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NOTIFICATION

No. H.12018/4/91-LJD, the 12th May 1993. The following Act is hereby published for general information.

Lalremruata,
Deputy Secretary to the Govt. of Mizoram,
Law, Judicial & Parliamentary Affairs Department.

THE CENTRAL AGRICULTURAL UNIVERSITY ACT, 1992

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THE SCHEDULE.

THE CENTRAL AGRICULTURAL UNIVERSITY ACT 1992

AN ACT

to provide for the establishment and incorporation of a University, for the North Eastern region for the development of agriculture and for the furtherance of the advancement of learning and prosecution of research in agriculture and allied sciences in that region.

BE it enacted by Parliament in the Forty third Year of the Republic of India as follows:—

1. (1) This Act may be called the Central Agricultural University Act, 1992.

Short title
and com-
mencement.

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

2. In this Act, and in all Statutes made hereunder, unless the context otherwise requires,—

Defini-
tions.

(a) "Academic Council" means the Academic Council of the University;

(b) "academic staff" means such categories of staff as are designated as academic staff by the Ordinances;

(c) "agriculture" means the basic and applied sciences of the soil and water management, crop production including production of all garden crops control of plants, pests and diseases, horticulture including floriculture, animal husbandry including veterinary and dairy science, fisheries, forestry including farm forestry, home-science, agricultural engineering and technology, marketing and processing of agricultural and animal husbandry products, land use and management;

(d) "Board" means the Board of Management of the University;

(e) "Board of Studies" means the Board of Studies of the University;

(f) "Chancellor" means the Chancellor of the University;

(g) "college" means a constituent college of the University whether located at the headquarters, campus or elsewhere;

(h) "Department" means a Department of Studies of the University;

(i) "employ" means any person appointed by the University and includes teachers and other staff of the University;

(j) "extension education" means the educational activities concerned with the training of orchardists, farmers and other groups serving agriculture, horticulture, fisheries and the various phases of scientific technology related to agriculture and agricultural production including post harvest technology and marketing;

(k) "Faculty" means Faculty of the University;

(l) "North Eastern region" means the North Eastern region of India comprising the States of Arunachal Pradesh, Manipur, Meghalaya, M Sikkim and Tripura;

(m) "Ordinances" means the Ordinances of the University;

(n) "Regulations" means the Regulations made by any authority of the University;

(o) "Research Advisory Committee" means the Research Advisory Committee of the University;

(p) "Statutes" means the Statutes of the University;

(q) "student" means a person enrolled in the University for undergoing a course of studies for obtaining a degree, diploma or other academic distinction duly instituted;

(r) "teachers" means Professors, Associate Professors, Assistant Professors, Teaching Faculty Members and their equivalent appointed for imparting instruction or conducting research or extension education programmes or combination of these in the University college or any institute maintained by the University, and designated as teachers by the Ordinances;

(s) "University" means the Central Agricultural University established under this Act;

(t) "Vice-Chancellor" means the Vice-Chancellor of the University;

(u) "Visitor" means the Visitor of the University.

3. (1) There shall be established a University by the name of the "Central Agricultural University." The University.

(2) The headquarters of the University shall be at Imphal in the State of Manipur and it may also establish campuses at such other places within its jurisdiction as it may deem fit.

(3) The first Chancellor and the first Vice-Chancellor and the first members of the Board, the Academic Council 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 name of the Central Agricultural University.

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. The objects of the University shall be—

Objects
of the
University

(a) to impart education in different branches of agricultural and allied sciences as it may deem fit;

(b) to further the advancement of learning and prosecution of research in agriculture and allied sciences;

(c) to undertake programmes of extension education in the States under its jurisdiction; and

(d) to undertake such other activities as it may, from time to time, determine.

5. The University shall have the following powers, namely:—

Powers
of the
University

(i) to make provision for instruction in agricultural and allied sciences;

(ii) to make provision for conduct of research in agricultural and allied branches of learning;

(iii) to make provision for dissemination of the findings of research and technical information through extension programmes;

(iv) to grant, subject to such conditions as it may determine, diplomas or certificates to, and confer degrees or other academic distinctions on the basis of examination, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinction for good and sufficient cause;

(v) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(vi) to provide lectures and instructions for field workers, village leaders and other persons not enrolled as regular students of the University and to grant certificates to them as may be prescribed by the Statutes;

(vii) to co-operate or collaborate or associate with any other University or authority or institution of higher learning in such manner and for such purposes as the University may determine;

(viii) to establish and maintain colleges relating to agriculture, fisheries, dairying, veterinary medicine and animal science, home science, agricultural engineering, forestry and allied sciences;

(ix) to establish and maintain such campuses, special centres, specialised laboratories, libraries, museums or other units for research and instruction as are, in its opinion, necessary for the furtherance of its objects;

(x) to create teaching, research and extension education posts and to make appointments thereto;

(xi) to create administrative, ministerial and other posts and to make appointments thereto;

(xii) to institute and award fellowships, scholarships, studentships, medals and prizes;

(xiii) to determine standards of admission to the University, which may include examination, evaluation or any other method of testing;

(xiv) to provide and maintain residential accommodation for students and employees;

(xv) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(xvi) to lay down conditions of service of all categories of employees, including their conduct;

(xvii) to regulate and enforce discipline among the students and the employees, and to take such disciplinary measures in this regard as it may deem necessary;

(xviii) to fix, demand and receive such fees and other charges as may be prescribed by the Statutes;

(xix) to borrow, with the approval of the Central Government on the security of its property, money for the purpose of the University;

(xx) to receive benefactions, donations and gifts and to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties for its purposes;

(xxi) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

Jurisdiction.

6. (1) The jurisdiction and responsibility of the University with respect to teaching, research and programmes of extension education at the University level, in the field of agriculture shall extend to the States of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Sikkim and Tripura.

(2) All colleges, research and experimental stations or other institutions coming under the jurisdiction and authority of the University shall be its constituent units under the full management and control of its officers and authorities and no such units shall be recognised as affiliated units.

(3) The University may assume responsibility for the training of field extension workers and others and may develop such training centres as may be required in various parts of the States under its jurisdiction.

7. The University shall be open to persons of either sex and of whatever caste, creed, race or class, and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof:

University
open to
all classes,
castes and
creed.

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, handicapped or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes and the Scheduled Tribes.

8. (1) The President of India shall be the Visitor of the University.

The
Visitor

(2) Subject to the provisions of sub-sections (3) and (4), the Visitor 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 equipments, and of any institution or college and also of the examination, instruction and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the administration and finances of the University.

(3) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall, on receipt of such notice, have the right to make, within thirty days from the date of receipt of the notice or such other period as the Visitor may determine, such representations to him as it may consider necessary.

(4) After considering the representations, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where an inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have the right to appear in person and to be heard on such inspection or inquiry.

(6) The Visitor may address the Vice-Chancellor with reference to the results of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon as the Visitor may be pleased to offer and on receipt of the address made by the Visitor, the Vice-Chancellor shall communicate forthwith to the Board the results of the inspection or inquiry and the views of the Visitor and the advice tendered by him upon the action to be taken thereon.

(7) The Board shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken by it upon the results of such inspection or inquiry.

(8) Where the Board does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Board, issue such directions as he may think fit and the Board shall be bound to comply with such directions.

(9) Without prejudice to the foregoing provisions of this section, the Visitor may, by an order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Ordinances:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made and, if any cause is shown within a reasonable time, he shall consider the same.

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

9. The following shall be the officers of the University, namely :—

- (1) the Chancellor;
- (2) the Vice-Chancellor;
- (3) Deans;
- (4) Directors;
- (5) the Registrar;
- (6) the Comptroller and
- (7) such other officers as may be prescribed by the Statutes.

Officers
of the
University

The
Chancellor

10. (1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Chancellor shall, by virtue of his office, be the Head of the University.

(3) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees

The Vice-
Chan-
cellor.

11. (1) The Vice Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Board within three months from the date on which decision on such action is communicated to him and thereupon the Board may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor, if he is of opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act, the Statutes or the Ordinances or that any decision taken is not in the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if

the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final.

(2) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the Statutes or the Ordinances.

12. Every Dean and every Director shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes. Deans and Directors.

13. (1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes. The Registrar.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

14. The Comptroller shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes. The Comptroller

15. The manner of appointment and powers and duties of the other officers of the University shall be prescribed by the Statutes. Other officers.

16. The following shall be the authorities of the University, namely:— Authorities of the University.

- (1) the Board;
- (2) the Academic Council;
- (3) the Finance Committee;
- (4) the Research Programme Committee;
- (5) the Extension Education Advisory Committee;
- (6) the Board of Studies; and
- (7) such other authorities as may be prescribed by the Statutes.

The Board.

17. (1) The Board shall be the principal executive body of the University.

(2) The constitution of the Board, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

The Academic Council.

18. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, have the control and general regulation of, and be responsible for, the maintenance of standards of learning, education, instruction, evaluation and examination within the University and shall exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Statutes.

(2) The constitution of the Academic Council and the term of office of its members shall be prescribed by the Statutes.

The Finance Committee.

19. The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

The Research Programme Committee.

20. The constitution, powers and functions of the Research Programme Committee shall be prescribed by the Statutes.

The Extension Education Advisory Committee

21. The constitution, powers and functions of the Extension Education Advisory Committee shall be prescribed by the Statutes.

The Board of Studies

22. The constitution, powers and functions of the Board of Studies shall be prescribed by the Statutes.

Faculties

23. The University shall have such Faculties as may be prescribed by the Statutes.

24. The constitution, powers and functions of other authorities of the University referred to in clause (7) of section 16 shall be such as may be prescribed by the Statutes.

Other authorities.

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

Power to make Statutes.

(a) the constitution, powers and functions of the authorities of the University, as may be constituted from time to time;

- (b) the appointment and continuance in office of the members of the said authorities, the filling up of vacancies of members, and all other matters relating to those authorities for which it may be necessary or desirable to provide;
- (c) the appointment, powers and duties of the officers of the University and their emoluments;
- (d) the appointment of teachers, academic staff and other employees of the University and their emoluments;
- (e) the appointment of teachers and academic staff working in any other University or organisation for a specific period for undertaking a joint project;
- (f) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;
- (g) the principles governing the seniority of service of the employees of the University;
- (h) the procedure for arbitration in cases of dispute between employees or students and the University;
- (i) the procedure for appeal to the Board by any employee or student against the action of any officer or authority of the University;
- (j) the establishment and abolition of Departments, Centres, colleges and institutions;
- (k) the conferment of honorary degrees;
- (l) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (m) the institution of fellowships, scholarships, studentships, medals and prizes;
- (n) the delegation of powers vested in the authorities or officers of the University;
- (o) the maintenance of discipline among the employees and students;

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

Statutes
how to
be made.

26. (1) The first Statutes are those set out in the Schedule.

(2) The Board may from time to time make Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Board shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Board.

(3) Every Statute or any amendment or repeal of a Statute shall require the assent of the Visitor who may assent thereto or withhold assent therefrom or remit it to the Board for consideration.

(4) A Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may amend or repeal the Statutes referred to in sub-section (1), during the period of three years immediately after the commencement of this Act.

(6) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Board is unable to implement such direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Board for its inability to comply with such direction, make or amend the Statutes suitably.

Power
to make
Ordinances.

27. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

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

(b) the courses of study to be laid down for all degrees diplomas and certificates of the University;

(c) the medium of instruction and examination;

(d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees, diplomas and certificates of the University;

(f) the conditions for award of fellowships, scholarships, studentships, medals and prizes;

(g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;

(h) the conditions of residence of the students;

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;

(k) the establishment of special centres, specialized laboratories and other committees;

(l) the manner of cooperation and collaboration with other Universities and authorities including learned bodies or associations;

(m) the creation, composition and function of any other body which is considered necessary for improving the academic life of the University;

(n) such other terms and conditions of service of teachers are not prescribed by the Statutes;

(o) the management of colleges and institutions established by the University;

(p) the setting up of a machinery for redressal of grievances of employees; and

(q) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended or repealed at any time by the Board in the manner prescribed by the Statutes.

28. The authorities of the University may make Regulations, consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the committees appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes. Regulations.

29. (1) The annual report of the University shall be prepared under the direction of the Board, which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects and shall be submitted to the Board on or after such date as may be prescribed by the Statutes and the Board shall consider the report in its annual meeting. Annual report.

(2) The Board shall submit the annual report to the Visitor along with its comments, if any.

(3) A copy of the annual report as prepared under sub section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

Annual
accounts

30. (1) The annual accounts of the University shall be prepared under the directions of the Board and shall, once at least every year and at intervals of not more than fifteen months be audited by the Comptroller and Auditor General of India or by such persons as he may authorise in this behalf.

(2) A copy of the annual accounts together with the audit report thereon shall be submitted to the Board and the Visitor along with the observations of the Board.