

Chhattisgarh Kamdhenu Vishwavidyalaya Act, 2011

21 of 2011

[01 October 2011]

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SCHEDULE 1 :- THE SCHEDULE

Chhattisgarh Kamdhenu Vishwavidyalaya Act, 2011

21 of 2011

[01 October 2011]

An Act to establish and incorporate a University for the development of Veterinary, Animal, Fisher and Dairy Sciences in the State of Chhattisgarh and for matters connected therewith and incidental thereto. Be it enacted by the Chhattisgarh Legislature in the Sixty-second year of the Republic of India, as follows:-- *

Published in the Chhattisgarh Rajpatra (Asadharan) dated 1-10-2011 Pages 554(34-60).

CHAPTER 1 PRELIMINARY

1. Short Title, Extent And Commencement :-

(1) This Act may be called the Chhattisgarh Kamdhenu Vishwavidyalaya Adhiniyam, 2011.

(2) It extends to the whole State of Chhattisgarh.

(3) (i) This shall extend to the colleges included in the Schedule;

(ii) This shall extend to all the colleges and institutions that may be established or maintained by the Vishwavidyalaya in accordance with the provisions of this Adhiniyam, the rules, the statutes, the ordinances and the regulations.

(4) It shall come into force on such date as the State Government may appoint by Notification in Official Gazette.

2. Definitions :-

In this Adhiniyam, unless the context otherwise requires,--

(i) "Academic Council" means the Academic Council of the Vishwavidyalaya;

(ii) "Adhiniyam" means, unless the context otherwise requires, the Chhattisgarh Kamdhenu Vishwavidyalaya Adhiniyam, 2011;

(iii) "Appointed Day" means the date appointed under sub-section (4) of Section 1;

(iv) "College" means any College or Institution established or maintained by, or affiliated to the Vishwavidyalaya providing

courses of study or training or providing for conduct of research or providing for extension education in veterinary and animal sciences leading to degree, diploma and other academic distinctions of the Vishwavidyalaya.

(v) "Constituent Colleges" means the college to be declared as constituent college by the Executive Council;

(vi) "Dairy Science" means the science of processing of milk or manufacturing of milk products and marketing thereof;

(vii) "Director" means Director of Research, Director of Extension Education, Director of Farms, Director of Instruction, Director of Clinics and others appointed by the Executive Council from time to time;

(viii) "Executive Council" means the Executive Council of the Vishwavidyalaya constituted under section 22;

(ix) "Extension Education" means the educational activities connected with the training of farmers, goushalas, gousevaks and other groups concerned with the veterinary and animal sciences and various phases of scientific technology related to Kamdhenu production and marketing and includes demonstration to carry new technology and innovation to agriculture farms, animal farms, goushalas and homes through the concerned government departments;

(x) "Faculty" means a Faculty of the Vishwavidyalaya;

(xi) "Government" means the State Government of Chhattisgarh;

(xii) "Hostel" means a unit of residence for students of the Vishwavidyalaya, maintained or recognized by the Vishwavidyalaya;

(xiii) "Kamdhenu" means all the indigenous breeds of cow with HUMP and their progeny;

(xiv) "Ordinances" means the ordinance of the Vishwavidyalaya;

(xv) "Other Backward Classes" means the Other Backward Classes as specified by the Government of Chhattisgarh vide notification No. D-4226/479/202 dated the 16th August, 2002 as amended from time to time;

(xvi) "Panchgavya" means Kamdhenu dung, urine, milk, curd and ghee;

(xvii) "Prescribed" means prescribed by the statutes or regulations made under this Adhiniyam;

(xviii) "Regulations" means the regulations of the Vishwavidyalaya;

(xix) "Scheduled Castes" means the Scheduled Castes as specified in relation to the State of Chhattisgarh under Article 341 of the Constitution of India;

(xx) "Scheduled Tribes" means the Scheduled Tribes as specified in

relation to the State of Chhattisgarh under Article 342 of the Constitution of India;

(xxi) "Statutes" means the statutes of the Vishwavidyalaya;

(xxii) "Students of the Vishwavidyalaya" means a person enrolled in the Vishwavidyalaya or its colleges for taking a course of study for a degree, diploma or other academic distinctions duly instituted;

(xxiii) "Teachers of the Vishwavidyalaya" means persons appointed or recognized by the Vishwavidyalaya for the purpose of imparting instructions and/or conduction and guiding research and/or extension programmes and includes persons who may be declared by the statutes to be teachers;

(xxiv) "Veterinary and Animal Sciences" includes all the disciplines of veterinary, animal sciences and animal husbandry including domestic animals and birds and its allied sciences, fisheries sciences, dairy science and livestock food technology, panchgavya sciences, sciences of animal kingdom, faunal, wild animals, silkworm, bees etc., including their Natural Resources Management, Production and Protection, Agriculture Engineering and Technology pertaining to animal component, Animal Business Management, Basic Sciences and Humanities in relation to veterinary and animal sciences, and any other subject deemed to be related to veterinary and animal sciences;

(xxv) "Vishwavidyalaya" means the Chhattisgarh Kamdhenu Vishwavidyalaya established under section 3.

CHAPTER 2 THE VISHWAVIDYALAYA

3. Establishment Of Vishwavidyalaya :-

(1) There shall be a University established by the name of the "Chhattisgarh Kamdhenu Vishwavidyalaya".

(2) The Vishwavidyalaya shall be a body corporate, shall have perpetual succession and a common seal and shall sue and be sued by the said name.

(3) The location of the headquarters of the Vishwavidyalaya shall be at such place as may be declared by the Government of Chhattisgarh.

4. Objects Of Vishwavidyalaya :-

The following shall be the objectives of the Vishwavidyalaya, namely:--

(i) to make provision for imparting education towards development

of quality human resources in different branches of study in veterinary and animal sciences;

(ii) to further the advancement of learning and conducting of research in veterinary and animal sciences;

(iii) to undertake extension education in veterinary and animal sciences;

(iv) to promote partnership and linkages with national and international educational institutions;

(v) to liaise and establish vital linkages with the departments and organise working in the field of veterinary and animal sciences in the State by whatever name called governed by the Government of Chhattisgarh or the Union Government;

(vi) to liaise with national and international research institutes, specialized in the field of veterinary and animal sciences with a view to keep abreast of the latest technology;

(vii) to organize and impart continued education, refreshers training courses and summer institutes, hold technical symposiums and workshops to bring about professional development and skill improvement of the technical personnel in the field;

(viii) to make provision for the study of basic sciences with a view to support other professional studies and thereby integrating such studies in the Vishwavidyalaya curriculum;

(ix) to confer such degrees, diplomas, certificates and other academic distinctions as the Vishwavidyalaya may decide from time to time; and

(x) to pursue such other objectives as the Vishwavidyalaya may determine from time to time.

5. Powers And Functions Of Vishwavidyalaya :-

The Vishwavidyalaya shall have the following powers and functions, namely:--

(i) to provide for instruction, training and research in veterinary and animal sciences including self-finances mode;

(ii) to provide for dissemination of the finding of research and technical information through extension programmes;

(iii) to institute degrees, diplomas and other academic distinctions in veterinary and animal sciences;

(iv) to institute courses of study and hold examinations for and confer degrees, diplomas and other academic distinctions on persons who have pursued and qualified for prescribed courses of study or research or both in the Vishwavidyalaya including short

courses or research or both;

(v) to confer such honorary degrees or other distinctions as may be prescribed by statutes;

(vi) to provide lectures training and instruction for field workers, livestock farmers and other persons not enrolled as regular students of the Vishwavidyalaya;

(vii) to collaborate in academic research and education programmes with other Universities, institutes of Indian Council of Agricultural Research and public or private research and development organizations or institutions;

(viii) to establish, run and maintain colleges, research stations, Vigyan Kendras and any other institutions relating to veterinary and animal science and other allied sectors;

(ix) to affiliate colleges, institutions or units to the Vishwavidyalaya and to withdraw affiliation from colleges, institutions or units;

(x) to establish and maintain laboratories, libraries, research stations, institutions and museums for teaching, research and extension education;

(xi) to institute teaching, research and extension education posts and to appoint persons to such posts;

(xii) to create administrative and other posts and to appoint persons to such posts;

(xiii) to institute awards, fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with statutes;

(xiv) to establish and maintain hostels, recognize hostel not maintained by the Vishwavidyalaya and to withdraw recognition therefrom;

(xv) to establish and maintain residential accommodation for the employees of the Vishwavidyalaya;

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

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

(xviii) to make special provision for research and extension education in veterinary and animal sciences in relation to arid areas and areas prone to scarcity in the State of Chhattisgarh;

(xix) to institute and manage bureau of information and employment for the benefit of the Vishwavidyalaya;

(xx) to make arrangements for training for competitive examinations for recruitment to services under the Government of

India and the State Government,

(xxi) to inspect colleges, recognised institutions and approved institutions and to take measures to ensure that proper standards of instruction, teaching and training are maintained by them and that adequate library and laboratory provisions are made therein;

(xxii) to lay down and regulate the scale of salary and allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff of the Vishwavidyalayas with the approval of State Government;

(xxiii) to provide for recognition of the students union or association of teachers, academic staff or other employees of the Vishwavidyalaya, affiliated colleges and recognised institutions;

(xxiv) to hold and managed trust and endowment, donations or funds which may become vested in it for the purposes of the Vishwavidyalaya by grants, testamentary depositions or otherwise, and to invest such endowment, donations or funds in any manner that the Vishwavidyalaya may deem fit:

Provided that no donations from any foreign country, foreign foundation or any other person in such country shall be accepted by the Vishwavidyalaya without the approval of the State Government;

(xxv) to accept both specific and non-specific grants from funding institutions like Indian Council of Agricultural Research, Indian Council of Industrial Research or Indian Institute of Social Sciences or any other department, authority or body recognised by the Government of India and the State Government;

(xxvi) to borrow money with or without security for such purposes as may be approved by the State Government from the Central Government, Indian Council of Agricultural Research or other incorporated bodies, subject to the provisions of this Adhiniyam;

(xxvii) to establish hospitals, diagnostic centers for veterinary and animal sciences; and

(xxviii) to do all such acts and things, whether incidental to the powers and functions aforesaid or not, as may be necessary or desirable to further the objects of the Vishwavidyalaya.

CHAPTER 3 OFFICERS OF THE VISHWAVIDYALAYA

6. Admission To Vishwavidyalaya :-

The Vishwavidyalaya shall, subject to the provisions of this Adhiniyam and statutes and regulations, be open to all persons irrespective of caste, creed, religion and sex.

7. Officers Of Vishwavidyalaya :-

The Vishwavidyalaya shall consist of the following Officers, namely:--

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Registrar;
- (iv) Finance Officer;
- (v) The Dean of College/Dean of Faculties;
- (vi) Directors; and
- (vii) such other persons as may be declared by the statutes to be officers of the Vishwavidyalaya.

8. The Chancellor And His Powers :-

(1) The Governor of Chhattisgarh shall be Chancellor of the Vishwavidyalaya.

(2) The Chancellor shall be the head of the Vishwavidyalaya and shall, when present, preside over convocations of the Vishwavidyalaya and confer degrees, diplomas or other academic distinctions upon persons entitled to receive them.

(3) Where power is conferred upon the Chancellor to nominate persons to the authorities of the Vishwavidyalaya, the Chancellor shall nominate persons to the extent necessary to represent interests not otherwise adequately represented.

(4) The Chancellor may, on his own motion or on application, call for and examine the record of any Officer or authority of the Vishwavidyalaya in respect of any, proceeding to satisfy himself as to the regularity of such proceeding for the correctness, legality or propriety of any decision taken or order made therein; and if in any case, it appears to the Chancellor that any such decision or order should be modified or annulled, reversed or remitted for reconsideration, he may pass orders accordingly:

Provided that every application to the Chancellor for the exercise of the powers under this sub-section shall be referred within three months from the date on which the proceeding, decision or order to which the application relates was communicated to the applicant:

Provided further that no order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation.

(5) The Chancellor shall exercise such other powers and perform such other functions as may be conferred or imposed on him by or

under this Adhiniyam.

9. The Vice-Chancellor :-

(1) Every appointment of the Vice-Chancellor shall be made by the Chancellor from out of a panel of three names of eminent persons who possess master degree in the field of veterinary and allied sciences with minimum ten years experience as educationist or researcher or administrator in the university system as recommended by the committee referred to in sub-section (2) and such panel shall not contain the name of any member of the said Committee:

Provided that preference will be given to a person who possesses doctorate qualification in veterinary and allied sciences with minimum ten years experience as educationist or researcher or administrator in the university system.

(2) For the purpose of sub-section (1), the Committee shall consist of three persons from whom one shall be nominated by the Executive Council and one shall be nominated by the State Government and one shall be nominated by the Chancellor:

Provided that the persons so nominated shall not be an employee of, or a member of any of the authorities of, or any contractor or service provider of the Vishwavidyalaya.

(3) The Vice-Chancellor shall hold office for a period of five years and shall not be eligible for reappointment for another term:

Provided that no person shall hold the office of the Vice-Chancellor who attains the age of sixty five years:

Provided further that:--

(a) the Chancellor may direct that a Vice-Chancellor, whose term of office has expired shall continue in office for such period, not exceeding a total period of six months, as may be specified in the direction;

(b) the Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office.

(4) That any time upon representation made or otherwise and after making such enquiries as may be deemed necessary, it appears to the Chancellor that the Vice-Chancellor.

(a) has made default in performing any duty imposed on him by or under this Adhiniyam; or

(b) has acted in a manner prejudicial to the interests of the Vishwavidyalaya; or

(c) is incapable of managing the affairs of the Vishwavidyalaya, the

Chancellor may, notwithstanding the fact that the term of office of the Vice-Chancellor has not expired, by an order in writing stating the reasons therein, require the Vice-Chancellor to relinquish his office as from such date as may be specified in the order.

(5) No order under sub-section (4) shall be passed unless the particulars of the grounds on which such action is proposed to be taken is communicated to the Vice-Chancellor and he or she is given a reasonable opportunity of showing cause against the proposed order.

(6) When any temporary vacancy occurs in the Office of the Vice-Chancellor or if the Vice-Chancellor is, by reason of illness, absence or for any other reason, unable to exercise the powers and perform the duties of his office, the Chancellor shall, as soon as possible, in consultation with the Government, make such arrangements for carrying on the functions of the Vice-Chancellor as he deems fit.

10. Appointment And Term Of The First Vice-Chancellor :-

(1) Within six months from the commencement of this Adhiniyam, the first Vice-Chancellor shall be appointed by the Chancellor in consultation with the Government for a period not exceeding five years or till the attainment of superannuation age of 65 years whichever is earlier and on salary and such other terms and conditions as the Chancellor may think fit:

Provided that, the Vice-Chancellor so appointed shall not be eligible for reappointment for another term.

(2) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Executive Council, the Academic Council and such other authorities of the Vishwavidyalaya specified in section 21 within one year from the commencement of this Adhiniyam, or such longer period, not exceeding one and a half year, as the Government may, by notification, allow.

(3) The authorities constituted under Section 21 shall commence to exercise their powers and perform their functions on such date or dates as the Government may, by notification, specify.

(4) It shall be the duty of the first Vice-Chancellor to make, with the approval of the Chancellor, such statutes, ordinances and regulations as may be necessary, and make them available to the respective authorities, competent to deal with them and such statutes, ordinances and regulations shall be published in the Chhattisgarh Gazette.

(5) Notwithstanding anything contained in this Adhiniyam and the

statutes, ordinances and regulations, until such time an authority is duly constituted, the first Vice-Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and functions of such authority under this Adhiniyam, the statutes, ordinances and the regulations.

11. Salary And Other Allowances Of Vice-Chancellor :-

The Vice-Chancellor shall be a whole time salaried officer of the Vishwavidyalaya and his emoluments and other terms and conditions of service shall be prescribed by the statute.

12. Powers And Duties Of Vice-Chancellor :-

(1) The Vice-Chancellor shall be the academic head and the principal executive officer of the Vishwavidyalaya and shall in the absence of the Chancellor, preside over any convocation of the Vishwavidyalaya and confer degrees, diplomas or other academic distinctions upon persons entitled to receive them and he shall be Chairman of the Executive Council, Academic Council and Finance Committee and shall be entitled to be present at, and to address, any meeting of any authority of the Vishwavidyalaya but shall not be entitled to vote there unless he is a member of the authority concerned.

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

(3) The Vice-Chancellor shall convene meetings of the Executive Council and the academic Council.

(4) The Vice-Chancellor shall ensure that the provisions of this Adhiniyam, the statutes, ordinances and regulations are observed and carried out and he may exercise all powers necessary for this purpose.

(5) The Vice-Chancellor shall have power to take action on any matter and shall, by order, take such action as he may deem necessary but shall, as soon as may be, thereafter report the action taken to the officer or authority or body who or which would have ordinarily dealt with the matter.

Provided that no such order shall be passed unless the person likely to be affected has been given a reasonable opportunity of being heard.

(6) Any person, aggrieved by any order of the Vice-Chancellor under sub-section (5) may prefer an appeal to the Executive

Council within thirty days from the date on which such order is communicated to him and the Vice-Chancellor shall give effect to the order passed by the Executive Council on such appeal.

(7) The Vice-Chancellor shall be responsible for co-ordination and integration of teaching, research, extension education and curriculum development.

(8) The Vice-Chancellor shall exercise such other duties as may be prescribed.

13. Appointment Duty And Term Of Office Of The Registrar

:-

(1) The Registrar shall be a whole time salaried officer of the Vishwavidyalaya and shall be appointed by Government on such terms and conditions as may be fixed by Government.

(2) The Registrar shall be a person who is currently serving under the State Government and who is not below the rank than that of a Deputy Secretary to the State Government or an officer of the State Livestock Development or Fisheries department in the pay scale of Joint Director of the departments.

(3) The Registrar shall be the ex-officio Secretary to the Executive Council, the Academic Council and the Board of Studies.

(4) When the office of the Registrar is temporarily, for a period not exceeding three months, fall vacant, or when the Registrar is, by reason of illness, absence or for any other reason, unable to exercise the powers, perform the functions and discharge the duties of his office, the powers, functions and duties of the office of the Registrar shall be exercised, performed and discharged by such person as the Vice-Chancellor may appoint.

(5) It shall be the duty of the Registrar to manage the property and investments of the Vishwavidyalaya including trust and endowed property in accordance with the decision of the Finance Committee and the Executive Council:

(a) to be the custodian of the records, the common seal and such other properties of the Vishwavidyalaya as the Executive Council shall commit to his charge; and

(b) to issue all notices convening meetings of the Executive Council the Academic council, the Board of Studies, the board examinations and of any committee appointed by the authorities of the Vishwavidyalaya.

(6) In all suits and other legal proceedings by or against the Vishwavidyalaya, the pleadings shall be signed and verified by the

registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

(7) The Registrar shall exercise such other powers and perform such other functions and discharge such other duties as may be prescribed by the Executive Council.

14. Appointment Of First Registrar :-

The first Registrar shall be appointed by the Government within three months from the appointed day as per provisions of Section 13.

15. The Finance Officer :-

(1) The Finance Officer shall be a whole time salaried officer of the Vishwavidyalaya appointed by the State Government from amongst officers belonging to State Finance Department not below the rank of Deputy Director Finance.

(2) The emoluments and other terms and conditions of service of the Finance officer shall be such as may be prescribed.

(3) Where the office of the Finance Officer is vacant, or when the Finance Officer is, by reason of illness or absence or any other cause unable to exercise the powers, perform the functions and discharge the duties of his office, the power, function and duties of the office of the Finance Officer shall be exercised, performed and discharged by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance Officer shall be the ex-officio Secretary to the Finance Committee.

(5) The Finance Officer shall:--

(a) exercise general supervision over the funds of the Vishwavidyalaya and shall advise the Vishwavidyalaya with regard to its financial matters; and

(b) exercise such other powers and perform such other functions, as may be assigned to him by the Executive Council, or as may be prescribed:

Provided that the Finance Officer shall incur any expenditure or make any investment with prior approval of the Executive Council or as may be prescribed.

(6) Subject to the control of the Executive Council, the Finance Officer shall:--

(a) ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditure for a year are not

exceeded and that the moneys are expended for the purposes for which they are granted or allotted;

(b) be responsible for preparation of annual accounts, financial estimates and the budget of the Vishwavidyalaya and for their presentation to the Finance Committee and the Executive Council;

(c) keep a constant watch on the cash and bank balances and on investments;

(d) watch the progress of the collection of revenue and advise with regard to the methods of collection of revenue;

(e) ensure that the registers of buildings, land, furniture equipments etc. are maintained upto date, and the stock checking is conducted in respect of equipments and other consumable materials in all offices, laboratories, colleges and institutions maintained by the Vishwavidyalaya;

(f) bring to the notice of the Vice-Chancellor any unauthorized expenditure or other financial irregularity and suggest appropriate action to be taken against persons at fault; and

(g) call from any office, laboratory, college or institution maintained by the Vishwavidyalaya, any information or returns as he may consider necessary for the exercise of his powers, performance of his functions or discharge of his duties.

16. Dean Of College :-

(1) Each College shall have a Dean, who shall be a whole time salaried officer of the Vishwavidyalaya appointed by the Vice-chancellor in such manner and on such terms and conditions as may be prescribed.

(2) The Dean of College shall exercise such powers and perform such duties as may be prescribed.

17. Dean Of Faculty :-

(1) Each Faculty of the Vishwavidyalaya shall have a Dean, who shall be a whole time salaried officer of the Vishwavidyalaya appointed by the Vice-Chancellor in such manner prescribed and on such terms and conditions as may be prescribed.

(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.

18. Duties Of Dean Faculty :-

- (1) The Dean of Faculty shall be responsible for organization, administration and conducting teaching, research and extension education, administration of farms, research centres, hospitals, diagnostic centres, etc. under his jurisdiction.
- (2) Every Dean of Faculty shall have such other powers and perform such other duties as are laid down by or under this Adhiniyam and as may be prescribed.

19. The Directors :-

- (1) The Directors shall be whole time officers of the Vishwavidyalaya appointed by the Vice-Chancellor in the manner prescribed.
- (2) The Directors shall exercise such powers and perform such duties as may be prescribed.

20. Dean Of Student Welfare :-

- (1) The Dean of the Student Welfare shall be a whole time salaried officer of the Vishwavidyalaya and shall be appointed by the Vice-Chancellor in such manner prescribed and on such terms and conditions of service as may be prescribed.
- (2) The Dean of the Student Welfare shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes.

CHAPTER 4 AUTHORITIES OF THE VISHWAVIDYALAYA

21. Authorities Of Vishwavidyalaya :-

The authorities of the Vishwavidyalaya shall be the Executive Council, the Academic Council, the Board of Studies, the Finance Committee and such other bodies of the Vishwavidyalaya as may be declared by the statutes to be authorities of the Vishwavidyalaya.

22. The Executive Council :-

- (1) The Chancellor shall, as soon as may be after the first Vice-Chancellor is appointed under sub-section (1) of Section 10, take action to constitute the Executive Council.
- (2) The Executive Council shall consist of the following members, namely:--
Ex-Officio Member--

- (i) The Vice-Chancellor;
- (ii) The Secretary(s) to Government-in-charge of Animal Husbandry/Dairy/ Fisheries Department(s);
- (iii) The Secretary to Government-in-charge of Finance Department;
- (iv) All Directors;
- (v) All Deans of Faculties;
- (vi) All Deans of Colleges;
- (vii) The Registrar.

Other Members--

(i) Two scientists (not below the rank of Professor) having special knowledge or practical experience in teaching, research and extension education in the field of veterinary and animal sciences to be nominated by the Chancellor.

(ii) one person from outside the Vishwavidyalaya in the field of veterinary and animal sciences to be nominated by the Chancellor.

(iii) one livestock farmer to be nominated by the Government.

(iv) one representative from among the goushalas in the state to be nominated by the State Government,

(v) one representative of the industries connected with dairy, to be nominated by the Government,

(vi) one woman social worker to be nominated by the Government,

(vii) one representative of the Indian Council of Agricultural Research (Veterinary Division), to be nominated by Director General ICAR.

(viii) one representative of the Veterinary Council of India to be nominated by the head of that Council.

(ix) Two Members of the State Legislative Assembly to be nominated by the Speaker of the Chhattisgarh Vidhan Sabha in consultation with the Leader of the House and the Leader of Opposition:

Provided that no member so nominated shall be disqualified for being a member of the Vidhan Sabha:

Provided further that a member of the Chhattisgarh Vidhan Sabha nominated to the Executive Council shall cease to be a member of the Council from the date on which he ceases to be a member of the Chhattisgarh Vidhan Sabha.

(x) The Vice-Chancellor shall be the ex-officio Chairman of the Executive Council and the Registrar shall be the ex-officio Member Secretary to the Executive Council.

(xi) The terms of office of the Members of the Executive Council other than the ex-officio members shall be four years.

(xii) The members of the Executive Council shall be entitled to receive sitting fees from the Vishwavidyalaya and such daily and travelling allowances as may be prescribed:

Provided that nothing contained in this sub-section shall preclude any member from drawing his normal emoluments or allowances to which he is entitled by virtue of the office he holds.

(xiii) "A member of the Executive Council, other than the ex-officio member, may tender resignation of his membership at any time before the expiry of the period of his tenure and such resignation shall be conveyed to the Chancellor by a letter in writing by the member and the resignation shall take effect from the date of tendering the resignation.

23. Powers Of Executive Council :-

The Executive Council shall have the following powers, namely:--

- (i) to make, amend or repeal the statutes, ordinances and regulations;
- (ii) to consider and review the financial requirements and approve the annual financial estimates of the Vishwavidyalaya;
- (iii) to provide for the administration of any funds placed at the disposal of the Vishwavidyalaya for the purposes intended;
- (iv) to arrange for the investment and withdrawal of funds of the Vishwavidyalaya;
- (v) to borrow money for the purposes of the Vishwavidyalaya, with the approval of the Government on the security of the property of the Vishwavidyalaya and to make suitable arrangements for its repayment;
- (vi) to hold, control and administer the properties of the Vishwavidyalaya;
- (vii) to determine the form of, provide for the custody and regulate the use of the common seal of the Vishwavidyalaya;
- (viii) to appoint such committees, either standing or temporary, as it may consider necessary and specify the terms of reference thereof subject to the provisions of this Adhiniyam and the statutes;
- (ix) to determine and regulate all questions of policy relating to the Vishwavidyalaya in accordance with the provisions of this Adhiniyam and the statutes;
- (x) to make financial provision for the instruction, teachings, research advancement and dissemination of knowledge in such branches of learning and courses of study as may be determined by

the Academic Council;

(xi) to provide for the establishment and maintenance of colleges, hostels, laboratories experimental goushala farms and other facilities, necessary for carrying out the purposes of this Adhiniyam;

(xii) to provide for the institution, maintenance and award of scholarships, fellowships, studentships, bursaries exhibitions, medals and prizes;

(xiii) to accept on behalf of the Vishwavidyalaya trust, bequest, donation and transfer of any movable or immovable property made to it;

(xiv) to enter into contract on behalf of the Vishwavidyalaya; and

(xv) to exercise such other powers, not inconsistent with the provisions of this Adhiniyam or the statutes, as may be necessary for carrying out the purpose of this Adhiniyam.

24. Meeting Of Executive Council :-

(1) The Executive Council shall meet at such times and places and shall subject to the provisions of sub-section (2) and (3), observe such rules of procedure in regard to transaction of business at its meetings including the quorum at meetings as may be prescribed: Provided that the Executive Council shall meet at least once in three months.

(2) The Vice-Chancellor shall preside over a meeting of the Executive Council.

(3) All questions at any meeting of the Executive Council shall be decided by a majority of votes of the members present and voting and in the case of any equality of votes, the Vice-Chancellor or the member presiding, as the case may be, shall have and exercise a second or casting vote.

(4) The Executive Council may, for purposes of consultation, invite any person having special knowledge or practical experience in any subject under consideration to attend any meeting and such person may speak and otherwise take part in the proceedings of such meeting, but shall not be entitled to vote.

25. The Academic Council :-

The Academic Council shall be the academic authority of the Vishwavidyalaya and shall, subject to the provisions of the statutes, have the control and general regulation of teaching, research, development and extension and examinations in the Vishwavidyalaya and shall be responsible for the maintenance of

the standards thereof.

26. Constitution Of Academic Council :-

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

Ex-Officio Members--

- (a) The Vice-Chancellor;
- (b) The Directors;
- (c) All Deans of Faculty;
- (d) All Deans of College;
- (e) The Registrar-Member Secretary.

Other Members--

- (a) Members not exceeding five, from amongst the Heads of Departments to be nominated by the Vice-Chancellor, on rotational basis;
- (b) Three persons having special knowledge of or practical experience in different aspects of veterinary and animal sciences, preferably representatives of Indian Council of Agricultural Research and Veterinary Council of India to be nominated by the Vice-Chancellor.

(2) The Vice-Chancellor shall be the ex-officio Chairman of the Academic Council and the Registrar shall be the ex-officio Secretary of the Academic Council.

(3) The term of office of the members of the Academic Council, other than the ex-officio members, shall be three years.

(4) The members of the Academic Council shall not be entitled to receive any remuneration from the Vishwavidyalaya except such sitting fees, daily and travelling allowances as may be prescribed: Provided that nothing contained in the sub-section shall preclude any member from drawing his normal emoluments or allowances to which he is entitled by virtue of the office he holds.

(5) A member of the Academic Council other than the ex-officio members may tender resignation of his membership at any time before the expiry of the term of his office and such resignation shall be conveyed to the Chancellor by a letter in writing by the member and the resignation shall take effect from the date of its acceptance by the Chancellor.

27. Powers And Functions Of Academic Council :-

Subject to the provisions of this Adhiniyam and the Statutes, Academic Council shall:--

- (i) Generally regulate and have the control of, and be responsible for, the maintenance of standards of teaching, research and examination of the Vishwavidyalaya and for laying down the requirement for obtaining degrees;
- (ii) advise the Executive Council and other authorities of the Vishwavidyalaya on all academic matters to make Statutes, Ordinances and Regulations regarding--
 - (a) the admission of student to the Vishwavidyalaya and the number of students to be admitted;
 - (b) The courses of study leading to degrees, diplomas and other academic distinctions; and
 - (c) the conduct of examinations and maintenance and promotion of standards of education.
- (iii) advise the Executive Council on all academic matters including the control and management of libraries;
- (iv) make recommendations to the Executive Council for the institution of teaching, research and extension education posts and in regard to the duties thereof;
- (v) formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching, research and extension education;
- (vi) make recommendations to the Executive Council regarding teaching, research and extension education;
- (vii) make recommendations to the Executive Council regarding the qualifications to be prescribed for teaching, research and extension education posts in the Vishwavidyalaya;
- (viii) make recommendations to the Executive Council for the conferment of honorary degrees or other distinctions;
- (ix) exercise such other powers and perform such other functions as may be prescribed; and
- (x) propose draft to the Executive Council for making, amending or repealing ordinances.

28. The Faculties :-

- (1) The Vishwavidyalaya shall have one or more faculties as may be prescribed by the Statutes.
- (2) Each Faculty shall consist of Dean and such other members and shall have such powers and perform such duties as may be prescribed by the statute.
- (3) Each faculty shall have such departments as may be assigned to it by the Adhiniyam.

(4) Dean of Faculty shall be appointed as per provisions of sub-section (1) of Section 17.

(5) Dean of Faculty shall be the Chairman of the faculty and shall be responsible for the implementation of the Statute, the Ordinance and the Regulation relating to the faculty and for the conduct and maintenance of standards of teaching, research and extension.

(6) In addition to the faculties the Vishwavidyalaya shall have one "Centre for Kamdhenu and Panchgavya Research and Extension" for conducting research, developing technologies and providing training exclusively in the field of Kamdhenu and Panchgavya sciences and technology, the constitution, functions and activities of which shall be prescribed by the statutes, ordinances and regulations that may be made in this behalf.

29. The Board Of Studies :-

There shall be a Board of studies for one or more faculties, constitution and functions of which shall be such as may be prescribed.

30. Finance Committee :-

(1) The Executive Council shall appoint a Finance Committee consisting of the following members, namely:--

(a) the Vice-Chancellor;

(b) the Secretary to Government in-charge of Animal Husbandry, Dairy and Fisheries Department(s);

(c) the Secretary(s) to Government in-charge of Finance Department(s);

(d) One member chosen by the Executive Council from amongst its non official members; and

(e) Finance Officer.

(2) In case the Secretary to Government in-charge of Animal Husbandry, Dairy and Fisheries or Finance Department is unable to attend a meeting of the Finance Committee, for any reasons, he may depute any officer of his department or his nominee not below the rank of Deputy Secretary to Government to attend the meetings, and the officer so deputed shall have the right to take part in the discussion of the meetings but shall not have the right to vote.

(3) The Vice-Chancellor shall be the ex-officio Chairman of the Finance Committee and the Finance Officer shall be the ex-officio Secretary of the Finance Committee.

(4) The Finance Committee shall:

- (a) examine the annual accounts and the annual financial estimates of the Vishwavidyalaya and advise the Executive Council thereon;
- (b) review the financial position of the Vishwavidyalaya from time to time;
- (c) make recommendation to the Executive Council on every proposal involving expenditure for which no provision has been made in the annual financial estimates or which involves expenditure in excess of the amount provided for in the annual financial estimates;
- (d) make recommendation to the Executive Council on all matters relating to the finances of the Vishwavidyalaya; and
- (e) perform such other function as may be prescribed.

31. Constitution Of Other Authorities :-

The Executive Council may constitute such other authorities of the Vishwavidyalaya as may be necessary in the manner prescribed by the statutes.

CHAPTER 5 FUNDS AND ACCOUNTS

32. Vishwavidyalaya Fund :-

The Vishwavidyalaya shall have a Vishwavidyalaya Fund to which shall be credited its income from fees, endowments, grants, donations and gifts, if any; and any contribution or grant made by the Central Government, State Government, the Vishwavidyalaya Grants Commission established under section 4 of the University Grants Commission Act, 1956 (No. 3 of 1956) or authority alike or any local authority or any corporation owned or controlled by such Government.

33. Other Funds :-

The Vishwavidyalaya may have such other funds as prescribed.

34. Management Of Funds :-

The funds and all moneys of the Vishwavidyalaya shall be managed in such manner as prescribed.

35. Grants :-

- (1) The Government shall, every year, make non-lapsable lump

sum recurring and non recurring grants to the Vishwavidyalaya to meet such additional expenditure, as the Government may deem necessary for the proper functioning of the Vishwavidyalaya.

(2) The Vishwavidyalaya shall furnish such statements, accounts, reports and other particulars relating to any grant made by the Government and its utilization as the Government may require.

36. Objects To Which Vishwavidyalaya A Fund May Be Applied :-

The Vishwavidyalaya Fund shall be utilized for the following objects:

(i) repayment of debts incurred by the Vishwavidyalaya for the purpose of this Adhiniyam and the Statutes, and the Regulations made thereunder;

(ii) expenses of any suit or proceedings to which the Vishwavidyalaya is a party;

(iii) payment of the salaries and allowances of the officers and employees of the Vishwavidyalaya, members of the teaching staff and establishment employed in the colleges and the departments of Vishwavidyalaya for and in furtherance of the purposes of this Adhiniyam and the Statutes and Regulations made thereunder and to the payment of pension or any Provident Fund contribution to any such officers and employees, members of the teaching staff or the members of such establishments;

(iv) Payment of the travelling and other allowances of the members of the Executive Council and the Academic Council and any other authorities of the Vishwavidyalaya or the members of any Committee appointed by any of the authorities of the Vishwavidyalaya in pursuance of any provisions of the Adhiniyam and the Statutes, and the regulations made thereunder;

(v) Payment of fellowships, scholarships, studentships and other awards to students;

(vi) upkeep of colleges, departments, residences and hostels;

(vii) payment of the cost of audit of the Vishwavidyalaya Fund;

(viii) payment of any expense incurred by the Vishwavidyalaya in carrying out the provisions of this Adhiniyam, Statutes and the Regulations made thereunder; and

(ix) payment of any other expense, not specified in any of the preceding clauses declared by the Executive Council to be the expense for the purpose of the Vishwavidyalaya.

37. Annual Accounts And Audit :-

- (1) The annual accounts prepared by the Finance Officer shall be submitted to such examination and audit as the Government may direct and a copy of the annual accounts and audit report shall be submitted to the Government.
- (2) The Vishwavidyalaya shall settle objections raised in the audit and carry out such instructions as may be issued by the Government on the audit report.
- (3) The Government shall cause the annual accounts and the audit report to be laid before the Vidhan Sabha together with their comments.
- (4) The Finance Officer shall, before such date as prescribed, prepare the annual financial estimates for the ensuing year.
- (5) The annual accounts and the annual financial estimates prepared by Finance Officer shall be placed before the Executive Council together with the remarks of the Finance Committee for approval at its annual meeting and the Executive Council may pass resolution with reference thereto and communicate the same to the Comptroller who shall take action in accordance therewith.

CHAPTER 6 CONDITIONS OF SERVICE

38. Pensions, Gratuity, Etc. :-

- (1) The Vishwavidyalaya shall institute for the benefit of its officers, teachers and other employees such pension, gratuity, insurance and provident fund as it may deem fit, in such manner and subject to such conditions as may be prescribed by the Government from time to time.

Explanation.--For the purposes of this section and section 7, the word "Officer" shall not include the Chancellor of the Vishwavidyalaya.

- (2) The Vishwavidyalaya may, in consultation with the Finance Committee, invest the provident fund amount in any Nationalized Bank of India or Post office.

39. Conditions Of Service :-

- (1) Subject to the provisions of this Adhiniyam, the appointment, procedure for selection, pay and allowances and other conditions of service of officers, teachers and other employees of the Vishwavidyalaya shall be such as may be prescribed.
- (2) No person shall be appointed as a salaried teacher of the

Vishwavidyalaya, except on the recommendations of a selection committee constituted for the purpose in accordance with the provisions of the statutes.

(3) The payment of salaries to the officers, teachers and other employees of the Vishwavidyalaya shall be in accordance with the scales fixed by statute with prior approval of the State Government.

(4) The number of officers, teachers and other employees of the Vishwavidyalaya and the method of their selection shall, unless otherwise provided in this Adhiniyam be such as may be prescribed.

CHAPTER 7 STATUTES, ORDINANCES AND REGULATIONS

40. Statutes :-

Subject to the provisions of this Adhiniyam, the statutes may provide for all or any of the following matters, namely:--

- (i) The conditions under which the research in the Vishwavidyalaya may be carried on;
- (ii) the manner in which and the conditions under which the honorary degrees and other distinctions may be conferred;
- (iii) the fixation, payment and receipt of fees and other charges;
- (iv) the prescription of academic qualifications and standards for admission to the Vishwavidyalaya;
- (v) the terms and conditions subject to which the Registrar may be appointed and his powers, functions and duties;
- (vi) the terms and conditions subject to which the Finance Officer may be appointed and his powers, functions and duties;
- (vii) the terms and conditions subject to which the Directors may be appointed and their powers and duties;
- (viii) the daily and travelling allowances to be paid to the members of the Executive Council, Academic Council and other authorities of the Vishwavidyalaya and the Committees thereof;
- (ix) the assignment of subjects of study for each faculty;
- (x) the constitution, powers and functions of Faculties;
- (xi) the constitution, powers and functions of the Board of Studies;
- (xii) the constitution, powers and functions of the other authorities of the Vishwavidyalaya;
- (xiii) the manner in which the Dean of each faculty may be appointed;
- (xiv) the establishment and management of the funds and moneys of the Vishwavidyalaya;
- (xv) the manner of publication of the accounts audited;

(xvi) the period for which and the manner in which the instruction, teaching and training and holding examinations shall be conducted for the students referred to in sub-section (b) of Section 42; and
(xvii) any other matter which is required to be or may be prescribed.

41. Statutes How Made :-

(1) The Executive Council may, from time to time, make statutes and amend or repeal the statutes in the manner hereinafter provided in this section.

(2) The Academic Council may propose to the Executive Council, the draft of any statute or of any amendment to, or of repeal of a statute to be passed by the Executive Council and such draft shall be considered by the Executive Council at its next meeting.

(3) The Executive Council may consider the draft proposed by the Academic Council under sub-section (2) and may either pass or reject or return the draft with or without amendment to the Academic Council for reconsideration.

(4) (a) Any member of the Executive Council may propose to the Executive Council the draft of a statute and the Executive Council may either accept or reject the draft, if it relates to a matter not falling within the purview of the Academic Council.

(b) In case such draft relates to a matter within the purview of the Academic Council, the Executive Council shall refer it for consideration of the Academic Council, which may either report to the Executive Council that it does not approve the draft or submit the draft to the Executive Council in such form as the Academic Council may approve and the Executive Council may either approve, with or without amendment, or reject the draft.

(5) A statute passed by the Executive Council shall be submitted to the Chancellor who may assent thereto or withhold his assent and a statute passed by the Executive Council shall have no validity unless it has been assented to by the Chancellor.

42. Ordinances :-

Subject to the provisions of this Adhiniyam and the statutes, the ordinances may provide for all or of the following matters, namely:-

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(a) the conduct of examinations including the appointments of examiners and their terms and conditions;

(b) the admission of the students to the Vishwavidyalaya and their

- enrolment and continuance as such and the conditions and procedures for dropping students from enrolment;
- (c) the fees which may be charged by the Vishwavidyalaya;
 - (d) the courses of study to be laid down for all degrees, diplomas and other distinctions;
 - (e) the conditions under which students shall be admitted to the degrees diplomas or other courses and examinations of the Vishwavidyalaya and their eligibility for the award of degrees and diplomas;
 - (f) the condition of conferment of degrees, diplomas and other academic distinctions;
 - (g) the maintenance of discipline among the students of the Vishwavidyalaya;
 - (h) the special arrangements, if any which may be made for residence, discipline and teaching women students;
 - (i) the conditions of residence of students of the Vishwavidyalaya and the levy of fees for hostel;
 - (j) the recognition and management of hostels not maintained by the Vishwavidyalaya; and
 - (k) any other matter required by Adhiniyam or Statutes to be dealt by or under the Ordinance of the Vishwavidyalaya.

43. Ordinances How Made :-

- (1) The Executive Council may make, amend or repeal ordinances in the manner hereinafter provided.
- (2) No Ordinance concerning the academic matters shall be made by the Executive Council unless a draft thereof has been proposed by the Academic Council.
- (3) The Executive Council shall not have the power to amend any draft proposed by Academic Council under sub-section (2) but may reject or return it to the Academic Council for reconsideration, in part or in whole, together with any amendment which Executive Council may suggest.
- (4) All ordinances made by the Academic Council shall have effect from such date as it may direct, but every ordinance so made shall be submitted to the Chancellor within two weeks. The Chancellor shall have the power to direct the Executive Council, within four weeks of the receipt of the ordinance to suspend its operation, and he/she shall, as soon as possible, inform the Executive Council of his or her objection to it, he or she may after receiving comments of the Executive Council either withdraw the order suspending the

ordinance or disallow the ordinance and his or her decision shall be final.

44. Regulations :-

(1) Subject to the provisions of this Adhiniyam and statutes, the authorities of the Vishwavidyalaya may make regulations consistent with this Adhiniyam to provide for all or any of the following matters, namely:--

(a) the appointment, procedure for selection, pay and allowances and other conditions of service of officers, teachers and other employees of the Vishwavidyalaya;

(b) the giving of notice to the members of any authority of the Vishwavidyalaya the dates of the meetings and the business to be transacted at the meetings and for keeping record of the proceedings of the meetings;

(c) the procedure to be observed at the meetings and the number of members required to form the quorum; and

(d) any other matter which is required to be or may be prescribed by regulations.

(2) The Academic Council may, subject to the provisions of the statutes, make regulations providing for the courses of study, system of examinations and award of degrees, diplomas and other academic distinctions of the Vishwavidyalaya, after receiving the drafts of the same from the board of studies concerned.

(3) The Executive Council may issue such directions as it may think fit to the authority concerned to amend any regulation.

CHAPTER 8 TRANSFER OF COLLEGES AND INSTITUTIONS, EMPLOYEES AND FUNDS

45. Transfer Of Certain Colleges And Institutions To Vishwavidyalaya :-

(1) Notwithstanding anything contained in the Indira Gandhi Krishi Vishwavidyalaya Adhiniyam, 1987 (No. 20 of 1987), or the statutes, regulations and orders made thereunder, on and from the commencement of this Adhiniyam, the Colleges mentioned in the Schedule shall stand-transferred to, and maintained by, the Vishwavidyalaya as constituent college and institutions alongwith the movable and immovable property of the Vishwavidyalaya.

(2) On and from the commencement of this Adhiniyam, the control and management of the colleges and institutions specified in sub-

section (1) and all properties, assets and liabilities of the Indira Gandhi Krishi Vishwavidyalaya, in relation thereto shall stand transferred to, and vest in the Vishwavidyalaya.

(3) The Government may, at any time after the commencement of this Adhiniyam, transfer to the Vishwavidyalaya any of its lands for the use of the Vishwavidyalaya on such terms and conditions as it may deem proper.

(4) The Government may, at any time after the commencement of this Adhiniyam, transfer to the Vishwavidyalaya, the control and management of any of the colleges or institutions on such terms and conditions as it may deem fit.

(5) Notwithstanding anything contained in any other Act for the time being in force, relating to the establishment of a Vishwavidyalaya in the State or the statutes, regulations and orders made thereunder, on and from the date to be specified by the Government, the colleges and institutions referred to in sub-section (1) shall stand de-affiliated preceding such specified date and shall be deemed to be colleges or institutions affiliated to the Vishwavidyalaya and the provisions of this Adhiniyam shall, as far as may be, apply accordingly.

46. Special Provision For Admission And Conferment Of Degrees :-

Notwithstanding anything contained in this Adhiniyam, the statutes or regulations, every student of the colleges specified in sub-section (1) of Section 45 immediately before the commencement of this Adhiniyam was studying in such colleges or was eligible to be admitted to any examination held or conducted by the Indira Gandhi Krishi Vishwavidyalaya and shall be permitted to complete his course of study or be admitted to the examination of the Vishwavidyalaya and the Vishwavidyalaya shall make arrangements:

(a) for the instruction, teaching, training and holding examination for such student for such period and in such manner as may be determined by the first Vice-Chancellor in accordance with the course of study in the Indira Gandhi Krishi Vishwavidyalaya; and

(b) for the conferment of the corresponding degree, diploma or other academic distinction of the Vishwavidyalaya upon the qualified student on the result of such examination.

47. Transfer Of Service Of Certain Employee :-

(1) Every person who, immediately before the commencement of this Adhiniyam, is serving in the colleges and institutions of the Indira Gandhi Krishi Vishwavidyalaya which shall get transferred to the Chhattisgarh Kamdhenu Vishwavidyalaya shall, as from the said day, become an employee of the Chhattisgarh Kamdhenu Vishwavidyalaya.

(2) (a) As soon as may be, after the commencement of this Adhiniyam, the Government may, after consulting the Vice-Chancellor of the Indira Gandhi Krishi Vishwavidyalaya and the Chhattisgarh Kamdhenu Vishwavidyalaya, direct, by general or special order, that such employees of the Indira Gandhi Krishi Vishwavidyalaya and as are specified in such order, shall stand allotted to serve in connection with the affairs of the Indira Gandhi Krishi Vishwavidyalaya and or Chhattisgarh Kamdhenu Vishwavidyalaya with effect from such date as shall be specified in such order;

(b) With effect on and from the date specified in the order under clause (a) of sub-section (2), the persons specified in such order shall become employees of the Indira Gandhi Krishi Vishwavidyalaya or Chhattisgarh Kamdhenu Vishwavidyalaya and those transferred to the Chhattisgarh Kamdhenu Vishwavidyalaya, shall cease to be employees of the Indira Gandhi Krishi Vishwavidyalaya, as the case may be.

(3) Every person referred to in sub-section (1) shall hold office under the Chhattisgarh Kamdhenu Vishwavidyalaya for the same tenure and at the same remuneration and upon the same right and privilege as to pension or gratuity, if any, and other matters as he would have held on the commencement of this Adhiniyam or the date specified in the order under clause (a) of sub-section (2), as the case may be, as if this Adhiniyam had not come into force.

(4) The liabilities to pay pension and gratuity and accumulated superannuation fund or other like funds, to the person referred to in sub-section (1) shall be the liability of the Indira Gandhi Krishi Vishwavidyalaya, and Chhattisgarh Kamdhenu Vishwavidyalaya proportional to the length of service in Vishwavidyalayas mentioned above.

48. Provident Fund, Pension And Other Fund :-

(1) The sums of the credit of the provident fund accounts of the persons referred to in sub-section (3) of section 47 as on the appointed day and of the persons referred to in sub-section (2) of

that section as on the date specified in the order under clause (a) of the said sub-section (2) shall be transferred to the Chhattisgarh Kamdhenu Vishwavidyalaya and the liability in respect of the said provident fund accounts shall be the liability of the Chhattisgarh Kamdhenu Vishwavidyalaya.

(2) There shall be paid to the Chhattisgarh Kamdhenu Vishwavidyalaya out of the accumulations in the superannuation fund and other like funds, if any, of the Indira Gandhi Krishi Vishwavidyalaya and or, as the case may be, of the Government such amounts as have been credited to the superannuation fund or other like funds, if any, on behalf of the persons referred to in sub-section (1) and (4) of Section 47, and the amounts so paid shall form part of the superannuation fund or other like funds, if any, that may be established by Chhattisgarh Kamdhenu Vishwavidyalaya for the benefit of its employees.

49. Transfer Of Funds :-

(1) The Indira Gandhi Krishi Vishwavidyalaya shall, out of its funds as on the commencement of this Adhiniyam, pay to the Vishwavidyalaya such amount as the Government may, in consultation with the Indira Gandhi Krishi Vishwavidyalaya and Chhattisgarh Kamdhenu Vishwavidyalaya by an order specify.

(2) The State Government shall make an endeavour to issue the order under sub-section (1) within 18 months of the establishment of the Vishwavidyalaya.

CHAPTER 9 EMERGENCY POWERS OF THE STATE GOVERNMENT

50. State Government To Assume Financial Control In Certain Circumstances :-

(1) If the State Government is satisfied that owing to mal administration or financial mismanagement in the Vishwavidyalaya a situation has arisen where by financial stability of the Vishwavidyalaya has become insecure, it may by notification, declare that the finances of the Vishwavidyalaya shall be subject to the control of the State Government.

(2) Every notification issued under sub-section (1) shall, in the first instance, remain in operation for a period of one year from the date specified in the notification and the State Government may, from time to time, by a like notification, extend the period of operation by such further period as it may think fit, provided that the total

period of operation does not exceed three years.

(3) During the period of operation of the notification issued under sub-section (1), the executive authority of the State Government shall extend to the giving of directions to the said Vishwavidyalaya to observe such canons of financial propriety as may be specified in the direction and to the giving of such other directions as the State Government may deem necessary and adequate for the purpose.

(4) Notwithstanding anything contained in this Adhiniyam, any such direction may include provision requiring--

(a) the submission of the budget to the State Government for sanction;

(b) the Vishwavidyalaya to submit every proposal involving financial implications to the State Government for sanction;

(c) the submission of every proposal for revision of scales of pay and rates of allowances of the officers, teachers and other persons employed by the Vishwavidyalaya to the State Government for sanction.

(d) the reduction of salaries and allowances of all or any class of persons employed by the Vishwavidyalaya;

(e) the lowering down of scales of pay and rates of allowances, and

(f) in regard to such other matters as may have the effect of reducing the financial strain on the Vishwavidyalaya.

(5) Notwithstanding anything contained in this Adhiniyam, it shall be binding on every authority of the Vishwavidyalaya and every officer of the Vishwavidyalaya to give effect to the direction given under this section.

(6) Every officer of the Vishwavidyalaya shall be personally liable for misapplication of any fund or property of the Vishwavidyalaya as a result of noncompliance of the direction given under this section to which he shall have been a party or which shall have happened through or been facilitated by gross neglect of his duty as such officer and the loss so incurred shall, on a certificate issued by the Secretary in charge of Animal Husbandry Department, be recovered from such officer as an arrears of land revenue:

Provided that no action to recover the amount of loss as an arrear of land revenue shall be taken until reasonable opportunity has been given to the person concerned to furnish an explanation and such explanation has been considered by the Government.

51. Special Provision For Better Administration Of Vishwavidyalaya In Certain Circumstances :-

(1) If the State Government, on receipt of report or otherwise is satisfied that a situation has arisen in which the administration of the Vishwavidyalaya cannot be carried out in accordance with the provisions of the Adhiniyam, without detriment to the interests of the Vishwavidyalaya, and it is expedient in the interest of the Vishwavidyalaya so to do, it may by notification, for reasons to be mentioned therein, direct that the provisions of sub-section (2), (3), (4) and (5) shall, as from the date specified in the notification (hereinafter in this section referred to as the appointed date) apply to the Vishwavidyalaya.

(2) The notification issued under sub-section (1) hereinafter referred to as the notification) shall remain in operation for a period of one year from the appointed date and the State Government may, from time to time, extend the period by such further period as it may think fit:

Provided that the total period of operation of the notification shall not exceed three years.

(3) As from the appointed date, the Vice-Chancellor holding office immediately before the appointed date, shall notwithstanding that his term of office has not expired, vacate his office, and the Chancellor shall, simultaneously with the issuance of the notification, appoint another person as Vice-Chancellor in consultation with the State Government and the Vice Chancellor so appointed shall hold office during the period of operation of the notification:

Provided that the Vice-Chancellor so appointed may notwithstanding the expiration of the period of operation of the notification continue to hold office thereafter until his successor enter upon office upto a maximum period of six months.

(4) As from the appointed date, the following consequences shall ensue, namely:--

(a) Every person holding office as a member of Executive Council, or the Academic Council, as the case may be, immediately before the appointed date shall cease to hold that office.

(b) Until the Executive Council or the Academic Council, as the case may be, is reconstituted, the Vice-Chancellor appointed under sub-section (3) shall exercise the powers and perform the duties conferred or imposed by or under this Adhiniyam, on the Executive Council or the Academic Council:

Provided that the Chancellor may, if he considers it necessary so to do, appoint, in consultation with the State Government, a

committee consisting of an educationist, an administrative expert and a financial expert to assist the Vice-Chancellor appointed under sub-section (3) in exercise of such powers and performance of such duties.

(5) Before the expiration of the period of operation of the notification or as early as may be practicable thereafter, the Vice-Chancellor shall take steps to constitute the Executive Council and the Academic Council in accordance with the provisions of the Adhiniyam, and the Executive Council and the Academic Council so constituted shall begin to function on the date immediately following the date of expiry of the period of operation of the notification or the date on which the respective bodies are so constituted, whichever is later:

Provided that if the Executive Council and Academic Council are not constituted before the expiration of the period of operation of the notification, the Vice-Chancellor shall on such expiration, exercise the powers of each of these authorities subject to prior approval of the Chancellor till the Executive Council or Academic Council, as the case may be, is so constituted.

CHAPTER 10 MISCELLANEOUS

52. Inspection And Enquiry :-

(1) The Chancellor shall have the right to cause an inspection, to be made by such person or persons as he may direct, of--

(a) the Vishwavidyalaya, its buildings, laboratories, libraries, museums, workshops and equipment;

(b) any college, institution or hostel maintained by the Vishwavidyalaya;

(c) the teaching and other work conducted or done by the Vishwavidyalaya; or

(d) the conduct of any examination held by the Vishwavidyalaya.

(2) The Chancellor shall also have the right to cause an inquiry to be made by such person or persons as he may direct in respect of any matter connected with the administration or finance of the Vishwavidyalaya.

(3) The Chancellor shall, in every case, give notice to the Vishwavidyalaya of his intention to cause an inspection or inquiry to be made and the Vishwavidyalaya shall be entitled to be represented at such inspection or inquiry.

(4) The Chancellor shall communicate to the Vishwavidyalaya his views with reference to the result of such inspection or inquiry and

may, after ascertaining the opinion of the Vishwavidyalaya therein, advise the Vishwavidyalaya upon the action to be taken and fix a time limit for taking such action.

(5) The Vishwavidyalaya shall, within the time limit so fixed, report to the Chancellor the action taken or proposed to be taken on the advice tendered by the Chancellor.

(6) If the Vishwavidyalaya does not take action within the time limit fixed or if the action taken by the Vishwavidyalaya is in the opinion of the Chancellor not satisfactory, the Chancellor may, after considering any explanation offered or representation made by the Vishwavidyalaya, issue such direction as he may deem fit and the Vishwavidyalaya shall comply with such direction.

(7) If the Vishwavidyalaya does not comply with such direction within such time as may be fixed in that behalf by the Chancellor, the Chancellor shall have power to appoint any person or body to comply with such direction and make such order as may be necessary for the expenses thereof.

53. Annual Report :-

(1) The annual report of the Vishwavidyalaya shall be prepared under the direction of the Vice-Chancellor and submitted to the Executive Council at least one month before the annual meeting at which it is to be considered.

(2) The Executive Council shall, after considering the annual report, forward a copy thereof to the Government.

(3) On receipt of a copy of the annual report, the Government shall cause a copy of such report together with their comments thereon to be laid before the Vidhan Sabha.

54. Dispute Over Nomination To Vishwavidyalaya With Authorities And Bodies :-

If any question arises whether any person has been duly nominated as, or is entitled to be a member of any authority of the Vishwavidyalaya or other body of the Vishwavidyalaya, the question shall be referred to the Chancellor whose decision thereon shall be final.

55. Disqualification For Membership :-

(1) No person shall be qualified for nomination as member of any of the authorities of the Vishwavidyalaya, if, on the date of such

nomination he is:--

(a) of unsound mind; or

(b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or

(c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude.

(2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1) the Executive Council shall refer such case to the Chancellor, whose decision shall be final.

56. Filling Of Casual Vacancies :-

All casual vacancies among the members (other than ex-officio members) of any authority or other body of the Vishwavidyalaya shall be filled, as soon as may be, by the person or body who or which nominated the member whose place has become vacant and the persons nominated to a casual vacancy shall be a member of such authority or body for the remainder of the term for which the member whose place he fills would have been a member:

Provided that no casual vacancy shall be filled, if such vacancy occurs within six months before the date of the expiry of the term of the members of any authority or other body of the Vishwavidyalaya.

57. Removal From Membership :-

(1) The Executive Council may remove, by an order in writing made in this behalf, any person from membership of any authority of the Vishwavidyalaya by a resolution passed by a majority of the total membership of the Executive Council and by a majority of not less than two third of the members of the Executive Council present and voting at the meeting, if such person has been convicted by a criminal court on an offence which in the opinion of Executive Council involves moral turpitude or if he has been guilty of gross misconduct and for the same reason the Executive Council may withdraw any degree or diploma or other academic distinction conferred on, or granted to, that person by the Vishwavidyalaya.

(2) The Executive Council may also by an order in writing made in this behalf remove any person from the membership of any authority of the Vishwavidyalaya if he becomes of unsound mind or has applied to be adjudication or has been adjudicated as an insolvent.

(3) No action under this section shall be taken against any person

unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.

(4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be shall, as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed.

58. Constitution Of Committees And Delegation Of Powers :-

All the authorities of the Vishwavidyalaya shall have power to constitute or reconstitute committees and to delegate to them such of their powers as they deem fit and such committees shall save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority in each case may think fit.

59. Proceedings Not To Be Invalidated By Reason Of Vacancy :-

No action or proceeding of any authority or other body of the Vishwavidyalaya shall be invalidated merely by reason of the existence of any vacancy or of any defect or irregularity in the appointment of a member of any authority or of other body of the Vishwavidyalaya or of any defect or irregularity in any such action or proceeding not affecting the merits of the case or on the ground only that the Executive Council did not meet once in every three months.

60. Authorities To Be Public Servant :-

The Vice-Chancellor, the Registrar, the Comptroller, the Deans and the Directors and other employees of the Vishwavidyalaya all be deemed, when acting or purporting to act in pursuance of any of the provision of the Adhiniyam, to be public servants within the meaning of Section 20 of the Indian Penal Code, 1860 (No. 45 of 1860).

61. Removal Of Difficulties :-

(1) If any difficulty arises in giving effect to the provisions of this Adhiniyam, the State Government may by order published in official Gazette not inconsistent with the provision of this Adhiniyam remove the difficulty:

Provided that no such order shall be issued after the expiry of two years from the appointed day.

(2) Every notification issued under sub-section (1) or under any other provisions of this Adhiniyam shall as soon as possible after it is issued be placed on the table of the Vidhan Sabha, and if before the expiry of the session in which it is so placed or the next session the Vidhan Sabha makes any modification in any such notification or the assembly decides that the notification should not be issued the notification shall thereafter have effect only in such modified form or be of no effect as the case may be, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under the notification.

62. Saving :-

(1) On and from the commencement of this Adhiniyam, the provisions of the Indira Gandhi Krishi Vishwavidyalaya Adhiniyam, 1987 (No. 20 of 1987) (hereinafter in this section referred as the said Adhiniyam) shall cease to apply in respect of the colleges and the institutions to which this Adhiniyam applies.

(2) Such cessor shall not affect--

(a) the previous operation of the said adhiniyam; or

(b) any penalty forfeiture or punishment incurred in respect of any offence committed against the said adhiniyam; or

(c) any investigation, legal proceeding or remedy in respect of such penalty forfeiture or punishment and any such investigation legal proceeding or remedy may be instituted, continued or enforced and any such penalty forfeiture or punishment may be imposed as if this Adhiniyam has not been passed.

(3) Notwithstanding anything contained in sub-section (1) all statutes and regulations made under the Indira Gandhi Krishi Vishwavidyalaya Adhiniyam, 1987 and in force on the appointed day, shall in so far as they are not inconsistent with the provisions of this Adhiniyam, continue to be in force until they are repealed by statutes and regulations to be made under this Adhiniyam.

SCHEDULE 1

THE SCHEDULE

[Section 1-(3)]

Colleges of the Vishwavidyalaya

S. No.	Name of the College	Place
1.	College of Veterinary Science and Animal Husbandry	Anjora. Durg

2.	College of Dairy Technology	Raipur
3.	College of Fisheries	Kabeerdham