

THE ASSAM UNIVERSITY BILL, 1989

An Act to establish and incorporate teaching and affiliating University in the State of Assam and to provide for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows:-

1. Short title and commencement

(1) This Act may be called the Assam University Act, 1989.

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

2. Definition

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

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

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

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

(d) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" means, respectively, the Chancellor, Vice-Chancellor and Pro-vice-Chancellor of the University;

(e) "College" means a College maintained by, or admitted to the privileges of, the University;

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

(g) "Department" means a Department of Studies; and includes a Centre of Studies;

(h) "Distance education system" means the system of imparting education through any means of communication, such as broadcasting telecasting,

correspondence courses, seminars, contact programmes or the combination of any two or more such means;

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

(j) "Executive Council" means the Executive Council of the University;

(k) "Hall" means a unit of residence or of corporate life for the students of the University, or of a College or an Institution, maintained by the University;

(l) "Institution" means an academic Institution, not being a College, maintained by or admitted to the privileges of the University;

(m) "Planning Board" means the Planning Board of the University;

(n) "Principal" means the Head of a College or an Institution maintained by the University and includes, where there is no Principal, the person for the time being duly appointed in ----- as Principal, and in the absence of the Principal or the acting Principal, a Vice-Principal duly appointed as such;

(o) "Recognised Institution" means an Institution of higher learning recognised by the University;

(p) "Recognised teachers" means such persons as may

(p) "Recognised teachers" means such persons as may be recognised by the University for the purpose of imparting instructions in a College or an Institution admitted to the privileges of the University;

(q) "Regulations" means the Regulations made by any authority of the University under the act for the time being in force;

(r) "School" means School of Studies of the University;

(s) "Statutes" and Ordinances" mean, respectively, the Statutes and the Ordinances of the University for the time being in force;

(t) "Teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or ----- research in the University or in any College or Institution maintained by the University and are designated teachers by the Ordinances;

(u) University meant the Assam University established under this act.

3. The University.

(1) There shall be established a University by the name of "Assam University".

(2) The headquarters of the University shall be at Sitehar and it may also establish companies at such other places within its jurisdiction as it may deem fit.

(3) The first Chancellor and the first Vice-chancellor and the --- members of the Court, the Executive Council, the Academic council and the Planning Board and all persons who may hereafter became such officers or members go long --they continue -to hold-such-office of membership are hereby ----- a body ----- by the name of "Annual University".

(4) The University shall have perpetual succession and a common soul and shall are be sued by the name

(4) The objects of the University shall be disseminating and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit and by example of its corporate life to make provisions for integrated courses in humanities. natural and physical sciences and social sciences in the educational programmes of the University; to take appropriate measures for promoting inter-disciplinary studies and research in the University; to educate and train manpower for development of the State of Assam; and to pay special attention to the Improvement of the social and economic conditions and welfare of the people of that State, their - academic and cultural development.

4. The Power of the University

The University shall have the following powers namely:-

(i) to provide for instruction in such branches of learning as the University may; from time to time determine and to make provision for research and for the advancement and dissemination of knowledge;

(ii) to grant subject to such conditions as the University may determine. diplomas or certificates to and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons

and to withdraw any such diplomas. Certificates, degrees or other academic distinctions for good and sufficient cause;

(iii) to organise and to undertake extra-mural studies training and extension services;

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

(v) to provide facilities through the distance education system in such persons as it may.

(vi) to institute principalships, Professorships, readerships, Lectureships and other teaching or academic positions required by the University and to appoint persons to such Principalships, Professorships, Readerships, Lectureships or other teaching or academic positions:

(vii) to recognise an institution of higher learning for such purposes as the University may determine and to withdraw such recognition;

(viii) to recognise persons for having imparting instructions in any College or institution admitted to the privileges of the University :

(ix) to appoint persons working in any other University or organisation as teacher of the University for a specified period ;

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

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

(xii) to establish such campuses, special centres, specialised laboratories or other units for research and instructions as are, in the opinion of the University, necessary for the furtherance of its objects;

(xiii) to institute and award fellowships, scholarships, studentship, medals and prizes;

(xiv) to establish and maintain Colleges, Institution and Halls;

(xv) to make provision for research and advisory service and for that purpose to centre into such arrangements with other institutions, industrial or other organisations. as the University may deem necessary.

(xvi) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, evaluators and other academic staff;

(xvii) to admit to its privileges colleges and institutions not maintained by the University; to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes; to recognize, guide, supervise, and control Halls not maintained by the University and other accommodation for students and to withdraw any such recognition;

(xviii) to appoint on contract or otherwise visiting Professors. Emeritus Professors, Consultants, Scholars and such other persons who may contribute to the advancements of the objects of the University;

(xix) to confer - states on a colleges or on Institution or Department as the case may be in academic with the Statutes;

(xx) to determine - of admission in the University which may include examination revaluation or any other method of losing;

(xxi) to demand and receive -- of lccs and other changes;

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

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

(xxiv) to regulate and enforce discipline among the students the employees. and to take such disciplinary measures in this regard as may be deemed by the University to be necessary;

(xxv) to make arrangements for promoting the health and general welfare of the employees;

(xxvi) to receive benefactions, donations and gifts and to enquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties for the purposes of the University;

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

(xxviii) 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.

6. (1) Jurisdiction.

The jurisdiction of the University shall extend to the whole of the State of Assam.

(2) On and from the commencement of this Act, all Colleges situated in the districts of Cachar, Karinganj, North Cachar Hills and Kurbi Anglong shall stand affiliated to the University.

(3) the University may grant affiliation to any other College in the State provided the University concerned in whose jurisdiction the College is located has no objection.

(7) The University open to all classes --- and creed.

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 student in the University or to ----- thereat or to enjoy or exorcise any privilege thereof; any privilege thereof:

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

8. The Visitor

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

(2) the Visitor may, from time to time, appoint one or more persons to review the work and progress of the University. Including Colleges and institutions managed by it and to submit a report thereon; and upon receipt of that report, the Visitor may, after obtaining the views of the Executive Council thereon through the Vice- chancellor, take such action and issue such directions as be

considers necessary in respect of any of the matter deal with in the report and the University shall be bound to comply with such directions.

(3) The Visitors shall have right to cause an inspection to be made by much - or - on -- any direct, of the University, its buildings, laboratories and equipment, and of any College or institution maintained by the University or admitted to its privileges; and also of the examinations teaching and other work conducted or done by the University and to cause an inquiry to be made in the manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.

(4) The Visitor shall, In every matter referred to in sub- section (2) give notice of his intention to cause on inspection or inquiry to be made:-

(a) to the University if such Inspection or inquiry is to be made in respect of the University or any College or institution maintained by it or

(b) to the management of the College or institution, if the inspection or inquiry is to be made in respect of the College or Institution admitted to the percentages of the University.

and the university or the management as the case may be shall have the right to make such representations to the Visitor, us it may consider necessary.

(5) After considering the representations, if any, made by the University of the management, us the case may be, the Visitor may cause to be made such inspection or inquiry as is referred to in sub- section (3).

(6) Where any inspection or inquiry has been caused to be made by the Visitor, the University or the management shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry.

(7) The Visitor may, if the inspection or inquiry is made in respect of the University or any College or institution maintained by it, address the Vice-Chancellor with reference to the result 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 address made by the Visitor the Vice- Chancellor shall communicate, to the Executive Council, the Views of the Visitor with such advice is the visitor may offer upon the action to be taken thereon.

(8) The Visitor may, if the inspection or inquiry is made in respect of any College or Institution admitted to the privileges of the University address the management concerned through the Vice- Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer upon the action to be taken thereon.

(9) The Executive Council or the management, as the case may be shall communicate, through the Vice-Chancellor to the Visitor such action, a any, as it proper in take or has been taken upon the result of such inspection or inquiry.

(10) Where, the Executive Council or the management, does not, whole responsible take action to the satisfaction in the Visitor -----

(11) Without prejudice to the foraging provisions of this section, the Visitor may by order in writing annual any proceeding of the University which is not in - with the art the statutes or the Ordinances:

Provided that before making may such offer be shall call upon the Registrar to show cause why such an order should not be made, and if any manner is shown within a responsible ---, he shall consider the same.

(12) The Chief Chancellor. The Visitor shall have such other powers as may be prescribed by the Statutes.

9 The Chief Rector

The Government of the State of Assam shall be the Chief Rector of the University. 7

10. - - - the University

The following shall be the others of the University:-

- (1) the Chancellors;-
- (2) The Vice-Chancellor;
- (3) the Pro-Vice-Chancellors;
- (4) the Deans of Schools;
- (5) the Registrar;

(6) the Finance Officer, and

(7) such other officers as may be declared by the Statutes to be officers of the University.

11. The Chancellor

(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 ----- of the University.

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

12. The Vice Chancellor.

(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 o 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 there 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 Executive Council within three months from the date on which decision on such action is communicated in him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice- Chancellor.

(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority of the University is beyond the powers of the authority concerned by the provisions of this the interest of the University may ask the authority concerned to review is 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.