as may be prescribed.

CHAPTER VII

STATUTES AND REGULATIONS

- 28.** Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:- **Statutes.**
- (i) conferment and withdrawal of honorary degrees and other academic distinctions;
 - (ii) holding of convocations to confer degrees;
 - (iii) powers, functions, duties, manner of appointment and emoluments, terms and conditions of service of officers of the University;
 - (iv) designations, qualifications, method of recruitment, emoluments and other terms and conditions of service of employees of the University and their duties;
 - (v) declaration of other bodies of the University to be authorities of the University,
 - (vi) constitution, powers and duties of the authorities of the University save as provided in this Act;
 - (vii) acceptance and management of bequests and donations;
 - (viii) registration of graduates and maintenance of a register of registered graduates;
 - (ix) procedure at meetings of the authorities of the University and for the transaction of their business;
 - (x) classification and manner of appointment of teachers and other non-teaching staff;
 - (xi) establishment, amalgamation, sub-division and abolition of Faculties;
 - (xii) establishment of departments of teaching in Faculties;
 - (xiii) the manner in which and the conditions subject to which pension, provident and insurance funds shall be constituted for the benefit of employees of the University and the terms and conditions of each of such funds; and

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

29. (1) Statutes may be made by the Board and may be amended, repealed or added to by Statutes made by the Board in the manner hereinafter provided.

Statutes, their making, amendment, repeal, and operation.

(2) The Board may take into consideration the draft of a Statute.

(3) Where a Statute affects the powers or duties of any officer or authority of the University, the Board shall, before passing such Statute, ascertain and consider the views of the officer or the authority concerned and take the same into consideration.

(4) Every Statute passed by the Board shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the Board for consideration.

(5) No Statute passed by the Board shall be valid until assented to by the Chancellor.

30. (1) Any authority of the University specified in clauses (2), (3) and (4) or declared under clause (5) of section 17 may make Regulations consistent with this Act and the Statutes, providing for all matters which by this Act and the Statutes are to be provided for by Regulations and for all other matters solely concerning such authority.

Regulations.

(2) A Regulation made by an authority shall have effect from such date as the authority making the regulation may direct:

Provided that a regulation, which involves expenditure from the University Fund, shall not be effective until it is approved by the Board.

(3) The Board of Studies may propose to the Academic Council draft of any Regulation relating to courses of study, system of examinations and degrees and diplomas of the University to be passed by the Academic Council. Such draft shall be considered by the Academic Council at its next succeeding meeting.

(4) (a) The Academic Council may approve such draft and pass the Regulation or may reject it or return it to the Board of Studies for reconsideration either in whole or in part together with any amendment which the Academic Council may suggest.

(b) After any draft so returned has been further considered by the Board of Studies together with any amendment suggested by the Academic Council, it shall be again presented to the Academic Council with the report of the Board of Studies thereon and the Academic Council may then deal with the draft in any manner as it thinks fit:

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Provided that no Regulation by the Board of Studies relating to matters other than those referred to in sub-section (3) and no Regulation by a Faculty shall be made unless it is approved by the Academic Council:

Provided further that no Regulation made by any authority declared under clause (5) of section 17 shall be made unless it is approved by the Board of Management.

CHAPTER VIII

AFFILIATION AND RECOGNITION

- 31.** (1) A college desiring to impart education in agriculture and allied sciences shall send a letter of application to the Registrar for an affiliation to the University, not later than 31st March of the year preceding the year in which the college is proposed to be started:

Affiliation.

Provided that, on the recommendation of the Vice-Chancellor, the Board may, if it is satisfied that there are special reasons to do so, after recording such reasons, entertain a letter of application sent to the Registrar after 31st March.

- (2) A college applying for an affiliation shall satisfy the Board and the Academic Council—
- (a) that the college is to be under the management of regularly constituted governing body,
 - (b) that the strength and the qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the education in agriculture and allied sciences to be imparted by the college and for conducting and guiding research in agriculture and programmes of extension education to be undertaken by the college;
 - (c) that the buildings in which the college is or is to be located are suitable and that provision has been or shall be made, in conformity with the Statutes, for the residence in the college or in lodging approved by the college, of students not residing with their parents or guardians and for the supervision and welfare of students;
 - (d) that due provision is made or shall be made for a library,
 - (e) that where affiliation is sought in any branch of experimental science, arrangements have been or shall be made in conformity with the Statutes and regulations for imparting instruction in that branch of science in a properly equipped laboratory,
 - (f) that due provision is made or shall be made as far as circumstances may permit, for the residence of the principal and other members of the teaching staff in or near the college or the place provided for the residence of students;

[PART IV]

- (g) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working;
- (h) that the college rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing college in the same neighbourhood as would be injurious to the interest of education;
- (i) that for recruitment of the principal and members of the teaching staff of the college, there is a selection committee of the college which shall include—
 - (i) in case of recruitment of the principal, a representative of the University nominated by the Vice-Chancellor, and
 - (ii) in case of recruitment of a member of the teaching staff of the college, a representative of the University nominated by the Vice-Chancellor and the Head of the Department, if any, concerned with the subject to be taught by such member:

Provided that nothing in this clause shall apply to a Government college, a college maintained by Government or a college established and administered by minority based on religion or language;

- (j) that the college shall comply with the Statutes and Regulations providing for conditions of service including salary scales and allowances of the teaching and other academic and non-academic staff of an affiliated college, not being a Government college or a college maintained by the Government;
 - (k) such other conditions as may be specified in the Statutes in accordance with the provisions of this Act.
- (3) The application shall contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirement not being fulfilled or continued to be fulfilled shall be forthwith reported to the Board.
- (4) On receipt of a letter of application under sub-section (1), the Board shall—
- (a) direct a local inquiry to be made by a competent person or persons authorised by the Board in this behalf in respect of the matters referred to in sub-section (2) and such other matters as may be deemed necessary and relevant;
 - (b) make such further inquiry as may appear to it to be necessary;

[PART IV]

- (c) give due consideration to the request, if any, made by the applicant for reconsideration of any of the conditions conveyed to him;
- (d) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused either in whole or in part, stating the result of any inquiry under clauses (a) and (b):

Provided that where the views of the Academic Council with regard to the affiliation of a college are not acceptable to the Board, the Board shall refer the matter again to the Academic Council, with or without its comments, and the Academic Council shall communicate again to the Board its views with regard to the affiliation of the college.

- (5) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Board relating thereto to the State Government which shall, after such inquiry as may appear to it to be necessary, grant or refuse the application or any part thereof.
- (6) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of the instructions in respect of which the college is affiliated and where the application or any part thereof is refused, the grounds of such refusal shall be recorded.
- (7) As soon as possible after the State Government makes its order, the Registrar shall submit to the Board and the Academic Council a full report regarding the application, the action taken thereon under sub sections (4) to (6) and of all proceedings connected therewith.
- (8) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (6).

32. Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by section 31 shall, as far as possible, be followed.

**Extension
of
Affiliation.**

33. (1) The Board shall have power, after consultation with the Academic Council, to recognise as a recognised institution any institution of research in agriculture or extension education, other than a college.

**Recognition
of
institution.**

- (2) An institution, which desires to have such recognition, shall send a letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely:—

- (a) constitution and personnel of the managing body;

[PART IV]

- (b) subjects and courses in regard to which recognition is sought;
 - (c) accommodation, equipment, library facilities and the number of students for whom provision has been or is proposed to be made;
 - (d) the strength of the staff, their qualifications and salaries and the research work done by them;
 - (e) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.
- (3) Before taking the application into consideration, the Board may call for any further information which it may deem necessary.
- (4) If the Board decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may

appear to it to be necessary, the Board shall, after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof. Where the application or any part thereof is granted, the Board shall specify the subjects and courses of instructions in respect of which the institution is recognised and make a report to that effect to the Academic Council at their next succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

- 34.** (1) Every affiliated college and recognised institution shall furnish such reports, returns and other information as the Board, after consulting the Academic Council, may require to enable it to judge the efficiency of the college or the institution.
- (2) On a direction by the Board in that behalf, it shall be the duty of the inspection committee constituted under section 43 to inspect an affiliated college or a recognised institution and to make a report to the Board.
- (3) The Board shall cause every such college or institution to be inspected from time to time by the inspection committee.
- (4) The Board may call upon any college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (2) of section 31 or, as the case may be, sub-section (2) of section 33.

Inspection of college or recognised institution.

[PART IV]

- 35. (1)** Every affiliated college or recognised institution shall, in respect of the medium of education in agriculture and allied sciences, research in agriculture and programmes of extension education and examination therein, comply with the provisions made in that behalf by this Act, the Statutes and the Regulations.
- (2) If any affiliated college or recognised institution contravenes the provisions of sub-section (1), then, notwithstanding anything contained in the other provisions of this Act,-
- (a) the rights conferred on such college or institution by the affiliation or recognition shall stand withdrawn from the date of such contravention; and
- (b) such college or institution shall cease to be an affiliated college or recognised institution for the purposes of this Act.
- (3) If any affiliated college or recognised institution affected by sub-section (2) raises any dispute as to the withdrawal of its rights of affiliation or recognition, then such dispute shall be referred to the State Government and the State Government shall decide the dispute and its decision shall be final.

Affiliated college and recognised institution to comply with provisions pertaining to medium of instruction

- 36. (1)** The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified if the college has failed to carry out any of the provisions of sub-section (2) of section 31 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interests of education.
- (2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Board. The member of the Board, who intends to move such a motion, shall give notice of it and shall state in writing the grounds on which it is made.
- (3) Before taking the said motion into consideration, the Board shall send a copy of the notice of the motion and statement of grounds on which it is made to the Principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Board:

Withdrawal of Affiliation.

Provided that the period so specified may, if necessary, be extended by the Board.

[PART IV]

- (4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Board, after considering the notice of motion, statement and representation, and after such inspection by any competent person or persons authorised by the Board in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall record its opinion in the matter:

Provided that where the views of the Academic Council with regard to the withdrawal or modification of the rights conferred by affiliation are not acceptable to the Board, the Board shall, before passing such resolution, refer the matter again to the Academic Council, with or without its comments and the Academic Council shall communicate again to the Board its views in the matter.

- (5) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council and the Board relating thereto, to the State Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit, and communicate the same to the Board.
- (6) Where by an order made under sub-section (5), the rights conferred on any college by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.
- (7) The Board may, on recommendation of the Academic Council, recommend to the State Government withholding or reduction of a grant to an affiliated college which, on a report by an Inspection Committee or otherwise, is found making persistent default in carrying out the conditions of affiliation.

37. (1) The rights conferred on an institution by recognition may be withdrawn or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution has conducted in a manner which is prejudicial to the interest of education.
- (2) A motion for such withdrawal or suspension shall be initiated only in the Board. The member of the Board, who intends to move such a motion, shall give notice of it and shall state in writing the grounds on which it is made.
- (3) Before taking the said motion into consideration, the Board shall send copy of the notice of motion and statement of grounds on which it is made to the head of the institution concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be considered by the Board:

Withdrawal of Recognition.

[PART IV]

Provided that the period so specified may, if necessary, be extended by the Board.

- (4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Board, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the Board in this behalf and after such further inquiry as may appear to it to be necessary, and after consulting the Academic Council, may, by a resolution, withdraw or suspend recognition.

CHAPTER IX ORGANISATION WITHIN THE UNIVERSITY AREA FOR POST-GRADUATE TEACHING

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| <p>38. Within the University area all post graduate education in agriculture and allied sciences shall be imparted or conducting and guiding research in agriculture or conducting and guiding programmes in extension education shall be undertaken by the University or by such affiliated colleges and in such subjects as may be prescribed.</p> | <p>Post graduate teaching.</p> |
| <p>39.(1) The Board may determine that all education in agriculture and allied sciences or research in agriculture or programmes in extension education in respect of which the University is competent to hold examinations shall, within the University area, be imparted or undertaken by the teachers of the University on behalf of the University and the Board shall communicate its decision to the State Government</p> <p>(2) On receipt of the communication under sub-section (1), the State Government may, after making such inquiry as it thinks fit, by notification in the <i>Official Gazette</i>, declare that the provisions of section 40 shall come into force on such date as may be specified in the notification.</p> | <p>Teaching Within University Area.</p> |
| <p>40.(1) All colleges, which have become constituent colleges under Constituent clause (c) of sub-section (1) of section 66, and all colleges within the University area, which may hereafter become University colleges, shall be the constituent colleges of the University.</p> <p>(2) No educational institution imparting education in agriculture and allied sciences or conducting and guiding research in agriculture or conducting and guiding programmes of extension education and situate within the University area shall, save with the consent of the University and the sanction of the State Government, be associated in any way with, or seek admission to any of the privileges of, any other University established by law.</p> | <p>Constituent Colleges.</p> |

[PART IV]

(3) The relations of the constituent colleges within the University area shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the constituent colleges, namely:—

- (i) to lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and the conditions of their service;
- (ii) to approve the appointments of the teachers made by such colleges;
- (iii) to require each such college to contribute a prescribed quota of recognised teachers in any subject for teaching on behalf of the University;
- (iv) to co-ordinate and regulate the facilities provided and expenditure incurred by such college in regard to libraries, laboratories and other equipments for teaching and research;
- (v) to require such colleges, when necessary, to confine the enrolment of students to certain subjects;
- (vi) to levy contributions from such colleges and make grants to them; and
- (vii) to require satisfactory arrangements for tutorial and similar other work in such colleges and to inspect such arrangements from time to time:

Provided that a constituent college shall supplement such education in agriculture and allied sciences, research in agriculture or programmes of extension education, by tutorial or other instruction, teaching or training in a manner to be prescribed by the Regulations to be made by the Academic Council.

(5) Subject to the provisions of the Statutes, the Academic Council shall organise and co-ordinate the education, research or programmes of extension education.

CHAPTER X

COMMITTEES

41. (1) There shall be committees for selection of different classes of full-time teachers of the University including tutors and demonstrators

**Committee for
Selection of
University
Teachers.**

[PART IV]

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|---|--|
| <p>(2) No person shall be appointed as full-time teacher of the University except on the recommendation of the committee.</p> <p>(3) The constitution of such committee, the term of office of its members and the procedure to be followed by it shall be such as may be prescribed.</p> | |
| <p>42. (1) There shall be formed every year a committee for each Faculty, for the purpose of drawing up the list for appointments to University examinership, consisting of—</p> <p>(i) the Dean of the concerned Faculty, <i>ex-officio</i> Chairman,</p> <p>(ii) the Chairman of the Board of Studies, and</p> <p>(iii) two members of the Board of Studies nominated by the Vice-Chancellor for the year.</p> <p>(2) The list of examiners prepared by the committee shall be placed through the Academic Council before the Vice-Chancellor for his approval who may either approve or modify the same for the reasons to be recorded in writing.</p> <p>(3) The procedure to be followed by the committee shall be such as may be prescribed.</p> | <p>Examiners’
Committee.</p> |
| <p>43. There shall be an Inspection Committee consisting of a person nominated by the Vice-Chancellor as the Chairman and such other members as may be appointed by the Board in accordance with the Statutes.</p> | <p>Inspection
Committee.</p> |
| <p>44. (1) There shall be a College Development Committee for the purpose of development of colleges in the University area.</p> <p>(2) The constitution of such Committee, the term of office of its members and the procedure to be followed by it shall be such as may be prescribed.</p> | <p>College
Development
Committee.</p> |
| <p>45. (1) Any of the authorities of the Universities referred to in section 17 may, from time to time, appoint such other committees consisting of such persons from amongst its members as the authority thinks fit and may refer or entrust, to any such committee for inquiry and report or for opinion any of the matters dealt with by the authority and may at any time discontinue or alter the constitution of any such committee.</p> <p>(2) Notwithstanding anything contained in this Act, but subject to the approval of the appointing authority, it shall be lawful for a committee appointed under sub-section (1) to co-opt such number of persons who are not members of the appointing authority as its members as it thinks fit.</p> | <p>Other
Committees.</p> |

CHAPTER XI

FINANCE

- 46.** (1) The University shall establish a fund to be called the **University Fund.**
- (2) The following shall form part of, or be paid into, the University Fund:-
- (a) any contribution or grant by the State Government,
- (b) the income of the University from all sources including income from fees and charges,
- (c) bequest, donations, endowments and other grants, if any.
- (3) The University Fund shall be kept in any corresponding new bank specified in column 2 of the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and in column 2 of the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 and approved by the State Government for the purpose or invested in securities authorised by the Trusts Act, 1882 at the discretion of the Board. **5 of 1970. 40 of 1980. 2 of 1882.**
- 47.** The State Government shall, in each year after due appropriation made by the State Legislature by law in this behalf, make provision for making grants to the University, as follows:- **Grants.**
- (a) a grant of an amount not less than the estimated net expenditure on pay and allowances of the staff, contingencies, and services of the University;
- (b) a grant to meet such additional items of expenditure, recurring and non-recurring as the State Government may deem necessary for the proper functioning of the University.
- 48.** (1) The annual accounts of the University shall be prepared under the direction of the Board. **Annual Accounts and financial estimates.**
- (2) The Board shall prepare before such date as may be prescribed the financial estimates for the ensuing year having regard to the Government grants that are likely to be available.
- (3) The annual accounts and the financial estimates shall be considered by the Board at its annual meeting and pass a resolution adopting the accounts and financial estimates.
- (4) The annual accounts so adopted shall be submitted to the State Government for audit.

[PART IV]

- (5) (a) The Board shall, after the accounts are audited, submit a copy thereof along with a copy of audit report and the statement of the action taken by the University on the audit report, to the State Government.
- (b) The State Government shall cause the copy of the accounts and the audit report along with the statement of action taken by the University on the audit report to be laid before the State Legislature.
- 49.** (1) The Annual Report of the University shall be prepared under the direction of the Board by or before such date as may be prescribed and shall be considered by the Board at its annual meeting. **Annual Report.**
- (2) The Board may pass such resolutions thereon and take such action as it thinks fit.

CHAPTER XII

SUPPLEMENTARY PROVISIONS

- 50.** (1) No member of the teaching, other academic and non-teaching staff of a college shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of these charges and unless the penalty to be inflicted on him is approved by the Vice-Chancellor or any other officer of the University authorised by the Vice-Chancellor in this behalf. **Dismissal, removal, and Termination of Service of staff of college.**
- (2) No termination of service of such member not amounting to his dismissal or removal falling under sub-section (1) shall be valid unless—
- (a) he has been given a reasonable opportunity of showing cause against the proposed termination, and
- (b) such termination is approved by the Vice-Chancellor or any officer of the University authorised by the Vice-Chancellor in this behalf:
- Provided that nothing in this sub-section shall apply to any person who is appointed on probation or for a temporary period only.

[PART IV]

- (3) (a) An appeal from an order of dismissal, removal or reduction under sub-section (1) or of termination under sub-section (2) shall lie to the State Government within ninety days from the date of the communication of such order and the decision of the State Government in such appeal shall be final and shall not be called in question in any civil court:

Provided that the State Government may admit any appeal after the period of limitation laid down in this clause if the appellant satisfies the State Government that he had sufficient cause for not preferring the appeal within such period.

- (b) In computing the period laid down in clause (a), the provisions of sections 4 and 12 of the Limitation Act, 1963 shall, so far as may be, apply. **36 of 1963.**
- 51.** The University shall make adequate provision for the benefit of Pension, its officers, teachers and other servants in matters of insurance, pension and provident fund or for such other benefits as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes. **Pension, Insurance and Provident fund.**
- 52.** (1) Where the University has established a provident fund for the benefit of its officers, teachers and other servants under section 51, such fund shall, notwithstanding anything contained in any law for the time being in force, be deposited in the State Government treasury in accordance with such directions as the State Government may, from time to time, by an order in writing, give and thereupon, -
- (i) the subscriber to the fund shall be entitled to interest on the balance in his provident fund account at the same rate, at which the State Government servant is for the time being entitled to on the balance in his provident fund account, and
- (ii) the rules for the time being in force relating to the limits of withdrawals from the provident fund as applicable to such Government servant shall, so far as may be, apply to the subscriber.
- (2) Nothing in this section shall apply to a provident fund established by the University to which the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, applies. **19 of 1952.**
- 53.** Every officer and employee of the University shall be deemed to employees to be a public servant within the meaning of section 21 of the Indian Penal Code. **45 of 1860. Officers and Employees to be public servants.**

[PART IV]

Explanation—For the purposes of this section, any person, who is appointed by the University for a specified period or for a specified work of the University or, who receives any remuneration by way of compensatory allowance or fee for any work done from the University Fund, shall be deemed to an officer or employee of the University while he is performing, and in relation to all matters relating to the performance of, the duties and functions connected with such appointment or work.

54.(1) Any member of any authority or body of the University may resign his office by letter addressed to the Vice-Chancellor through the Registrar and on the Vice-Chancellor accepting the resignation, the office of such member shall become vacant.

**Vacating
office**

(2) The Board may remove any person from membership of any authority or body of the University on the ground that such member has been convicted by a court of law of an offence, which, in the opinion of the Board, involves moral turpitude:

Provided that no order for removal of such person shall be made without giving him an opportunity of being heard.

(3) Subject to the provisions of sub-section (2), a person, who is a member of any authority or body of the University as a representative of another body, whether of the University or not, shall retain his seat on the University authority or body so long as he continues to be a member of the body by which he was appointed and thereafter till his successor is duly appointed.

55. When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon conveniently as may be, by nomination, appointment or, as the case may be, co-option of a member who shall hold office so long only as the member in whose place he has been nominated, appointed or co-opted, would have held it, if the vacancy had not occurred.

**Filling up of
Casual
vacancies.**

56. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of any vacancy in its membership or by reason of a person having taken part in the proceedings of the authority or other body who is subsequently found to have been not entitled to do so.

**Proceedings
not invalidated
by vacancies.**

57. Where any question arises as to—

(1) the interpretation of any provision of this Act, or of any Statute or Regulation, or

**Disputes as to
constitution of
university
authority or
body.**

[PART IV]

- (2) whether a person has been duly appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority, or other body of the University,
- (a) it may be referred to the State Government if it relates to a matter specified in clause (1), and
- (b) it shall be referred to the State Government if—
- (j) it relates to a matter specified in clause (2), or
- (ii) if four members of the Board so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and
- the State Government shall, after making such inquiry as it deems fit (including giving opportunity of being heard where necessary) decide the question and its decision shall be final.
- 58.** All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and at no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of the Act and the Statutes and Regulations framed there under.
- Protection of acts and orders.**

CHAPTER XIII TRANSITORY PROVISIONS

- 59.** Notwithstanding anything contained in this Act or the statutes or the regulations made thereunder, any student of a college situate within the University area who, immediately before the date on which section 4 came into force was studying or was eligible for any examination of the Gujarat Agricultural University, shall be permitted to complete his Course in preparation therefore, and the University for that University area shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of the Gujarat Agricultural University.
- Completion of courses of students in colleges associated with Gujarat Agricultural University.**
- 60.** Notwithstanding anything contained in section 10, the first Vice-Chancellor shall be appointed by the State Government as soon as practicable after the date of commencement of this Act for a period not exceeding two years and on such terms and conditions as the State Government thinks fit.
- Appointment of first Vice Chancellor.**
- 61.** Notwithstanding anything contained in section 15, the first Registrar shall be appointed by the State Government as soon as practicable after the date of commencement of this Act for a period not exceeding three years and on such conditions as the State Government thinks fit.
- Appointment of first Registrar.**

[PART IV]

62. (1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Academic Council and other authorities of the University other than the Board within six months after the date of his appointment or such longer period not exceeding one year in the aggregate as the State Government may, by notification in the *Official Gazette*, direct.

Transitory Powers of first Vice Chancellor.

(2) The first Vice-Chancellor shall, with the assistance of the Advisory Committee consisting of not more than fifteen members nominated by the State Government-

(a) subject to the provisions of this Act and the approval of the Chancellor,-

(i) make provisional statutes necessary for constituting the authorities of the University and regulating the procedure at their meetings and the transaction of their business,

(ii) draw up any rules that may be necessary for regulating the method of constitution of authorities,

(b) frame the first statutes and regulations under this Act and submit them for confirmation to the respective authorities when they commence to exercise their functions.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date or dates as the State Government may, by notification in the *Official Gazette*, direct.

(4) The statutes and regulations framed by the first Vice-Chancellor shall, when confirmed by the respective authorities, be published in the *Official Gazette*.

63. (1) At any time after the passing of this Act until such time as the authorities of the University shall commence to exercise their functions,

First appointment of officers and teachers of university.

(a) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor,

(b) teachers of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Agriculture and such other person or persons, if any, as the Chancellor thinks fit to associate with them.

(2) Any appointment made under sub-section (1) shall be for such period not exceeding three years and on such conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made until financial provision has been made therefore.

[PART IV]

64. The first Vice-Chancellor appointed under section 60 shall have the following powers until the Board commences to exercise its powers of first functions, namely: -

Extraordinary powers of first vice chancellor.

- (a) with the previous approval of the Chancellor, to make additional statutes to provide for any matter not provided for by the first Statutes,
- (b) to constitute provisional authorities and bodies and on their recommendations, to make rules providing for the conduct of the work of the University,
- (c) subject to the control of the State Government, to make such financial arrangements as may be necessary to enable this Act or any part thereof to be brought into force,
- (d) with the sanction of the Chancellor, to make, for a period not exceeding three years, such appointment as may be necessary to enable this Act or any part thereof to be brought into force,
- (e) to appoint any committee as he may think fit to discharge such of his functions as he may direct, and
- (f) generally to exercise all or any of the powers conferred on the Board by or under the provisions of this Act.

CHAPTER XIV MISCELLANEOUS

65. (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the coming into force of this act or otherwise in first giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

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

(2) Every order made under this section shall be laid as soon as may be, after it is made, before the State Legislature.

66. (1) With effect on and from such date as the State Government may, by notification in the *Official Gazette*, appoint (hereinafter referred to in this section as "the appointed day"); University Act, 1969 shall stand repealed and the following 1969 consequences shall ensue, that is to say—

Repeal of Gujarat Agricultural University Act, 1969.

- (a) the Gujarat Agricultural University established and constituted for the State of Gujarat and functioning immediately before the appointed day shall, alongwith all its authorities, stand dissolved (hereinafter referred to as "the dissolved University") and all its officers specified in or declared under section 9 of the repealed Act shall be deemed to have vacated their office;
- (b) all land and all stores, articles and goods belonging to the dissolved University and situate in a University area shall pass to the University constituted for that area under this Act (hereinafter referred to as "new University"):

Provided that where the State Government is of the opinion that any goods or class of goods should be distributed otherwise than according to the situation of the goods, the State Government may issue such directions as it thinks fit for a just and equitable distribution of the goods and the goods shall pass to the new Universities accordingly;

Explanation.- For the purposes of clause (b), "land" includes immovable property of every kind and any rights in or over such property ;

- (c) the constituent college specified in column 1 of Schedule II shall cease to be the constituent college of the dissolved University and shall become constituent college of the University mentioned against it in column 2 of the said Schedule;
- (d) the unexpended balance in the general fund and the foundation fund, whether deposited in a bank or invested in securities belonging to the dissolved University immediately before the appointed day, shall, subject to all charges and liabilities affecting the same, vest in the new Universities in such proportion and in such manner as the State Government may direct;
- (e) the liability of the dissolved University in respect of the provident fund account of an officer or employee of that University in service on the appointed day shall, as from that day, be the liability of the new University to which the officer or employee is allotted;
- (f) all debts and obligations incurred and all contracts made by or on behalf of the dissolved University before the appointed day and subsisting on that day shall, in so far as they relate to a University area, be the debts and obligations incurred by and the contracts made by the University constituted for that area:

[PART IV]

Provided that where the State Government is of opinion that this clause is not applicable to any debt and obligation incurred or any contract made by or on behalf of the dissolved University, the State Government may issue such directions as it thinks fit for a just and equitable apportionment of the debts and obligations and contracts and the debts, obligations and contracts shall pass to the new Universities accordingly;

- (g) all officers and employees in the employment of the dissolved University immediately before the appointed day shall be allocated to the new University by the State Government in such manner as it may direct having regard to such principles as it may, by notification in the *Official Gazette*, lay down, and until other provision is made in accordance with this Act, they shall receive salaries and allowances and be subject to the conditions of service to which they were entitled or subject to immediately before the appointed day:

Provided that the conditions of service applicable immediately before the appointed day to any officer or employee allotted to the new University shall not be varied to his disadvantage except with the previous approval of the State Government.

- (2) Notwithstanding anything contained in the Industrial Disputes Act, 1947 or any other law for the time being in force, a person, who has ceased to be an officer by virtue of clause (a) of sub-section (1) or an officer or servant of the dissolved University who is transferred to any of the new Universities as a result of the allotment made under clause (g) of sub-section (1), shall not be entitled to any compensation for such cesser or transfer, under this Act or any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

[PART IV]

SCHEDULE I
(See clause (20) of section 2)

UNIVERSITY AREA

PART I
THE ANAND AGRICULTURAL UNIVERSITY

1. Anand District,
2. Ahmedabad District,
3. Vadodara District,
4. Dahod District,
5. Panchmahals District,
6. Kheda District

PART II
THE JUNAGADH AGRICULTURAL UNIVERSITY

1. Amreli District,
2. Bhavnagar District,
3. Jamnagar District,
4. Junagadh District,
5. Porbandar District,
6. Rajkot District,
7. Surendranagar District.

PART III
THE NAVSARI AGRICULTURAL UNIVERSITY

1. Bharuch District,
2. Dang District,
3. Narmada District,
4. Navsari District,
5. Surat District,
6. Valsad District.

[PART IV]

PART IV
THE SARDAR KRUSHINAGAR DANTIWADA AGRICULTURAL
UNIVERSITY

1. Banaskantha District
2. Gandhinagar District
3. Kutch District
4. Mehsana District,
5. Patan District,
6. Sabarkantha District

SCHEDULE II

(See clause (c) of sub-section (1) of section 66)

COLLEGE	UNIVERSITY
1	2
Bansilal Amrutlal College of Agriculture, Anand.	The Anand Agricultural University;
College of Veterinary Science and Animal Husbandry, Anand.	The Anand Agricultural University,
Sheth Mansukhlal Chhaganlal College of Dairy Science, Anand.	The Anand Agricultural University.
College of Agriculture, Junagadh	The Junagadh Agricultural University.
College of Agricultural Engineering and Technology, Junagadh	The Junagadh Agricultural University.
College of Fisheries Science Veraval	The Junagadh Agricultural University
Shri Navinchandra Mafatlal College of Agriculture, Navsari.	The Navsari Agricultural University.
Aspee College of Horticulture and Forestry, Navsari.	The Navsari Agricultural University.
Chimanbhai Patel College of Agriculture.	Sardar Krushinagar Dantiwada Agricultural University..
College of Veterinary Science and Animal Husbandry.	Sardar Krushinagar Dantiwada Agricultural University.
Aspee College of Home Science.	Sardar Krushinagar Dantiwada Agricultural University.

[PART IV]

STATEMENT OF OBJECTS AND REASONS

There is at present only Agricultural University in the State at Dantiwada called the Gujarat Agricultural University, functioning in four zones into which the State is divided. On account of there being only one Agricultural University, the spread of education in Agriculture is rather slow. In order to give fillip to the spread of education in agriculture, it is proposed to establish four Universities in place of the existing University, one each in every zone to be known as the Anand Agricultural University, The Junagadh Agricultural University, the Navsari Agricultural University and the Sardar Krishinagar, Dantiwada Agricultural University. This will enable each University to efficiently monitor education in agricultural in its area. The establishment of four Universities would encourage healthy competition amongst them not only in imparting education in agriculture but also in research in agriculture and extension education. There is need to have decentralization and that need would be fulfilled by establishment of four Universities as aforesaid. It is necessary to impart such education in agricultural and undertake such research in agriculture and extension education as to enable the agriculturists in the State to meet the challenges of global competition. There is need to have centre of excellence in each area and faculty of advance and higher education in agriculture for students in the State. The establishment of the Universities in the State will assist the State Government in organizing agriculture and animal husbandry on modern and scientific lines as envisaged in one of the directive principles of State Policy laid down in the Constitution.

This Bill seeks to achieve the aforesaid objects.

The following notes on clause explain some of the important provision of the Bill:-

- Chapter I-* This Chapter contains clauses 1 and 2 providing for the short title and commencement and definitions.
- Chapter II-* This Chapter contains clauses 3 to 7 which relate to incorporation, territorial jurisdiction, power, etc. of the University. Sub-clause (3) of clause 4 provides that all colleges, research and experimental stations or other institutions coming under the jurisdiction and authority of the University shall consist of constituent units of the University under the management and control of the University and affiliated units of the University.
- Chapter III-* This Chapter contains clauses 8 to 16 relating to officers of the University, their powers, terms and conditions of service and duties and functions.

[PART IV]

- Chapter IV-* This Chapter contains clauses 17 to 24 which relate to the constitution of different authorities of the University, their powers, duties and functions.
- Chapter V-* This Chapter contains clauses 25 relating to the Council of State Agricultural Universities.
- Chapter VI-* This Chapter contains clauses 26 to 27 relating to Agricultural Research Organisation and Agricultural Extension Education Organisation.
- Chapter VII-* This Chapter contains clauses 28 to 30 relating to making of Statutes by the Board and Regulations by any authority of the University specified in sub-clauses (2), (3) and (4) or declared under sub-clauses (5) of clauses 17.
- Chapter VIII-* This Chapter contains clauses 31 to 37 relating to affiliation of colleges and recognition of institutions.
- Chapter IX-* This Chapter contains clauses 38 to 40 relating to organisation to be University area for Post Graduate Teaching.
- Chapter X-* This Chapter contains clauses 41 to 45 relating to committees to be appointed by the University.
- Chapter XI-* This Chapter contains clauses 46 to 49 relating to University finance.
- Chapter XII-* This Chapter contains clauses 50 to 58 relating to certain supplementary provisions. Clause 50 relates to dismissal, removal, reduction and termination of service of staff of college, etc. Clauses 51 and 52 relate to provision of pension, insurance and provident fund. Clause 53 provides that officers and employees of the University shall be deemed to be public servants. Clauses 54 and 55 relate to the vacating of office by a member of any authority or body of the University and the filling up of vacancies in their offices. Clause 57 provides for reference of a dispute as to the constitution of the University, authority of body to the State Government and the finality of the decision of the State Government. Clause 58 relates to protection of all acts and orders of the University or any bodies, authorities or officers.
- Chapter XIII-* This Chapter contains clauses 59 to 64 clause 60 to 62 relate to appointment of the first Vice-Chancellor and the first Registrar and for the transitory powers of the first Vice-Chancellor. Clause 63 relates to the first appointment of the officers and teachers of the University. Clause 64 relates to extraordinary powers of the first Vice-Chancellor.

[PART IV]

Chapter XIV- This Chapter contains clauses 65 to 66 Clause 65 provides for the power of the State Government to remove difficulties and clause 66 provides for the repeal of the Gujarat Agricultural University Act, 1969 and its consequences.

BHUPENDRASINH CHUDASAMA

FINANCIAL MEMORANDUM

Para (a) of sub-clause (2) of clause 46 of the Bill contemplates payment of contribution or grant to the University by the State Government.

Clause 47 provides for making of grant by the State Government as follows:-

- (i) a grant of an amount of not less than the estimated net expenditure on pay and allowances of the staff, contingencies and services of the University;
- (ii) a grant to meet with such additional items of expenditure, recurring and non-recurring, as the State Government may deem necessary for the proper functioning of the University.

During the current financial year i.e. 2003-04, the provision of Rs. 1920.00 lakh (Plan) and Rs. 7790.30 lakh (Non-Plan) have been made in the Budget, while for the financial year 2004-05 the provision of Rs. 4500.00 lakh (Plan) and Rs. 7638-00 lakh (Non-Plan) Have been proposed for the functioning of the Gujarat Agricultural University. The expenditure for 2004-05 would be limited to the Budget provision approved by the Legislative Assembly.

In future also, the expenditure would be limited to the provision of financial year 2004-05

BHUPENDRASINH CHUDASAMA

[PART IV]

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative powers in the following respects:-

- Clause 1-* Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the Official Gazette, the date on which provisions other than section I shall come into force and also to appoint different dates for different provisions.
- Clause 5-* Proviso to this clause empowers the Board of Management to prescribe the number of students and the academic or other qualifications to be possessed for the purposes of the proviso.
- Clause 6-*
- (i) Sub-clause (7) of this clause empowers the concerned authority of the University to prescribe the manner in which approved courses of study are to be pursued, examinations to be passed and the conditions under which research is to be carried on by persons on whom the University may confer degrees, diplomas and other academic distinctions and to whom it may grant certificates;
 - (ii) Sub-clause (8) empowers the Board of Management to prescribe by Statutes the manner in which the University may withdraw or cancel any degree, diploma or certificate conferred or granted by the University;
 - (iii) Sub-clause (9) empowers the Board of Management to prescribe by Statutes the manner in which honorary degree and other distinctions are to be conferred by the University;
 - (iv) Sub-clause (10) empowers the concerned authority of the University to determine, by Statutes and Regulations, the lectures, instructions and training to be provided to persons who are not enrolled students of the University and certificates to be granted to them;
 - (v) Sub-clause (23) empowers the Board of Management to prescribe by Statutes the fees and other charges to be fixed, demanded, received or recovered by the University.
- Clause 8-* This clause empowers the Board of Management to prescribe by Statutes other officers in the service of the University to be officers of the University.

[PART IV]

Clause 9- Sub-clause (4) of this clause empowers the Board of Management to confer by Statutes other powers on the Chancellor.

Clause 10- (i) Sub-clause (2)(a)(i) of this clause empowers the Board of Management to prescribe by Statutes the manner in which the Board of Management and the Academic Council shall jointly nominate one person on the committee and the manner in which the Vice-Chancellor of all the Agricultural Universities established by law in the State shall nominate another person on that committee.

(ii) Sub-clause (3) of this clause empowers the Board of Management to prescribe by Statutes the time within which and the manner in which the committee shall select three persons whom it considers fit for being appointed as Vice-chancellors and other particulars to be recommended by the committee to the Chancellor along with the names so selected;

(iii) Sub-clause (5) empowers the Board of Management to prescribe by Statutes the emoluments and the other terms and conditions of service of the Vice-Chancellor.

Clause 11- Sub-clause (10) of this clause empowers the Board of Management to prescribe by Statutes other powers which the Vice-Chancellor may exercise.

Clause 12- (i) This clause empowers the Board of Management to prescribe statutes, in accordance with which the Director of Research and Dean of Post Graduate Studies shall be appointed;

(ii) Sub-clause (2) empowers the Board of Management to prescribe by Statutes qualifications, emoluments and the terms and conditions of service of the Director;

(iii) Sub-clause (3) empowers the Board of Management to prescribe by Statutes the powers to be exercised and duties to be performed by the Director.

Clause 13- (i) Sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes the manner in which the Dean of each Faculty shall be chosen;

(ii) Sub-clause (5) empowers the Board of Management to prescribe by Statutes the powers to be exercised and functions and duties to be performed the Dean.

[PART IV]

- Clause 14-* (i) Sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes in accordance with which the Director of Extension Education shall be appointed;
- (ii) Sub-clause (2) empowers the Board of Management to prescribe by Statutes the qualifications, emoluments and the terms and conditions of service of the Director;
- (iii) Sub-clause (3) empowers the Board of Management to prescribe by Statutes the powers to be exercised and functions and duties to be performed by the Director.
- Clause 15-* (i) Sub-clause (2) of this clause empowers the Board of Management to prescribe by Statutes the qualifications, emoluments and the terms and conditions of service of the Registrar.
- (ii) Sub-clause (3) empowers the concerned authority of the University to prescribe the powers to be exercised and duties to be performed by the Registrar.
- Clause 16-* (i) Sub-clause (2) of this clause empowers the Board of Management to determine by Statutes the qualifications, emoluments and the terms and conditions of service of the officers;
- (ii) Sub-clause (3) empowers the Board of Management to prescribe by Statutes the powers and duties of the officers.
- Clause 17-* Para (5) of this clause empowers the Board of Management to declare by Statutes other bodies of the University to be authorities of the University.
- Clause 18-* This Clause empowers the Board of management to prescribe by Statutes the manner of rotation in which the member shall be nominated by the Vice-chancellor from amongst the Deans of Faculties and the daily and travelling allowances to which the nominated members of the Board shall be entitled.
- Clause 19* Para (c) of sub-clause (3) empowers the Board of Management to prescribe by Statutes the allowance to which a person invited shall be entitled for attending the meeting.

[PART IV]

- Clause 20-*
- (i) Para (xxvii) of sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes the manner in which officers, teachers and other staff of the University shall be appointed by the Board of Management.
 - (ii) Para (xxx) of the Sub-clause (1) empowers the Board of Management to prescribe by Statutes the fees and other charges to be fixed, demanded, received;
 - (iii) Para (xxxii) of the said sub-clause (1) empowers the Board of Management to make, amend or repeal the Statutes;
 - (iv) Sub-clause (4) of this clause empowers the Board of Management to prescribe by Statutes the appointment of committees to carry out its administrative work and define their constitution, functions and tenures.
- Clause 21-*
- (i) Para (v) of sub-clause (1) of this clause empowers the Board Management to prescribe by Statutes the manner of rotation in which six members shall be nominated from amongst the Heads of Departments of the Faculties and the Research Scientists of the University;
 - (ii) sub-clause (2) empowers the Board Management to prescribe by Statutes the period for which the Academic Council may co-opt the additional members.
- Clause 22-*
- (i) Sub-clause (2) of this clause empowers the Board of Management to prescribe by Statutes the conditions subject to which the Academic Council shall exercise the powers and perform the duties specified in that clause;
 - (ii) Para (iv) in Sub-clause (2) empowers the Academic Council to make regulations relating to admission of students to the University and the number of students to be admitted;
 - (iii) para (viii) in sub-clause (2) empowers the Academic Council to make regulations relating to the courses of study leading to degrees, diplomas, certificates and other academic distinctions;
 - (iv) para (ix) in sub-clause (2) empowers the Academic Council to make regulations relating to the conduct of examinations;
 - (v) para (xiii) in the said sub-clause (2) empowers the Academic Council to make regulations regarding examinations of the University and the conditions on which the students shall be admitted to them;

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- (vi) para (xv) in the said sub-clause (2) empowers the Boars of Management to make Statutes conferring other powers to be exercised and imposing other duties to be performed by the Academic Council.

Clause 23- (i) Sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes other Faculties to be included in the University;

- (ii) sub-clause (2) empowers the Board of Managemt to prescribe by Statutes the subjects which each Faculty shall comprise of;

- (iii) sub-clause (3) empowers the Board of Management to prescribe by Statutes the constitution, powers and duties of the Faculties.

Clause 24- (i) Sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes a subject or group of subjects for which there shall be a Board of Studies;

- (ii) sub-clause empowers the Board of Management to prescribe the constitution of each Board and term of office of its members;

- (iii) sub-clause empowers the Board of Management to prescribe by Statutes the powers to be exercised and duties to be performed by each Board.

Clause 25- Pare (i) of sub-clause (7) of this clause empowers the State Government to specify, by notification in the Official Gazette, other functions of the Council of State Agricultural Universities.

Clause 27- Para (e) of sub-clause (3) of this clause empowers the Board of Management to prescribe by Statutes other functions of theAgricultural Extension Education Organisation.

Clause 29- This clause empowers the Board of Management to make the Statutes for the matters specified in clause 28 and also to amend, repeal or add to those Statutes.

Clause 30- Sub-clause (1) of this clause empowers any authority of the University specified in Paras (2), (3) and (4) or declared under Para (5) of clause 17 to make regulations in respect of all matters for which regulations are to be made and also other matters concerning itself.

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- Clause 31-* Para (k) of sub-clause (2) of this clause empowers the Board of Management to specify by Statutes the other conditions in relation to affiliation.
- Clause 39-* Sub-clause (2) of this clause empowers the State Government to declare, by notification in the Official Gazette, that the provisions of clause 40 shall come into force on such date as may be specified in the notification.
- Clause 40-* (i) Sub-clause (3) of this clause empowers the Board of management to prescribe by Statutes the relations of constituent colleges within the University area by which they shall be governed and to provide for the exercise by the University of the powers specified in the said sub-clause (3) in respect of the constituent colleges;
- (ii) Proviso to the said sub-clause (3) empowers the Academic Council to prescribe by regulations the manner in which a constituent college shall supplement education in agriculture and allied sciences, research in agriculture of programmes of extension education by tutorial or other instruction, teaching of training.
- Clause 41-* Sub-clause (3) of this clause empowers the Board of management to prescribe by Statutes the constituent of a committee for selection of colleges within the University area by which they shall be governed and to provide for the exercise by the University of the powers specified in the said sub-clause (3) in respect of the constituent colleges;
- Clause 42-* Sub-clause (3) of this clause empowers the Board of management to prescribe by Statutes the procedure to be followed by the Examiners' Committee.
- Clause 43-* This clause empowers the Board of management to make Statutes in accordance with which the other members of the Inspection Committee may be appointed.
- Clause 44-* Sub-clause (2) of this clause empowers the Board of management to prescribe by Statutes the constitution of College Development Committee, the term of office of its members and the procedure to be followed by the Committee.
- Clause 48-* Sub-clause (2) of this clause empowers the Board of management to prescribe by Statutes the date before which the Board of Management shall prepare the financial estimates for the ensuring year.

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- Clause 49-* This clause empowers the Board of management to prescribe by Statutes the date on or before which the annual report of the Management shall be prepared.
- Clause 51-* This clause empowers the Board of Management to prescribe by Statutes the manner in which and the conditions subject to which a University shall make provision for the benefit of its officers, teachers and other servants in such matters as insurance, pension, provident fund, etc.
- Clause 52* Sub-clause (1) of this clause empowers the State Government to give directions by an order in writing in accordance with which the provident fund shall be deposited in the State Government Treasury.
- Clause 59-* This clause empowers the Board of Management to prescribe by Statutes the period for which and the manner in which the University shall provide for instruction, teaching, training and examination of the Students accordance with the course of studies of the Gujarat Agricultural University.
- Clause 62-*
- (i) Sub-clause (1) of this clause empowers the State Government to specify, by notification in the Official Gazette, longer period not exceeding one year within which the first Vice-Chancellor shall perform functions specified in that sub-clause;
 - (ii) Sub-clause (2) of this clause empowers the first Vice-Chancellor-
 - (a) to make provisional Statutes necessary for constituting the authorities of the University and regulating the procedures at their business and to draw up any rules that may be necessary for regulating the method of constitution of the authority; and
 - (b) to frame the first Statutes and Regulation under the Act;
 - (iii) sub-clause (3) empowers the State Government to direct, by notification in the Official Gazette, the date or dates on which the authorities constituted under sub-clause (1) of this clause shall commence to exercise their functions.
- Clause 64-* This clause empowers the first Vice-Chancellor to make additional Statutes to provide for any matters not provided for by the first Statutes and to make rules providing for the conduct for by the work of the University until the Board of Management commences to exercise its functions.

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Clause 65- This clause empowers the State Government to make an order to remove any difficulty arising within the first three years as to the first constitution of reconstitution of any authority of the University or in first giving effect to the provisions of the Act.

Clause 66- (i) Sub-clause (1) of this clause empowers the State Government to appoint by notification in the Official Gazette, the date with effect on and from which the Gujarat Agricultural University Act, 1969, shall stand repealed;

(ii) paragraph (g) of sub-clause (1) empowers the State Government to lay down, by notification in the Official Gazette, the principles having regard to which the State Government may direct the manner in which all officers and employees in the employ of the dissolved University shall be allocated to the new University.

The delegation of legislative powers, as aforesaid, is necessary and is of a normal character.

Gandhinagar,
Dated the 19th February, 2004

BHUPENDRASINH CHUDASAMA.

By order and in the name of the governor of Gujarat,

S. S. PARMAR,

Gandhinagar, Secretary to the Government of Gujarat
Dated the 20th February, 2004 Legislative and Parliamentary Affairs Department.
