

Assam Repealing Act, 1986

06 of 1986

[11 June 1986]

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PREAMBLE

An

Act

to repeal the Code of Criminal Procedure (Assam Amendment) Act, 1983 (Assam Act No. III of 1984).

Whereas it is expedient to repeal the Code of Criminal Procedure (Assam Amendment) Act, 1983, as amended up-to-date;

It is hereby enacted in the Thirty-seventh Year of the Republic of India as follows:--

1. Short title, extent and commencement :-

- (1) This Act may be called the Assam Repealing Act, 1986.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

2. Repeal of Assam Act No. III of 1984 :-

The Code of Criminal Procedure (Assam Amendment) Act, 1983 (Assam Act No. III of 1984) shall stand repealed.

3. Transfer of Cases :-

Notwithstanding any order passed by any authority under the Act repealed, all cases will be deemed to have been pending before the Court competent to try such cases under the Code of Criminal Procedure Act, 1973 and the said cases before any Executive Magistrate or before any other Court or authority shall stand transferred to the Court competent to try such cases under the Code of Criminal Procedure Act, 1973 and the said Court shall proceed to try such cases in accordance with the provisions of the Code of Criminal Procedure Act, 1973.

4. Amendment of Section 10 of Assam Act XXIV of 1968 :-

In the principal Act, in Section 10, in subsection (2),--

(a) for clause (b), the following shall be substituted, namely:--

"(b) (i) The Finance Commissioner;

(ii) The Secretary, Panchayat and Community Development Department;

(iii) The Agriculture Production Commissioner; and

(iv) The Secretary, Veterinary Department.

(b) for clauses (h), (i) and (j), the following shall be substituted, namely:--

"(h) Two representatives of teachers, one from teachers teaching Agriculture and the other from teachers teaching Veterinary;

(i) The Director of Agriculture;

(j) The Director of Veterinary and Animal Husbandry; and"

(c) for sub-section (4), the following shall be substituted, namely:--

"(4) The term of office of the non-official member shall be five years and such a member shall be eligible to serve for more than one term."

5. Amendment of Section 12 of Assam Act XXIV of 1968 :-

In the principal Act, in Section 12, in subsection (2), for clause (j), the following shall be substituted, namely:--

"(j) The Dean of post-Graduate Studies, and"

6. Deletion of Sections 13A and 13B of Assam Act XXIV of 1968 :-

In the principal Act, the Sections 13A and 13B shall be deleted.

7. Amendment of Section 14 of Assam Act XXIV of 1968 :-

In the principal Act, in Section 14, for subsection (6), the following shall be substituted, namely:--

"(6) Each Department shall have a Head whose appointment, powers and duties shall be as prescribed and who shall be responsible to the Dean for the proper organisation and working of the Department. He shall be responsible to the Directors of Associate Directors of Research and Extension respectively for the Research and Extension programmes entrusted to his Department."

8. Amendment of Section 17 of Assam Act XXIV of 1968 :-

In the principal Act, for Section 17, the following shall be substituted, namely:--

"17. The following shall be the officers of the University, namely:--

- (1) The Chancellor,
- (2) The Vice-Chancellor,
- (3) The Registrar,
- (4) The Comptroller,
- (5) The Director of Physical Plant,
- (6) The Director of Student Welfare.
- (7) The Deans of Faculties.
- (8) The Director of the College of Basic Sciences and Humanities.
- (9) The Director of Research.
- (10) The Associate Director of Research.
- (11) The Director of Extension
- (12) The Associate Director of Extension.
- (13) The Director of Post-Graduate Studies.
- (14) Two Librarians, and
- (15) Such other persons in the Service of the University as may be declared by the Statutes to be the officers of the University."

9. Amendment of section 19 of Assam Act XXIV of 1968 :-

In the principal Act, in Section 19.

(a) for sub section (1), the following shall be substituted, namely:--

"(1) The Vice-Chancellor shall be a whole time officer of the University. He shall be an eminent scholar and administrator with background of Agriculture Animal Husbandry and Veterinary Education, Research and Development and with at least ten years

experience. The first Vice-Chancellor after the commencement of this Act shall be appointed by the Chancellor for a period not exceeding five years and on such terms and conditions as the Chancellor may determine. Subsequent Vice-Chancellor shall be appointed by the Chancellor from a panel of three names submitted by a selection committee consisting of--

(a) one eminent agricultural scientist or educationist nominated by the Board,

(b) the Director General of Indian Council of Agricultural Research,

(c) a nominee by the State Government."

(d) The following shall be inserted as sub section (1A) after sub-section (1) in the principal Act,

"(1A) Notwithstanding anything contained in the Act or any contract express or implied, the existing appointment of the Vice-Chancellor shall cease to be operative after the commencement of this Act, and the Chancellor shall proceed to appoint the Vice-Chancellor in accordance with the provisions of this Act."

(c) for sub-section (5), the following shall be substituted, namely:--

"(5) In the temporary absence of the Vice-Chancellor, the senior most officer amongst the Deans/Director of Post Graduate Studies/Director of Research/Director of Extension Education shall temporarily carry on the routing duties of the office. Where the post of Vice-Chancellor falls permanently vacant either by resignation or otherwise then such vacancy shall be filled up by the Chancellor in accordance with provisions of sub-section (1) of this section and the Vice-Chancellor so appointed shall hold office for the full term of five years."

10. Amendment of Section 21 of Assam Act XXIV of 1968 :-

In the principal Act, in Section 21, sub-section (3) shall be deleted.

11. Section 11 :-

In the principal Act, in Section 28, in sub-sections (1) and (2), for the words "The Director of Research and Associate Director of Research" the words "The Director of Research, Agriculture and the Director of Research, Veterinary" shall be substituted.