

Jawahar Lal Nehru Krishi Vishwa Vidyalaya Act, 1963

12 of 1963

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Jawahar Lal Nehru Krishi Vishwa Vidyalaya Act, 1963

An Act to establish and Incorporate a Vishwa Vidyalaya for Krishi Tatha Sambandha Vigyan at Jabalpur to provide for education and prosecution of research in Agriculture and Allied Sciences, extension and other matters ancillary thereto Be it enacted by the Madhya Pradesh Legislature in the Fourteenth Year of the Republic of India as follows : 1. Received the assent of the Governor on the 16-5-1963; assent first published in the "Madhya Pradesh Gazette, Extraordinary", on the 25-5-1963.

CHAPTER 1
PRELIMINARY

1. Short Title And Commencement :-

(1) This Act may be called the Jawahar Lal Nehru Krishi Vishwa Vidyalaya Act, 1963.

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

1. Substituted by the M.P. Act No. 15 of 1964.

2. W.e.f. 1-10-1964, by Notification No. 6857-7358-XIV-I dated 29-9-1964, published in M.P. Gazette Extraordinary dated 22-9-1964.

2. Definitions :-

In this Act, unless the context otherwise requires,-

(i) "Agriculture" means the basic and applied science of soil and water management, crop and livestock production and management and betterment of rural people;

(ii) "College" means a college of the Vishwa Vidyalaya under the direct control and management of the Board and the Principal Executive Officer of the Vishwa Vidyalaya whether located at the head quarters campus or elsewhere;

(iii) "Extension" means all educational programs undertaken for the purpose of ascertaining the problems of research in agriculture and allied sciences, disseminating the results of research and providing training for the purpose of such dissemination;

(iv) "Hostel" means a unit of residence for students of the Vishwa Vidyalaya provided, maintained or recognised by it;

(v) "Registered Graduate" means a graduate registered under the provisions of this Act;

(vi) "Scheduled Castes" means the Scheduled Castes specified in relation to this State under Article 341 of the Constitution;

(vii) "Scheduled Tribes" means the Scheduled Tribes specified in

relation to this State under Article 342 of the Constitution;

(viii) "Statutes and Regulations", means respectively the Statutes, and Regulations of the Vishwa Vidyalaya in force for the time being;

(ix) "Student of the Vishwa Vidyalaya" means a person enrolled in the Vishwa Vidyalaya for taking a course of study for a degree, diploma or other academic distinction duly instituted;

(x) "Teacher of the Vishwa Vidyalaya" means a person appointed or recognised by the Vishwa Vidyalaya for the purpose of imparting instructions and/or conducting and guiding research and/or extension programmes and includes a person who may be declared by the statutes to be teacher;

(xi) "Vishwa Vidyalaya" means the 1Jawahar Lal Nehru Krishi Vishwa Vidyalaya.]

1. Substituted by M.P. Act No. 15 of 1964.

CHAPTER 2

THE VISHWA VIDYALAYA

3. Incorporation :-

(1) The Chancellor and first Vice-Chancellor of the Vishwa Vidyalaya and the first Members of the Board and of the Academic Council of the Vishwa Vidyalaya and all persons who may hereafter become such officers or members are, so long as they continue to hold such office or membership, hereby constituted a body corporate by the name of the 1Jawahar Lal Nehru Krishi Vishwa Vidyalaya.

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

(3) The headquarters of the Vishwa Vidyalaya shall be located at Jabalpur.

1. Substituted by M.P. Act No. 15 of 1964.

4. Objects Of Vishwa Vidyalaya :-

The Vishwa Vidyalaya shall, among others, have the following purposes :

(a) making provision for the education in agriculture and other allied sciences;

(b) furthering the prosecution of research, particularly in agriculture and other allied sciences;

(c) undertaking field extension programs; and

(d) such other purposes related to the aforesaid with the object of

improving the level of living of rural people as the State Government may, by notification, direct.

5. Powers Of Vishwa Vidyalaya :-

The Vishwa Vidyalaya shall have the following powers, namely :-

(1) to acquire and hold property both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property vesting in or acquired by it for the purposes of the Vishwa Vidyalaya;

(2) to cultivate and promote the study of, and to provide for instruction, teaching and training in-

(a) agriculture, agricultural engineering, animal husbandry, rural industry and business, 1[* * *] and other allied sciences; and

(b) such other branches of learning as the Vishwa Vidyalaya may deem fit;

(3) to make provision for research and for the advancement and dissemination of knowledge in agriculture and allied sciences and to institute and manage agricultural and extension service including rural youth program;

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

(5) to maintain colleges, schools of studies and hostels in the manner prescribed in the Statutes;

(6) to institute teaching, research and extension posts required by the Vishwa Vidyalaya and to appoint persons to such posts;

(7) to determine qualifications for and to recognize teachers as qualified to give instructions in a college or to carry out research and extension work in agriculture and allied sciences;

(8) to provide such lectures and instruction for, and to grant such diplomas to, field workers and other persons, not being enrolled students of the Vishwa Vidyalaya as the Vishwa Vidyalaya may determine;

(9) to organise laboratories, libraries, agricultural research stations, museums, agricultural farms including breeding farms, poultry farms, fish farms and the like, agricultural workshops, and such other equipments as the Vishwa Vidyalaya may consider it necessary to organise, in field of agriculture and allied sciences;

(10) to hold examinations, and to grant diplomas and confer degrees and other academic distinctions on persons, who have pursued a course of study under the Vishwa Vidyalaya;

(11) to confer degrees and/or other academic distinctions on persons who have carried on independent research under conditions

prescribed in the Statutes;

(12) to confer honorary degrees or other academic distinctions on approved persons, in the manner and under conditions prescribed in the Statutes;

(13) to hold and manage trusts and endowments and to institute, and award fellowships (including travelling fellowships), scholarships, exhibitions, bursaries, medals and other rewards in accordance with conditions prescribed in the Statutes;

(14) to arrange for inspection of college and other branches of the Vishwa Vidyalaya and to take measures to ensure that proper standards of instruction, teaching or training, research and extension are maintained;

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

(16) to supervise and control the residence, conduct and discipline of students of the Vishwa Vidyalaya and to make arrangements for promoting their health development and general welfare;

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

(18) to institute and manage-

(a) Information Bureau;

(b) Printing and Publication Department; and

(c) Employment Bureau;

(19) to make provision-

(a) for extra-mural teaching and research;

(b) for physical and military training;

(c) for sports and athletic activities;

(20) to co-operate with other Universities and authorities in such manner, to such extent and for such purposes as the Vishwa Vidyalaya may determine;

(21) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the Vishwa Vidyalaya.

1. Omitted by M.P. Act No. 15 of 1964.

6. Territorial Jurisdiction :-

(1) Save as otherwise provided in this Act, the powers conferred on the Vishwa Vidyalaya by or under this Act, 1[shall extend to the whole of Madhya Pradesh 2[x x x]].

(2) Notwithstanding anything contained in any other law for the time being in force, no educational institution 1[situated within the

areas specified in sub-section (1)] and run by the Government imparting instruction in agriculture and other allied sciences for bachelors degree and/or above, shall be associated in any way with or be admitted to any privilege of any other university incorporated by law in India and any such privilege granted by any such other university to any educational institution within the State prior to the commencement of this Act, shall be deemed to be withdrawn on the commencement of this Act, 3[and shall institutions shall stand affiliated to the Vishwa Vidyalaya till the date they are transferred to the Vishwa Vidyalaya under Section 55.]

(3) The research and extension work undertaken or conducted by or on behalf of the State Government in the field of agriculture and allied sciences 2[within the areas specified in sub-section (1)] shall be coordinated with and integrated into the activities of the Vishwa Vidyalaya,-

(a) with effect from such date or dates as the State Government may, by notification, specify and different dates may be specified for co-ordination and integration; and

(b) in such manner and to such extent as may be determined by the State Government in consultation with the Board.

1. Substituted by M.P. Act No. 20 of 1987.

2. The words "except the areas within the territorial jurisdiction of the Indira Gandhi Krishi Vishwa Vidyalaya", omitted by Section 2 of M.P. Act No. 32 of 2000 (w.e.f. 31-10-2000).

3. Inserted by M.P. Act No. 3 of 1965.

7. Vishwa Vidyalaya To Have Exclusive Jurisdiction To Provide For Instruction, Teaching Etc., In Agriculture And Allied Sciences :-

The Vishwa Vidyalaya shall have exclusive jurisdiction 1[throughout the areas specified in sub-section (1) of Section 6] to provide for instruction, teaching and training in agriculture and allied sciences and notwithstanding anything contained in the law relating to incorporation of any other university in the State no university shall be competent to provide for instruction, teaching and training in agriculture and allied sciences.

1. Substituted by M.P. Act No. 20 of 1987.

8. Completion Of Courses Of Students In Colleges Affiliated To Other Universities In State :-

Notwithstanding anything contained in this Act or Statutes and

Regulations made thereunder,-

(i) any student of a college situate within the State and affiliated to any other University; or

(ii) any other student;

who immediately prior to the date of the coming into force of this Act was studying or was eligible, as the case may be, for any examination in agriculture and other allied sciences of such other University, shall be permitted to complete his course in preparation therefore, and the Vishwa Vidyalaya shall provide for such period not exceeding three years and in such manner as may be prescribed by the statutes for the instruction, teaching, training and examination of such students in accordance with the course of studies of such other University.

9. Vishwa Vidyalaya Open To All Irrespective Of Religion, Caste, Sex, Place Of Birth Or Opinion :-

It shall not be lawful for the Vishwa Vidyalaya to impose any test or condition whatsoever relating to religion, caste, sex, place of birth or other opinion in order to entitle any person-

(a) to hold any office in the Vishwa Vidyalaya; or

(b) to be a member of any authority of the Vishwa Vidyalaya; or

(c) to be appointed or admitted as a teacher; or

(d) to be admitted to any degree, diploma or other academic distinctions or course of study or to qualify for any degree, diploma, or other academic distinction; or

(e) to enjoy or exercise any privileges of the Vishwa Vidyalaya or benefication thereof:

Provided that the Vishwa Vidyalaya may subject to the previous sanction of the State Government, maintain any college or institution exclusively for women either for education, instruction or residence, or reserve for women or members of Scheduled Castes or Scheduled Tribes or of other classes and communities which are educationally backward, seats for the purposes of admission as students in any college or institution maintained or controlled by the Vishwa Vidyalaya :

Provided further that nothing in this section shall be deemed to require the Vishwa Vidyalaya to admit to any course of study, students larger in number than, or with academic or other qualifications lower than those prescribed in the Statutes :

Provided also that nothing in this section shall be deemed to prevent the Vishwa Vidyalaya from exempting indigent persons

belonging to the Scheduled Castes or Scheduled Tribes or to any other classes or communities which are socially and educationally backward from attending courses of study or from the fees levied in whole or in part for attending such courses.

Explanation.--A person shall, for the purposes of this proviso, be deemed to be an "indigent person" if the annual income of such person or his guardian (where such person is for his livelihood and education dependent upon such guardian) is less than such amount as may be specified by the State Government, by notification, in this behalf.

10. Teaching In Vishwa Vidyalaya :-

(1) All recognised teaching in connection with the Vishwa Vidyalaya courses shall be conducted by the teachers of the Vishwa Vidyalaya in accordance with such scheme as may be framed for each academic year by the Academic Council and shall include lecturing, tutorial classes, laboratory work, field work or other teaching, conducted in accordance with the course of study prescribed by the Regulations.

(2) The authorities responsible for organising such teaching and the maximum number of students shall be admitted to a course shall be prescribed by the statutes.

(3) The courses and curricula shall be prescribed by the Regulations.

11. Inspection Of Vishwa Vidyalaya :-

(1) The State Government shall have the right to cause an inspection to be made by such person as it may direct, of the Vishwa Vidyalaya generally and other matters particularly such as its buildings, laboratories, libraries, museums. Agricultural Research Stations and farms, workshop, and equipment and of any college or hostel, maintained by the Vishwa Vidyalaya, of the teaching and other work conducted by the Vishwa Vidyalaya or any college or institution and of the conduct of examinations held by the Vishwa Vidyalaya and to cause an inquiry to be made of any matter connected with the Vishwa Vidyalaya :

Provided that the State Government shall, in every case, give notice to the Vishwa Vidyalaya of its intention to cause an inspection or inquiry to be made, and the Vishwa Vidyalaya shall be entitled to be represented thereat.

1[(2) Such person shall report to the State Government the result

of such inspection or inquiry, and the State Government shall communicate to the Board their views with reference to the results of such inspection or inquiry. The Board shall thereupon communicate its views to the Kuladhipati who may advise the Vishwa Vidyalaya upon the action to be taken, if any.

2[(3) xxx]

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

(5) The report of the inspection and of the directions issued by the Chancellor as a result of such inspection shall be laid on the table of the Legislative Assembly.

1. Substituted by M.P. Act No. 19 of 1985.

2. Omitted by M.P. Act No. 19 of 1985.

CHAPTER 3

OFFICERS OF THE VISHWA VIDYALAYA

12. Officers Of The Vishwa Vidyalaya :-

The following shall be the officers of the Vishwa Vidyalaya, namely :-

(1) the Chancellor;

(2) the Vice-Chancellor;

(3) the Comptroller;

(4) the Registrar;

(5) the Dean of the Faculties;

(6) the Dean of Student Welfare;

(7) the Director of Research Service;

1[(8) the Director of Extension services;

(8-a) the Director of Instructions;

(8-b) Director of Farms];

(9) such other officers in the service of the Vishwa Vidyalaya as may be declared by the statutes to be officers of the Vishwa Vidyalaya.

1. Substituted by M.P. Act No. 19 of 1985.

13. Chancellor :-

The Government of Madhya Pradesh shall be the Chancellor of the Vishwa Vidyalaya. He shall, by virtue of his office, be the Head of the Vishwa Vidyalaya and shall, when present, preside at any

convocation of the Vishwa Vidyalaya.

14. Powers Of Chancellor :-

(1) The Chancellor may-

(a) call for any papers for information relating to the affairs of the Vishwa Vidyalaya; and

(b) for reasons to be recorded refer any matter except a matter falling under Section 41 for reconsideration to any officer or authority of the Vishwa Vidyalaya that has previously considered such matter.

(2) The Chancellor may, by an order in writing, annul any proceeding of any officer or authority of the Vishwa Vidyalaya 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 concerned 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.

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

(4) The Chancellor shall exercise such powers as may be conferred on him by or under this Act.

15. Vice-Chancellor :-

(1) The Vice-Chancellor shall be appointed by the Chancellor from a panel of not less than three persons recommended by the Committee constituted under sub-section (2) :

Provided that if the Chancellor does not approve of any of the persons so recommended or the person or persons approved by the Chancellor out of those recommended by such committee are not willing to accept the appointment, the Chancellor may call for fresh recommendations from such committee :

Provided further that the first Vice-Chancellor shall be directly appointed by the Chancellor.

(2) The Chancellor shall appoint a Committee consisting of the following persons, namely:

(i) one person elected by the Board from amongst persons not employed by or on behalf of the Vishwa Vidyalaya or a College;

(ii) one person nominated by the Chancellor; and

(iii) one person nominated by the State Government.

The Chancellor shall appoint one of the three persons to be the Chairman of the Committee.

(3) For constituting the Committee under sub-section (2), the Chancellor shall, before the expiry of the term of the Vice-Chancellor, call upon the Board and the State Government to choose their nominees and if any one of them or both fail to do so within one month of the receipt of the Chancellors communication in this regard, the Chancellor may nominate any one or two persons, as the case may be, not employed by or on behalf of the Vishwa Vidyalaya or College and the persons so nominated shall be deemed to be the persons elected or nominated by the Board or the State Government, as the case may be.

(4) The Committee shall submit the panel within six weeks from the date of its constitution or such further time not exceeding four weeks as may be extended by the Chancellor.

(5) If the Committee fails to submit the panel within the period specified in sub-section (4), the Chancellor may appoint any person whom he deems fit to be the Vice-Chancellor.

(6) The Vice-Chancellor shall hold office for a term of five years and shall be eligible for re-appointment:

Provided that the first Vice-Chancellor shall hold office for a term not exceeding five years as the Chancellor may determine :

Provided further that, notwithstanding the expiry of his term, he shall continue in office until his successor is appointed and enters upon his office, but this period shall not exceed six months.

1[(7) In the event of occurrence of any vacancy in the office of Kulpati by reason of his death, resignation or otherwise, a Dean of Faculty nominated by Kuladhipati shall act as Kulpati until the date on which a new Kulpati, appointed under sub-section (1) to fill such vacancy enters upon his office :

Provided that the person so nominated shall not hold office for a period of more than six months.

(8) Where any temporary vacancy in the office of Kulpati occurs by reasons of leave, illness or other cause, Kuladhipati shall, as soon as possible, make such arrangements for carrying on the office of the Kulpati as he may think fit.

(9) Until the nomination has been made under sub-section (7) or arrangements have been made under sub-section (8), the Registrar and if no Registrar has been appointed or if there be vacancy in the office of Registrar for any reason whatsoever, such officer of the Vishwa Vidyalaya as Kuladhipati may direct, shall carry on the current duties of the Kulpati.

(10) All acts done by the person appointed under sub-section (8) or by the Registrar under sub-section (9) or by the officer directed by

the Kuladhipati under the said sub-section to carry on the current duties of the Kulpati shall be deemed to be acts done by the Kulpati.]

1. Substituted by M.P. Act No. 17 of 1979 (w.e.f. 5-6-1979).

16. Emoluments And Conditions Of Service Of Vice-Chancellor :-

The emoluments and conditions of service of the Vice-Chancellor shall be such as may be prescribed by Statutes but shall not be varied to his disadvantage after his appointment.

17. Powers And Duties Of Vice-Chancellor :-

(1) The Vice-Chancellor shall be the principal executive and academic officer of the Vishwa Vidyalaya, and shall, in the absence of the Chancellor preside at any Convocation of the Vishwa Vidyalaya. He shall be an ex officio member and Chairman of the Board and of the Academic Council and Chairman of such other authorities of the Vishwa Vidyalaya of which he is a member. He shall be entitled to be present and to speak at any meeting of any authority or other body of the Vishwa Vidyalaya but shall not be entitled to vote thereat unless he is member of the authority or body concerned.

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

(3) The Vice-Chancellor shall have power to convene meeting of the Board and the Academic Council.

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

Provided that the action taken by the Vice-Chancellor shall not commit the Vishwa Vidyalaya to any recurring expenditure for a period of more than three months.

(5) When action taken by the Vice-Chancellor under sub-section (4) affects any person in the service of the Vishwa Vidyalaya, such person shall be entitled to prefer an appeal to the Board through the officer, authority or body mentioned in the said sub-section within thirty days from the date on which such action is

communicated to him.

(6) The action taken by the Vice-Chancellor shall be deemed to be the action taken by the appropriate authority until it is set aside by such officer, authority or body after considering the report made by the Vice-Chancellor under sub-section (4) or is modified or set aside by the Board under sub-section (5).

(7) The Vice-Chancellor shall exercise general control over the affairs of the Vishwa Vidyalaya and shall give effect to the decisions of the authorities of the Vishwa Vidyalaya.

(8) The Vice-Chancellor shall exercise such other powers as may be prescribed by the statutes and Regulations.

18. Removal Of Kulpati :-

1[(1) If at any time upon representation made or otherwise and after making such inquiries as may be deemed necessary, it appears to the Kuladhipati that the Kulpati-

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

(ii) has acted in a manner prejudicial to the interest of the Vishwa Vidyalaya; or

(iii) is incapable of managing the affairs of the Vishwa Vidyalaya; the Kuladhipati may, notwithstanding the fact that the term of office of the Kulpati has not expired, by an order in writing stating the reasons therein, requires the Kulpati to relinquish his office as from such date as may be specified in the order.

(2) No order under sub-section (1) shall be passed unless the particulars of the grounds on which such action is proposed to be taken are communicated to the Kulpati and he is given a reasonable opportunity of showing cause against the proposed order.

(3) As from the date specified in the order under sub-section (1) the Kulpati shall be deemed to have relinquished office and the office of the Kulpati shall fall vacant.]

1. Substituted by M.P. Act No. 19 of 1985.

19. Comptroller :-

1[(1) The Comptroller shall be a whole time salaried officer of the Vishwa Vidyalaya. He shall be appointed by the Kulpati in accordance with the statutes to be made in this behalf and his emoluments and conditions of service shall be such as may be prescribed by the statutes.

(2) Where any vacancy in the office of the Comptroller occurs by reason of leave, illness or any other cause, the Kulpati shall make arrangement as he deems fit, to carry on the current duties of the Comptroller.]

(3) The Comptroller shall-

(a) exercise general supervision over the funds of the Vishwa Vidyalaya and shall advise the Board in regard to its financial policy;

(b) subject to the control of the Board, manage the property and investment of the Vishwa Vidyalaya;

(c) be responsible for seeing that all moneys are expended on the purpose for which they are granted or allotted and no expenditure not authorised in the budget, is incurred by the Vishwa Vidyalaya;

(d) exercise such other powers as may be conferred on him by the Statutes.

1. Substituted by M.P. Act No. 19 of 1985.

20. Registrar :-

The Registrar shall be whole-time salaried officer and shall act 1[as the Secretary of the Court, the Board and of the Academic Council]. He shall be appointed by the Vice-Chancellor with the prior approval of the Board in accordance with the Statutes to be made in this behalf and his emoluments and conditions of service shall be such as may be prescribed by the Statutes. He shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes and the Regulations.]

2[Proviso-Omitted.]

1. Substituted by M.P. Act No. 19 of 1985.

2. Omitted by M.P. Act No. 19 of 1985.

21. Dean Of Student Welfare :-

(1) The Dean of the Student Welfare shall be a whole-time salaried officer of the Vishwa Vidyalaya and shall be appointed by the Vice-Chancellor with the prior approval of the Board in accordance with the Statutes. His emoluments and conditions of service shall be such as may be prescribed by the Statutes.

(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.

22. Director Of Research Services, Director Of Extension

Services, Director Of Instructions And Director Of Farms :-

1[(1) There shall be a Director of Research Services, Director of Extension Services, a Director of Instructions and a Director of Farms who shall be whole time salaried officers of the Vishwa Vidyalaya and appointed by the Kulpati with the prior approval of the Board in accordance with the statutes made in this behalf.]

(2) The emoluments and conditions of service of the officers appointed under sub-section (1) shall be such as may be prescribed by the Statutes.

1[(3) The Director of Research Services, the Director of Extension Services, the Director of Instructions and the Director of Farms shall exercise such powers and perform such duties as may be conferred or imposed on them by the statutes.]

1. Substituted by M.P. Act No. 19 of 1985.

23. Other Officers :-

The appointment of other officers of the Vishwa Vidyalaya referred to in Section 12 shall be made in such manner and the conditions of their service and their powers and duties shall be such as may be prescribed by the Statutes and Regulations.

CHAPTER 4

AUTHORITIES OF THE VISHWA VIDYALAYA

24. Authorities Of Vishwa Vidyalaya :-

The following shall be the authorities of the Vishwa Vidyalaya :

1[(i) the Court;]

2[(i-a) the Board;

(ii) the Academic Council;

(iii) the Faculties; and

(iv) such other authorities as may be declared by the Statutes to be the authorities of the Vishwa Vidyalaya.

1. Inserted by M.P. Act No. 19 of 1985.

2. Renumbered by M.P. Act No. 19 of 1985.

24A. Constitution Of Court :-

1[(1) The Court shall consist of the following persons, namely :-

GROUP A

(1) The Kuladhipati;

(2) The Kulpati;

(3) The Registrar ex-officio Secretary;

- (4) The Comptroller;
- (5) Deans of the Faculties;
- (6) The Dean of Student Welfare;
- (7) The Director of Research Services;
- (8) The Director of Extension Services;
- (9) The Director of Instructions;
- (10) Three teachers of the Vishwa Vidyalaya who are members of the Academic Council under clause (v) of sub-section (1) of Section 28;
- (11) Secretary to Government, Madhya Pradesh--
 - (i) Agriculture Department;
 - (ii) Finance Department;
 - (iii) Education Department;
 - (iv) Harjan and Tribal Welfare Department or nominees of such Secretary of each of the Department aforesaid not below the rank of Deputy Secretary;
- (12) Director of-

24B. Meeting Of The Court And Quorum Thereat :-

- (1) The Court shall meet at least once in a calendar year and at such intervals as may be prescribed by the statutes.
- (2) Twenty members of the Court shall form a quorum.
- (3) The members of the Court shall receive such travelling and daily allowance as may be prescribed by statutes.

24C. Powers And Duties Of The Court :-

Subject to the provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely:-

- (i) to act as an advisory body in all matters relating to the Vishwa Vidyalaya;
- (ii) to review, from time to time, the broad policies and programs of the Vishwa Vidyalaya and to suggest measures for the improvement and development of the Vishwa Vidyalaya;
- (iii) to consider and pass resolution on the annual report, the annual accounts and audit report thereon, if any;
- (iv) to consider and pass resolutions on the annual financial estimates of the Vishwa Vidyalaya;
- (v) to confer degrees, diplomas and other academic distinctions on the recommendation of the Board;
- (vi) to confer on the recommendation of the Board honorary degrees and other academic distinctions;
- (vii) to review the acts of the other authorities of the Vishwa Vidyalaya save where such authorities have acted in accordance with the powers conferred upon them by this Act, the Statutes and the Ordinance;
- (viii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act and the statutes.

25. Board :-

1[(1) The Board shall consist of the following persons, namely:-

EX-OFFICIO MEMBERS

- (i) the Kulapati.....Chairman;
- (ii) the Secretary to Government, Madhya Pradesh-
 - (a) Agriculture Department;
 - (b) Finance Department;

MEMBERS NOMINATED BY THE KULADHIPATI

- (iii) two eminent agriculturists with background of agricultural research or education;
- (iv) two progressive farmers from the State;
- (v) one outstanding woman social worker having background of rural advancement;
- (vi) one eminent veterinary or Animal Husbandry scientist with experience of and interest in veterinary or Animal Husbandry research or education;

MEMBERS NOMINATED BY THE STATE GOVERNMENT

- (vii) a distinguished industrialist or manufacturer having special knowledge in agricultural development;
- (viii) one eminent engineer preferably with agricultural engineering background;

MEMBERS ELECTED BY THE LEGISLATIVE ASSEMBLY

- (ix) three members from amongst members of the State Legislative Assembly to be elected by the State Legislative Assembly;

OTHER MEMBER

- (x) one representative of Indian Council of Agricultural Research to be nominated by the Director of that Council.

(2) The Registrar shall be the non-member Secretary of the Board.

(3) The term of office of members of the Board other than ex-officio members shall be three years :

Provided that the member of the Board elected under item (ix) of sub-section (1) shall cease to hold office as such member if he ceases to be a member of the Legislative Assembly.

(4) No act or proceeding of the Board shall be invalid merely on the ground of existence of any vacancy in, or defect in the constitution of the Board.

(5) The members of the Board shall receive such travelling and daily allowance as may be prescribed by statutes.

Transitory provisions

The following transitory provisions are made by Section 19 of M.P. Act 19 of 1985-

"19. Transitory provisions.--As from the date of commencement of this Act, the following consequences shall, ensue-

- (i) the Board constituted under Section 25 of the principal Act, immediately before such commencement shall cease to exist;
- (ii) the functions of the Board shall, until the Board is reconstituted be carried on by such person or a committee of persons as the Kuladhipati may appoint in that behalf."

1. Substituted by M.P. Act No. 19 of 1985.

26. Meeting Of Board :-

(1) The Board shall meet as often as may be considered necessary on such dates as may be fixed by the Vice-Chancellor :

Provided that a period of three months shall, as far as may be, not intervene between the last sitting of the Board and the date fixed for its first sitting in the next meeting.

(2) A meeting of the Board fixed by the Vice-Chancellor under subsection (1) shall not be cancelled or postponed by the Vice-Chancellor, but the Chancellor may, for sufficient cause, postpone the meeting to any date not later than fifteen days from the date originally fixed by the Vice-Chancellor.

1[(3) The Kulpati shall upon a requisition, in writing, signed by not less than five members of the Board, convene a special meeting of the Board within twenty-one days of the receipt of such requisition.]

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

1[(5) The quorum for every meeting of the Board shall be six.]

1. Substituted by M.P. Act No. 19 of 1985.

27. Powers And Duties Of The Board :-

1[The Board shall be Executive Authority of the VishwaVidyalaya and shall, subject to such conditions as may be prescribed by or under the provisions of this Act and the statutes, exercise, the following powers and perform the following duties, namely :-

(i) to approve and sanction the budget of the Vishwa Vidyalaya;

(ii) to consider the annual accounts and the annual financial estimates placed before it by the Kulpati and pass them with such modification as it may deem fit;

(iii) to lay before the State Government annually a full statement of the financial requirement of all branches of the Vishwa Vidyalaya;

(iv) to make provision for instruction, teaching and training in such

28. Academic Council :-

(1) The Academic Council shall be incharge of the academic affairs of the Vishwa Vidyalaya and shall consist of the following members, namely :-

(i) the Vice-Chancellor;

- (ii) the Director of Research Services;
 - (iii) the Director of Extension Services;
 - (iv) Deans of Faculties;
 - (v) three teachers of the Vishwa Vidyalaya to be elected from amongst themselves in the manner prescribed by Statutes;
 - (vi) two persons, not being employees of the Vishwa Vidyalaya co-opted by the Academic Council for their special knowledge in subjects recognised by the Vishwa Vidyalaya.
- (2) Not less than half of the number of members of the Academic Council for the time being shall form a quorum :
Provided that the quorum shall not any time be less than four.
- (3) The Academic Council shall have power to co-opt as members, two persons having special knowledge or experience in the subject-matter of any particular business which may come before the council for consideration. The members so co-opted shall have all the rights of the members of the council in regard to the transaction of the business in relation to which they may be co-opted.
- (4) All members of the Academic Council other than ex officio members and members referred to in sub-section (3) shall hold office for a term of three years.

29. Powers And Duties Of Academic Council :-

The Academic Council,-

- (a) shall, subject to the provisions of this Act and the Statutes, generally regulate and have the control of, and be responsible for, the maintenance of standard of teaching, research and examination of the Vishwa Vidyalaya and for the requirements for obtaining degrees;
- (b) shall advise the Board and other authorities of the Vishwa Vidyalaya on all academic matters;
- (c) shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by or under this Act.

30. Faculties :-

- (1) The Vishwa Vidyalaya shall have such Faculties as may be prescribed by the Statutes.
- (2) Each Faculty shall consist of such members and shall have such powers and perform such duties as may be prescribed by the Statutes.
- (3) There shall be a Dean for each Faculty who shall be appointed

by the Chancellor in such manner and for such period as may be prescribed by the Statutes.

31. Department Of Studies :-

- (1) Each Faculty shall comprise of such Department of Study as may be prescribed by the Statutes.
- (2) There shall be a Head of the Department for each Department of Study.
- (3) The Vice-Chancellor shall nominate one of the professors as Head of the Department and if there is no Professor, the Dean of the Faculty shall act as the Head of such Department until a duly qualified person is available.
- (4) The terms and conditions of appointment, duties and functions of the Head of the department, shall be prescribed by the statutes.

32. Other Authorities Of Vishwa Vidyalaya :-

The constitution, powers and duties of such other authorities as may be declared by the Statutes to be the authorities of the Vishwa Vidyalaya shall be provided for in the manner prescribed by the Statutes.

33. Agricultural Research Station And Agricultural Rural Life And Extension Service :-

- (1) The Vishwa Vidyalaya shall establish and/or maintain a Central or State Agricultural Research Station with appropriate regional and other sub-stations for conducting research, both fundamental and applied, in all faculties within its territorial jurisdiction.
- (2) The Vishwa Vidyalaya shall also establish an Agricultural Rural Life and Extension Service which shall, subject to the provisions of this Act and the Statutes, make available useful information to the farmers and house-wives to help them, solve their problems and take all necessary measures for developing in young people interest in agriculture and rural life.

CHAPTER 5

VISHWA VIDYALAYA FUND ETC

34. Vishwa Vidyalaya Fund :-

- (1) The Vishwa Vidyalaya shall establish a fund to be called the Vishwa Vidyalaya Fund.
- (2) The following shall form part of or be paid into, the Vishwa

Vidyalaya Fund-

- (a) any loan, contribution or grant by Central or State Government or any body corporate;
 - (b) the income of the Vishwa Vidyalaya from all sources including income from fees and charges;
 - (c) trusts, bequests, donations, endowments and other grants, if any.
 - (d) all other sums received by the Vishwa Vidyalaya.
- (3) The Vishwa Vidyalaya Fund shall be kept in any scheduled bank as defined in the Reserve Bank of India Act, 1934 (No. 2 of 1934), or such other bank as may be approved by the Reserve Bank of India or invested in securities authorised by the Indian Trusts Act, 1882 (No. 2 of 1882), at the discretion of the Board.
- (4) Nothing in this section shall in any way affect any obligations accepted by or imposed upon the Vishwa Vidyalaya by any declaration of trust executed by or on behalf of the Vishwa Vidyalaya for the administration of any trust.

35. Objects To Which Vishwa Vidyalaya Fund May Be Applied :-

The Vishwa Vidyalaya Fund shall be applicable to the following objects-

- (a) to repayment of debts incurred by the Vishwa Vidyalaya for the purposes of this Act and the Statutes, and the Regulations made thereunder;
- (b) to the expenses of any suit or proceedings to which the Vishwa Vidyalaya is a party;
- (c) to the payment of the salaries and allowances of the officers and servants of the Vishwa Vidyalaya, members of the teaching staff and the establishment employed in the colleges and the departments of Vishwa Vidyalaya for and in furtherance of the purposes of this Act, and the Statutes, and the Regulations made thereunder and to the payment of pension or any Provident Fund contribution to any such officers and servants, members of the teaching staff or the members of such establishments;
- (d) to the payment of the travelling and other allowances of the members of the Board and the Academic Council and any other authority of the Vishwa Vidyalaya or the members of any Committee appointed by any of the authorities of the Vishwa Vidyalaya in pursuance of any provision of the Act, and the Statutes, and the Regulations made thereunder;

- (e) to the payment of fellowships, scholarships, student-ships and other awards to students;
- (f) to the upkeep of colleges, departments, residence and hostels established by the Vishwa Vidyalaya;
- (g) to the payment of the cost of audit of the Vishwa Vidyalaya Fund;
- (h) to the payment of any expense incurred by the Vishwa Vidyalaya in carrying out the provisions of this Act, and the Statutes, and the Regulations made thereunder; and
- (i) to the payment of any other expense, not specified in any of the preceding clauses declared by the Board to be the expense for the purpose of the Vishwa Vidyalaya.

CHAPTER 6

STATUTES AND REGULATIONS

36. Statutes :-

Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely-

- (i) the constitution, powers and duties of authorities of the Vishwa Vidyalaya;
- (ii) the manner of election or appointment and term of office of the members of the authorities referred to in clause (i), including the continuance or retirement in the office of the first members, and filling of vacancies of members and all other matters relating to those bodies for which it may be necessary or desirable to provide;
- (iii) allowances payable to the members of the Board;
- (iv) emoluments and conditions of service of the Vice-Chancellor, and his powers;
- (v) appointment of Comptroller, Registrar, Dean of Faculties, Dean of Student Welfare, Director of Research Services, Director of Extension Services and other officers of the Vishwa Vidyalaya, their powers and duties and the emoluments, terms and conditions of their service;
- (vi) the contribution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the officers, teachers, and other employees of the Vishwa Vidyalaya;
- (vii) the holding of convocation to confer degrees;
- (viii) conferment of honorary degrees and other academic distinctions;
- (ix) the withdrawal of degrees, diplomas, certificates and other academic distinctions;

- (x) the establishment, amalgamation, sub-division and abolition of Faculties;
- (xi) the establishment and abolition of departments of teaching in Faculties;
- (xii) the establishment and abolition of hostels maintained by the Vishwa Vidyalaya;
- (xiii) qualifications, classification and mode of appointment of teachers of the Vishwa Vidyalaya;
- (xiv) the administration of endowments, and the institution and conditions of award of fellowships, scholarships, studentships, exhibitions, bursaries, medals, prizes and other award;
- (xv) the maintenance of a register of registered graduates;
- (xvi) the admission of students to the Vishwa Vidyalaya and their enrolment and continuance as such;
- (xvii) the fees that may be charged by the Vishwa Vidyalaya for any purpose;
- (xviii) the courses of study to be laid down for all degrees, diplomas and certificates of the Vishwa Vidyalaya;
- (xix) the degrees, diplomas, certificates and other academic distinctions to be awarded by the Vishwa Vidyalaya, the qualifications for the same, and the steps to be taken relating to the granting and obtaining of the same;
- (xx) laying down conditions for conferral of degrees and other academic distinctions for research;
- (xxi) the maintenance of discipline among the students of the Vishwa Vidyalaya;
- (xxii) the conditions of residence of the students of the Vishwa Vidyalaya and the levy of fees for residence in hostels;
- (xxiii) the recognition and management of hostels not maintained by the Vishwa Vidyalaya;
- (xxiv) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students, and prescribing for them special courses of study;
- (xxv) the arrangement of colleges and other institutions founded or maintained by the Vishwa Vidyalaya;
- (xxvi) constitution of a Selection Committee for appointment of teachers;
- (xxvii) number, qualifications and conditions of appointment including pay scales and other emoluments of teachers of the Vishwa Vidyalaya;
- (xxviii) the duties of teachers of the Vishwa Vidyalaya;
- (xxix) the date on or before which the annual report shall be

submitted to the Board;

(xxx) the mode of execution of contracts or agreements by or on behalf of Vishwa Vidyalaya; and

(xxxi) all other matters which by this Act or to be may be provided for by the statutes.

37. Statutes How Made :-

(1) The first Statutes with regard to matters set out in Section 36 shall be made by the State Government and a copy thereof shall be laid on the Table of the Legislative Assembly for fourteen days and they shall be subject to such additions and alterations as may be agreed to by the Legislative Assembly but without prejudice to the validity of anything previously done thereunder.

(2) The Board may from time to time make new or additional Statutes and may amend or repeal the Statutes in the manner hereinafter in this section provided.

(3) The Academic Council may propose to the Board the draft of any new Statute or amendment of any existing Statutes to be passed by the Board and such draft shall be considered by the Board at its next meeting :

Provided that the Academic Council shall not propose the draft of any Statutes or any amendment of a Statute affecting the status, powers or constitution of any existing authority of the Vishwa Vidyalaya until such authority has been given an opportunity to express its opinion upon the proposal and any opinion so expressed shall be considered by the Board.

(4) The Board may approve any such draft as is referred to in subsection (3) and pass the Statute or reject it or return it to the Academic Council for reconsideration, either in whole or in part, together with any amendments which it may suggest.

(5) Any member of the Board may propose to the Board, the draft of any new Statute or amendment to existing Statute and the Board may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council. In case such draft relates to a matter within the purview of the Academic Council, the Board shall refer it for consideration to the Academic Council, which may either report to the Board that it does not approve the proposal, which shall then be deemed to have been rejected by the Board, or submit the draft to the Board in such form as the Academic Council may approve, and the provisions of this section shall apply in the case of a draft so submitted as

they apply in the case of a draft proposed to the Board by the Academic Council.

(6) A new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the previous approval of the Chancellor who may sanction, disallow or remit it for further consideration.

38. Regulations :-

(1) The authorities and other bodies of the Vishwa Vidyalaya may make regulations consistent with this Act and the Statutes-

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

(b) providing for all matters which by this Act, and the Statutes are to be provided for by the Regulations; and

(c) providing for any other matters solely concerning such authorities and bodies and not provided for by this Act and the Statutes.

(2) Every authority of the Vishwa Vidyalaya 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 the keeping of a record of the proceedings of meeting.

(3) The Board may direct the amendment, in such manner as it may specify, of any Regulations made under this section of the annulment of any Regulations made under sub-section (1) by any authority of the Vishwa Vidyalaya.

(4) The Academic Council may, subject to the provisions of the Statutes, make Regulations providing for courses of study for the various examinations and degrees of the Vishwa Vidyalaya after receiving drafts of the same from the Faculty concerned.

1[(5) The Academic Council may either approve or reject or alter the draft received from the Faculty or return it to the Faculty for further consideration together with its own suggestions.]

1. Substituted by M.P. Act No. 19 of 1985.

CHAPTER 7

ANNUAL REPORTS AND ACCOUNTS, ETC

39. Annual Report :-

1[The annual report of the Vishwa Vidyalaya shall be prepared under the direction of the Board and shall be submitted to the Court on/or before such date as may be prescribed by the statutes

and shall be considered by the Court at its annual meeting. The Court may pass a resolution thereon and communicate the same to the Board. Such annual report as approved by the Court shall be submitted to the Kuladhipati and the State Government and shall be placed before the State Legislature.]

1. Substituted by M.P. Act No. 19 of 1985.

40. Accounts And Audit :-

(1) The annual Accounts and balance sheet of the Vishwa Vidyalaya shall be prepared by the Comptroller under the direction of the Vice-Chancellor, and all moneys accruing to or received by the Vishwa Vidyalaya from whatever source and all amounts disbursed or paid shall be entered in the accounts.

1[(2) The accounts and the balance sheet shall be submitted by the Board to the Court and the Court shall at its annual meeting consider and pass a resolution and communicate the same to the Board and, thereafter the same shall be submitted to the State Government which shall cause an audit to be carried out by such person as it may direct.]

(3) The accounts when audited shall be printed and copies thereof shall, together with the copies of the Audit Report, be submitted by the Vice-Chancellor to the Board which shall forward them to the State Government with such comments as may be deemed necessary. The Audit Report with comments of the Board shall be placed before the State Legislature.

1. Substituted by M.P. Act No. 19 of 1985.

CHAPTER 8

SUPPLEMENTARY PROVISIONS

41. Disputes As To Constitution Of Vishwa Vidyalaya Authorities And Bodies :-

If any question arises regarding the interpretation of any provision of this Act or of any Statute, or Regulation or as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the Vishwa Vidyalaya the matter shall be referred to the Chancellor whose decision thereon shall be final:

Provided that before taking any such decision the Chancellor shall give the person or persons affected thereby a reasonable opportunity of being heard.

Explanation.--In this section, the expression "body" includes any

committee constituted by or under the Act.

42. Constitution Of Committees :-

Where any authority of the Vishwa Vidyalaya is given power by this Act or the Statutes to appoint committees, 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.

43. Filling Of Casual Vacancies :-

Save as otherwise provided in this Act, all casual vacancies among the members other than ex-officio members of any authority or other body of the Vishwa Vidyalaya shall be filled, as soon as conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

44. Vacancy, Etc., Not To Invalidate Proceedings :-

No act of the Vishwa Vidyalaya or any authority or other body thereof shall be invalid merely by reason of-

- (a) any vacancy in, or defect in the constitution of; or
- (b) any defect in the election, nomination or appointment of a person acting as a member thereof; or
- (c) any irregularity in its procedure not affecting the merits of the case.

45. Conditions Of Service :-

(1) Every salaried officer and teacher of the Vishwa Vidyalaya shall be appointed under a written contract which shall be lodged with the Vice-Chancellor and a copy thereof furnished to the officer or teacher concerned.

(2) No such officer or teacher as is referred to in sub-section (1) shall be offered nor shall he accept any remuneration for any work in or outside the Vishwa Vidyalaya except as may be provided by the Statutes.

(3) Any dispute arising out of a contract between the Vishwa Vidyalaya and any of its officers or teachers shall, at the request of

officer or the teacher concerned or at the instance of the Vishwa Vidyalaya be referred by the Chancellor to a tribunal of arbitration consisting of one member appointed by the Board, one nominated by the officer or teacher concerned and an umpire appointed by the Chancellor, and the decision of the tribunal shall be final and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal.

(4) Every request under sub-section (3) shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940 (No. 10 of 1940) and all the provisions of that Act, with the exception of Section 3 thereof, shall apply accordingly.

46. Pension And Provident Fund :-

(1) The Vishwa Vidyalaya shall constitute for the benefit of its officers, teachers, clerical staff and employees in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance and provident fund as it may deem fit.

(2) Where any provident fund has been so constituted the Chancellor may declare that the Provident Funds Act, 1925 (No. 19 of 1925), shall apply to such fund as if it were a Government Provident Fund.

47. Protection Of Acts And Orders :-

All acts and orders in good faith done and passed by the Vishwa Vidyalaya shall be final and no suit shall be instituted or damage claimed for anything done or committed in pursuance of the Act, Statutes and Regulations.

48. Section 48 :-

1[xxx]

1. Omitted by M.P. Act No. 19 of 1985.

49. Appointment Of Teachers By Board :-

No person shall be appointed by the Board as a salaried teacher of the Vishwa Vidyalaya, except on the recommendation of a Selection Committee constituted for the purpose in accordance with the provisions of the Statutes.

50. Salaries Of Teachers :-

The payment of salaries to the teachers of the Vishwa Vidyalaya, shall be in accordance with the scales fixed by Statute with prior approval of the State Government.

51. Term Of Office Of Member Of Authority Of Vishwa Vidyalaya :-

(1) Whenever any person becomes a member of any authority by virtue of the office held by him, he shall forthwith cease to be a member of such authority if he ceases to hold such office before the expiry of the term of his membership: Provided that he shall not be deemed to have ceased to hold his office merely by reason of his proceeding on leave for a period not exceeding four months.

(2) Whenever any person becomes a member of any authority, as a representative of another body, whether of the Vishwa Vidyalaya or not, he shall cease to be a member of such authority if before the expiry of his term he ceases to be a member of the body by which he was nominated, appointed or elected.

52. Resignation Of Member Or Officer Of Vishwa Vidyalaya :-

(1) Any member, other than an ex officio member of the Board, the Academic Council or any other Vishwa Vidyalaya Authority or Committee, or a Dean of a Faculty, may resign by letter addressed to the Registrar, and the resignation shall take effect as soon as the letter is received by the Registrar.

(2) Any officer of the Vishwa Vidyalaya whether salaried or otherwise other than a Dean, may resign his office by letter addressed to the Registrar. Such resignation shall take effect from the date on which the same is accepted by the authority competent to fill the vacancy or on the expiry of three months from the date of receipt by the Registrar, whichever is earlier.

53. Removal From Membership Of Any Authority Or Board Of Vishwa Vidyalaya :-

1[The Kuladhipati may on the request of the Board remove any person from the membership of any authority, including the Board, of the Vishwa Vidyalaya upon the ground that such person has been convicted of any offence involving moral turpitude :

Provided that no order for removal shall be passed against any

person without giving him an opportunity of being heard :
Provided further that nothing in this section shall apply where the person concerned is a member in his capacity as a member of the Legislative Assembly of the State.]

1. Substituted by M.P. Act No. 19 of 1985.

54. Removal Of Difficulties :-

(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, do anything not inconsistent with the provisions of this Act which appears to be necessary or expedient for the purpose of removing the difficulty.

(2) No order made under sub-section (1) shall be questioned in any Court of law on the ground that no difficulty as is referred to in the said sub-section existed or was required to be removed.

55. Transfer Of Property And Personnel :-

(1) As from such date¹ as the State Government may, by notification, specify in this behalf all Government colleges imparting instruction in agriculture and veterinary science and animal husbandry for bachelors degree or above and all research stations¹[within the areas specified in sub-section (1) of Section 6] which are operated for carrying out research in agriculture and allied sciences together with lands, hostels and other buildings, furniture, library, books, laboratories, stores, instruments, apparatus, appliances and equipments and livestock belonging to such colleges and stations and the budget programme made for them shall be transferred to and vest in the Vishwa Vidyalaya²[x x x].

(2) On and from the date of transfer of any college or research station under sub-section (1) the following consequences shall ensue, namely:-

3[(a) the Government employees-

(i) who were working in or were attached to the Colleges or research stations on the said date; or

(ii) who but for their temporary absence from such colleges or research stations on account of any cause would have been working in or remained attached thereto on the said date;

shall become the employees of the Vishwa Vidyalaya and shall be deemed to be absorbed in the service of the Vishwa Vidyalaya with effect from the expiry of a period of two years from the said date (hereinafter in this sub-section referred to as the aforesaid period) and shall thereafter be governed by the terms and conditions

governing the said services under the Vishwa Vidyalaya, unless within the aforesaid period-

- (i) any Government employee opts for reversion to his services under the State Government; or
- (ii) the State Government recalls the Government employee from the said service under the Vishwa Vidyalaya :

Provided that-

4[(i) the term and conditions offered by the Vishwa Vidyalaya to such employees consequent on their absorption in the service of the Vishwa Vidyalaya shall not be less favourable than those applicable to such employees immediately before the said date; and]

(ii) the Vishwa Vidyalaya shall not require any such employee to accept provident fund benefits under any scheme prepared by it in lieu of pensionary benefits, if any, available to him under the Government unless he is given a reasonable opportunity of exercising his option in that behalf;

6[(aa) during the aforesaid period the Government employees referred to in clause (a) shall be treated as on deputation to the Vishwa Vidyalaya on such foreign service conditions as may be determined by the State Government in consultation with the Board :

Provided that no deputation allowance shall be payable to the Government employees under this clause.]

(b) any right, privilege, obligation or liability acquired, occurred or incurred by the State Government in respect of the 3[colleges or research stations as the case may be] shall be deemed to be the right, privilege, obligation or liability acquired, accrued or incurred by the Vishwa Vidyalaya;

(c) any contract entered into by the State Government in respect of the 3[colleges or research stations as the case may be] shall be deemed to be a contract entered into by the Vishwa Vidyalaya.

(3) Nothing in this section shall be deemed to authorise the Vishwa Vidyalaya to sell, lease, exchange or otherwise dispose of any land or building of any college or research station, transferred to the Vishwa Vidyalaya under sub-section (1) except with the prior concurrence of the State Government.

1. 1-9-1964 has been specified as the date for the purposes of Section 55(1), by Notfn. No. 8745-8425-XIV-1, dated 28-11-1964.

2. Substituted by M.P. Act No. 20 of 1987.

3. Omitted by M.P. Act No. 3 of 1965.

4. Substituted by Act No. 3 of 1965 (w.e.f. 1-10-1964).

5. Substituted by M.P. Act No. 19 of 1985.

1. Substituted by M.P. Act No. 24 of 1965.