



The Punjabrao Agricultural University (Krishi Vidyapeeth) Act, 1968

Act 9 of 1969

Keyword(s):

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THE PUNJABRAO AGRICULTURAL UNIVERSITY (KRISHI
VIDYAPEETH) ACT, 1968

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MAHARASHTRA ACT No. IX OF 1969¹

[THE PUNJABRAO AGRICULTURAL UNIVERSITY (KRISHI VIDYAPEETH) ACT, 1968]

[8th January 1969]

Amended by Mah. 25 of 1971.

" " " 6 of 1972.*

" " " 17 of 1972.

" " " 24 of 1973. (1-6-1973).†

" " " 36 of 1974.‡ (4-6-1974).†

" " " 6 of 1977. (15-6-1977).†

An Act to establish and incorporate a separate Agricultural University in Vidarbha, by the name of the Punjabrao Krishi Vidyapeeth.

WHEREAS, by the Maharashtra Agricultural University (*Krishi Vidyapeeth*) Mah. Act, 1967, an Agricultural University has been established for the whole of the XXIII State of Maharashtra ;
of
1967.

AND WHEREAS, it has now been decided to have a separate Agricultural University in Vidarbha, by the name of the Punjabrao *Krishi Vidyapeeth* ;

AND WHEREAS, it has also been decided to have a subsidiary campus of each of the two Universities in Konkan and Marathwada, respectively, so that each such subsidiary campus may form the nucleus of independent Universities to be established in the Konkan region and in Marathwada ;

AND WHEREAS, in accordance with the decisions aforementioned it is now expedient to establish and incorporate such separate University in Vidarbha, and make provision for the other matters aforesaid, including consequential amendments to the Maharashtra Agricultural University (*Krishi Vidyapeeth*) Act, 1967 ;
Mah. XXIII of 1967. It is hereby enacted in the Nineteenth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968. Short title and commencement.

(2) This section shall come into force at once. The State Government may by notification in the *Official Gazette*, direct that all or any of the remaining provisions of this Act shall come into force on such date or dates as may be specified therein.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1968, Part V, Extra, pp. 417-19.

* Maharashtra Ordinance No. IX of 1971 was repealed by Mah. 6 of 1972, s. 3.

† This indicates the date of commencement of Act.

‡ Maharashtra Ordinance No. IX of 1974 was repealed by Mah. 36 of 1974, s. 6.

Definitions. 2. In this Act, unless the context otherwise requires,—

(a) “affiliated college” means a college, which is under the management of any authority other than the University, and is affiliated to the University ;

(b) “agriculture” includes the basic and applied sciences (including technology) relating to soil and water management, crop husbandry (including control of plant, pests and diseases), horticulture, agricultural engineering, animal husbandry, dairying, veterinary, fisheries, marine biology, forestry and also home science, co-operation and marketing relating to agriculture ;

(c) “constituent college” means a college, which is under the direct management of the University, whether located at the headquarters or elsewhere in the University area ;

(d) “extension education” means the educational activities concerned with the training of the farmers and home makers and other groups serving agriculture, in improved agricultural practices and the various phases of scientific technology related to agriculture and agricultural production and marketing. It includes the work which may be done through meetings, demonstrations and other methods for teaching improved agricultural practices and the training of workers required for the conduct of these educational activities ;

(e) “period of stabilization” means the period of initial development of the University beginning with the date of passing of this Act and ending on such date as may be notified by the State Government in the *Official Gazette*, but being a date not later than five years from the passing of this Act ;

(f) “prescribed” means prescribed by the Statute ;

(g) “recognised institution” means an institution for research or specialized studies other than an affiliated or constituent college, and recognised as such by the University ¹[and includes any institution for lower agricultural education, such as an agricultural school or *gramsevak* training centre, which is under the direct management of the University, or which is recognized as such by the University] ;

(h) “registered graduate” means a graduate registered under the provisions of this Act ;

(i) “Statutes” and “Regulations” means, respectively the Statutes and Regulations of the University made under this Act ;

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¹ These words were inserted by Mah. 24 of 1973, s. 14.

² Clause (j) was deleted by Mah. 17 of 1972, Second Sch.

- (k) "The University" means the University established under this Act ;
(l) "University area" means the area specified in the First Schedule to this Act ;
(m) "University campus" means the area of the University at its headquarters as may be defined by the State Government by notification in the *Official Gazette*.

CHAPTER II

THE UNIVERSITY

3. (1) The Chancellor, the Pro-Chancellor, the first Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council of the University, and all persons who may hereafter become such executives, officers and members, so long as they continue to hold office or membership are hereby constituted a body corporate by the name of "The Punjabrao Krishi Vidyapeeth", and shall have perpetual succession and a common seal and may sue and be sued by that name.

(2) 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 purposes of the University, and to contract and to do all other things necessary for the purposes of this Act.

(3) The headquarters of the University shall be at such place as the State Government may, by notification in the *Official Gazette*, appoint :

Provided that, the State Government may, by like notification, appoint any other place in the University area to be the temporary headquarters of the University.

4. (1) The University shall be deemed to be established and incorporated for the following purposes, namely :—

(i) providing for education in agriculture and allied sciences and humanities ;

(ii) furthering the advancement of learning and research, in agriculture and allied sciences ;

(iii) undertaking and guiding extension education programmes for the improvement and development of agriculture in the State.

(iv) integrating and co-ordinating the teaching of subjects in the different Faculties of the University ;

(v) co-ordinating agricultural education, research and extension education activities ;

(vi) teaching and examining students in such manner, and conferring such degrees, diplomas, certificates and other academic distinctions, as the University may deem fit ;

(vii) providing integrated agricultural education activities at all levels for maximum effectiveness and at minimum cost ;

(viii) such other purposes, not inconsistent with the foregoing provisions of this Act, which the State Government may, on application by the University, by notification in the *Official Gazette*, specify in this behalf.

Objects and medium of instruction and examination of the University.

(2) The University shall endeavour to promote the use of Marathi as the medium of instruction and examination :

Provided that, English may be the medium of instruction and examination in such subjects, and for such period or periods, as may from time to time be prescribed by the Statutes.

(3) The University shall commence to provide in Marathi, within a period of five years, the text-books which may be required for all the subjects, in which instruction is imparted, and examinations are conducted, by the University.

5. The University shall be open to all persons, who or whose parents have resided in the State of Maharashtra for not less than ten years, and no person shall be excluded from admission to any degree, diploma, certificate or other academic distinction or course of study on the ground only of religion, race, caste, sex or place of birth or political or other opinion :

Provided that, the University may, subject to the previous sanction of the State Government, reserve certain seats for purposes of admission as students in any college or institution maintained or controlled by the University for the following classes of persons, namely :—

(i) the Scheduled Castes and Scheduled Tribes,

(ii) members of classes and communities, which are socially and educationally backward,

(iii) agriculturists, and those children of agriculturists who possess minimum qualifications or experience in agriculture prescribed in this behalf by the Statutes,

(iv) persons who and whose parents have not resided in the State for ten years or more,

[iv-a) students who reside in the University area of any other Agricultural University in the State and desire to have admission to any courses of studies of the University, which are not provided by such other University in the area of which they reside,]

(v) children of freedom fighters :

Provided further that, the University may, subject to like sanction, also grant to persons falling under all or any of the categories (i), (ii), (iii) and (v) in the last preceding proviso exemptions from payment of such fees or boarding, lodging or other charges, or from all fees and charges, or provide for such special scholarships, as it may deem fit :

Provided also that, nothing in this section shall require the University to admit to any course of study, students larger in numbers than, or with academic or other qualifications lower than, those prescribed.

Explanation.—For the purposes of this section, “agriculturist” means a person who, as an owner or tenant, holds land, the area of which does not exceed that of an economic holding as defined in the Bombay Tenancy and Agricultural Lands Act, 1948, or a family holding as defined in the Hyderabad Tenancy and Agricultural Lands Act, 1950, or a family holding as defined in the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958,

¹ Clause (iv-a) was inserted by Mah. 36 of 1974, s. 3.

as the case may be, and whose main income is derived from personal cultivation of land, and includes any person whose principal means of livelihood is manual labour on agricultural land.

6. Subject to the provisions of this Act, the University shall have the following powers and functions, namely :—

Powers and
functions
of the
University.

(i) to provide for instruction in agriculture and allied sciences and in such other branches of learning as the University may deem fit ;

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

(iii) to institute courses of study and to hold examinations for and to confer degrees, diplomas, certificates and other academic distinctions on persons who have—

(a) pursued a course of study as prescribed, or

(b) carried out research in the University or in an institution recognised in this behalf by the University as may be prescribed ;

(iv) to institute degrees, diplomas, certificates and other academic distinctions ;

(v) to confer honorary degrees and other distinctions as may be prescribed ;

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

(vii) to establish and maintain laboratories, libraries, research stations, institutions, demonstration centres, museums and aquariums for teaching ; research and extension education and such other facilities as may be deemed appropriate for University students and employees ;

(viii) to institute and maintain colleges, schools, centres, home science wings, workshop wings and other institutions relating to agriculture and allied sciences and hostels thereof ;

(ix) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and welfare ;

(x) to institute teaching, research and extension education posts required by the University and to appoint persons to such posts ;

(xi) to create administrative, ministerial and other posts and to appoint persons to such posts ;

(xii) to institute and award fellowships, scholarships and prizes in accordance with the Statutes ;

(xiii) to fix, demand and receive such fees and other charges as may be prescribed ;

(xiv) to co-operate with other Universities and Government Departments in such manner and for such purposes as the University may determine ;

(xv) to make provision for consumers' co-operative societies to serve the needs of students and staff of the University and of the colleges and institutions under its control ;

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

Transfer of certain colleges and institutions to the University. 7. (1) Notwithstanding anything contained in the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967, the colleges of agriculture at Parbhani, Nagpur and Akola and the Veterinary College at Nagpur shall cease to be constituent colleges of the Maharashtra Krishi Vidyapeeth, and shall pass to and be maintained by the University as its constituent colleges, from such date as the State Government may by notification in the *Official Gazette* specify :

- Provided that, the Maharashtra *Krishi Vidyapeeth* shall be competent to declare the results and to award degrees, diplomas, certificates or other academic distinctions to the students of the said colleges or to any post-graduate or other students, who may have appeared at any examination held by or on behalf of that University before such specified date.

The control and management of the colleges specified in sub-section (1) as from the said date shall stand transferred to the University, and all properties and assets and liabilities of the Maharashtra *Krishi Vidyapeeth* in relation there to shall stand transferred to, and vest in, the University.

(3) Where before the date notified under sub-section (1), the Maharashtra *Krishi Vidyapeeth* has made any contract in relation to any of the said colleges, that contract shall be deemed to have been made by the University, and any reference therein to the Maharashtra *Krishi Vidyapeeth* shall be construed as a reference to the University.

(4) Notwithstanding anything contained in this Act or the Statutes and Regulations made thereunder, any student of a college specified in sub-section (1), or any post-graduate or other student who immediately before the said date was studying or was eligible for any examination of the Maharashtra *Krishi Vidyapeeth*, shall be permitted to complete his course in preparation therefor, and the University shall provide for such period and in such manner as may be prescribed for the instruction, teaching, training and examination of such students in accordance with the courses of studies of the concerned University.

(5) The control and management of such research and other institutions of the Department of Agriculture and of other Departments of the State Government as the State Government may, by notification in the *Official Gazette*, specify in this behalf shall, from such date as may be specified in that notification, be transferred to the University ; and thereupon all properties and assets and liabilities of the State Government in relation to such institutions shall also likewise stand transferred to, and vest in, the University.

(6) Within a period of three years from the date on which this section comes into force, ¹[or such further period as the State Government may by notification in the *Official Gazette* specify,] the State Government shall arrange to transfer to the University, and the University shall thereupon assume responsibility for, the maintenance of agricultural schools, *gramsevak* training centres, home science wings, workshop wings, soil conservation training centres and short term courses such as gardening or *mali* training, oil engine training in the use and maintenance of oil engines, stockmen training, poultry training, mass training, refresher training, and the like, which are situated in the University area and which are or may be under the control of the Department of Agriculture or any other Department of the State Government.^{2*} * *

¹ These words were inserted by Mah. 25 of 1971, s. 3.

² The words " or under the control of any *Zilla Parishad* " were deleted by Mah. 24 of 1973, s. 15.

¹[(7) Notwithstanding anything hereinbefore in this section contained, with Mah. effect from the date of commencement of the Marathwada Agricultural University XVII (Krishi Vidyapeeth) Act, 1972, the college of agriculture at Parbhani and certain of other institutions shall cease to vest in the University and shall pass to and be 1972. maintained by the other University as provided in section 7 of that Act.]

Mah. ²[7A. Notwithstanding anything contained in the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, with effect from such date or dates, not being V of 1962, later two years from the commencement of the Maharashtra Agricultural Universities and Zilla Parishads and Panchayat Samitis (Amendment) Act, 1973, as Mah. XXIV of may be appointed and subject to such terms and conditions (if any) as may be 1973. specified, by the State Government by notification in the *Official Gazette*, the management and maintenance of agricultural schools (together with any property appertaining thereto) vesting in the *Zilla Parishads* and situated in the University area shall cease to vest in the *Zilla Parishads* and shall stand transferred to the University. The University shall thereupon assume responsibility for the management and maintenance as in the case of other institutions transferred to it under sub-section (6) of section 7. The responsibility of the *Zilla Parishads* to give grants to aided agricultural schools shall also, with effect from the date aforesaid, cease and shall become the responsibility of the University, subject to such terms and conditions (if any) as may be specified by the State Government by notification in the *Official Gazette*. Transfer of management and maintenance and control of certain agricultural schools from *Zilla Parishads* to the University.]

7B. If in the opinion of the University, any college, research institution, school, centre, activity or other institution transferred and vesting in it under section 7 or 7A, is surplus to its requirements, the University may request the State Government that the same may be transferred to the State Government. Upon such request, the State Government may, by notification in the *Official Gazette*, direct that such institution shall, from such date and subject to such terms and conditions (including those relating to the employees serving therein or thereunder) as may be specified in the notification, cease to vest in the University and pass to and be maintained by the State Government; and thereupon all properties and assets and liabilities of the University in relation to such institution shall stand transferred to, and vest in, the State Government. The conditions of service of employees, if any, transferred to the State Government along with the institution shall not be less favourable than those applicable to them immediately before such transfer.] Transfer of certain institutions to Government.

8. (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, farms, laboratories, libraries, museums, workshops and equipment of any college, institution or hostel maintained or administered by the University, of the teaching and other work conducted by the University, or under its auspices, and of the conduct of examinations or other functions of the University, and to cause an inquiry to be made in respect of any matter connected with the administration and finances of the University. Inspection and inquiry.

(2) The Chancellor shall, in every case, give due notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to appoint a representative who shall have the right to be present and to be heard at such inspection or inquiry.

¹ Sub-section (7) was added by Mah. 17 of 1972, Second Sch.

² Sections 7A and 7B were inserted by Mah. 24 of 1973, s. 16.

(3) The Chancellor shall communicate to the University ¹[his views] with reference to the result of such inspection or inquiry, and may, after ascertaining the opinion thereon of the University, advise the University upon the action to be taken, and fix a time limit for the taking of such action.

(4) The University shall, within the time limit so fixed, report to the Chancellor the action which has been taken or is proposed to be taken on the advice tendered ²[by him].

(5) The Chancellor may, where action has not been taken by the University to his satisfaction within the time limit fixed, and after considering any explanation furnished or representation made by the University, issue such directions as the Chancellor may think fit, and the University shall comply with such directions.

(6) Notwithstanding anything contained in the preceding sub-sections, if at any time the Chancellor of the opinion that in any matter the affairs of the University are not managed in furtherance of the objects of the University or in accordance with the provisions of this Act and the Statutes and Regulations or that special measures are desirable to maintain the standards of University teaching, examinations research or extension education, the Chancellor may indicate to the University any matter in regard to which he desires an explanation and call upon the University to offer such explanation within such time as may be specified by him. If the University fails to offer any explanation within the time specified or offers an explanation which, in the opinion of the Chancellor, is not satisfactory, the Chancellor may issue such directions as appear to him to be necessary, and the University shall comply with such directions.

(7) The University shall furnish such information relating to the administration and finances of the University as the Chancellor may from time to time require.

(8) The University shall furnish to the State Government such returns or other information with respect to its property or activities as that Government may from time to time require.

CHAPTER III.

OFFICERS OF THE UNIVERSITY

Classification of officers and staff of the University. 9. The personnel of the University shall be classified under one of the following categories.—

(a) Executives and other Officers, who have the administrative authority and who are designated as such under the Act or the Statutes.

(b) Academic staff members—who have duties of an academic nature, such as teaching, research and extension education and who hold professional rank of Professor, Associate Professor, Lecturer or Demonstrator or the like as may be designated under the Act or the Statutes.

(c) Ministerial staff members—who are in the service of the University and not included in (a) and (b) above.

Executives and other Officers. 10. The following shall be the Executives and other Officers of the University, namely :—

(a) Executives

- (i) The Chancellor,
- (ii) The Pro-Chancellor,
- (iii) The Vice-Chancellor,

¹ These words were substituted for the words " the views of the State Government " , by Mah. 24 of 1973, s. 17(a).

² These words were substituted for the words " by the State Government " , *ibid.* s. 17(b).

(b) *Other Officers*

- (iv) The Director of Instruction,
- (v) The Director of Research,
- (vi) The Director of Extension Education,
- (vii) The Director of Students' Welfare,
- (viii) The Deans of Faculties,
- (ix) The Associate Deans,
- (x) The Registrar,
- (xi) The Comptroller,
- (xii) Such other persons as may be declared by the Statutes to be officers of the University :

Provided that, the same person may be appointed to more than one post in the category of "*Other Officers*".

11. (1) The Governor of Maharashtra, for the time being, shall be the **The** Chancellor of the University. **Chancellor.**

(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) The Chancellor may call for his information any papers relating to the administration of the affairs of the University and such requisition shall be complied with by the University.

(4) Every proposal to confer an honorary degree shall be subject to confirmation by the Chancellor.

(5) The Chancellor may, by order in writing, annual any proceeding of any officer or authority of the University, which is not in conformity with this Act, the Statutes or the Regulations :

Provided that, before making any such order, he shall call upon the officer or authority to show cause why such an order should not be made and, if any cause is shown within the time specified by him in this behalf, he shall consider the same.

(6) The Chancellor shall exercise such other powers and perform such other duties as are laid down by this Act and may be conferred or imposed on him by the Statutes.

12. (1) The Minister for Agriculture, Maharashtra State, for the time being, **The Pro-** shall be the Pro-Chancellor of the University, and shall be the Chairman of the **Char-** Chancellor. Court.

(2) The Pro-Chancellor may call for his information any papers relating to the administration of the affairs of the University and such requisition shall be complied with by the University.

(3) The annual programme of work of the University shall be referred to the Pro-Chancellor for his information and any suggestion made by him shall be considered by the Executive Council before submitting the said programme to the Court.

(4) The Pro-Chancellor shall exercise such powers and perform such duties of the Chancellor as may be conferred on him by this Act or under the Statutes. He shall also exercise such other powers and perform such other duties of the Chancellor as the Chancellor may by order in writing delegate to the Pro-Chancellor, and such delegation may be subject to such restrictions and conditions as may be specified in such order.

The Vice-Chancellor.

13. (1) The Vice-Chancellor shall be appointed in accordance with the provisions of this sub-section. For the selection of the Vice-Chancellor, there shall be a Committee of three persons, two of whom shall be persons who are members of the Executive Council and are nominated by it, and one person nominated by the Chancellor. The Chancellor shall also appoint one of the three as Chairman of such Committee. The Committee shall select not less than three persons, who are well qualified preferably in agriculture, or any of the allied sciences and shall report its selection to the Chancellor. The Chancellor may approve and appoint one of the persons so selected to be Vice-Chancellor. If the Chancellor does not approve any of the persons so selected or the person approved by the Chancellor is not willing to accept office, the Chancellor may call for a fresh selection. The Committee shall report its selection to the Chancellor three months in advance before the date of expiry of the term of the existing Vice-Chancellor. If the Committee fails to submit its report in time, the Chancellor may appoint any person whom he deems fit to be Vice-Chancellor.

(2) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(3) The Vice-Chancellor shall hold office for a term of five years, which may be extended by the Chancellor in exceptional circumstances to a term not exceeding in the aggregate six months, for reasons which shall be stated in the order extending the term.

(4) The Vice-Chancellor may, after giving three months' notice, resign his office, by tendering his resignation in writing to the Chancellor. The resignation shall take effect on its acceptance by the Chancellor.

(5) The Chancellor may, on the recommendation of the Court supported by a resolution passed by it by a majority of the total membership of the Court and by a majority of not less than two-thirds of the members thereof present and voting if in his opinion the continuance of the Vice-Chancellor in the office is detrimental to the interests of the University, by order remove the Vice-Chancellor at any time from office :

Provided that, no such order shall be made unless the Vice-Chancellor has been given a reasonable opportunity of being heard in respect of the action proposed to be taken against him.

(6) The emoluments to be paid to the Vice-Chancellor and other conditions of service shall be such as may be determined ¹[by the Statutes] and accepted by the Vice-Chancellor at the time of his appointment, and shall not be varied to his disadvantage after his appointment, without his consent.

²[(7) In the event of the occurrence of a vacancy in the office of the Vice-Chancellor by reason of death, resignation, or otherwise, a Dean or any other person nominated by the Chancellor for that purpose shall act as Vice-Chancellor, until the date on which the new Vice-Chancellor enters upon his office.

(8) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Pro-Chancellor shall make such arrangements for carrying on the duties of the office of the Vice-Chancellor, as he may think fit. Until such arrangements are made, the Dean or any other person nominated by the Pro-Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor :

Provided that, in case of a temporary vacancy of less than two months, the Vice-Chancellor may by order in writing entrust his duties to a Dean, or in the absence of any Dean to the Registrar, as a measure of emergency.]

¹ These words were substituted for the words " by the Executive Council " by Mah. 24 of 1973, s. 18.

² Sub-sections (7) and (8) were substituted for the original sub-section (7) by Mah. 6 of 1972, s. 4.

14. (1) The Vice-Chancellor shall be the principal executive of the University and an *ex-officio* member of the Court. He shall, in the absence of the Chancellor and Pro-Chancellor, preside at any convocation of the University. He shall be also an *ex-officio* member and Chairman of the Executive Council and the Academic Council. Powers and duties of the Vice-Chancellor.

(2) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(3) The Vice-Chancellor shall have power to convene meetings of ^{1*} the Executive Council and the Academic Council. *

(4) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the Statutes and Regulations are faithfully observed, and he shall have all powers necessary for this purpose.

(5) 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 programmes.

(6) The Vice-Chancellor shall manage, through appropriate Officers and staff members, the colleges, departments, institutions of specialised studies, laboratories, libraries, museums, hostels and schools maintained by the University, both at the headquarters and outside.

(7) The Vice-Chancellor may call for reports from the colleges, recognised institutions and hostels on all activities of the University as he deems necessary for the proper functioning of the University.

(8) The Vice-Chancellor shall supervise and control the residence, conduct and discipline of the students of the University. He shall also make arrangements for promoting their health and general welfare, in consultation with such Committee as may be prescribed.

(9) The Vice-Chancellor shall have power to appoint such employees of the University as provided in this Act or as may be prescribed in the Statutes.

(10) The Vice-Chancellor shall be responsible for the presentation of the annual accounts and the balance sheet in time to the Executive Council and the Court.

¹ The words "the Court," were deleted by Mah. 24 of 1973, s. 19.

(11) The Vice-Chancellor shall hold, control and administer the property and funds of the University.

(12) The Vice-Chancellor shall administer the funds placed at the disposal of the University for specific purposes.

(13) The Vice-Chancellor shall make provision within means available to him for buildings, premises, apparatus and other means needed for carrying on the work of the University.

(14) The Vice-Chancellor shall, with the concurrence of the Executive Council, enter into, vary, carry out, or cancel contracts on behalf of the University in exercise or performance of the powers and duties assigned to it by or under this Act and the Statutes, on the advice of the Finance and Legal Committees to be appointed by the Executive Council for the purpose.

(15) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall, subject to the control of the Pro-Chancellor, take such action which he deems necessary and shall at the earliest opportunity thereafter report his action to the Executive Council and to such other authority or officer as would have, in the ordinary course, dealt with the matter.

(16) Where any action taken by the Vice-Chancellor under the last preceding sub-section affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Executive Council within thirty days from the date on which such person has received notice of the action taken, and the Executive Council shall consider the appeal at its next meeting and shall give its decision within three months from the date of appeal.

(17) Any person aggrieved by the appellate order of the Executive Council may, within thirty days from the date of communication of such order, appeal to the Chancellor, and the decision of the Chancellor on such appeal shall be final.

(18) Subject to the provisions of the preceding sub-sections, the Vice-Chancellor shall give effect to the orders of the Executive Council regarding the appointment, suspension, removal or dismissal of any of the employees of the University.

(19) The Vice-Chancellor shall exercise such other powers and perform such other duties as are laid down under this Act and may be conferred or imposed on him by the Statutes.

15. (1) The Registrar shall be a whole time salaried officer and shall be appointed by the Vice-Chancellor with the approval of the Executive Council. The Registrar.

(2) The Registrar shall be responsible for the due custody of the records and the common seal of the University. He shall be *ex-officio* Secretary of the Court, the Executive Council and the Academic Council and shall be bound to place before them all available information of the business. He shall receive applications for entrance to the University and shall keep a permanent record of all courses, curricula and other information as may be necessary.

(3) The Registrar may by writing under his hand addressed to the Vice-Chancellor resign his office. The resignation shall be delivered to the Vice-Chancellor ordinarily sixty days prior to the date on which the Registrar wishes to be relieved of his office, but the Executive Council may relieve him earlier. The resignation shall take effect from the date of relief.

(4) In the temporary absence of the Registrar on leave for whatever reasons or until the vacancy caused in any other manner is filled, the Vice-Chancellor shall appoint any suitable person temporarily for a period not exceeding three months to act as Registrar.

(5) The Registrar shall be responsible for maintaining a permanent record of the academic performance of students of the University including the courses taken, grades obtained, degrees awarded, prizes or other distinctions won and any other items pertinent to the academic performance of the students

(6) The Registrar shall exercise such other powers and perform such other duties as are laid down under this Act or may be conferred or imposed on him by the Statutes or by the Vice-Chancellor.

The Deans
of Faculties.

16. (1) The Dean of each Faculty shall be a whole time salaried officer and shall be appointed by the Vice-Chancellor on the recommendation of the Executive Council.

(2) The Dean of each Faculty shall be the Chief Executive and Academic officer of the Faculty, responsible to the Vice-Chancellor for its administration.

Powers and
duties of the
Dean of
Faculty.

17. (1) The Dean of each Faculty shall be responsible for the organisation and conduct of teaching, research and extension education work of the Departments included in the Faculty, and for that purpose shall pass such orders as may be necessary in consultation with the Head of Department concerned.

(2) The Dean shall look into and be responsible for the due observance of the Statutes and Regulations relating to the Faculty.

(3) He shall preside over the meetings of the Faculty.

(4) He shall formulate and present policies to the Academic Council for its consideration.

(5) He shall make reports to the Vice-Chancellor on the work of the different Departments of the Faculty.

(6) He shall supervise the registration and progress of the students in the colleges of the Faculty.

(7) He shall be responsible to the Vice-Chancellor for proper use of buildings assigned to the colleges, schools and research institutions and of the equipment thereof.

(8) He shall prepare the budgets in consultation with the appropriate officers and staff members in the technical area.

(9) Each Dean shall have such other powers and perform such other duties as are laid down under this Act and as may be prescribed.

The Director
of
Instruction.

18. (1) The Director of Instruction shall be a whole time salaried officer and shall be appointed by the Vice-Chancellor on the recommendation of the Executive Council.

(2) The Director shall work directly under the Vice-Chancellor and shall be responsible for the due performance of the functions of the colleges and other teaching institutions and shall co-ordinate and guide education in all the constituent and affiliated colleges of the University in close co-operation with the Deans of Faculties and other officers.

(3) The Director shall exercise such other powers and perform such other duties as are laid down under this Act and as may be prescribed.

19. (1) The Director of Research shall be a whole time salaried officer and shall be appointed by the Vice-Chancellor on the recommendation of the Executive Council. The Director of Research.

(2) The Director shall work directly under the Vice-Chancellor and shall be responsible for the due performance of functions of the research stations all over the University area and shall co-ordinate all research of the University in close co-operation with the Deans of Faculties and other officers.

(3) The Director shall exercise such other powers and perform such other duties as are laid down under this Act and as may be prescribed.

20. (1) The Director of Extension Education shall be a whole time salaried officer and shall be appointed by the Vice-Chancellor on the recommendation of the Executive Council. The Director of Extension Education.

(2) The Director shall work directly under the Vice-Chancellor and shall be responsible for the co-ordination of all extension education programmes of the University in close co-operation with the Deans of Faculties and other officers.

(3) The Director shall exercise such other powers and perform such other duties as are laid down under this Act and as may be prescribed.

21. (1) The Director of Students' Welfare shall be a whole time salaried officer and shall be appointed by the Vice-Chancellor on the recommendation of the Executive Council. The Director of Students' Welfare.

(2) The Director shall work directly under the Vice-Chancellor and shall be responsible for handling all affairs connected with the students, such as accommodation, scholarship and freeship opportunities, medical facilities, extra-curricular activities, liaison between students and teachers, student counselling, job opportunities, placement of graduates and their other problems.

(3) The Director shall exercise such other powers and perform such other duties as are laid down under this Act and as may be prescribed.

22. (1) The Associate Dean shall be a whole time salaried officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of the Executive Council. The Associate Dean.

(2) The Associate Dean shall be responsible for conducting teaching, research and extension education programmes at all levels within the limits of the prescribed region and shall also be the Principal of a constituent college.

(3) The Associate Dean shall exercise such other powers and perform such other duties as are laid down under this Act and as may be prescribed.

23. Subject to the provisions of this Act, the designations, qualifications, method of recruitment, pay, allowances and other conditions of service of all employees of the University and their powers and duties shall be such as may from time to time be determined by the Statutes and Regulations. Power to determine conditions of service of University employees.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

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

- (i) the Court,
- (ii) the Executive Council,

Authorities of the University.

- (iii) the Academic Council,
- (iv) the Faculties,
- (v) the Boards of Studies,
- (vi) such other bodies of the University as may be declared by the Statutes to be the authorities of the University.

The Court. 25. (1) The Court shall consist of the following members, namely :—

I. Ex-Officio Members

Category A

- (i) The Chancellor,
- (ii) The Pro-Chancellor,
- (iii) The Vice-Chancellor,
- (iv) The Director of Instruction of the University,
- (v) The Director of Research of the University,
- (vi) The Director of Extension Education of the University,
- (vii) The Director of Students' Welfare of the University,
- (viii) The Deans of Faculties,
- (ix) The Associate Deans,
- (x) The Principals of affiliated colleges and recognised institutions,
- (xi) The Registrar,
- (xii) The Comptroller of the University.

Category B

- ¹(i) The Minister of State for Agriculture, or the Deputy Minister for Agriculture, Maharashtra State, as may be designated by the State Government,]
- (ii) The Secretary to the Government of Maharashtra, Agriculture and Co-operation Department,
- (iii) The Director of Agriculture, Maharashtra State,
- (iv) The Director of Animal Husbandry, Maharashtra State,
- (v) The Director of Agricultural Marketing and Rural Finance, Maharashtra State,
- (vi) The Director of Education, Maharashtra State,
- (vii) The Director of Technical Education, Maharashtra State,
- (viii) The Director of Fisheries, Maharashtra State,
- (ix) The Dairy Development Commissioner, Maharashtra State,
- (x) The Chief Conservator of Forests, Maharashtra State,
- (xi) The Chief Engineer (Irrigation), Maharashtra State,
- (xii) The Chairman of the Maharashtra ²[State Board of Secondary and Higher Secondary Education.]

¹ Entry (i) was substituted by Mah. 24 of 1973, s. 20(a).

² These words were substituted for the words "State Board of Secondary Education" by Mah. 6 of 1977, s. 22.

Category C

The Vice-Chancellors of other Universities in the State.

II. Other Members

Category (A)—Deputed by the State Legislature—

- (i) Three members elected by the Maharashtra Legislative Council from amongst its members,
- (ii) Six members elected by the Maharashtra Legislative Assembly from amongst its members.

Category (B)—Nominated by the State Government—

- (i) Four *Krishi Pandits* and *Udyan Pandits*,
- (ii) Six progressive farmers, out of whom atleast one shall belong to the Scheduled Tribes and atleast one to the Scheduled Castes,
- (iii) Four progressive animals, sheep or poultry breeders,
- (iv) Four women social workers,
- (v) Two progressive fishermen,
- (vi) Two members representing processing co-operative societies,
- (vii) Two members representing farming co-operative societies,
- (viii) One member representing secondary teachers, teaching agricultural subjects in secondary schools,
- (ix) One member representing primary teachers, teaching agricultural subjects in agricultural basic schools.

Category (C)—Representatives of Zilla Parishads, Graduates Students, Academic Staff and Institutions—

- (i) Eight Chairmen of Agricultural Committees of *Zilla Parishads* nominated by the State Government,
- (ii) One member elected by registered graduates in each Faculty from amongst themselves, in the prescribed manner,
- (iii) One member elected by post-graduate students, from amongst themselves, in the prescribed manner,
- (iv) One member representing under-graduate students elected, in the prescribed manner, by the Chairmen of recognised Students' Councils, from amongst themselves,
- (v) Four members representing academic staff (other than Principals) in the constituent and affiliated colleges and recognised institutions elected, in the prescribed manner, by persons serving on such staff, from amongst themselves,
- (vi) One expert having knowledge of matters relating to village industries nominated by the Maharashtra State Khadi and Village Industries Board,
- (vii) The Chairman, Bombay State Co-operative Land Mortgage Bank—*ex-officio*.
- (viii) The Chairman, Maharashtra State Co-operative Bank—*ex-officio*,
- (ix) The Chairman, Maharashtra State Co-operative Marketing Federation—*ex-officio*.

Category (D)—Donors

Two members representing donors, whether individuals or institutions, donating Rs. 50,000-or more, in cash or otherwise, elected from amongst themselves, in the prescribed manner.

(2) The members representing the Maharashtra Legislative Council and Assembly shall hold office, so long as they are members of the said Councillor Assembly shall hold office, so long as they are members of the said Councillor a period of five years :

¹[Provided that, during this period, a person elected under clause (v) of Category (C) of Other Members shall continue to hold office of a member of the Court only so long as he is serving on the staff comprising that class, by which he was elected.]

Meetings of the Court. 26. (1) The Court shall, on the dates to be fixed by the Pro-Chancellor, meet twice in a year to transact its business, such meetings to be called the biannual meetings of the Court.

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

(3) The Pro-Chancellor shall be *ex-officio* Chairman of the Court. On any ceremonial occasion such as a convocation, the Chancellor, if present, shall preside over the meeting of the Court.

(4) In the absence of Chancellor and Pro-Chancellor, the Vice-Chancellor shall preside over the meeting of the Court.

(5) The Registrar shall be *ex-officio* Secretary of the Court.

Powers and duties of the Court. 27. (1) Subject to such conditions as may be prescribed by or under this Act, the Court shall exercise the following powers and perform the following duties, namely :—

- (i) to outline broadly what programmes the University should have ;
- (ii) to discuss and review the annual report of the University and make suggestions thereon ;
- (iii) to consider the annual financial estimates prepared by the Executive Council and make suggestions thereon ;
- (iv) to establish and maintain constituent colleges, departments, hostels, research stations, farms, schools, libraries, laboratories and demonstration centres and other facilities for students and employees ;
- (v) to make provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit, for conduct of research and for the advancement and dissemination of knowledge ;
- (vi) to institute and maintain Professorships, Associate Professorships, Lectureships, Demonstratorships and other posts like Research Specialists, Extension Education Specialists, Teachers and the like, required by the University, as prescribed by the Statutes ;
- (vii) to make, amend and repeal the Statutes ;
- (viii) to grant affiliation to colleges and post-graduate institutions ;
- (ix) to recognise institutions of higher learning and research and withdraw recognition thereof ;
- (x) to sanction fellowships (including travelling fellowships), scholarships, studentships, medals and prizes,

¹ This proviso was added by Mah. 24 of 1973, s. 20 (b).

- (xi) to recommend the conferment of degrees, diplomas, certificates and other academic distinctions, to the Chancellor ;
- (xii) to sanction honorary degrees or other academic distinctions ;
- (xiii) to lay down scales of pay and conditions of employment of members of the staff in affiliated colleges and recognised institutions and to ensure the observance thereof, through the executive Council.

(2) The powers and duties ¹[under clauses (iv) to (vi) and (viii) to (xiii) (all inclusive)] of sub-section (1) shall not be exercised and performed, except upon the recommendations by the Executive Council.

28. (1) The Executive Council shall be the executive authority of the University, and shall consist of the following members, namely :— The Executive Council.

- (i) The Vice-Chancellor—*ex-officio* Chairman ;
- (ii) The Director of Agriculture, or his nominee not below the rank of Joint Director of Agriculture ;
- (iii) The Director of Animal Husbandry, or his nominee not below the rank of Joint Director of Animal Husbandry ;
- (iv) A representative of the Indian Council of Agricultural Research, Government of India, Ministry of Food, Agriculture, Community Development and Co-operation ;
- (v) Eight members elected by the Court from amongst its members who are not employees of the University or Government, two of whom shall be Chairmen of Agriculture Committees of the *Zilla Parishads* ;
- (vi) The three Directors of Instruction, Research and Extension Education of the University ;
- (vii) One Dean of a Faculty elected by the Academic Council by rotation ;
- (viii) One academic staff member elected by the Academic Council (other than the Directors and the Deans) ;
- (ix) One eminent agricultural scientist, nominated by the State Government.

The Registrar shall be *ex-officio* Secretary of the Executive Council.

(2) A member who is a representative of the Indian Council of Agricultural Research or who is elected by the Academic Council or who is nominated by the State Government shall hold office for three years. A member elected by the Court shall hold office so long as he is a member of the Court.

29. Subject to such conditions as may be prescribed by or under this Act, the Executive Council shall exercise the following powers and perform the following duties, namely :— Powers and duties of the Executive Council.

- (i) to frame the annual financial estimates of the University and submit the same to the Court for consultation before finalisation ;
- (ii) with the approval of the State Government, to borrow, on the security of University property, money for the purposes of the University ;
- (iii) to accept, subject to the Statutes, on behalf of the University bequests, donations and transfers of any movable and immovable property to the University ;

¹ This portion was substituted for the words, brackets and figures "under clauses (iv) to (xiii)" by Mah. 24 of 1973, s. 21.

- (iv) to transfer any movable or immovable property on behalf of the University, a report of which shall be made to the Court if the transaction pertains to any immovable property ;
- (v) to manage and regulate the finances, accounts and investments of the University ;
- (vi) to fix, demand and receive payment of such fees and other charges as may be prescribed ;
- (vii) to approve the academic standards in affiliated colleges and recognised institutions and ensure the observance thereof ;
- (viii) to make provision for—
 - (a) extension education of rural people,
 - (b) inservice training of the staff of the University, the concerned Departments of Government and the *Zilla Parishads*,
 - (c) physical and military training,
 - (d) sports and athletic clubs,
 - (e) students' welfare ;
- (ix) to arrange for and direct the inspection of affiliated colleges and recognised institutions and issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff ; and in case of disregard of such instructions, to recommend modifications of the conditions of their affiliation or recognition or to take such other steps as it may deem proper ;
- (x) to make, amend and repeal the Regulations for matters solely concerning itself ;
- (xi) to accept, reject or refer back the Regulations framed by the Academic Council ;
- (xii) to appoint examiners, fix their remuneration (if any) and to arrange for the conduct of, and for publishing the results of the University examinations and other tests ;
- (xiii) to appoint such Boards and Committees whether standing or temporary as it may deem necessary for the proper functioning of the University and define their constitution, functions and tenure ;
- (xiv) to delegate by Regulations any of its powers to the Vice-Chancellor, or such officer of the University or Board or Committee appointed by it as it may deem fit ;
- (xv) to determine the form, provide for the custody and regulate the use of the common seal of the University ;
- (xvi) to make provision for consumers' co-operative societies to serve the needs of students and staff of the University and of the colleges and institutions under its control ;
- (xvii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act and the Statutes ;
- (xviii) to exercise all powers of the University not otherwise provided for in the Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes.

30. (1) The Executive Council shall meet once in every two months, or Meetings more often as may be considered necessary, and on such dates as may be fixed of the by the Vice-Chancellor. Executive Council.

(2) The Vice-Chancellor shall upon a requisition in writing signed by not less than eight members of the Executive Council, convene a special meeting of the Council, within twenty-one days of the receipt of such requisition.

(3) When a date has been fixed for the meeting of the Executive Council by the Vice-Chancellor under sub-section (1) or sub-section (2), the Registrar, shall give ten clear days' notice in writing to the members of the Council of such meeting.

31. (1) The Academic Council shall serve as an Advisory body of the The University and shall have the right to advise the Vice-Chancellor and the Academic Executive Council on all academic, research and extension education matters. Council.

(2) The Academic Council shall consist of the following members, namely:—

- (i) The Vice-Chancellor—*ex-officio* Chairman,
- (ii) The Director of Instruction,
- (iii) The Director of Research,
- (iv) The Director of Extension Education,
- (v) The Director of Students' Welfare,
- (vi) The Deans of Faculties,
- (vii) The Associate Deans,
- (viii) The Principals of affiliated colleges and recognised institutions,
- (ix) The Heads of Departments of the Faculties,
- (x) The Chief Research Officers incharge of research stations,
- (xi) The Chief Extension Education Officers,
- (xii) One academic staff member from each Faculty, other than the Head of the Department elected by the Faculty,
- (xiii) Two members elected by the Court, from amongst its members, who are not employees of the University or of Government.

The Registrar shall be *ex-officio* Secretary of the Academic Council.

(3) The Academic Council may co-opt as members not more than four persons, for such period and in such manner, as may be prescribed, so as to provide adequate representation of different aspects of agriculture, and such co-opted members shall have the right to take part in the proceedings of the Council and also to vote like any other member of the Council.

(4) The Council shall meet at least once before the beginning of each trimester.

32. (1) Subject to such conditions as may be prescribed by or under the Powers and provisions of this Act, the Academic Council shall study and make recommen- duties of the dations on courses of study, curricula and the conduct of teaching, research and Academic Council. extension education within the University and the maintenance of the standards thereof.

(2) Without prejudice to the generality of the foregoing provision, the Academic Council shall exercise the following powers and perform the following duties, namely:—

- (i) to make proposals for establishment of colleges, departments, research stations, libraries, laboratories, demonstration stations and such other activities necessary in the interest of agricultural improvement;

- (ii) to make recommendations to the Executive Council for the institution of Professorships, Associate Professorships, Lecturerahips, Demonstratorships and posts at research stations including extension education and in regard to their qualifications, duties, emoluments and other conditions of service;
- (iii) to formulate, modify and revise schemes for the constitution or re-constitution of departments of teaching, research and extension education;
- (iv) to make Regulations relating to courses of study leading to degrees, diplomas and certificates in consultation with the Faculty and Board of Studies concerned;
- (v) to make Regulations regarding the admission of students to the University;
- (vi) to make Regulations regarding the examinations conducted by the University and the conditions on which students shall be admitted to such examinations;
- (vii) to make recommendations to the Executive Council regarding post-graduate teaching, research and extension education;
- (viii) to make proposals for allocating subjects to the different Faculties;
- (ix) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions of this Act.

Faculties.

33. (1) The University shall institute all or any of the following Faculties, and such other Faculties as may be constituted by the Statutes, from time to time,—

- (i) Agriculture (including Agricultural Economics and Animal Husbandry),
- (ii) Veterinary Science,
- (iii) Agricultural Technology,
- (iv) Agricultural Engineering,
- (v) Home Science,
- (vi) Basic Sciences and Humanities,
- (vii) Post-Graduate Studies,
- (viii) Lower Agricultural Education,
- (ix) Fisheries (including Marine Biology),
- (x) Forestry.

The subjects comprising each Faculty shall be determined by the Statutes.

(2) Each Faculty shall, subject to the recommendations of the Academic Council and the approval of the Executive Council, have charge of the teaching courses of study, the research work and the extension education programmes in various disciplines.

(3) There shall be a Dean of each Faculty. He shall be the Chief Academic Officer of the Faculty responsible for the due observance of the Statutes and Regulations. He shall be *ex-officio* Chairman of the Faculty.

(4) Each Faculty, other than the Lower Agricultural Education Faculty, shall consist of—

- (i) Dean of the Faculty—*ex-officio* Chairman,
- (ii) The Associate Deans in the Faculty,

- (iii) The Heads of Departments,
- (iv) One Professor of each Department other than the Head of the Department, to be elected by the academic staff members of the Department,
- (v) The Chief Research Officers,
- (vi) The Chief Extension Education Officers,
- (vii) The Principals of affiliated colleges and recognised institutions in the related Faculty,
- (viii) Two Associate Professors and two Lecturers, to be elected by the respective groups.

The term of office of elected members shall be three years.

(5) The Faculty of Lower Agricultural Education shall consist of—

- (i) Dean of the Faculty—*ex-officio* Chairman,
- (ii) Two members representing each prescribed group of lower agricultural education, elected by heads of the institutions in the respective groups, from amongst themselves,

The term of office of elected members shall be three years.

(6) A Faculty may co-opt concerned officers of the State Government or of any *Zilla Parishad* as members, whose number shall not be more than eight and who shall be chosen for such period and in such manner as may be prescribed, so as to provide adequate representation of extension education workers.

(7) Each Faculty shall meet at least once in a trimester, but sufficiently in advance of the Academic Council meeting in order that the recommendations of the Faculty can be considered by the Academic Council.

34. The Faculties though subordinate to the Academic Council in respect of taking decisions, may consider and make recommendations to the Council on all administrative and technical matters. As far as possible the Academic Council shall be guided by the relevant Faculty in its decisions. Barring the policy matters, the Dean of each Faculty shall take action on the Resolutions adopted by the Faculty, but under intimation to the Vice-Chancellor. Each Faculty may constitute such Boards of Studies, for such subjects, consisting of such members for such period and in such manner as may be prescribed. The other powers and duties of the Faculties shall be such as may be prescribed.

Powers and duties of the Faculties.

CHAPTER V

STATUTES AND REGULATIONS

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

(a) the constitution, powers and duties of authorities of the University, and the declaration of other bodies to be such authorities ;

(b) the emoluments and other conditions of service of the Vice-Chancellor and his powers and duties ;

(c) the designations, qualifications, method of recruitment, pay, allowances and other conditions of service of various categories of employees of the University, and their powers and duties ;

(d) the constitution, reconstitution or abolition of Faculties and their powers and duties ;

(e) the establishment of Departments of Teaching in the Faculties ;

(f) the conferment and withdrawal of honorary degrees and academic distinctions ;

(g) the institution of pension or provident fund or insurance scheme, or all or any one or more of them, for the benefit of employees of the University ;

(h) the qualifications of Professors, Associate Professors, Lecturers, Demonstrators and other members of the academic staff of affiliated colleges and recognised institutions ;

(i) registration of graduates and maintenance of register of registered graduates ;

(j) recognition of examinations of other Universities or educational institutions as equivalent to the examinations of the University ;

(k) procedure of meetings of the Court and the conduct of its business ;

(l) any matter which is to be or may be prescribed under this Act ;

(m) any other matter which is necessary to give effect to the provisions of this Act.

Statutes how made.

36. (1) The first Statutes necessary for effective operation of the University and to be made before the Court is constituted, with regard to matters set but in section 35, shall be made by the first Vice-Chancellor with the approval of the State Government.

(2) The Court may make new or additional Statutes or may amend or repeal the Statutes, from time to time, in the manner hereafter in this section provided.

(3) The Court may take into consideration the draft of a Statute either of its own motion or on a proposal by the Executive Council. In the case of a draft which is not prepared by the Executive Council, the Court, before considering the same, shall obtain the opinion of the Executive Council :

Provided that, if the Executive Council fails to submit its opinion within three months from the date it receives the draft, the Court may proceed to take the draft into consideration.

(4) The Court, if it thinks necessary, may also obtain the opinion of any other authority of the University in regard to any draft Statute which is before it for consideration.

(5) Every Statute passed by the Court shall be submitted to the Chancellor, who may give or withhold his assent thereto or refer it back to the Court for reconsideration.

(6) No Statute passed by the Court shall be valid or shall come into force until assented to by the Chancellor.

Regulations.

37. (1) The Executive Council, the Academic Council and the Faculties may make Regulations consistent with this Act and the Statutes made thereunder for all or any of the following matters :—

(a) laying down the procedure to be observed at their meetings (including the quorum required) and the conduct of their business ;

(b) providing for the matters which by this Act, or the Statutes have to be provided by Regulations ;

(c) providing for all matters solely concerning such authorities or for matters for which provision is, in the opinion of such authorities, necessary for the exercise of their powers and performance of their duties under this Act or the Statutes.

(2) Each authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings, and of the business to be considered at meetings and for keeping of a record of the proceedings of the meetings.

(3) The Academic Council may, subject to the provisions of the Statutes, and approval of the Executive Council, make Regulations providing for courses of study, system of examinations, and degrees and diplomas of the University, after receiving drafts of the same from the Faculty concerned.

(4) The Academic Council may not alter a draft received from the Faculty but may reject the draft or return it to the Faculty for further consideration, together with the suggestions of the Academic Council.

(5) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made by any authority under this section or the annulment of any such Regulation, so however that any such amendment or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that Regulation.

CHAPTER VI

AFFILIATION AND RECOGNITION

38. (1) (a) If at the date on which this section comes into force any college or other educational institution in the University area, other than a Government college or institution, giving instruction at the degree or diploma level in the field of agriculture is associated with or admitted to the privileges of any University established by law in the State, then on such date such association and admission to privileges, as the case may be, shall cease to have effect in relation to such institution ; and with effect from such date all such institutions shall be deemed to be admitted to the privileges of the University, and the University shall, as far as may be possible and consistent with this Act, admit such institutions to all such privileges as they had from the other University, immediately before such date.

(b) After such date no college or other institution in the University area giving instructions at the degree or diploma level in the field of agriculture shall, save with the sanction of the State Government, be associated in any way with, or seek admission to any privileges of, any other University established by law in the State.

(2) A college applying for affiliation to the University shall send a letter of application to the Registrar, and shall satisfy the Executive Council and the Academic Council,—

(a) that the college will fulfill a need in the locality, having regard to the type of education being provided or intended to be provided by it, the existing provision for the same type of education made by other colleges in the neighbourhood, and the suitability of the locality where the college is or is to be established;

(b) that the college is to be under the management of a regularly constituted governing body ;

(c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching, research and training to be undertaken by the college ;

(d) that the buildings in which the college is to be located are suitable, and that provision will be made in conformity with the Regulations for the residence of the students in the hostels ;

(e) that a farm of adequate size with appropriate facilities for research and practical training of students, is available at or near the college in conformity with the Statutes and the Regulations ;

(f) that due provision has been or will be made for a library and laboratories ;

(g) that due provision will, as far as circumstances may permit, be made for the residence of the Principal and some members of the academic staff in or near the college or the place provided for the residence of students ;

(h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working ;

(i) that the rules of the college 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 interests of education.

The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the academic staff and all other changes which result in any of the aforesaid requirements not being fulfilled or continued to be fulfilled shall be forthwith reported to the Executive Council.

(3) On receipt of a letter of application under sub-section (2), the Executive Council shall—

(a) direct a local inquiry to be made by a competent person or persons authorised by the Executive Council 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 ;

(c) 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 results of any inquiry under clauses (a) and (b) ;

(d) in case all conditions are fulfilled, forward the application along with its recommendations and proceedings to the Court.

(4) The Court may, after such inquiries as may appear to it to be necessary, grant or refuse the application, either in whole or in part. Where an application or any part thereof is granted, the decision of the Court shall specify the courses of instruction 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 stated.

(5) An application under sub-section (2) may be withdrawn at any time before a decision is taken under sub-section (4).

(6) Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed under sub-sections (2) to (5) shall, so far as may be, be followed.

(7) Where an affiliated college desires to become a constituent college, the college shall send a letter of application to the Registrar, with its terms and conditions, if any. Such application shall be considered by the Executive Council, and such Council shall, with the approval of the Court, recommend to the State Government whether such application should be granted or refused, and if the application be granted subject to what terms and conditions as may be mutually agreed upon between the college and the University. The State Government may, after such inquiries as appears to it to be necessary, grant or refuse the application subject to such modifications, if any, as it may deem fit to make in the terms and conditions recommended by the Executive Council. If the application is granted, the college shall be a constituent college and taken under direct management by the University, on and from such date as may be specified in this behalf by the State Government by notification in the *Official Gazette*.

39. (1) The Court shall have the power, after consultation with the Executive Council, to recognise any institution of research or specialised studies under the management of any authority other than the University as recognised institution for the purpose of providing means of instruction and research to meet partially the requirements of the University for advanced degrees.

(2) An institution applying for recognition under this section shall send a letter of application to the Registrar and shall give full information in such letter in respect of the following matters :—

- (a) constitution and personnel of the managing body ;
- (b) subjects and courses in regard to which recognition is sought ;
- (c) accommodation, equipment 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, lands and equipment and for the continued maintenance and efficient working of the institution.

(3) On receipt of a letter under sub-section (2), the Executive Council shall—

- (a) direct a local inquiry to be made by a competent person or persons authorised by it in this behalf ;
- (b) make such further inquiry as may appear to it to be necessary ;
- (c) 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 results of any inquiry under clauses (a) and (b) ;
- (d) recommend to the Court, grant or refusal of the recognition, either in whole or in part, and thereupon the Court shall take such decision as it deems fit.

¹[(4) The Court shall also have power, after consultation with the Executive Council, to recognise any institution for lower agricultural education, such as an agricultural school or *gramsevak* training centre under the management of any authority other than the University, as a recognised institution for the purpose of providing means of instruction in lower level education in agriculture and allied activities. The procedure prescribed in sub-sections (2) and (3) applying for and granting or refusing to grant recognition to any institution of research or specialised studies shall apply *mutatis mutandis* for applying for and granting or refusing to grant recognition to any institution for lower agricultural education.]

¹ Sub-section (4) was added by Mah. 24 of 1973, s. 22(a).

² These words were added, *ibid.*, s. 22 (b).

Inspection of colleges and institutions and reports.

40. (1) Every affiliated college and recognised institution shall furnish such reports, returns and other information as the Executive Council may require to enable it to judge the efficiency and necessity of the college or institution with respect to the University requirements.

(2) The Executive Council shall cause every such college or institution to be inspected from time to time by one or more competent persons authorised by the Executive Council in this behalf.

(3) The Executive Council may call upon any affiliated college or recognised 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 the last two preceding sections.

Withdrawal of affiliation.

41. (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 38 or it has failed to observe any of the conditions of its affiliation or it is conducted in a manner which is prejudicial to the interests of agricultural education.

(2) A motion for the withdrawal or the modification of such rights shall be 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 the last two preceding sections.

(3) Before taking the said motion into consideration, the Executive Council shall send a copy of the notice and written-statement mentioned in sub-section (2) 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 Executive Council :

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

(4) On receipt of the representation, or on the expiry of the period referred to in sub-section (3), the Executive Council, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the Executive Council in this behalf, and such further inquiry as may appear to it to be necessary, and after consultation with the Academic Council, recommend to the Court the action to be taken in the matter.

(5) Upon receipt of any proposal under the last preceding sub-section, the Court shall take a decision on the action to be taken in the matter. If the Court decides the withdrawal of affiliation, in whole or in part, the grounds for such withdrawal shall be stated in the resolution of the Court passed for that purpose.

Withdrawal of recognition.

42. (1) The rights conferred on an institution by recognition may be withdrawn or suspended for any period by the Court, if the institution has failed to observe any of the conditions of its recognition, or the institution is conducted in a manner which is prejudicial to the interests of agricultural education or research.

(2) A motion for such withdrawal or suspension shall be indicated only in the Executive Council. The member of the Council 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 Executive Council shall send a copy of the notice and written-statement mentioned in sub-section (2) to the Head of the institution concerned, together with the intimation that any representation in writing submitted within a period specified in the intimation, on behalf of the institution, will be considered by the Executive Council :

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

(4) On receipt of the representation, or on the expiry of the period referred to in sub-section (3), the Executive Council, after considering the notice of motion, statement and representation, and after such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall recommend to the Court the action to be taken in the matter. On receipt of such proposal, the Court shall take a decision in the matter. If the Court decides the withdrawal of recognition, the grounds for such withdrawal shall be stated in the resolution of the Court passed for the purpose.

CHAPTER VII

TEACHING, RESEARCH AND EXTENSION EDUCATION

43. (1) The University shall establish at its headquarters within the Colleges and University campus all or any of the following colleges and such other institutions other institutions in close juxtaposition and a central experiment station for fundamental and University. applied research in close proximity:—

- (i) A College of Agriculture (including Agricultural Economics and Animal Husbandry).
- (ii) A College of Veterinary Science.
- (iii) A College of Agricultural Technology.
- (iv) A College of Agricultural Engineering.
- (v) A College of Home Science.
- (vi) A College of Basic Science and Humanities.
- (vii) An Institute of Post-Graduate Studies.

(2) Besides the University campus, the programme of the University may be conducted * * * * at such colleges, institutions or other places in any part of the University area as the University may decide.

(3) The University shall provide for under-graduate as well as post-graduate training and shall ensure for the economy and efficiency in teaching and research by gradually integrating the curricula of the colleges.

(4) The post-graduate teaching and research shall as far as possible be conducted at the Institute of Post-Graduate Studies.

44. Each academic staff member of the University shall hold the rank of a Professor, Associate Professor, Lecturer or Demonstrator or any other prescribed rank in harmony with his qualifications and status in the University, irrespective of the duties of teaching, research or extension education for the time being allotted to him. Academic staff members of the University.

45. (1) The constituent and affiliated colleges and recognised institutions of the University shall gradually be brought on the common pattern of teaching and organisation as may be directed by University from time to time. Teaching programme.

(2) The University shall according to need establish additional colleges and institutions to serve the requirements of the various Faculties.

(3) The institutions taken over by the University under section 7 shall be conducted by it as constituent training institutions in such manner and with such suitable changes as the University may consider appropriate.

¹ The words "at the subsidiary campus and" were deleted by Mah. 17 of 1972, Second Sch.

(4) The University shall according to need start additional training centres or close down either permanently or temporarily any of the training institutions or classes under its control as it may consider appropriate.

46. (1) The University shall establish a research service. The research and experimental stations which have been taken over by the University under sub-section (5) of section 7 shall be conducted by it as constituent research institutions in such manner and with such suitable changes as the University may consider appropriate.

(2) The University shall establish regional research stations * * * * * at the existing agricultural colleges and shall according to need establish such additional experimental stations for research both fundamental and applied at suitable places in the University area as the University may consider appropriate.

(3) The University may at any time close down, curtail or expand, either permanently or temporarily, any of the research stations as the University may think appropriate.

47. The University shall establish an agricultural extension education service, and shall, subject to the provisions in this Act and the Statutes, make useful information based upon the findings of research available to farmers and other people in the rural areas to help, solve their problems. It shall conduct demonstration and training programmes for the benefit of students, extension workers, cultivators and other rural people, by establishing regional extension education units * * * * * at the existing agricultural colleges. Increased agricultural production shall be the principal objective of all extension activities and these activities shall be co-ordinated with the other functions of the University and other appropriate agencies in the University area.

48. (1) In consultation with the appropriate officers of the University, the Vice-Chancellor shall be responsible for taking such steps as may be necessary for the full co-ordination of teaching, research and extension education activities of the University.

(2) The Vice-Chancellor shall be responsible, working through the appropriate officers and staff of the University, for seeing that conditions are established whereby there is the maximum feasible progress in the development of new information and technology in the natural, physical and social sciences related to agriculture and their transfer to the teaching curricula and to the educational programmes leading to their understanding and adoption, where applicable in practice, in the University area.

(3) The Vice-Chancellor shall be responsible, working through the appropriate officers and staff of the University, to see that there is an appropriate inter-relation of the different curricula and courses offered in the different Faculties of the University so as to avoid unnecessary duplication of functions between Faculties and provide the students with the best course offerings and Faculty contacts feasible within the University's resources and talents.

(4) The University shall develop its programme of research and extension education keeping in view the needs of the State in general and, in particular provide appropriate technical support and consultative advice to the State Government Departments engaged in agricultural development work in the University area.

¹ The words "at the subsidiary campus and" were deleted by Mah. 17 of 1972, Second Sch.

CHAPTER VIII.

FINANCE

49. (1) The University shall establish a fund to be called the University University Fund.

(2) The following shall form part of, or be paid into, the University Fund :—

- (a) any contribution or grant by Government ;
- (b) the income of the University from all sources including income from fees and charges and sale-proceeds of farm-products ;
- (c) bequests, donations, endowments and other grants, if any received by the University.

(3) The University shall have and maintain a Contingency Fund under a separate heading in the University accounts, to which shall be credited such sums as may, from time to time, be granted as contributions or grants by Government specially for this purpose. Such Fund shall be used for meeting the initial expenditure and thereafter for making advances for the purposes of meeting unforeseen expenditure.

(4) With the previous sanction of the State Government, any portion of the University Fund may, from time to time, be credited by the University to a separate heading in the University accounts, provided that there shall be credited and debited to such special heading such sums only as shall expressly relate to the objects for which a special fund is so created.

(5) The University Fund shall, at the discretion of the Executive Council, be kept in the State Bank of India, or in any scheduled bank as defined in the Reserve Bank of India Act, 1934, which holds a licence issued by the Reserve Bank of India under section 22 of the Banking Regulation Act, 1949, or in a co-operative bank approved by the State Government for the purpose, or be invested in securities authorised by the Indian Trusts Act, 1882, or, subject to the maximum limit of rupees five lacs, in the shares of, or by giving loans to, consumers' co-operative societies established for the purposes of the University or any of the affiliated colleges or recognised institutions.

50. (1) (a) During the period of stabilization of the University, the State Government shall prescribe the date by which and the manner in which the University shall prepare the annual financial estimates of receipts and expenditure of the University. Financial estimates.

(b) The Executive Council shall consider the estimates so prepared and approve them, with or without modifications and submit them, as approved by it, to the State Government for its sanction.

(c) The State Government may pass such orders with reference to the said estimates as it thinks fit and communicate the same to the University which shall give effect to such orders.

(2) (a) After the period of stabilization of the University is over, the Vice-Chancellor shall cause to be prepared by the Comptroller of the University on or before such date as may be prescribed the annual financial estimates for the ensuing year and submit them to the Executive Council and to the Court for consideration and suggestions, if any.

(b) The Executive Council may consider the suggestions made by the Court and approve the said estimates, with or without modifications.

Finance
Committee.

51. (1) The Executive Council shall constitute a Finance Committee consisting of the following persons :—

(a) The Vice-Chancellor—*ex-officio* Chairman,

(c) Three members chosen by the Executive Council from amongst its members.

²[The Comptroller shall be *ex-officio* Secretary of the Finance Committee].

(2) The Finance Committee shall have the following powers :—

(a) to examine the annual financial estimates of the University and to advise the Executive Council thereon,

(b) to examine the annual accounts of the University and to advise the Executive Council thereon,

(c) to review the financial position of the University from time to time,

(d) to make recommendations to the Executive Council on all matters relating to the finances of the University,

(e) if so directed by the Executive Council, to make recommendations to the Executive Council on any proposals made by the Executive Council involving expenditure for which no provision exists in the budget or which involves expenditure in excess of the amount provided in the budget.

Accounts
and
auditing.

52. (1) The annual accounts of the University shall be prepared by the Comptroller under the direction of the Vice-Chancellor, and all monies accruing to or received by the University from whatever source and all amounts disbursed and paid by the University shall be entered in the accounts.

(2) The annual accounts and the balance-sheet shall be submitted by the Vice-Chancellor to the State Government, which shall cause an audit to be carried by an auditor appointed by it, in consultation with the Comptroller and Auditor-General of India. The accounts when audited shall be printed and copies thereof together with the copies of the audit report shall be presented by the Vice-Chancellor to the Executive Council, the Court and the Chancellor.

(3) The Executive Council shall submit a copy of the accounts and the audit report to the State Government along with the statement of the action taken by the University on the audit report, and the State Government shall cause the same to be laid before each House of the State Legislature.

CHAPTER IX.

SUPPLEMENTARY PROVISIONS

University
to absorb
staff of
Maharashtra
Krishi
Vidyapeeth
serving in
University
and the
staff of
certain
institutions,
etc., which
may be trans-
ferred to it.

53. (1) (i) Every person who immediately before the date specified by the State Government under sub-section (1) of section 7 is serving in any of the constituent colleges, institutions, centres or other activities transferred to the Maharashtra Krishi Vidyapeeth under section 7 of the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967, which are situated in the University area shall, as from that day, be deemed to have been allotted to the University, and shall be taken over and employed by the University. Mah. XXIII
of
1967.

(ii) Every person serving in any of the institutions, centres or other activities liable to be transferred to the University under section 7, and such members of the staff serving in the office of the Maharashtra Krishi Vidyapeeth and of the other Government staff connected with both or either of the Universities, as the State Government may, from time to time, having regard to the necessity therefor, direct, shall also be taken over and employed by the University.

¹ Clause (b) was deleted by Mah. 24 of 1973, s. 23 (a).

² This portion was added, *ibid.*, s. 23 (b).

Every person taken over under clause (i) or (ii) and employed by the University shall be subject to the provisions of this Act and the Statutes and Regulations made thereunder :

Provided—

(a) that, during the period of such employment all matters relating to the pay, leave, retirement, allowances, pension, provident fund and other conditions of service of the members of such staff shall be regulated by the Bombay Civil Services Rules or such other rules as may, from time to time, be made by the State Government ;

(b) that, any such member shall have a right of appeal to the State Government against any order of reduction, dismissal or removal from service or any other punishment.

(2) Subject to the provisions of sub-sections (3) and (4), all permanent servants of the said staff taken over and employed by the University under sub-section (1) shall have a lien on their posts in the service of the State Government, and the period of their service under the Maharashtra *Krishi Vidyapeeth* as well as the University shall they choose to revert to the service of the State Government, be counted for their increments, pension and other matters relating to their service.

(3) Notwithstanding anything contained in sub-sections (1) and (2), every officer or servant of the State Government taken over by the University shall—

(i) within a period of two years from the date he was taken over by the Maharashtra *Krishi Vidyapeeth*, if he is allotted from that University and

(ii) within a period of two years from the date he is taken over by the University, if he is transferred by the State Government to the University direct,

such further time, if any, as the State Government may decide, give notice in writing to the Government—

(a) that he should be permitted to retire and thereupon he shall be permitted to retire from Government service and shall be entitled to such terminal benefits as compensation, pension or gratuity, or the like, as may be prescribed by the State Government, or

(b) that he should be permanently absorbed in the service of the University, and thereupon the University shall absorb him permanently in its service, any service rendered by him under the State Government or the Maharashtra *Krishi Vidyapeeth* shall be deemed to be service under the University, and he shall be entitled to receive from the University such terms and conditions of service as respects remuneration, leave and pension, and such rights as respects disciplinary matters, or rights similar thereto as changed circumstances may permit as are not less favourable than those to which that person was entitled to immediately before he was taken over by the University, or

(c) that he should be permitted to revert to Government service and thereupon he shall be permitted to revert to the service on the same terms and conditions of service applicable to him immediately before he was first taken over by the Maharashtra *Krishi Vidyapeeth* or the University, as the case may be.

(4) If any officer or servant of the State Government fails to give notice under sub-section (3) in time, he shall be deemed to have opted to be permanently absorbed in the service of the University under clause (b) of sub-section (3).

(5) Notwithstanding anything contained in this section, in the case of any officer or servant of the State Government taken over by the University, if in the opinion of the University such officer or servant is not suitable or is surplus to its requirements, the University may move the State Government, within a period of two years from the date applicable in his case under sub-section (3), to repatriate the said officer or servants to the service of Government. Upon such request by the University, the State Government shall take back the said officer or servant in its service.

[(6) Notwithstanding anything hereinbefore in this section contained, any person taken over and employed by the University under this section to whom section 53 of the Marathwada Agricultural University (Krishi Vidyapeeth) Act, 1972, applies shall, with effect from the date of commencement of that Act, be subject to the provisions of that Act and the Statutes and Regulations made thereunder.] Mah. XVII of 1972.

University to absorb staff of agricultural schools the management and maintenance of which is transferred to it from Zilla Parishads. ²[53A. (1) Notwithstanding anything contained in the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, with effect from the date appointed under section 7A in respect of any agricultural school (hereinafter in this section referred to as "the appointed day"), every person (whether he is a Government servant on deputation to a Zilla Parishad under section 253B or is finally allotted to a Zilla Parishad under section 242 or 253C of the said Act or is appointed by a Zilla Parishad or has otherwise become an officer or servant of a Zilla Parishad under the said Act) serving in such school immediately before the appointed day, shall be taken over and employed by the University, and every person so taken over and employed shall be subject to the provisions of this Act and the Statutes and Regulations made thereunder : Mah. V of 1962.

Provided —

(a) that during the period of such employment, all matters relating to the pay, leave, retirement, allowances, pension, provident fund and other conditions of service of such person shall be regulated by the rules, which were applicable to him immediately before the appointed day, or in the case of a Government servant on deputation be regulated by such other rules as may, from time to time, be made by the State Government ;

(b) that, against any order of reduction, dismissal or removal from service or any other punishment, any such person shall have a right of appeal, if he is a Government servant on deputation, to the State Government, and if he is or has become an officer or servant of a Zilla Parishad to such authority as was competent to entertain such appeal under the rules applicable to him immediately before the appointed day.

(2) Subject to the provisions of sub-sections (3) and (4), all persons taken over and employed by the University under sub-section (1) who are servants of the State Government on deputation to a Zilla Parishad under section 253B of the said Act, shall from the appointed day cease to be on such deputation ; and who are permanent servants of the State Government or of a Zilla Parishad shall have a lien on their posts in the service of the State Government or the Zilla Parishad,

¹ Sub-section (6) was added by Mah. 17 of 1972, Sch. II.

² Section 53A was inserted by Mah. 24 of 1973, s. 24.

as the case may be, and the period of their service under the University shall if they choose to revert to the service of the State Government or the *Zilla Parishad*, be counted for their increments, pension and other matters relating to their service.

(3) Notwithstanding anything contained in sub-sections (1) and (2), every person taken over by the University under sub-section (1) shall, within a period of two years from the appointed day (or such further time, if any, as the State Government may decide) give notice in writing to the State Government —

(a) that he desires to retire and thereupon he shall be permitted to retire from Government service or the *Zilla Parishad* service, as the case may be, and shall be entitled to all such terminal benefits as compensation, pension or gratuity, or the like, as he would have been entitled to had he then retired from Government service or the *Zilla Parishad* service, as the case may be, or

(b) that he should be permanently absorbed in the service of the University and thereupon the University shall absorb him permanently in its service, any service rendered or deemed to be rendered by him under the State Government or the *Zilla Parishad* shall be deemed to be service under the University, and he shall be entitled to receive from the University such terms and conditions of service as respects remuneration, leave and pension, and such rights as respects disciplinary matters or right similar thereto as changed circumstances may permit as are not less favourable than those to which that person was entitled to immediately before the appointed day, or

(c) that he should be permitted to revert to Government service or the *Zilla Parishad* service, as the case may be, and thereupon he shall be permitted to revert to the said service on the same terms and conditions of service applicable to him immediately before the appointed day.

(4) If any person taken over by the University under sub-section (1) fails to give notice under sub-section (3) in time, he shall be deemed to have opted to be permanently absorbed in the service of the University under clause (b) of sub-section (3).

(5) Notwithstanding anything contained in this section, in the case of any person taken over by the University, if in the opinion of the University such person is not suitable or is surplus to its requirements, the University may move the State Government, within a period of two years from the appointed day, to repatriate him to the service of Government or the *Zilla Parishad*, as the case may be. Upon such request by the University, the State Government or the *Zilla Parishad*, as the case may be, shall take back the persons in its service.]

54. (1) Save as otherwise provided by or under this Act, every salaried officer and academic staff member shall be appointed under a written contract. The contract shall be lodged with the Registrar, and a copy thereof shall be furnished to the employee concerned. Certain appointments to be under contract.

(2) No such employee shall receive any remuneration for any work in or outside the University, except as may be provided by the Statutes.

(3) Any dispute arising out of a contract between the University and any of its employees shall at the request of the employee concerned be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any civil court in respect of the matter decided by the Tribunal. Every such request shall be deemed submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940, and the provisions of that Act shall apply accordingly.

X of
1940.

Appointment of academic staff members to be made on recommendation of selection committee. 55. No person shall be appointed by the University as a member of the academic staff, except on the recommendation of a selection committee constituted for the purpose in accordance with the provisions of the Statutes made in that behalf.

Vacating of office. 56. (1) Save as otherwise provided 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.

(2) Any member of any authority or body of the University shall cease to be a member thereof of his being convicted by a Court of law of an offence which involves moral turpitude.

Filling of casual vacancy. 57. When any vacancy occurs in the office of a member (other than an *ex-officio* member) of any authority or body of the University before the expiry of the term of office of such member, the vacancy shall be filled, as soon as conveniently may be, by election, nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted, would have held it, if the vacancy had not occurred :

Provided that, if the vacancy be of an elected member of the Court, and occurs within six months preceding the date on which the term of office of such member expires, the vacancy shall not be filled.

Acts and proceedings not invalid merely on the ground of defect in constitution, vacancy, etc. 58. Notwithstanding that the Court, the Executive Council or the Academic Council or any other authority or body of the University is not duly constituted, or there is a defect in its constitution or reconstitution and notwithstanding that there is a vacancy in the membership of any such authority or body, no act or proceeding of such authority or body shall be invalid merely on any such ground.].

Questions regarding interpretations and disputes regarding constitution of University authority or body. 59. If any question arises regarding the interpretation of any provision of this Act or of any Statute or Regulation, or as to whether a person has been duly elected or appointed or co-opted as, or is entitled to be, a member of any authority or body of the University, the matter may be referred on petition by any person or body directly affected or *suo motu* by the Vice-Chancellor to the Chancellor, who shall, after giving the person or body affected a reasonable opportunity of being heard and after taking such advice as he deems necessary, decide the question, and his decision shall be final :

Provided that, such reference shall be made by the Vice-Chancellor to the Chancellor upon a requisition signed by not less than ten members of the Court.

Protection of acts and orders. 60. All acts and orders duly and in good faith done or passed by the University, or any of its authorities, bodies or officers shall be final ; and no suit shall be instituted against or damage claimed from the University or its authorities or bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes and Regulations framed thereunder.

Constitution of Committees. 61. Where any authority of the University is given power by this Act or the Statutes to appoint any committee, such committee may, except as otherwise provided, consist of its members, or partly of its members and partly of other persons, as the authority concerned may in each case decide.

¹ Section 58 was deemed always to have been substituted by Mah. 24 of 1973, s. 25.

62. The annual report of the University shall be prepared under the direction of the Executive Council and submitted by it to the Court on or before such date as may be prescribed. The report as approved by the Court shall be submitted by the Vice-Chancellor to the Chancellor and the State Government. The State Government shall cause the report to be laid before each House of the State Legislature.

CHAPTER X.

TRANSITORY PROVISIONS

63. Notwithstanding anything contained in section 13, the first Vice-Chancellor shall be appointed by the State Government as soon as practicable after the passing of this Act, for a period not exceeding five years and on such terms and conditions as the State Government thinks fit.

64. Notwithstanding anything contained in section 15, the first Registrar shall be appointed by the State Government as soon as possible after the passing of this Act, for a period not exceeding five years and on such terms and conditions as the State Government thinks fit.

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

(2) The first Vice-Chancellor shall, subject to the provisions of this Act and the approval of the State Government, make the first Statutes and Regulations necessary for regulating the method of election to the aforesaid authorities, for constituting them and for regulating the procedure at their meetings and for the transaction of their business.

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

66. (1) At any time after the passing of this Act until such time as the authorities of the University shall commence to discharge their functions, if in addition to the Government staff taken over or to be taken over by the University, any officer or member of the academic or ministerial staff is required to be employed by the University, the Vice-Chancellor may make the appointment :

Provided that, if an appointment is to be made of an officer or a member of the academic staff it shall be made by the Vice-Chancellor, with the previous sanction of the Chancellor.

(2) Any appointment made under sub-section (1) shall be for such period not exceeding five years and on such terms and conditions, as the Vice-Chancellor thinks fit.

Extra-ordinary powers of the first Vice-Chancellor.

67. (1) The Vice-Chancellor appointed under section 63 shall have powers until the Executive Council commences to discharge its functions —

(a) with the previous approval of the Chancellor, to make additional Statutes and Regulations to provide for any matter not provided for by the first Statutes or Regulations ;

(b) to constitute provisional authorities or bodies, and on their recommendations to make Regulations 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) to appoint any committee as he may think fit, to discharge such of his functions as he may direct or to delegate to any officer of the University such of his functions as he may direct ;

(e) generally to exercise all or any of the powers conferred on the Executive Council by or under this Act.

(2) Any orders passed by the Vice-Chancellor in exercise of the powers conferred by clause (c), (d) or (e) of sub-section (1) shall cease to have effect after the expiry of the period of one year from the date of appointment of the first Vice-Chancellor or from such earlier date as the authority of the University concerned may fix in this behalf.

CHAPTER XI.

CONSEQUENTIAL AMENDMENTS TO MAHARASHTRA AGRICULTURAL UNIVERSITY (KRISHI VIDYAPEETH) ACT, AND MISCELLANEOUS PROVISIONS

Amendments to Mah. XXIII of 1967. 68. The Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967, Mah. XXIII of 1967, is hereby amended to the extent and in the manner mentioned in the Second Schedule to this Act.

69. With effect from the date immediately following the date on which sub-section (1) of section 3 comes into force, the name of the University established under the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967, shall be changed to "The Mahatma Phule Krishi Vidyapeeth", and accordingly in sub-section (1) of section 3 of the said Act of 1967, the following shall be added at the end, namely :—

“The University shall with effect from the date immediately following the date on which sub-section (1) of section 3 of the Punjabrao Agricultural University (Krishi Vidyapeeth) Act, 1968, comes into force, be known as ‘The Mahatma Phule Krishi Vidyapeeth’; and the change of name shall not affect its continuity or its rights, obligations and liabilities, and any reference, by whatever form of words, to the Maharashtra Krishi Vidyapeeth in any law for the time being in force, or in any instrument or other document, shall be construed as a reference to the Mahatma Phule Krishi Vidyapeeth.”

70. For the purpose of facilitating the establishment of a separate university under this Act, the State Government may, before the expiration of one year from the date of passing of this Act, by order make such adaptations and modifications in the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967, or this Act, whether by way of repeal or amendment as may be necessary or expedient; and thereupon the relevant Act shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

71. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion requires, but not later than two years from the date of coming into force of section 1, by order, do anything, not inconsistent with the objects and purposes of this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty.

The First Schedule

[See clause (1) of section 2]

University area

The area comprised in the Revenue Divisions of Nagpur and Aurangabad. [but with effect from the date of commencement of the Marathwada Agricultural University (Krishi Vidyapeeth) Act, 1972, the area comprised in the Revenue Division of Nagpur only].

The Second Schedule

(See section 68)

In the Maharashtra Agricultural University (Krishi Vidyapeeth) Act, 1967 (Mah. XXIII of 1967),—

(1) in section 1,—

- (a) sub-section (2) shall be deleted ;
- (b) in the marginal note, the word, “extent” shall be deleted.

(2) in section 2,—

- (a) in clause (c), for the words “in the State” the words “in the University area” shall be substituted ;
- (b) after clause (d), the following clause shall be inserted, namely :—

“(da) ‘Konkan region’ means the area comprised in the Districts of Kolaba, Ratnagiri and Thana and such other areas as may be notified by the State Government in the *Official Gazette* ;

(c) after clause (i), the following clauses shall be inserted, namely :—

“(j) ‘subsidiary campus’ means such area as may be defined by the State Government by notification in the *Official Gazette* to be a subsidiary campus for the Konkan region, where some of the colleges and institutions may be established, and from where extension education and research programmes may be supervised, co-ordinated and directed to the extent possible, so that the subsidiary campus may, within ten years from the passing of the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968, form the University campus of an independent University for that region”

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(k) ‘the University’ means the University established under this Act ;

(l) ‘University area’ means the area specified in the Schedule to this Act ;

(d) existing clause (j) shall be re-lettered as clause (m).

(3) In section 3, to sub-section (3), the following proviso shall be added, namely :—

“Provided that, the State Government may, by like notification, appoint any other place in the University area to be the temporary headquarters of the University.”

(4) In section 7,—

(a) in sub-section (4), after the words, brackets and figure “in sub-section (1),” the words “or any post-graduate or other student,” shall be inserted, and after the words “his college was affiliated,” the words “or in which he was registered as a post-graduate or other student,” shall be inserted ;

(b) to sub-section (6), the following proviso shall be, and shall be deemed always to have been, added, namely :—

“Provided that, any such University shall be competent to declare the results and to award degrees, diplomas, certificates or other academic distinctions to the students of the colleges specified in sub-section (1) or to any post-graduate or other students, who may have appeared at any examination held by such University before the date aforesaid.”

(c) in sub-section (7), after the words “and the like,” the words “which are situated in the University area and ” shall be inserted ;

(d) after sub-section (7), the following sub-section shall be inserted, namely :—

“(8) Notwithstanding anything hereinbefore in this section contained with effect from such date which the State Government may by notification in the *Official Gazette* specify under sub-section (1) of section 7 of the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968, the colleges of agriculture at Parbhani, Nagpur and Akola and the veterinary college at Nagpur shall cease to vest in the University and shall pass to and be maintained by the other University as provided in section 7 of that Act.”

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(5) In section 10, under the heading "(b) Other Officers", the following shall be added at the end, namely :—

"Provided that, the same person may be appointed to more than one post in the category of "Other Officers."

(6) In section 25, in sub-section (1),—

(a) under the heading "Category B—Nominated by the State Government"—

(i) in entries (i) and (iv), the words "one from each Revenue division," shall be deleted ;

(ii) for entry (ii), the following entry shall be substituted, namely :—

"(ii) Six progressive farmers, out of whom at least one shall belong to the Scheduled Tribes and at least one to the Scheduled Castes," ;

(iii) in entry (iii), for the word "and" the word "or" shall be substituted, and the words "one from each Revenue division." shall be deleted ;

(iv) for entry (v), the following entry shall be substituted, namely :—

"(v) Two progressive fishermen."

(b) under the heading "Category C—Representatives of Zilla Parishads, Graduates, Students, Academic Staff and Institutions", in entry (i), the words, "two from each Revenue division" shall be deleted.

(7) In section 28, in sub-section (1), after entry (ii), the following entry shall be inserted :—

"(ii-a) The Director of Animal Husbandry, or his nominee not below the rank of Joint Director of Animal Husbandry."

(8) In section 33, in sub-section (1),—

(a) after the words "University shall institute" the words "all or any of" shall be inserted ;

(b) in entry (ix), after the word "Fisheries" the brackets and words "(including Marine Biology)" shall be inserted ;

(9) In section 38, after sub-section (1), the following sub-section shall be inserted, namely :—

"(1A) Notwithstanding anything contained in sub-section (1), with effect from the date on which section 38 of the Punjabrao Agricultural University (Krishi Vidyapeeth) Act, 1968, comes into force, any college or other educational institution situated within the University area as defined in that Act, shall cease to be affiliated to the University and shall be deemed to be affiliated to the other University under that Act."

(10) In section 43,—

(a) in sub-section (1), after the words "University campus" the words "all or any of" shall be inserted ;

(b) in sub-section (2),—

(i) after the words "may be conducted" the words "at the subsidiary campus and" shall be inserted ;

(ii) for the words "of the State" the words "of the University area" shall be substituted.

(11) In section 46, in sub-section (2),—

(a) after the words "research stations" the words "at the subsidiary campus and" shall be inserted;

(b) for the words "in the State" the words "in the University area" shall be substituted.

(12) In section 47,—

(a) the words "of the State", where they occur for the first time, shall be deleted;

(b) after the words "regional extension educational units" the words "at the subsidiary campus and" shall be inserted;

(c) for the words "of the State", where they occur for the second time, the words "in the University area" shall be substituted.

(13) In section 48,—

(a) in sub-section (2), for the words "throughout the State" the words "in the University area" shall be substituted;

(b) in sub-section (4),—

(i) for the words "and provide the appropriate" the words "in general and, in particular provide appropriate" shall be substituted;

(ii) after the words "development work" the words "in the University area" shall be inserted.

(14) In section 53, after sub-section (5), the following sub-section shall be added, namely :—

"(6) Notwithstanding anything contained in this section, any person taken over and employed by the University under this section to whom section 53 of the Punjabrao Agricultural University (Krishi Vidyapeeth) Act, 1968, applies shall, from the date specified by the State Government under sub-section (1) of section 7 of that Act, be subject to the provisions of that Act and the Statutes and Regulations made thereunder." Mah. IX of 1969.

(15) After section 68, the following Schedule shall be added at the end, namely :—

" THE SCHEDULE.

[See clause (1) of section 2.]

University area.

The area comprised in the State of Maharashtra, but with effect from the date which the State Government may by notification in the *Official Gazette* specify under sub-section (1) of section 7 of the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968, the area comprised in the State of Maharashtra, excluding the Revenue Divisions of Nagpur and Aurangabad ”.