

ACT 1986

(ACT NO. 4 OF 1987)

(As amended upto 31-05-2002)



Chaudhary Sarwan Kumar
Himachal Pradesh Krishi Vishwavidyalaya,
Palampur -176 062 (HP)

Act No. 4 of 1987

THE HIMACHAL PRADESH UNIVERSITIES OF AGRICULTURE,
HORTICULTURE AND FORESTRY

ACT, 1986

(AS ASSENTED TO BY THE GOVERNOR ON THE 6TH FEBRUARY, 1987)

AN

ACT

*To make suitable provisions for enforcing uniform standards of teaching,
research and extension education in the fields of agriculture, horticulture*

and forestry in the two Universities of Himachal Pradesh namely the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya at Palampur and Dr. Yashwant Singh Parmar University of Horticulture and Forestry at Solan, as also, for having uniformity in financial arrangements and in service conditions of the employees in the said Universities.

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-seventh Year of Republic of India, as follows: -

*Short title,
extent and
commencement*

1. (1) This Act may be called the Himachal Pradesh Universities of Agriculture, Horticulture and Forestry Act, 1986.
- (2) It extends to the whole of the State of Himachal Pradesh.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Definition

2. In this Act, unless the context otherwise requires:-
 - (a) "Academic Council" means the Academic Council of the University;
 - (b) "Act" means the Himachal Pradesh Universities of Agriculture, Horticulture and Forestry Act, 1986;
 - (c) "Agriculture" means the basic and applied sciences of soil and water management, crop production, home science, food science, agricultural engineering and technology, animal husbandry including veterinary and dairy science, fisheries, mushroom growing, bee-keeping, tea cultivation, sericulture, vegetables, social sciences and agricultural marketing, processing, co-operation, land use and management and economic and social uplift of the rural people;
 - (d) "Authority" means any authority as specified in section 10 of this Act;
 - (e) "Board" means the Board of Management of the University as constituted under section 12;
 - (f) "Board of Studies" means the Board constituted under section 18 of the Act;
 - (g) "Chancellor" means the "Chancellor" of the University;
 - (h) "College" means a constituent college of the University under the direct control and management of the Board whether located at the headquarters, campus or elsewhere;

- (i) "Council for Education and Research" means the Himachal Pradesh Council of Agricultural, Horticultural and Forestry Education and Research, set up under section 9 of the Act;
- (j) "Dean" means the Dean of a college;
- (k) "Existing University" means a University specified in column (2) of the Schedule to this Act;
- (l) "Extension" means educational activities concerned with the training of orchardists, farmers and other groups serving agriculture, horticulture and forestry, in improved practices related thereto and the various phases of scientific technology related to agriculture, horticulture and forestry, including post harvest technology and marketing;
- (m) "Faculty" means teaching, research and extension staff of a college or a department of the University, including all members of the staff having the rank of an Assistant Professor and above;
- (n) "Forestry" means and includes basic and applied sciences concerning silviculture, plant breeding, farm forestry, conservation of ecology of the biosphere, wild life, sericulture, medicinal and aromatic plants and their products;
- (o) "Government" or "State Government" means Government of the State of Himachal Pradesh;
- (p) "Governor" means the Governor of the State of Himachal Pradesh;
- (q) "Horticulture" means the basic and applied sciences of fruits, vegetables, floriculture plantation crops, spices, hops and shall include mushroom growing, landscaping, bee-keeping, marketing and processing of horticultural produce;
- (r) "Hostel" means a place of residence for students of the University maintained or recognized by the University either as a part of or separate from a college;
- (s) "Officer" means an officer of the University as specified in section 22 of the Act;

- (t) "Official Gazette" means the Rajpatra, Himachal Pradesh;
- (u) "Prescribed" means prescribed by the Statutes and Regulations made under the Act;
- (v) "Regulations" means the rules and procedures established for the operation and functioning of the authorities as specified or deemed to have been specified in section 10 of the Act and may include the provisions made by the Academic Council relating to the establishment and maintenance of Academic standards of the University as well as the provisions made by the competent authority of the University for the conduct of students, staff and other employees of the University and for conducting the routine business of the University and these may include provisions relating to the service conditions of employees;
- (w) "Scheduled castes" means the scheduled castes specified in part-VI of the Schedule to the Constitution (Scheduled Castes) Order, 1950 and/or notified by the Government;
- (x) "Scheduled tribes" means the scheduled tribes specified in Part-V of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 and/or notified by the Government;
- (y) "Statutes" means the Statutes of the University governing matters of policy and procedure as set forth in section 53 of the Act;
- (z) "Student" means a person enrolled in the University for undergoing a course of studies in that University obtaining a degree, diploma or other academic distinction duly instituted;
- (za) "Teacher" means a person appointed under section 39 of the Act for the purpose of imparting instructions and/or conducting and guiding research and/or extension programme and may include any other person who may be declared by the Statutes to be a teacher on such terms and conditions as may be prescribed by the Board;
- (zb) "Universities" means the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya, Palampur and/or Dr. Yashwant Singh Parmar University of

Horticulture and Forestry, Solan as incorporated or deemed to have been incorporated under this Act; and

(zc) “Vice-Chancellor” means the Vice-Chancellor of the University appointed under section 24 of this Act.

*Incorporation
of Universities*

3

(1) On the commencement of this Act, in relation to each of the existing Universities specified in column (2) of the schedule to this Act, the corresponding Universities shall be incorporated or deemed to have been incorporated under this Act as a successor body corporate with the same name and with perpetual succession and common seal, and shall sue and be sued by, the same name.

(2) The members of the Board of Management, the Academic Council and other authorities of the existing University shall be deemed to have been appointed, elected, nominated or co-opted as such member of the corresponding authority of the University set up under this Act, and shall cease to be such members or expiry of the period of three months from the commencement of this Act or on the day on which the corresponding authorities of the University are constituted under this Act, whichever is earlier.

(3) Subject to the provisions to the contrary contained in this Act, the Chancellor, the Vice-Chancellor and other officers of the existing Universities, shall continue to hold their respective offices under the corresponding Universities incorporated under this Act.

(4) Each University shall be competent to acquire and hold property, both movable and immovable, by way of purchase, lease and exchange or otherwise, and to lease, sell or otherwise transfer or dispose of any movable or immovable property which vests or may have become vested in or has been acquired by it, for the purpose of the University and to borrow money from the Central Government, State Government or from any body corporate approved by the State Government and to contract and do all things necessary for the purpose of this Act.

Provided that no immovable property of the University shall, except with the prior approval of the Government, be transferred by the Board of Management, by way of sale, lease, tenancy, mortgage or gift, nor shall any money be borrowed or advances

taken on the security thereof.

(5) The place specified against each University in column (3) of the Schedule to this Act shall be the headquarters of the University.

Jurisdiction

4

(1) The territorial jurisdiction of the University set up under this Act shall extend to the entire State of Himachal Pradesh and the powers in respect of teaching, research and extension programme in the field of agriculture, horticulture and forestry shall be exercisable by each University to the extent indicated against it in column (4) of the schedule to this Act.

(2) The University may, in its relative field, assume responsibility for the maintenance of training centres, research and experimental stations and for the programmes of training of field extension workers therein and for the establishment, development and operation of Polytechnics as may be required in various parts of the State.

(3) All colleges, research and experimental stations and other institution coming under the jurisdiction and authority of the University shall be constituent units of the University under the full management and control of the University officers and authorities. No unit shall be recognised as an affiliated unit.

(4) Notwithstanding anything contained in any other law for the time being in force, no educational institution, situate within the State and run by the University other than the University incorporated under this Act, imparting instructions in the fields, assigned to it vide column (4) of the Schedule to this Act, for Bachelor's degree and above, shall be associated in any way with or be admitted to any privilege of any other University incorporated by law in India and such privilege granted by any other University to any educational institution within the State prior to the commencement of this Act shall be deemed to be withdrawn on such commencement

(5) The University may have collaboration in research with any projects of any University having multi-disciplinary approach, Central and State institutions.

Objects

5

The University shall be deemed to be established and

incorporated for the following purposes in respect of the subjects as indicated in column (4) of the Schedule to this Act, namely: -

- (1) Making provision for imparting education in agriculture, horticulture, forestry and other allied branches of learning and scholarship which a University may find necessary to include;
- (2) Furthering the advancement of learning and prosecution of research, both basic and applied;
- (3) Undertaking extension of such sciences, specially to the rural people of the State; and
- (4) Such other purposes as the University may from time to time determine.

Admission to the University

6

(1) University shall, subject to the provisions of this Act and the Statutes, be open to all persons:

Provided that nothing in this section shall--

- a) require a University to admit to any course of study any person who does not meet the prescribed academic standards for admission to or to retain on its rolls, persons whose academic records are below the minimum standard required for the award of a degree or whose personal conduct is such as to be prejudicial to the purposes of the University or to the rights and privileges of other students and staff;
- b) be deemed to require a University to admit to any course of study a larger number of students that can be accommodated in the teaching, research and extension programmes of the University or in any particular college or department as determined by the Academic Council;

(2) Subject to the foregoing provision the University shall, according to a specific decision of the Board, reserve seats in colleges for socially and educationally backward classes of citizens or for the scheduled castes and the scheduled tribes, provided that no such person shall be entitled to be admitted to the University, unless he fulfils the standards for admission laid down by the University in respect of such candidates.

Powers and functions of the University

7

The University shall, in the fields indicated against it in column (4) of the Schedule to this Act, have the following powers and functions, namely: --

- (1) to provide for instructions and for the conduct of research and dissemination of the findings of research and technical information through an extension education programme;
- (2) to institute degrees, diplomas, certificates and other academic distinctions;
- (3) to institute courses of study and hold examinations and confer degrees, diplomas, certificates and other academic distinctions on persons who have--
 - (a) pursued a course of study as prescribed; or
 - (b) carried out research in the University or an institution recognised in this behalf by the University under the conditions as may be prescribed;
- (4) to confer honorary degrees and other distinctions as may be prescribed;
- (5) to provide lectures and instructions for field workers, orchardists, farmers and other persons, not enrolled as regular students the University and to grant certificates to them as may be prescribed;
- (6) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine, subject to the limitations set forth in section of this Act;
- (7) to maintain colleges relating to the fields indicated against it in column (4) of the Schedule to this Act;
- (8) to maintain laboratories, libraries, research stations and institutions and museums for teaching, research and extension education in the fields indicated against it in column (4) of the Schedule to this Act;
- (9) to institute teaching, research and extension education posts required by the University and to make appointments thereto;
- (10) to create administrative, ministerial and other posts required by the University and to make appointments thereto;
- (11) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;
- (12) to institute and maintain residential accommodation for students and staff of the

University;

- (13) to fix, demand and receive such fees and other charges as may be prescribed;
- (14) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and welfare;
- (15) to determine qualifications for teachers and to recognize persons as are qualified to give instructions in a college or to carry out research and extension education in the fields indicated against it in column (4) of the Schedule to this Act;
- (16) to do all such acts and things, whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the University.

Visitation and inspection

8

(1) The Chancellor shall have the right to cause an inspection to be made by such person(s), as he may direct, of any University, its buildings, laboratories, libraries, museums, workshops and equipments and any institution, college or hostel maintained or administered by the University and of the teaching and other work conducted by the University or under its auspices and of the conduct of any other function of the University, and to cause an inquiry to be made in respect of any matter connected with the administration and finances of the University.

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

(3) The Chancellor shall communicate to the University the result of such inspection or inquiry, and may, after ascertaining its opinion thereon, advise the University upon the action to be taken and fix a time-limit for taking such action.

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

(5) The Chancellor may, where action has not been

taken by the University to the satisfaction of the Chancellor within the time-limit fixed and after considering any explanation furnished or representation made by the University, issue such direction as the Chancellor may deem fit and the University shall comply with such directions.

(6) Notwithstanding anything contained in the preceding sub-section of this section, if at any time the Chancellor is of the opinion that the affairs of the University are not managed in furtherance of the objects of the University or in accordance with the provisions of the Act and statutory regulations or the special measures desirable to maintain the standards of teaching, examination, research or extension, he may indicate to the University any matter in regard to which he desires an explanation, and call upon the University to offer such explanation within such time as may be specified by the Chancellor. If the University fails to offer any explanation within the time specified or offers an explanation which, in the opinion of the Chancellor is unsatisfactory, the Chancellor may issue such instructions as appear to him to be necessary and desirable in the circumstances of the case and may exercise such powers as he may consider necessary for giving effect to these instructions.

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

Power of State Government to enquire

8-A

The State Government may cause an enquiry to be made by any of its officers or agency, as it may direct on any matters connected with the administration and finances of the University or the institutions maintained by it and the report of such enquiry shall be sent to the State Government and the State Govt. after examining the same, shall forward the report to the Chancellor and may also recommend any action including removal of Vice-Chancellor, if in its opinion there exist such circumstances as are contained in sub-section (6) of section 24 of this Act and the Chancellor may take action accordingly:

Provided that before taking such action, the Chancellor shall afford reasonable opportunity of being heard to the Vice-Chancellor.

Constitution of State Council

9

(1) For the purposes of effective co-ordination in the activities of the Universities set up in this State

*for Education
and Research,
its powers and
duties*

under this Act, particularly in relation to teaching, research, extension education and other matters of common interest and also for having periodical evaluation of the functioning of and for supervision over the Universities and their academic and financial activities and programmes, the State Government shall constitute a Council for Education and Research to be called "The Himachal Pradesh Council of Agricultural, Horticultural and Forestry Education and Research".

(2) The Chief Secretary to the State Government shall be the Chairman of the Council and the Council shall have the following members, namely: -

- i) the Vice-Chancellor of the Universities;
- ii) the Secretaries to the State Government in the Departments of Agriculture, Horticulture, Animal Husbandry, Finance and Forest; and
- iii) one representative of the Indian Council of Agricultural Research, New Delhi.

(3) Without prejudice to the generality of the provisions of sub-section (1), the Council for Education and Research shall have the following powers and functions, namely: --

- a) to grant permission to the Universities for starting any new courses or disciplines, departments, schemes or projects to be financed out of the State exchequer by way of grants/loans;
- b) to review, from time to time, the work done in the Universities relating to education, teaching, research and extension education in agriculture, horticulture and forestry with a view to achieving effective co-ordination in the activities of the Universities and to give them suitable guidance and directions;
- c) to advise the State Government on matters relating to activities of the Universities, which may be referred to it by the State Government;
- d) to exercise such other powers and to discharge such other functions as are incidental or requisite to give effect to the provisions of this Act;
- e) to take decisions in relation to transfer/division of research experimental stations from one University to the other.

(4) The Council for Education and Research, in the exercise of its powers and the discharge of its functions, shall have the power to issue necessary

directions to the Universities under intimation to the Chancellor which shall be final and binding on the Universities and it shall be the duty of the Vice-Chancellor concerned to ensure that such directions are promptly and properly implemented and for this purposes the Vice-Chancellor shall have and exercise all the necessary powers as provided in sub-section (5) of section 25 of this Act.

(5) The Council for Education and Research shall, in conducting its business, determine such procedure as it may deem fit.

(6) The Council for Education and Research such have the power to act notwithstanding any vacancy in the membership thereof or any defect in the constitution thereof.

<i>Meeting of the Council for Education and Research.</i>	9-A	The Council for Education and Research shall meet thrice in a year, on the date, time and place fixed by the Chairman.
<i>Authorities</i>	10	<p>The following shall be the authorities of the University namely: --</p> <ul style="list-style-type: none">i) the Senate;ii) the Board of Management;iii) the Academic Council;iv) the Extension Council;v) the Research Council;vi) the Board of Studies;vii) the Finance Committee; andviii) such other bodies of the University as may be declared by the Statutes to be the authorities of the University.
<i>Senate</i>	11	<p>(1) The Senate shall consist of the following members in respect of: -</p> <p>(A) THE CHAUDHARY SARWAN KUMAR HIMACHAL PRADESH KRISHI VISHVAVIDYALAYA</p> <p><i>Ex-officio Members:</i></p> <ul style="list-style-type: none">i) Chancellor;ii) Vice-Chancellor;

- iii) Secretary (Agriculture) to the Government;
- iv) Secretary (Animal Husbandry) to the Government;
- v) Heads of Government Departments of Agriculture, Horticulture, Animal Husbandry and Fisheries;
- vi) all Deans and Directors and other statutory officers of the University;

Other Members:

- vii) two members to be elected by and from amongst the Members of the Himachal Pradesh Legislative Assembly in such manner as may be prescribed by the Speaker of the Assembly;
- viii) two teachers/Heads of Departments of the University other than Deans/Directors having at least 5 years' teaching experience to be elected in the manner prescribed in the Statutes so as to give representation to the constituent colleges of the University;
- ix) one representative of the employees of the University (other than teachers) to be elected in the manner prescribed in the Statutes.

(B) Dr. YASHWANT SINGH PARMAR UNIVERSITY OF HORTICULTURE AND FORESTRY, SOLAN

Ex-officio Member:

- i) Chancellor;
- ii) Vice-Chancellor;
- iii) Secretary (Horticulture) to the Government;
- iv) Secretary (Forest) to the Government;
- v) Heads of Government Departments of Agriculture, Horticulture and Forests;
- vi) all Deans and Directors and other statutory officers of the University;

Other Members:

- vii) two members to be elected by and from amongst the Members of the Himachal Pradesh Legislative Assembly in such manner as may be prescribed by the Speaker of the Assembly;
- viii) two teachers/Heads of Departments of the University other than Deans/Directors having at

least 5 years' teaching experience to be elected in the manner prescribed in the Statutes so as to give representation to the constituent colleges of the University;

- ix) one representative of the employees of the University (other than teachers) to be elected in the manner prescribed in the Statutes.

(2) The term of office of the members of the Senate, other than ex-officio members, shall be for a period of two years with effect from the dates of their respective elections and shall include any further period which may intervene between the expiration of the said period of two years and the date of the next succeeding election or nomination, as the case may be, not being an election or nomination to fill up a casual vacancy.

(3) The Senate shall, on the dates to be fixed by the Chancellor, meet once in a calendar year and this meeting shall be called the annual meeting of the Senate.

(4) The Chancellor may, whenever he deems fit, and shall upon a requisition in writing signed by not less than one-third of the total number of members of the Senate convene a special meeting of the Senate.

(5) Subject to the provisions of this Act, the Senate shall: --

- i) Review the broad policies and programmes of the University and suggest measures for the improvement and development of the University;
- ii) consider and pass resolution on the annual report, annual accounts, financial estimates and audit report on such accounts of the University; and
- iii) advise the Chancellor in respect of any matter which may be referred to it for advice.

Board of Management

12

(1) The Chancellor shall constitute a Board of Management for the University and the Board shall consist of the following in respect of : --

(A) CHAUDHARY SARWAN KUMAR HIMACHAL PRADESH KRISHI VISHVAVIDYALAYA

Ex-officio Members:

- i) Vice-Chancellor;

- ii) Vice-Chancellor of Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan
- iii) Secretary (Agriculture) to the Government;
- iv) Secretary (Animal Husbandry) to the Government;
- v) Secretary (Finance) to the Government;
- vi) Heads of Government Departments of Agriculture, Horticulture, Animal Husbandry and Fisheries;

Other Members:

- vii) one officer to be nominated by the Chancellor from amongst Deans/Directors of the University;
- viii) two eminent scientists with a background of research and education, one in agriculture and the other in animal science to be nominated by the Chancellor;
- ix) two progressive agriculturists, farmers or animal breeders to be nominated by the Chancellor;
- x) one progressive agriculturists/animal breeders from the tribal areas of the State to be nominated by the Chancellor;
- xi) one outstanding woman social worker preferably having background of rural advancement, to be nominated by the Chancellor;
- xii) one distinguished industrialist or manufacturer having special knowledge in agriculture development to be nominated by the Chancellor;
- xiii) one distinguished engineer to be nominated by the Chancellor;
- xiv) one representative of the Indian Council for Agricultural Research; and
- xv) one representative of the Indian Council of Forestry Research and Education, Dehradun.

(B) DR YASHWANT SINGH PARMAR UNIVERSITY OF HORTICULTURE AND FORESTRY, SOLAN

Ex-officio Members:

- i) Vice-Chancellor;
- ii) Vice-Chancellor of Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishwavidyalaya,

Palampur.

- iii) Secretary (Horticulture) to the Government;
- iv) Secretary (Finance) to the Government;
- v) Secretary (Forests) to the Government;
- vi) Heads of Government Departments of Horticulture, Forest and Agriculture;

Other Members:

- vii) one officer to be nominated by the Chancellor from amongst the Deans/Directors of the University;
- viii) two eminent scientists one in horticulture and the other in forestry to be nominated by the Chancellor;
- ix) two progressive orchardists or farmers to be nominated by the Chancellor;
- x) one progressive orchardist/farmer from the tribal area of the State to be nominated by the Chancellor;
- xi) one outstanding woman social worker preferably having background of rural advancement, to be nominated by the Chancellor;
- xii) one distinguished engineer to be nominated by the Chancellor;
- xiii) one representative of the Indian Council for Agricultural Research, New Delhi; and
- xiv) one representative of the Indian Council of Forestry Research and Education, Dehradun.

(2) The Registrar shall be the Member Secretary of the Board of the University.

(3) The term of the members, except the ex-officio members, of the Board shall be for a period of two years.

(4) A member of the Board may resign his office by a notice, in writing, addressed to the Chancellor of the University.

(5) If, for any reason, a vacancy occurs in the office of a non-official member of the Board, the same may be filled by appointing or nominating, as the case may be, another person thereto for the un-expired term, in accordance with the provision of this section.

(6) One third members of the Board shall form quorum

for a meeting of the Board.

Provided that if a meeting of the Board is adjourned for want of quorum, no quorum shall be necessary at the next meeting for the transaction of the same business.

(7) The Vice-Chancellor shall be the Chairman of the Board.

(8) The members of the Board shall not be entitled to receive any remuneration for the performance of their functions as such members under this Act except such daily and traveling allowances as may be prescribed.

*Powers and
functions of the
Board*

13

(1) The Board shall exercise and perform the following powers and functions, namely:-

- a) to review and consider the financial requirements and estimates for the University and approve its budget;
- b) to make appointments to the posts in accordance with the provisions of the Act;
- c) to provide for the administration of any funds placed at the disposal of the University for the purposes intended;
- d) to arrange for the investment and withdrawal of funds of the University;
- e) to borrow money for capital improvement and make suitable arrangements for its repayment;
- f) to provide for accepting, acquiring, holding and disposing of property on behalf of the University;
- g) to direct the form and use of the common seal of the University;
- h) to appoint such committees, either standing or temporary, as the Board may consider necessary, and establish the terms of reference thereof within the purview of the Act or the Statutes;
- i) to determine and regulate policies relating to the University in accordance with this Act or the Statutes;
- j) to make financial provision for instructions, teaching and training in such branches of learning and courses of study as determined by the Academic Council within the purposes of this Act and for research and advancement and dissemination of knowledge;

- k) to provide for the establishment and maintenance of colleges, hostels, laboratories, experimental farms and other facilities necessary for carrying out the purposes of this Act;
- l) to make provisions for instituting and conferring degrees, diplomas, certificates and other academic distinctions;
- m) to provide for institution, maintenance and award of scholarships, fellowships, studentships, medals, prizes, etc;
- n) to accept, on behalf of the University, trusts, bequests and donations;
- o) to meet at such times and in such places, as often as it may deem necessary;

Provided that a regular meeting of the Board shall be held at least once in every three months; and

- p) to regulate and determine all matters concerning the University in accordance with the Act and the Statutes and to exercise such powers and to discharge such duties as may be conferred on or imposed upon the Board by this Act or Statutes.

(2) The Board may, for purposes of consultation, invite any person having experience in or special knowledge of any subject under consideration to attend a meeting. Such a person may speak in and otherwise take part in the proceedings, of such meeting but shall not be entitled to vote at any such meeting. Any person so invited shall be entitled to such allowances for attending the meeting, as may be prescribed.

(1) There shall be an Academic Council for the University which shall, subject to the provisions of the Act and the Statutes, superintend, direct and control and be responsible for the maintenance of standards of instructions, education and examinations and other matters connected with the conferment of degrees or award of diplomas and certificates shall exercise such other powers and perform such other duties as may be conferred or imposed on it by the Statutes. It shall advise the Vice-Chancellor on all academic matters of the University.

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

- (i) Vice-Chancellor, who shall be the ex-officio Chairman;
- (ii) Deans of Colleges of the University;
- (iii) Director of Research of the University;
- (iv) Director of Extension Education of the University;
- (v) Director (Forestry Education), Forest Research Institute, Dehradun;
- (vi) Librarian of the University;
- (vii) Students' Welfare Officer of the University;
- (viii) two senior-most professors from each college for a term of two years, by rotation;
- (ix) In respect of—
 - (a) The Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya, two eminent scientists, one in agriculture and the other in animal sciences;
 - (b) The Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan, two eminent scientists, one in horticulture and the other in forestry; and
- (x) Registrar shall be the ex-officio Member Secretary of the Academic Council

(3) One-third of the number of members of the Academic Council shall form a quorum.

Powers and functions of the Academic Council

15

(1) The Academic Council shall, subject to the provisions of this Act and the Statutes, have the power to regulate and prescribe all courses of study and determine curricula and shall have general control of teaching and other educational programmes within the University and shall be responsible for the maintenance of standards thereof.

(2) It shall have power to make Regulations consistent with this Act and the Statutes relating to all academic matters subject to its control and to amend or repeal such regulations.

(3) In particular, and without prejudice to the generality of the foregoing powers, the Academic Council shall have power to—

- i) advise the Board on all academic matters including the control and management of libraries;
- ii) make recommendations for the establishment of new colleges, departments, experimental

- stations, sub-stations, professorships, associate professorships and other teaching posts including posts in research and extension education and in regard to the duties thereof;
- iii) formulate, modify or revise schemes for the institution or reconstitution of departments of teaching, research and extension education;
 - iv) make regulations regarding the admission of students to the University, and determine the number of students to be admitted;
 - v) make regulations relating to the courses of study leading to degrees, diplomas and certificates;
 - vi) make regulations relating to the conduct of examinations and maintain and promote standards;
 - vii) make recommendations regarding post-graduate teaching, research and extension education;
 - viii) make recommendations regarding the qualifications to be prescribed for teachers in the University;
 - ix) recommend to the Board the conferment of honorary degrees; and
 - x) exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions of this Act.

<i>Extension Council</i>	16	<p>(1) There shall be an Extension Council for the University.</p> <p>(2) The constitution, powers and functions of the Extension Council shall be such as may be prescribed by the Statutes.</p>
<i>Research Council</i>	17	<p>(1) There shall be a Research Council for the University.</p> <p>(2) The constitution, powers and functions of the Research Council shall be such as may be prescribed by the Statutes.</p>
<i>Board of Studies</i>	18	<p>(1) There shall be a Board of Studies for each college of the University.</p> <p>(2) The Deans of colleges shall be the Chairman of the respective Boards of Studies and Heads of Departments of the colleges, shall be the members thereof.</p> <p>(3) The Vice-Chancellor may nominate on the Board of Studies such other teachers of related subjects or sciences from the same or other colleges, as he may deem fit.</p> <p>(4) The duties of such Board of Studies shall be in prescribed syllabi so as to ensure integrated and well</p>

balanced courses of studies and other related matters concerning academics.

(5) Each department of the college shall have a Head whose appointment, powers and duties shall be such as may be prescribed by the Statutes and who shall be responsible to the Dean of the college for the proper organisation and working of the department and shall be responsible to the Directors of Research and Extension Education, respectively for the research and extension education entrusted to his department.

(6) The Board of studies shall perform such functions or discharge such duties as may be conferred or imposed upon it by the Statutes.

*Finance
Committee, its
powers and
duties*

19

(1) There shall be a Finance Committee for the University, consisting of -

- i) Vice-Chancellor, who shall also be the ex-officio Chairman of the Committee;
- ii) Finance Secretary to the Government or his representative;
- ii-a) Principal Secretary or Secretary(Agriculture) to the state Government;
- ii-b) Principal Secretary or Secretary(Horticulture) to the state Government;
- ii-c) Registrar; and
- iii) Heads of Government Departments of Horticulture and Forests in case of Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan and of Agriculture, Animal Husbandry and Fisheries in case of the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya; and
- iv) One member chosen by the Board from amongst its non-official members.

(2) The Comptroller shall be the Member Secretary of the Finance Committee.

(3) The Finance Committee shall have the following powers, namely:

- i) to examine the annual accounts of the University and to advise the Board thereon;
- ii) to examine the annual budget estimates and to advise the Board thereon;
- iii) to examine the annual audit report and action taken thereon;
- iv) to review the financial position of the University from time to time;
- v) to make recommendations to the University on all matters relating to the finances of the

University; and

- vi) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or which involves expenditure in excess of the amount provided in the budget.

Provision in relation to membership of authorities

20

(1) Save as otherwise provided in this Act, if any member other than ex-officio members of any authority or other body of a University is unable, by reason of his death, resignation, removal or otherwise to complete his full term of office, the vacancy so caused, shall, as soon as convenient, be filled by the appointment, election or nomination, as the case may be, and the person so appointed, elected or nominated, shall fill such vacancy for the unexpired portion of the term for which the member, in whose place such person is appointed, elected or nominated, would otherwise have continued in office.

(2) The Chancellor, on the recommendation of the Board, may remove any person from the membership of any authority of the University on the ground that such person has been convicted of an offence involving moral turpitude.

Provided that no order for removal shall be passed against any person without giving him an opportunity of being heard.

(3) A person who is a member of any authority of the University as a representative of another body, whether of the University or not, shall cease to be a member of such authority if, before the expiry of the term of his membership, he ceases to be a member of that other body by which he was appointed or elected.

(4) Wherever any person becomes a member of any authority of the University 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 proceedings on leave for a period not exceeding four months.

(5) Any member, other than ex-officio members, of any authority of the University may resign his office by a letter addressed to the Registrar for being placed before the appropriate authority.

(6) Any officer of the University, whether salaried or otherwise, other than the Dean or the Director, may resign his office by a letter addressed to the Vice-Chancellor and 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 Vice-Chancellor, whichever is earlier.

Validity and protection of certain acts

- 21 (1) No act or proceeding of any authority or other body of the University shall be invalid merely by reason of the existence of any vacancy among its members or by reason of the existence of any vacancy among its members or by reason of such person having taken part in the proceeding who is subsequently found not to have been entitled to do so.
- (2) Save as otherwise provided in this Act, all acts and orders in good faith done and passed by the University or any of its authorities shall be final and no suit shall be instituted against or damages claimed from the University or its authority for anything done or purported to have been done in pursuance of this Act or the Statutes or the Regulations.
- (3) No suit, prosecution or other proceedings shall lie against any officer or other employee of the University for any act done or purported to have been done under this Act or the Statutes or the Regulations without the previous sanction of the Board.
- (4) No officer or other employee of the University shall be liable in respect of any such act in a civil or criminal proceeding if the act was done in good faith in the course of the execution of his duties or in discharge of the functions imposed on him by or under this Act.

Officers of the University.

- 22 The following may be the officers of the University, namely :--
- i) Chancellor;
 - ii) Vice-Chancellor;
 - iii) Deans of Colleges;
 - iv) Director of Research;
 - v) Director of Extension Education;
 - vi) Registrar;
 - vii) Comptroller;
 - viii) Estate Officer;
 - ix) Librarian;
 - x) Students' Welfare Officer; and
 - xi) Such other persons in the service of the University as may be declared by the Statutes to be the officers of the University.

Chancellor

- 23 (1) The Governor shall, by virtue of his office, be the Chancellor of the University.
- (2) The Chancellor shall be the Head of the University

and shall, when present, preside at any Convocation of the University.

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

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

Vice-Chancellor 24

(1) The Vice-Chancellor shall be a whole time officer of the University, who shall be appointed by the Chancellor on the recommendations of the Selection Committee consisting of :--

- i) a nominee of the Chancellor
- ii) the Director General, Indian Council of Agricultural Research; and
- iii) the Chairman, Universities Grants Commission or his nominee.

(2) The Chancellor shall nominate one of the members referred to in sub-section (1) as the Chairman of the Selection Committee.

(3) The Vice-Chancellor shall normally hold office for a term of three years and be eligible for re-appointment for another three years but not beyond the age of 65. The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not be varied to his disadvantage after his

appointment;

Provided that the Chancellor may allow him to continue in office until his successor is appointed but this period shall not exceed one year.

(3-a) The Chancellor, by general or special order, may place the Vice-Chancellor under suspension,

(a) where an enquiry under sub-section (6) of this section is contemplated or is pending; or

(b) where in the opinion of the Chancellor, he has engaged himself in activities prejudicial to the interest of the University; or

(c) where a case against him in respect of any criminal offence is under investigation, inquiry or trial; or

(d) where his continuance in office will prejudice the investigation, enquiry or trial (e.g. apprehended tampering with documents or to influence witnesses).

(3-b) The Vice-Chancellor under suspension shall be entitled to a subsistence allowance at an amount equal to leave salary which the Vice-Chancellor would have drawn if he had been on leave on half average pay or on half pay and in addition, dearness allowance, if admissible on the basis of such leave salary:

Provided that where the period of suspension exceeds three months, the Chancellor shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first three months as follows:

(i) the amount of subsistence allowance may be increased by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible during the period of first three months, if, in the opinion of the Chancellor, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the Vice-Chancellor;

(ii) the amount of subsistence allowance, may be reduced by a suitable amount, not exceeding fifty per cent of the subsistence allowance admissible during the period of first three months, if, in the opinion of the Chancellor, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the Vice-Chancellor; and

(iii) the rate of dearness allowance shall be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under clauses (i) and (ii).

(3-c) No payment under sub-section (3-b) shall be made unless the Vice-Chancellor furnishes a certificate that he is not engaged in any other employment, business, profession or vocation; and

(4) The Vice-Chancellor may resign by giving a notice of one month in writing under his signatures addressed to the Chancellor. The Chancellor may waive off the period of notice and accept the resignation forthwith in consultation with the State Government.

(5) During temporary absence of the Vice-Chancellor by reason of leave, illness or any other cause, the Chancellor may make such arrangements for carrying out the duties of the Vice-Chancellor, as he may deem

fit, from amongst the senior faculty members of the University. Where the post of the Vice-Chancellor falls permanently vacant either by resignation or otherwise, the vacancy shall be filled in accordance with the provisions of sub-section (1) of this section and the Vice-Chancellor so appointed shall hold office for a full

term or till the attainment of the age of 65 years, whichever is earlier.

(6) If, in the opinion of the Chancellor, a Vice-Chancellor willfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him or if it appears to the Chancellor that the continuance of that Vice-Chancellor in office is detrimental to the interests of the University, the Chancellor may, by order, remove the Vice-Chancellor, after giving him an opportunity to show cause against the action proposed to be taken against him.

Provided that in the event of taking any action on a report of an enquiry under section 8 or section 8-A of this Act, as the case may be, no further enquiry shall be necessary under this sub-section but the Vice-Chancellor shall be afforded an opportunity of being heard after making him available a copy of enquiry report.

*Powers and
duties of Vice-
Chancellor*

25

(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and ex-officio Chairman of the Board and the Academic Council. He shall, in the absence of the Chancellor, preside over the Convocation of the University and confer degrees on the persons entitled to receive them.

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

(3) The Vice-Chancellor shall convene meetings of the Board of Management and the Academic Council unless he temporarily delegates the power to some other officer of the University.

(4) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act, the Statutes and the Regulations and he shall exercise such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall be responsible for prompt and proper implementation on the part of the University and its authorities and officers, of the directions by the Council for Education and Research under section 9, from time to time, and shall have and

exercise all the powers necessary for this purpose, notwithstanding anything contained in this Act or in the Statutes and the Regulations made or deemed to have been made under this Act.

(6) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and the annual accounts to the Board.

(7) In case of emergency warranting immediate action to be taken, in respect of powers not vested in him, the Vice-Chancellor shall take such action as he deems necessary after recording reason in writing and shall place the matter before the authority, competent to exercise such powers, for confirmation in its next following meeting but not later than sixty days, failing which the action taken by him shall cease to have any effect and if the action taken by the Vice-Chancellor is not confirmed by such authority, the same shall also cease to have any effect.

Provided that such emergency powers shall not be exercised by the Vice-Chancellor for making any appointment to any position or assignment or removal of any incumbent from such position or assignment.

Provided further that nothing in this section shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorized and provided for in the budget.

(8) Subject to the provisions of the preceding sub-section, the Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, suspension and dismissal of officers, teachers and other employees of the University.

(9) Where any action taken by the Vice-Chancellor under sub-section (6) affects any person in the service of the University to his disadvantage, such action shall not be taken unless the person concerned has been given a reasonable opportunity of being heard and the person against whom any action is proposed to be taken may prefer any appeal to the Board within thirty days of the date on which the action proposed to be taken is communicated to him.

(10) The Vice-Chancellor shall be responsible for the proper administration of the University and for a close co-ordination and integration of teaching, research and extension education.

(11) The Vice-Chancellor may appoint temporarily, under intimation to the Board, a suitable person for a period not exceeding six months in the vacancy of an officer, teacher or any other employee in the

University.

(12) The Vice-Chancellor shall exercise such other powers, as may be prescribed, for carrying out the purposes and provision of this Act.

(13) The Vice-Chancellor shall, at the close of each academic year, in the manner prescribed in the Statutes, assess and evaluate the teaching, extension and research work done by the members of the faculty. On such assessment or evaluation, if the Vice-Chancellor is of the opinion that the work and conduct of any member of the faculty is not satisfactory, he shall in the manner laid down in the Statutes, initiate or cause to be initiated action against such a member.

<i>Other officers of the University and their general terms and conditions</i>	26	<p>(1) An officer of the University, referred to in clauses (iii) to (xi) of section 22 shall be a whole time officer of the University and shall be appointed by the Board on the recommendations of the Selection Committee, as may be constituted for the purpose under the Statutes.</p> <p>(2) The salary and allowances and other conditions of service of such an officer shall be such as may be prescribed by the Statutes.</p>
<i>Deans of college</i>	27	<p>(1) Each college shall have a Dean who shall be responsible to the Vice-Chancellor for all matters concerning his college.</p> <p>(2) The Dean shall also be responsible for the organization and the conduct of the resident instructions of the departments of his college.</p> <p>(3) The Dean shall exercise such powers and perform such duties as may be conferred or imposed upon him by the Statutes.</p>
<i>Director of Research</i>	28	<p>(1) There shall be a Director of Research who shall be responsible to the Vice-Chancellor of the University for the direction and co-ordination of research programmes in the fields concerned as set forth in section 37 of this Act, and efficient working of the research stations.</p> <p>(2) The Director of Research shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes.</p>
<i>Director of Extension Education</i>	29	<p>(1) There shall be a Director of Extension Education who shall be responsible to the Vice-Chancellor of the University for extension programmes in the fields concerned as set forth in section 38 of this Act.</p> <p>(2) The Director of Extension Education shall exercise such powers and perform such duties as may be</p>

conferred or imposed on him by the Statutes.

Registrar 30 (1) There shall be a Registrar in the University who shall be ex-officio Member-Secretary of the Senate, Board and Academic Council of the University.
(2) Notwithstanding any thing to the contrary contained in section 26 of the Act, the Registrar shall be appointed, by the State Government from amongst the officers who have put in at least five years service in the Indian Administrative Services or at least nine years service in Himachal Pradesh Administrative Services under the State Government, failing which by the Board on the recommendations of the selection committee, as may be constituted for the purpose under the Statutes.
(3) The Registrar shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Comptroller 31 (1) There shall be a Comptroller who shall be appointed by deputation from amongst the Officer(s) of the Himachal Pradesh Subordinate Accounts Service (Ordinary Branch) not below the rank of Deputy Controller, and shall be responsible to the Vice-Chancellor of the University for all matters pertaining to the accounts of the University including the preparation and presentation of the budget and statement of accounts.
(2) The Comptroller shall exercise such powers and perform such duties as may be conferred or imposed upon by him by the Statutes.
(3) The Comptroller shall—
i) Ensure that expenditure not authorized in the budget is not incurred by the University except by way of investment; and
ii) Disallow any expenditure not warranted by the terms of any Statutes or for which provision is required to be made by the Statutes but has not been so made.
(4) All moneys belonging to the University shall be kept in a Scheduled Bank and / or Government securities approved by the Board.

Explanation: -- For the purposes of this section "Scheduled Bank" means a Bank included in the Second Schedule to the Reserve Bank of India Act. 1934.
11 of 1934

Estate Officer 32 (1) The Estate Officer of the University shall be responsible to the Vice-Chancellor for the custody, maintenance and management of the buildings, lawns,

gardens and other properties of the University.

(2) The Estate Officer shall exercise such powers and perform such duties as may be conferred or imposed upon him by the Statutes.

Librarian 33. (1) There shall be a Librarian in the University who shall be responsible to the Vice-Chancellor for all matters concerning the library.
(2) The Librarian shall exercise such powers and perform such duties as may be conferred or imposed upon him by the Statutes.

Students' Welfare Officer 34. (1) There shall be a Students' Welfare Officer in the University who shall be responsible to the Vice-Chancellor for all matters connected with the Students' welfare.
(2) The Students' Welfare Officer shall exercise such powers and perform such duties as may be conferred or imposed upon him by the Statutes.

Colleges 35. (1) The following shall be the constituent colleges :-
-
(a) in respect of the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya :--
i) the College of Agriculture, Palampur,
ii) the College of Veterinary and Animal Sciences, Palampur and
iii) such other colleges as may be established by the University after the commencement of this Act, and
(b) in respect of Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan—
i) the College of Horticulture, Solan
ii) the College of Forestry Solan; and
iii) such other colleges as may be established by the University after the commencement of this Act.

(2) Every college shall comprise of such departments as may be prescribed and each department shall be assigned such subjects of study as the Academic Council may deem fit.

(3) There shall be a Head of each department who shall be responsible to the Dean for resident instructions to the Director of Research for the purposes of research and to the Director of Extension Education for the purposes of extension education.

(4) The Head of the each Department shall be selected by the Vice-Chancellor and appointed by him with the approval of the Board.

(5) The duties, powers and functions of Head of

departments shall be such as may be prescribed.

Experimental stations for research

36. (1) Subject to the provisions of this Act and the Statutes, the existing experimental station/sub-stations and institutions of the University, mentioned in column (2) of the Schedule to the Act, shall form part of the corresponding University incorporated under this Act and the university incorporated under this Act may institute/start new experimental stations, sub-stations or expand or give up the existing ones.
- (2) The Government may transfer to the University experimental stations, sub-stations, institutions and research schemes of the related departments from such date as the Government may by notification specify.
- (3) The State Government shall have the power to transfer any experimental station, sub-station and institution from one University to another or to distribute them amongst the University set up under this Act.

Research programme

37. (1) Subject to the provisions of this Act and the Statutes, the University incorporated under this Act for the benefit of the rural population of the State, shall carry on research directed primarily to the problems connected with the fields indicated against it in column (4) of the Schedule to this Act.
- (2) The University, through its research organization, shall be the principal agency of control over research activities in the fields assigned to it.

Extension programme

38. (1) The extension education programmes of the University shall—
- (a) make useful information based upon the findings of research available to agriculturists, orchardists, farmers and others to help and solve their problems;
 - (b) conduct demonstration and teaching programmes for the benefit of students, agriculturists, orchardists and farmers; and
 - (c) co-ordinate other functions of the University and other appropriate agencies of the State.
- (2) The University shall be responsible for the extension education activities in the State necessary to disseminate and demonstrate to agriculturists, orchardists, farmers and others the findings of research on improved practices essential for rural uplift and to increase production on animal husbandry, agricultural products, fruits, vegetables and farm forestry.

<i>Appointment of teachers, officers & staff</i>	39.	<p>(1) Subject to the provisions of this Act, the members of the staff other than teachers of the University, shall be appointed by the Vice-Chancellor of the University with the approval of its Board and the teachers shall be appointed by the Board on the recommendations of such Selection Committees as may be constituted under the Statutes of the University.</p> <p>(2) Except in cases otherwise provided for in the Statutes, every salaried officer and teacher of the University shall be appointed under a written contract which shall not be inconsistent with the provisions of this Act and the Statutes of the University for the time being in force in relation to the conditions of service and such contract shall be kept with the Vice-Chancellor of the University and a copy thereof shall be furnished to the officer or teacher concerned.</p> <p>(3) The procedure for selection of officers, teachers and other employees of the university, unless otherwise provided in the Act, shall be as prescribed by the Statutes.</p>
<i>Creation of Posts etc.</i>	39-A.	No post, position and assignment created by the University shall have any effect unless approved by the State Government.
<i>Legal proceedings</i>	40.	If at the commencement of this Act any suit, appeal or other proceedings of whatever nature, are pending by or against the existing University, the same shall not abate, be discontinued or be in any way prejudicially affected by reasons of the coming into force of this Act, but the suit, appeal or other proceedings may be continued, prosecuted or enforced by or against the corresponding University incorporated under this Act.
<i>Retirement and other conditions of service</i>	41.	The age of retirement and other conditions of service of every officer, teacher or other employee of the University shall be such as may be prescribed.
<i>Pension and provident fund</i>	42.	<p>(1) The University shall constitute for the benefits of its officers, teachers, clerical staff and other employees in such manner and subject to such condition, as may be prescribed, such pension, insurance and provident fund as it may deem fit.</p> <p>(2) For such pension, insurance and provident fund so constituted by the University, the Government may declare that provisions of the Provident Fund Act, 1925</p>

shall apply to such fund as if it were a Government provident fund; *19 of 1934*

Provided that the University shall have power to invest the provident fund amount in such manner as it may determine.

(3) Persons in Government service transferred to or re-employed by the University, shall be governed under such terms and conditions as may be agreed to between the University and the Government.

43. Any dispute arising out of a contract between the University and any officer or teacher or employee of the University shall, on the request of the officer or teacher or employee concerned, be referred to a tribunal of arbitration consisting of one member appointed by the Board, one member nominated by the employee concerned and an umpire appointed by the Chancellor. The decision of the tribunal shall be final and no suit shall lie in any civil court in respect of the matters decided by the tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940 and all the provision of the said Act, with the exception of section 2, thereof shall apply accordingly. *10 of 1940*

Funds and grants

44. (1) **General Fund**—The University shall have a General Fund to which shall be credited—
- (i) income from fees, endowments, grants and from properties of the University including hostels, experimental stations and farms
 - (ii) contribution or grants which shall be made by the Government on such conditions as it may impose;
 - (iii) grants, donations and benefaction: and
 - (iv) other receipts.
- (2) **Foundation Fund**—
- (i) The University shall form called the Foundation Fund from contribution and grants made by the State Government for being credited to that fund and such other sums from the University which may be credited to the said fund;
 - (ii) The money in the Foundation Fund shall be invested in the securities mentioned or referred to in clauses (a) to (d) of section 20 of the Indian Trust Act, 1982; *20 of 1882*
 - (iii) it shall be competent for the University in furtherance of its objectives, to accept grants from any State Government or statutory body and endowments or donations under such

conditions as may be agreed upon between the University and the grantor or donor.

(3) **Management of funds**-- The General Fund, Foundation Fund and other funds of the University shall be managed according to such provisions as may be laid down by the Statutes.

(4) **Government Grants** :-- Subject to availability of Funds, the State Government shall every year make non-lapsable lump sum grants to the University as follows :-

- a) A grant not less than the estimated net expenditure of pay and allowances of the staff, contingencies, supplies and services of the University; and
- b) An annual increase in grant to meet such additional items of expenditure, recurring and non-recurring, as per requirements of the University, on account of new schemes and programmes, revision of pay scales, increments, increase in dearness and other allowances payable to the staff.

*Annual and
audit reports*

- 45 Annual and audit reports:-- (1) The annual report of the university shall be prepared under the directions of the Board, which shall include, among other matters, the steps taken by the university towards the fulfillment of its objectives and shall be submitted to the Senate on or after such date, as may prescribed by the Statutes, and the Senate shall consider the report in its annual meeting.
- (2) The annual accounts and the balance sheet of the university shall be prepared under the direction of the Board and shall, once at least every year and at the intervals of not more than fifteen months, be audited by an agency specifically authorised in this behalf by the State Govt. from time to time.
- (3) The accounts, when audited, shall be printed and the copies thereof, together with the audit report thereon, shall be submitted to the Senate alongwith the observations of the Board.
- (4) A copy of the annual report, as prepared under sub-section (1) and a copy of the annual accounts together with the audit report, as submitted to the Senate under sub section (3) alongwith the observations, if any, made by the Senate thereon shall be submitted to the State Govt., which shall, as soon as may be, cause the same to be laid before the State Legislature.

*Construction of
reference to*

46. Any reference to the existing University in any law, other than this Act, or in any contract or other

- existing university or any document etc.*
- instrument shall be construed as a reference to the corresponding university set up under this Act.
- Inter University disputes* 47. If any dispute arises between the Universities incorporated under this Act such dispute shall be resolved in the first instance by the Vice-Chancellors of the said Universities and in the event of failure of the Vice-Chancellors to arrive at an agreed solution with regard to any such dispute, the matter shall be referred to the Government and its decision thereon shall be final and binding.
- Delegation of powers* 48. The Board of the University may delegate to any officer or authority of the University any of the powers conferred on it by this Act or by the Statutes to be exercised subject to such restrictions and conditions as may be prescribed.
- Constitution of ad hoc committees* 49. Notwithstanding anything contained in this Act and until such time as the authorities mentioned in items (i), (iv), (v) and (vii) of section 10 are duly constituted, the Vice-Chancellor may subject to the prior approval of the Chancellor, appoint committees temporarily to exercise, perform and discharge any of the powers, functions and duties of such authorities under this Act.
- Disputes as to constitution of University authorities and bodies* 50. If any question arises as to whether any person has been duly elected, nominated or appointed 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 :
 Provided that before taking any such decision, the Chancellor shall give the person or persons affected thereby a reasonable opportunity of being heard.
- Transitory provisions* 51. (1) Subject to the provisions contained in sub-section (2), the post-graduate students of the existing Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan, enrolled before its establishment in the discipline of 'field crops' may obtain the degrees etc. from the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya.
 (2) Till such time as the first batch of students of the B.Sc (Horticulture) admitted by the existing Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan enters the final year of that degree

course, the students of the said University enrolled earlier in the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya shall continue to receive certificates, diplomas, degrees, medals and other distinctions from the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya.

Removal of difficulties

52. (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 purposes of this Act as may appear to it be necessary or expedient for removing the difficulty:

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

(2) Every order published under this section shall, as soon as may be after its publication, be laid before the State Legislature.

(3) No order made under sub-section (1) shall be called into question 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.

Statutes

53. Subject to the provisions of this Act, the Statutes of the University may provide for any matter and shall, in particular, provide for the following matters, namely:--

- (a) the constitution, powers and duties of the authorities of the University;
- (b) the selection, nomination, appointment and continuance in office of the members of the authorities of the University and of the officers, teachers and other employees of the University, including the filling up of vacancies and all other matters relating to these authorities and officers, teachers and other employees for which it may be necessary or desirable to provide;
- (c) the constitution of the Selection Committee for making recommendations to the Board for appointments under this Act;
- (d) the designation, the manner of appointment, powers and duties of the officers of the University.
- (e) establishment of division/department of teaching in the colleges;
- (f) procedure of appointment, emoluments and conditions of service of the Vice-Chancellor and his powers;

- (g) the classification and the manner of appointment of teachers;
- (h) the constitution of gratuity or provident fund or both for the benefit of officers, teachers and other employees of the University;
- (i) the institution of degrees and diplomas;
- (j) the conferment of honorary degrees;
- (k) the establishment, amalgamation, sub-division and abolition of departments;
- (l) the establishment and abolition of hostels maintained by the University;
- (m) the institution of fellowships, scholarships, medals and prizes;
- (n) the maintenance of a register of graduates;
- (o) the admission of students to the University and their enrolment and continuance as such;
- (p) the courses of study to be laid down for degrees and diplomas of the University;
- (q) the condition under which students shall be admitted to the degrees, diplomas or other courses and the manner in which the examinations are to be held and the eligibility for the award of degrees and diplomas;
- (r) the conditions of residence of the students of the University and the levy of fees for residence in hostels maintained by the University;
- (s) the recognition and supervision of hostels not maintained by the University;
- (t) the number, qualifications, emoluments and other conditions of service of officers, teachers and other employees of the University and the preparation and maintenance of record of their services and activities;
- (u) the fees which may be charged by the University;
- (v) the remuneration and allowances, including travelling and daily allowances, to be paid to persons employed for the business of the University;
- (w) the conditions for the award of fellowships, scholarships, medals, prizes, stipends and fee concessions;
- (x) mode of execution of contracts or agreements by or on behalf of the University; and

(y) all other matters which by this Act are to be or may be provided for by the Statutes.

Statutes how made

54. (1) The Board may, from time to time, make new or additional Statutes and may amend or repeal the Statutes in the manner hereinafter provided in this section.
- (2) The Academic Council may propose to the Board the draft of a Statute 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 Statute or any amendments of a Statute affecting the status, powers or constitution of any authority of the University 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.
- (3) The Board may consider any such draft as is referred to in sub-section (2) and pass the proposed Statute or reject or return it to the Academic Council for re-consideration, either in whole or in part, together with any amendment which it may suggest.
- (4) Any member of the Board may propose to the Board the draft of any 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.
- (5) In case such a 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, then, shall be deemed to have been rejected by the Board as submit the draft to the Board in such form as the Academic Council may approve, and the provision 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 additions to the Statute or any amendment or appeal of a Statute shall require the approval of the Chancellor who may accord his assent thereto or with-hold his assent or return the same to the Board for consideration.
- (7) A new Statutes or Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Chancellor.
- (8) All Statutes made under this Act shall be published in the Official Gazette.

Regulations

55. (1) Any authority of a University may make Regulations consistent with this Act and the Statute for :--
- a) laying down the procedure to be observed at

its meetings and the number of members required to form a quorum ;

- b) providing for all matters which by this Act or the Statute are to be provided for by the Regulations; and
- c) providing for any other matter(s) solely concerning the authority and not provided for by this Act and the Statutes.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be transacted at the meetings and for keeping of records of the proceedings of the meetings.

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

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

(5) The Board may, in such manner as it may specify, direct the amendment of any Regulation made under this section or the annulment of any Regulation made under sub-section (2).

Repeal and savings

56. (1) On the commencement of this Act, the Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishvavidyalaya Act, 1978 and Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan Act, 1986 shall stand repealed. *30 of 1978*
6 of 1986

(2) Notwithstanding such repeal, anything done or any action taken under the Act repealed under sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act had come into force on the day on which such thing was done or action taken.

SCHEDULE

[See section 2 (k) 3, 4 and 36]

Sr. No.	Name of the University	Headquarters	Subjects
1	2	3	4
1.	The Chaudhary Sarwan Kumar Himachal Pradesh	Palampur	Agriculture

Vishvavidyalaya

2. The Dr. Yashwant Singh Parmar Nauli (Solan) Horticulture
University of Horticulture and and Forestry
Forestry, Solan
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