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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

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NOTIFICATION

The 14th December, 2018

No. LGL. 164/2018/7. - The following Act of the Assam Legislative Assembly which received the assent of the Governor on 10th December, 2018 is hereby published for general information.

ASSAM ACT NO. XXXIX OF 2018

(Received the assent of the Governor on 10th December, 2018)

THE ASSAM SRI SRI ANIRUDDHADEVA SPORTS UNIVERSITY ACT, 2018

AN
ACT

to establish and incorporate a State Sports University to be known as Sri Sri Aniruddhadeva Sports University situated at Chabua in Dibrugarh, in the State of Assam

Preamble

Whereas it is expedient to establish and incorporate a State Sports University to be known as Sri Sri Aniruddhadeva Sports University situated at Chabua in Dibrugarh, in the State of Assam, for imparting sports education in the areas of sports science, sports technology, sports medicine, sports management and sports coaching and research related to Sports and to provide for matters connected therewith or incidental thereto;

It is hereby enacted in the Sixty-ninth Year of the Republic of India as follows:-

Short title, extent and commencement.

1. (1) This Act may be called the Assam Sri Sri Aniruddhadeva Sports University Act, 2018.
- (2) It extends to the whole of Assam.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Definitions

2. In this Act, unless the context otherwise requires,-
 - (a) "Academic and Activity Council" means the Academic and Activity Council of the University referred to in section 20;
 - (b) "Academic staff" means such categories of staff as are designated as academic staff by the Ordinances;
 - (c) "Board of Sports Studies" means the Board of Sports Studies of Department of the University referred to in section 21;
 - (d) "Chancellor" means the Chancellor of the University referred to in section 8;

- (e) “College” means a college or other academic Institution established or maintained by, or admitted to the privileges of the University;
- (f) “Court” means the Court of the University referred to in section 18;
- (g) “Department” means a Department of Studies and includes a Centre of Studies;
- (h) “employee” means any person appointed by the University and includes teachers and other staff of the University;
- (i) “Executive Council” means the Executive Council of the University referred to in section 19;
- (j) “Finance Committee” means the Finance Committee of the University referred to in section 22;
- (k) “Fund” means the University Fund referred to in section 30;
- (l) “Hall” means a unit of residence or of corporate life for the students of the University, or of a College or an Institution, maintained by the University;
- (m) “Head of the Department” means the head of any teaching department of the University;
- (n) “Institution” means an academic Institution, not being a college, maintained by or admitted to the privileges of the University;
- (o) “outlying campus” means the campus of the University as may be established by it at any place outside the main Campus of the University;
- (p) “Principal” means the Head of a College or an Institution maintained by the University and includes, where there is no Principal, the person from the time being duly appointed to act as Principal, and in the absence of the Principal, a Vice-Principal duly appointed as such;
- (q) “Regional Centre” means a Centre established or maintained by the University for the purpose of co-ordinating and supervising of the work of Study Centres in any region and for performing such other

functions as may be conferred on such centre by the Executive Council;

- (r) "Regulations" means the regulations made by any authority of the University under this Act for the time being in force;
- (s) "School" means a School of Studies of the University;
- (t) "section" means the section of this Act;
- (u) "State" means the state of Assam
- (v) "Statutes" and "Ordinances" mean, respectively, the Statutes and the Ordinances of the University referred to section 24 and 26 respectively, for the time being in force;
- (w) "Study Centre" means a Centre established, maintained or recognized by the University for the purpose of advising, counseling, training or for rendering any other assistance required by the students;
- (x) "teachers of the University" means Professors, Associate Professor, Assistant Professors and such other persons as may be appointed for imparting instructions, training, or conducting research in the University or College or Institution or Regional Centres and Study Centres maintained by the University and are designated as teachers by the Ordinances;
- (y) "University" means the Sri Sri Aniruddhadeva Sports University established and incorporated as a University under this Act;
- (z) "Vice-Chancellor" means the Vice-Chancellor of the University referred to in section 10;
- (za) "Degree" means Bachelor degree, Post graduate degree, M. Phil, Doctoral or Post-Doctoral degree.
- (zb) The words 'Physical Education and Sports Sciences' wherever occur shall also mean and include 'Sports Technology, Sports Medicine, Sports Management and Sports Coaching and Research' unless these terms are specially mentioned.

**Establishment
of University**

3. (1) There shall be established an University by the name "Sri Sri Aniruddhadeva Sports University".
- (2) The headquarters of the University shall be at Chabua in the district of Dibrugarh and it may establish or maintain Colleges, Regional Centres and Study Centres at such other places in the state of Assam as it may deem fit.
- (3) The Vice-Chancellor and the members of the Court, the Executive Council and the Academic and activity Council, and all such persons who may be hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of 'Sri Sri Aniruddhadeva Sports University'.
- (4) The University shall have perpetual succession and a common seal, and sue or be sued by the name of the University.

**Objects of the
University**

4. The objective of the University shall be,-
- (i) to evolve as an institute of advanced studies in the field of physical education and sports sciences;
- (ii) to provide for research and development and dissemination of knowledge in physical education and sports sciences by providing specially designed academic and training programmes in various areas of physical education and sports sciences and training in advanced technologies of sports;
- (iii) to strengthen physical education and sports training programmes to promote sports including traditional sports and games;
- (iv) to establish centres and institutions of excellence for imparting state of the art educational training and research in the fields of physical education and sports sciences, sports technology and high performance training for all sports and games;
- (v) to provide professional and academic leadership to other institutions in the field of physical education and sports sciences;

- (vi) to provide vocational guidance and placement services in physical education , sports sciences, sports medicine, sports technology and other related fields;
- (vii) to generate capabilities for the development of knowledge, skills and competences at various levels in the fields of physical education and sports sciences, sports technology and high performance training for all sports and games;
- (viii) to generate capabilities to provide infrastructure of international standard for education, training and research in the areas related to physical education and sports sciences, sports technology and high performance training for all sports and games;
- (ix) to prepare highly qualified professionals in the fields of physical education and sports sciences, sports technology and high performance training for all sports and games;
- (x) to serve as a Centre for Excellence for the elite and other talented sportspersons of all sports and games and innovation in physical education and sports sciences and to carry out, encourage and propagate research;
- (xii) to provide international and national collaboration in the fields of physical education and sports sciences, sports technology and high performance training for all sports and games;
- (xiii) to establish close linkage with sports academies, schools, colleges, sports and recreation clubs, sports associations and international and national federations for the purpose of teaching, training and research in physical education and sports sciences, sports technology and high performance training for all sports and games;
- (xiv) to train talented athletes so as to help them to evolve into elite athletes of international level;
- (xv) to make Assam become a sporting power;
- (xvi) such other objects, not inconsistent with the provisions of this Act, which the State Government

may, by notification in the Official Gazette, specify in this behalf.

**Powers and
functions of the
University**

5. (1) The University shall have the following powers and functions, namely:-
- (i) to plan, design, develop and prescribe courses of study and conduct appropriate academic and training programmes in physical education and sports sciences including sports technology and to provide for instruction and training in such branches of learning as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge;
 - (ii) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on persons, on the basis of examinations, evaluation or any method of testing, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient causes;
 - (iii) to provide opportunities to the students of the University and the students drawn from other Universities of the State to participate in the sports tournaments and competitions in co-ordination with National Sports University, Sports Authority of India, National Institutes of Physical Education, recognized State Sports Organizations, National Sports Federations, Indian Olympic Association and Association of Indian Universities and other established Sports Organizations of the country;
 - (iv) to have liaison or membership with various state, national and international professional organizations or bodies;
 - (v) to establish and maintain, Regional Centres, specialized laboratories or other units of research, instructions and training as are, in opinion of the University, necessary for the furtherance of its objects;

- (vi) to recognize and maintain Study Centres in the manner laid down by the Statutes;
- (vii) to establish and maintain Colleges, Institutions and Halls, play grounds, courts, gyms, tracks, swimming pools, night sports facilities etc.;
- (viii) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;
- (ix) to institute Principalship, Professorship, Associate Professorship, Assistant Professorship and other teaching or academic positions, required by the University and to appoint persons to such teaching or academic positions;
- (x) to appoint persons working in any University or academic institution, including those located outside the country, as teachers of the University for a specified period;
- (xi) to create, with the prior approval of the State Government. administrative, ministerial and other posts and make appointments thereto;
- (xii) to co-operate or collaborate or associate with any other University or authority or institution of higher learning, including those located outside the country, in such manner and for such purposes as the University, may determine;
- (xiii) to provide facilities through the distance education system to such persons and in such manner as may be prescribed by the Statutes;
- (xiv) to institute and award fellowships, scholarships, studentships, medals and prizes for raising academic standards and research;
- (xv) to organize and to undertake extramural studies, training and extension services;
- (xvi) to make provision for research and advisory services and for that purpose, to enter into such arrangements with other institutions, industrial or other organizations, as the University ,may deem necessary;
- (xvii) to organize and conduct refresher courses, workshops, seminars, training of trainers and other

programmes for teachers, evaluators, other academic staff and students;

- (xviii) to appoint on contract or otherwise visiting Professors, Emeritus Professors, Consultants and such other persons who may contribute to the advancement of the objects of the University;
- (xix) to determine standards of admission to the University, which may include examinations, evaluation or any other method of testing;
- (xx) to demand and receive payment of fees and other charges;
- (xxi) to supervise the residence of the students of the University and to make arrangements for promoting their health and general welfare;
- (xxii) to lay down conditions of service of all categories of employees, including their code of conduct;
- (xxiii) to regulate and enforce discipline among the students and the employees, and to take such disciplinary measures in this regard as may be deemed by the University to be necessary;
- (xxiv) to make arrangements for promoting the health and general welfare of the employees;
- (xxv) to receive benefactions, donations and gifts and to acquire, hold and manage, and to dispose of, with the previous approval of the State Government, any property, movable or immovable, including trust and endowment properties vested on the University for the furtherance of its objectives;
- (xxvi) to borrow, with all previous approval of the State Government and as guarantor, money for the purposes of the University;
- (xxvii) to conduct innovative experiments and promote new methods and technologies in the field of physical education, sports sciences, sports medicine, sports technology, sports management and other related fields;
- (xxviii) to purchase or to take on lease any land or building or sports complex or sports infrastructure and scientific sports research equipment or indoor

stadium or works which may be necessary or convenient for the purposes of the University, on such terms and conditions as it may think fit and proper and to construct, alter and maintain any such building or work;

- (xxix) to start any new allied course or research programme or diploma or training programme and discontinue any course or training programme;
- (xxx) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of the University;
- (xxxii) to execute conveyance regarding transfers, mortgages, leases, licenses, agreements and other conveyances in respect of the property, movable or immovable, including Government securities, belonging to the University or to be acquired for the purposes of the University, after taking prior permission of the State Government;
- (xxxiii) to act as technical advisory body to Government of Assam and other State Organizations and State Sports Federations on all matters related to sports;
- (xxxiv) to provide training, coaching and other backup to high level sports persons for achieving success in different national and international sports competitions;
- (xxxv) to give effect to the procedures and standards provided under the Khelo India Scheme or the National Sports Talent Search and Identification Scheme;
- (xxxvi) to confer autonomous status on a College or an Institution in the manner laid down by the Statutes;
- (xxxvii) to admit to its privileges any College or Institution in Assam subject to such conditions as may be laid down by the Statutes;

Provided that no Colleges or Institution shall be so admitted except with the prior approval of the State Government;

- (xxxvii) to provide for the preparation of instructional and training materials, both online and offline and both in printed and audio/audio-visual format;
 - (xxxviii) to recognize person for imparting instruction in any College or Institution admitted to the privileges of the University;
 - (xxxix) to recruit well qualified trainers;
 - (xl) to identify talents from the state (rural or urban), train them and bring into fold of the University for furtherance; and
 - (xli) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.
- (2) The University shall in the exercise of its powers have jurisdiction over whole of Assam and no college, established or to be established, of physical education and sports within the University area shall be affiliated to any university other than this University.
- (3) In exercising its powers referred to in sub-section (1), it shall be the endeavour of the University to maintain an all-India character and high standards of teaching, training, and research and the University shall, among other measures which may be necessary for the said purpose, take, in particular, the following measures, namely:-
- (i) admission of the students and recruitment of faculty shall be made on all-India basis through appropriate procedures approved by the Executive Council of the University;
 - (ii) foreign student shall be admitted to various courses and programmes by the University as per the policy and schemes of the Government of Assam and the procedures approved by the Executive Council of Sri Sri Aniruddhadeva Sports University;
 - (iii) inter-University mobility of faculty with portable pension scheme benefits, if any, and protection of seniority shall be encouraged;

- (iv) semester system, continuous evaluation and choice-based credit shall be introduced and the University shall enter into agreement with other Universities and academic Institutions for credit transfer and joint degree programmes;
- (v) innovative courses and programmes of studies shall be introduced with a provision for periodic review and restructuring;
- (vi) active participation of students shall be ensured in all academic activities of the University, including evaluation of teachers;
- (vii) accreditation shall be obtained from the National Assessment and Accreditation Council or any other accrediting agency at the national level; and
- (viii) e-governance shall be introduced with an effective management information.

University to be open for all castes, creed, race or classes.

6. The University shall be open to persons of any sex and of whatever caste creed, religion, race or class, and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle such person to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, persons with disabilities or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes, the Scheduled Tribes and the Other socially and educationally backward classes of citizens:

Provided further that special provisions shall be made on the ground of domicile in the state of Assam.

State Government to review work and progress of the University

7. (1) The State Government may, with prior intimation to the Chancellor, appoint one or more persons to

review the work and progress of the University in the first three years after its establishment, including Colleges, Institutions, Regional Centres and Study Centres maintained by it, and to submit a report thereon; and upon receipt of that report, the State Government may, after obtaining the views of the Executive Council thereon through the Vice-Chancellor, take such action and issue such directions, as it considers necessary, in respect of any of the matters dealt with in the report and the University shall abide by such action and be bound to comply with such directions.

- (2) The State Government shall also have, for reasons to be recorded in writing and with the concurrence of the Chancellor, the right to cause an inspection to be made by such person or persons, as it may direct, of the University, its buildings, sports complexes, libraries, laboratories and equipment, and of College or Institution or Regional Centres or Study Centres maintained by the University; and of all activities other than purely academic activities and to cause an inquiry to be made in like administration or finances of the University, Colleges or Institutions or Regional Centres or Study Centres.
- (3) The State Government shall, in every matter referred to in sub-section (2), give notice of its intention to cause an inspection or inquiry to be made, to the University.
- (4) The State Government shall communicate to the Executive council its views with reference to the result of such inspection or inquiry and may, after ascertaining the opinion of the Court and the Executive Council thereon, advise the University upon the action to be taken.
- (5) The Executive Council shall report to the State Government, the action, if any, which is proposed to be taken or has been taken to give effect to the advice of the State Government. Such report shall be submitted with the opinion of the Court thereon within such time as the State Government may direct.

- (6) The State Government may, after considering the report referred to in sub-section (5) advise the University to take such further action, if any, as in the opinion of the State Government is necessary, and the Executive Council and the Court shall take or cause such action within the time so specified in such advise in that behalf.

Chancellor

8.

- (1) The Chancellor shall be the Hon'ble Governor of the State of Assam.
- (2) The Chancellor shall, by virtue of his office, be the head of the University and shall, if present, preside at the Convocations of the University held for conferring degrees and other ceremonial functions and also the meetings of the Court.
- (3) Every proposal to confer and honorary degree or other distinction shall be subject to the confirmation of the Chancellor.
- (4) The Chancellor shall have the power to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories and equipments and of every institution maintained by the University and also of the examinations, teaching and other work conducted or done by the University and to cause an enquiry to be made in like manner in respect of any matter connected with the University.
- (5) The Chancellor shall in every case, give notice to the Executive Council of his intention to cause an inspection or an enquiry to be made and the Executive Council shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or enquiry.
- (6) When the Executive Council 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 Executive Council issue such directions as he may think fit and the

Executive Council is bound to comply with such directions.

- (7) Expenses that may incurred in connection with such inspection or enquiry and certified as such by the Chancellor shall be charged on the University.
- (8) The Chancellor have such other power as may be conferred on him by or under the provisions of the Act.
- (9) The Chancellor as the head of the University shall have the power to suspend the activities of various authorities of the University as and when circumstances so demand and vest all powers and functions of these authorities in the Chancellor to control the affairs of the authority or authorities so suspended in such manner and for such a period as deemed fit and reasonable by him.
- (10) The Chancellor on his own motion or on application call for or examine the record of any authority or officer of the University in respect of any proceedings to satisfy himself as to the legality, propriety and correctness of any decision and order passed thereon, and if it appears to the Chancellor that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, he may pass order accordingly;

Provided that before making any such order, the Chancellor shall call upon Vice-Chancellor to show cause as to why an order should not be made, and, if any cause is shown within a reasonable time, the same shall be considered;

Provided further that every application to the Chancellor for exercise of this power shall be preferred within three months from the date on which the proceedings, decision or order to which the applicant. No order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation.

Officers of the University.

9. The following shall be the officers of the University, namely:-
 - (a) the Vice Chancellor;

- (b) the Deans of Schools;
- (c) the Registrar
- (d) the Finance and Accounts Officers;
- (e) the Controller of Examinations;
- (f) the Librarian; and
- (g) such other officers as may be declared by the Statutes to be the officers of the University.

Vice-Chancellor

10.

- (1) The Vice Chancellor shall be appointed by the State Government in such manner as may be prescribed by the Statutes.
- (2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.
- (3) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall appraise such authority at its next meeting the action taken by him on such matter;

Provided that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the State Government whose decision thereon shall be final;

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to represent against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

- (4) Where the Vice-Chancellor is of the opinion that any decision taken by any authority of the University is beyond the powers of the authority conferred under the provisions of this Act or the Statutes or the Ordinances, or that any decision taken by the authority is not in the interest of the University, he may ask the authority concerned to review its decision within thirty days of such decision and if the

authority refuse to review the decision either in whole or in part or no decision is taken by it within the said period of thirty days, the matter shall be referred to the State Government whose decision thereon shall be final.

- (5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the Statutes or the Ordinances.

Dean of Schools **11.** Every Dean of School shall be appointed in such manner, and on such terms and conditions of service, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

Registrar **12.** (1) The Registrar shall be appointed in such manner, and on such terms and condition of the service, as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

(3) The First Registrar shall be drawn from the Government of Assam from an officer not lower in rank than that of a Joint Secretary of the Government, for a period of three years on deputation from Government.

Finance Officer **13.** (1) The Finance Officer shall be appointed in such manner, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

(2) The First Finance Officer shall be deputed by the Government of Assam, drawing from the Assam Financial Service for a period of three years.

Controller of Examinations **14.** The Controller of Examinations shall be appointed in such manner and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

Librarian **15.** The Librarian shall be appointed in such manner and on such terms and conditions of service, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

- Other Officers** **16.** The manner of the appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.
- Authorities of the University**
- 17.** The following shall be the authorities of the University, namely:-
- (a) the Court;
 - (b) the Executive Council;
 - (c) the Academic and the Activity Council;
 - (d) the Finance Committee
 - (e) the Board of Sports Studies;
 - (f) such other authorities as may be declared by the Statutes to be the authorities of the University.
- Court** **18.** (1) The Constitution of the Court and the term of office of its members shall be prescribed by the Statutes.
- (2) Subject to the Provisions of this Act, the Court shall have the following powers and functions namely:-
- (a) to review, from time to time, the broad policies and programmes of the University, and suggest measures for the improvement and development of the University;
 - (b) to consider the annual report, the annual accounts, the audit report and the statement of financial estimates for the succeeding year and approve the same, with such comments, if any, and suggest such measures as it may deem proper on the matters covered by them;
 - (c) to advise the State Government in respect of any matter which may be referred to it for advice; and
 - (d) to perform such other functions as may be prescribed by the Statutes.
- Executive Council** **19.** (1) The Executive Council shall be the principal executive body of the University.
- (2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

**Academic and
Activity Council**

- 20.** (1) The Academic and the Activity Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.
- (2) The constitution of the Academic and the Activity Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes;
- Provided that the Academic and the Activity Council shall have sports persons, who have achieved distinction in Olympics, in World or Multinational or National or Regional Sports championships.
- (3) The academic and Activity Council shall prepare course and curriculum and modernize time to time.

**Board of Sports
Studies**

- 21.** The constitution, powers and functions of the Board of Sports Studies shall be prescribed by the Statutes.

Finance Committee

- 22.** The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

Other Authorities

- 23.** The constitution, powers and functions of the other authorities, as may be declared by the Statutes to be the authorities of the University, shall be prescribed by the Statutes.

Statutes

- 24.** Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters namely:-
- (a) the constitution, powers and functions of authorities and other bodies of the University, as may be constituted from time to time;
- (b) the appointment and continuance in office of the members of the said authorities and bodies, the filling up of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide;
- (c) the appointment, powers and duties of the officers of the University and their emoluments;
- (d) The appointment of teachers, academic staff and other employees of the University, the emoluments and conditions of service;

- (e) the appointment of teachers and academic staff working in any other University or organization for a specific period for undertaking a joint project;
- (f) the conditions of service of employees including provisions for pension, insurance, provident fund, the manner of termination of service and disciplinary action;
- (g) the principles governing the seniority of service of the employees of the University;
- (h) the procedure for arbitration in cases of dispute between employees or students and the University;
- (i) the procedure for appeal to the executive Council by any employee or student against the action of any officer or authority of the University;
- (j) the conferment of autonomous status on a College or an Institution or a Department;
- (k) the establishment and abolition of Schools, Departments, Centres, Halls, Colleges, Institutions, Regional Centres and Study Centres;
- (l) the conferment of honorary degrees;
- (m) the conferment and withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (n) the management of Colleges, Institutions, Regional Centres and Study Centres established and maintained by the University;
- (o) the delegation of powers vested in the authorities or officers of the University;
- (p) the maintenance of the discipline among the employees and students; and
- (q) all other matters which by this Act are to be, or may be, provided for by the Statutes.

Statutes how to be made.

- 25.** (1) The First Statutes shall be framed by the State Government by notification in the Official Gazette.
- (2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal any Statutes referred to in sub-section (1);

Provided that the Executive Council shall not make, amend or repeal any Statutes affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on proposed changes, and any opinion so expressed shall be considered by the Executive Council.

- (3) Every draft Statute amending or repealing existing Statutes shall be submitted to the Court for consideration. The Court after considering it in the next meeting may pass the Statute or may amend it or may return to the Executive Council for reconsideration.
- (4) Any draft of a Statute proposed by the Executive Council and rejected by the Court shall be submitted to the Chancellor who may refer it back to the Court for reconsideration.
- (5) Every Statute passed by the Court shall be submitted to the Chancellor, who may give or withhold his consent or refer it back to the Court for reconsideration.
- (6) A Statute passed by the Court shall have no validity until it is assented to by the Chancellor.
- (7) Notwithstanding anything contained in the foregoing sub0sections, the State Government may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act;

Provided that the First Statutes and the every new Statute made under this provision shall be laid before the Assam Legislative Assembly while it is in session, or immediately in the following session, and if, the Assam Legislative Assembly do not agree, the Statutes thereafter have effect only in such modified form or be of no effect, as the case may be, provided, the Chancellor gives his assent, and shall be published in the Official Gazette.

- (8) The power to make Statutes shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the Statutes but no retrospective effect shall be given to any Statutes, so as to prejudicially affect the interest of any person to whom such Statutes may be applicable.
- (9) Notwithstanding anything contained in this section, the Chancellor may direct the University to make provisions in the Statutes in respect of any matter specified by it and if the Executive Council is unable to implement such direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council, with the view of the Court thereon, for its

inability to comply with such direction, make or amend the Statutes suitably.

Ordinances

- 26.** (1) Subject to the provision of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-
- (a) the admission of students to the University and their enrolment as such;
 - (b) the courses of study and their duration to be laid down for all degrees, diplomas and certificates of the University;
 - (c) the medium of instruction and examination;
 - (d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
 - (e) the fees to be charged for courses of study in the University and for admission to examination, degrees and diplomas of the University;
 - (f) the conditions for award of fellowship, scholarships, studentships, medals and prizes;
 - (g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;
 - (h) the conditions of residence of the students of the University;
 - (i) the special arrangements, if any, which may be made for the residence and teaching of women students and the prescribing of special courses of studies for them;
 - (j) the establishment of Centres of Studies, Board of Studies, Specialized Laboratories and other Committees;
 - (k) the manner of co-operation and collaboration with other Universities, Institutions and other agencies including learned bodies or associations;
 - (l) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;
 - (m) the institution of fellowships, scholarships, studentships, medals and prizes;
 - (n) the setting-up of a machinery for redressal of grievances of employees and students; and
 - (o) other matters which by this Act, or, the Statutes, are to be, or, may be, provided for by the Ordinances.

- (2) The First Ordinances shall be made by the Vice-Chancellor with previous approval of the Executive Council and the Ordinances so made may also be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.
- (3) Every Ordinances made under this Act, shall be laid, as soon as may be after it is made, before the Assam Legislative Assembly, while it is session, or immediately in the following session, and if , the Assam Legislative Assembly do not agree, the Ordinance thereafter have affect only in such modified form or be of no effect, as the case may be, with the Chancellor's assent and shall be published in the Official Gazette.
- (4) The power to make Ordinances shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the Ordinances but no retrospective effect shall be given to any Ordinances so as to prejudicially affect the interests of any person to whom such Ordinances may be applicable.

Regulations

27. The authorities of the University may make Regulations, consistent with this Act, the Statutes and the Ordinances, for the conduct of their own business and that of the Committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances, in the manner prescribed by the Statutes.

Annual Report

- 28.**
- (1) The annual report of the University shall be prepared under the directions of Executive Council, which shall include, among other matters, the steps taken by the University towards the fulfillment of its objects and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and the Court shall pass resolution after considering the report in its annual meeting and communicate the same to the Executive Council with its observations, if any.
 - (2) The Court shall submit the annual report to the Chancellor as well as the State Government along with its observations, if any.
 - (3) The State Government shall, as soon as may be, cause a copy of the annual report to be laid before the Assam Legislative Assembly.

Annual Accounts

- 29.**
- (1) The annual accounts and balance-sheet of the University shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than

fifteen months, be audited by the Accountant General (Audit), Assam or by such persons as he may authorize in this behalf.

- (2) A copy of the annual accounts together with the audit report thereon shall be submitted to the Court and the Chancellor along with the clarifications, if any, of the Executive Council.
- (3) Any observations made by the Chancellor on the annual accounts shall be brought to the notice of the Court and the observations of the Court, if any shall be brought to the notice of the Executive Council.
- (4) A copy of the annual accounts together with the audit report, as submitted to the Chancellor, shall also be submitted to the State Government. Observations of Chancellor and the Court, if any, on the reports shall be communicated to the State Government.
- (5) The State Government shall, as soon as may be, cause the copy of the annual accounts together with the audit report to be laid before the Assam Legislative Assembly and after that, the same shall be published in the Gazette of Assam.

Funds of the University

30. (1) There shall be a University Fund which shall include, -
 - (a) any contribution or grant made by the University Grants Commission or the Central Government;
 - (b) any contribution or grant made by the State Government;
 - (c) any contribution made by the Government, semi-Government or autonomous bodies;
 - (d) any loads, gifts, bequests, donations, endowments or other grants, if any;
 - (e) income received by the University from fees and charges; and
 - (f) the moneys received by the University from the collaborating industries in terms of the provisions of the Memorandum of Understanding entered between the University and the industry for the establishment of sponsored Chairs, fellowships or infrastructure facilities of the University; and
 - (g) amounts received in any other manner from any other source.
- (2) All funds of the University shall be deposited in such banks or invested in such manner as the Executive Council may decide on the recommendation of the Finance Committee.
- (3) The funds of the university shall be applied towards the expenses of the University including expenses incurred in the

exercise of its powers and discharge of its functions by or under this Act.

Restriction on creation of liability by University and submission of returns and other information to the State Government.

- 31.** (1) Notwithstanding anything contained in any other provisions of the Act, the University shall not create any new or additional liability which involves contribution or grants from the State Government effecting the State Exchequer or shall not divert and invest any portion of any grant given to it by the State Government in any form for any other purpose other than the purpose for which the grant was given, without the prior approval of the State Government.
- (2) The University shall furnish to the State Government such returns or other information with respect to utilization of government grant or contribution within such period, as the State Government may, from time to time, require.

Conditions of service of employees, etc.

- 32.** (1) Every employee of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.
- (2) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Chancellor.
- (3) The decision of the Tribunal shall be final and no suit shall lie in any civil court in respect to the matters decided by the Tribunal;
- Provided that nothing in this sub-section (2) shall preclude the employee from availing of the judicial remedies available under articles 32 and 226 of the Constitution.
- (4) Every request made by the employee under sub-section (2) shall be deemed to be a submission to arbitration upon the

terms of this section within the meaning of the Arbitration and Conciliation Act, 1996.

- (5) The procedure for regulating the work of the Tribunal shall be prescribed by the Statutes.

Procedure of appeal and arbitration in disciplinary cases against students.

- 33.** (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice Chancellor or the committee, as the case may be.
- (2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-section (2), (3), (4) and (5) of section 32 shall, as far as may be, apply to a reference made under this sub-section.

Right to appeal

- 34.** Every employee or student of the University or of a College or an Institution or a Regional Centre or a Study Centre established or maintained by the University shall, notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University, or of the Principal or the management of any College or an Institution or regional centre or Study Centre, as the case may be, and thereupon, the Executive Council may confirm, modify or reverse the decision appealed against.

Provident and

pension funds.

35. (1) The University shall constitute for the benefit of its employees such provident fund or any other similar fund or provide such insurance schemes as it may deem fit, in such manner and subject to such conditions, as may be prescribed by the Statutes.
- (2) Where such provident fund or other similar fund has been so constituted, the State Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such fund, as if it were a Government provident fund.

Disputes as to constitutions of authorities and bodies.

36. If any question arises 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 University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

Filling of casual vacancies.

37. All casual vacancies among the members (other than ex officio members) of any authority or other body of the University shall be filled, as soon as may be, by the person or body who appoints, elects or co-opts the member whose place has become vacant and the persons appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of term for which the person whose place he fills would have been a member.

Proceeding of authorities or bodies not to be invalidated by reason of vacancies.

38. No act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

Protection of action taken in good faith.

39. No suit or other legal proceedings shall lie against any officer or other employee of the University for anything which is in good faith done or intended to be done in

pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

**Mode of proof of
University record.**

- 40.** Notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force, a copy of any receipt, application, notice, order, proceeding or resolution of any authority or other body of the University, or any other document in possession of the University, or any entry in register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence.

**Power to remove
difficulties.**

- 41.** (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty.

Provided that no such order shall be made under this section after expiry of three years from the commencement of this Act.

- (2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before the Assam Legislative Assembly, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the Assembly agree in making any modification in the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

**State
Government's
power of**

supervision.

42. (1) If, at any time, the State Government are of the opinion that special reason exist that in any respect the affairs of the University are not managed in furtherance of the objects and purpose of the University in accordance with this Act and the Statutes, the Ordinances and the Regulations made there under, or in furtherance of such objects for which any grant or donation is made by Government, Public Bodies or any individual and there is reason to believe that such grants and donations and, for that matter, the University funds are misappropriated or misspent or misplaced, the State Government may indicate to the Executive Council such matter in regard to which the State Government desire explanation and call upon that body within reasonable time to offer, with any proposal which it may desire to make.
- (2) If the Executive Council fails to offer any explanation or make proposal which in the opinion of the State Government is or are unsatisfactory, the State Government may issue such instructions as appear to them to be necessary and desirable in the circumstances of the case, and the Executive Committee shall give effect to such instructions.

**Emergency
Powers of the
State
Government.**

43. (1) If at any time it appears to be necessary and expedient in the opinion of the State Government, the State government may, in consultant and with the concurrence of the Chancellor, by a notification published in the Official Gazette, suspend all or any of the power and functions of the University as prescribed in section 5 of the Act and other power as may be ancillary to such power and take over all or any power and functions of such authorities or officers including holding, conduct and superintendence, arrangement and appointment of any person or authority in connection with any or more examinations or any matter incidental thereto for such period as may be specified in the notification and may be exercised by the State Government if and when necessary during such period, in such manner and through such officers or authority as may be considered fit by the State Government.
- (2) The provisions of the Statutes, Ordinances and Regulations framed under the Act relating to any one or more of the matters referred to in the preceding sub-section may be amended for any of the purposes mentioned therein in such manner as may

be decided by the State Government in prior consultation with the Chancellor and take effect accordingly for the purposes of exercising the power under the preceding sub-section.

- (3) The State Government may constitute an Advisory Committee consisting of at least 3 persons, who in the opinion of the State Government are eminent in sports and sports education or sports technology or sports administration for advising the State Government in the matter of discharging the duties, responsibilities and functions in respect of which the power has been taken over by the State Government under sub-section (1) of this section.
- (4) All actions taken under the preceding sub-sections and all examinations held and the results of any such examinations declared and all other actions taken under this section shall be deemed to have been taken in accordance with the provisions of the Act and shall take effect accordingly.
- (5) If for exercising the power under the preceding sub-section any difficulty arises in giving effect to any or more of the matters of the Act, or the Statutes, Ordinances and the Regulations framed thereunder, the State government may, in consultation with the Chancellor, by order remove such difficulty as may appear to be necessary for the purpose of the power.

Transitional provisions.

44. Notwithstanding anything contained in this Act and the Statutes,-

- (1) the first Vice-chancellor shall be appointed by the State Government in such manner and on such conditions as specified under section 10 (6) and the said officer shall hold office for such term, not exceeding three years, as may be specified by the State Government;
- (2) the first Registrar and the first Finance Officer shall be appointed by the State Government as specified under the sections 12 (3) and 13 respectively and each of the said officers shall hold office for a term of three years.

Transitory power of the first Vice Chancellor, Registrar and Finance Officer.

- 45.** (1) It shall be the duty of the first Vice-Chancellor, in consultation with the State Government, to make arrangement for constituting the first Court and the first Executive Council

consisting of not more than thirty-one members and eleven members respectively, who shall hold office for a term of three years, within a period not longer than one year from the date of coming into force of this Act;

- (2) The first Vice-Chancellor shall, in consultation with the State Government, make such rules as may be temporarily necessary for the functioning of the University;
- (3) The authorities constituted under the sub-section (1) shall start functioning from such date as the Government may by notification specify in this behalf;
- (4) It shall be the duty of the first Vice-Chancellor to assist the State Government in drafting the First Statutes under the provision in sub-section (1) of section 25;
- (5) Notwithstanding anything contained in this Act and the Statutes 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 power and duties of such authority under this Act and the Statutes;
- (6) The first Registrar and the first Finance Officer shall function as per orders or instructions issued by the Vice-Chancellor from time to time in accordance with the rules framed under sub-section (2), Statutes and Ordinances.

**Explanation and
Removal from
Court and
Executive
Council. 46.**

- (1) If a member of the Court or the Executive Council of the University remains absent without sufficient reason from the three successive meetings of the Court or the Executive Council, as the case may be, the Chancellor may call upon the member to offer within reasonable time such explanation he may desire to offer.
- (2) If a member of the Court or the Executive Council when called upon by the Chancellor to offer explanation fails to offer any explanation or, gives an explanation which in the opinion of the Chancellor may remove such member from office.

Interpretation 47. If any dispute arises as to the interpretation of any of the provisions of the Act, the interpretation given by the State Government shall be final and binding to all concerned.

S.M. BUZAR BARUAH,
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