



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 2nd March, 2017

No.LLE 19/2017/80.- The following Bills introduced before the House **on 2nd March, 2017** together with the Statement of Objects and Reasons are to be published under Rule 71 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly for General information.

THE COTTON UNIVERSITY BILL, 2017

A BILL

to upgrade the Cotton College, Guwahati as a University, to constitute and establish a teaching and research, unitary, residential University at Guwahati by upgrading the existing Cotton College into a University.

Preamble

Whereas it is expedient to upgrade the Cotton College, Guwahati as a University, to constitute and establish a teaching and research, unitary, residential university at Guwahati by upgrading the existing Cotton College into a University.

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

Short title and commencement.

1. (1) This Act may be called the Cotton University Act, 2017.
- (2) 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 there is anything repugnant to the subject or context,-
 - (a) "State Government" means the Government of Assam;
 - (b) "Board of Secondary Education" means the Board of Secondary Education, Assam, established by the State Government;
 - (c) "University" means the Cotton University constituted and established by upgrading the existing Cotton College into a University under this Act;
 - (d) "Executive Council" and "Academic Council" means the Executive Council and the Academic Council constituted under sections 27 and 29 respectively;
 - (e) "Court" means the court constituted under section 24;
 - (f) "Department" means an academic department of the University and designated as such by it with reference to a subject or group of subjects of study in the University;
 - (g) "Faculty" means a Faculty of the University;
 - (h) "Selection Committee" means the Selection Committee constituted under section 34;
 - (i) "Statutes", "Ordinances" and "Regulations" mean the Statutes, Ordinances and Regulations respectively of the University made under this Act;
 - (j) "Campus" means a campus of the Cotton University (CU) in different geographical locations including Pan Bazar;
 - (k) "Constituent College" means a college which is a part of the University and imparting Under Graduate and/or Post Graduate level education as declared by the University;
 - (l) "Hostel" means a unit of residence for the students of the University maintained by the University in accordance with the provisions of this Act;
 - (m) "Principal/Director" means the head of a Constituent College/ Institute;
 - (n) "Professional Institute" means a constituent College imparting instructions in the professional subjects namely Law, Medicine, Engineering, Technology, Agriculture, Veterinary, Teachers training and such other subjects as may be prescribed from time to time as professional subjects under the statutes;
 - (o) "Graduate" means a degree holder having a bonafide certificate of the University;

- (p) "Teachers" means Professors, Associate Professors or Assistant Professors, of the University or a constituent College / Institute, if any;
- (q) "University Professor", "Associate Professor" or "Assistant Professor" means a Professor, an Associate Professor, an Assistant Professor for teaching and research in the university;
- (r) "Hall" means a unit maintained or recognized by the University at which provision is made for imparting tutorial and supplementary instructions, holding meetings, University functions, convocations etc.

Officers of the University.

3. The following shall be the Officers of the University:-

- (i) Chancellor;
- (ii) Vice-Chancellor;
- (iii) Pro-vice-chancellor;
- (iv) Registrar;
- (v) Academic Registrar;
- (vi) Dean, Research and Development;
- (vii) Controller of Examinations;
- (viii) Dean, Student Welfare;
- (ix) Finance Officer; and
- (x) Such other Officers in service of the University as may be declared by the statutes to be the officers of the University.

Legal entity

4. The University shall be a body corporate having perpetual succession and common seal and shall sue and be sued by the said name.

Upgradation of the existing Cotton College to Cotton University.

5. From the date of coming into force of this Act, the existing Cotton College shall be deemed to have been upgraded to Cotton University. All aspects of teaching and research shall be discussed in and decided by the University.

Property to vest the University.

6. From the date of commencement of this Act, the existing property, land and buildings of Cotton College and Cotton College State University shall vest with the Cotton University.

Powers of the University.

7. The University shall have the following powers, namely:-

- (a) to provide for instructions in such branches of learning as the University may think fit, subject to concurrence of Government and to make provision for research and for the advancement and dissemination of knowledge;
- (b) to hold examinations and to grant to, and confer degrees and other academic distinctions on, persons who, :
- (i) have passed a course of study in or prescribed by the University; or
- (ii) are teachers in educational institutions under conditions laid down in the Ordinances and Regulations and have passed the examination of the University under like conditions;
- (c) to run a Higher Secondary section in the University under mentorship scheme of the State Government which will, to some extent, act as a feeder to the undergraduate courses of the University and for all practical purposes, the Higher Secondary section shall be a part of the University;

- (d) to continue the existing syllabi and evaluation of students of the Higher Secondary section under the jurisdiction of the Assam Higher Secondary Education Council as at present until such times as the University deems it fit to review and do the needful;
- (e) to confer honorary degrees or other distinctions;
- (f) to grant such diplomas and to provide such lectures and instructions for, persons not being members of the University, as the university may determine;
- (g) to withdraw or cancel Degrees, Diplomas, Certificates or other distinctions conferred by following the procedures;
- (h) to institute any Professorship, Associate Professorship, Assistant Professorship and any other teaching posts required by the University;
- (i) to appoint and recognise persons as Professors, Associate Professors, Assistant Professors as teachers of the University;
- (j) to adopt colleges and introduce new courses of study;
- (k) to maintain Hostels and Halls;
- (l) to demand and receive payments of such fees as may be fixed as per the Ordinances;
- (m) to receive grants from State and Central Government, University Grants Commission and any Private or Central Government agencies, as per rules;
- (n) to purchase property, to maintain Bank Accounts in the name of the University;
- (o) to institute for the benefit of its members such pension, provident fund as the University may deem fit;
- (p) to enter into contract with any other recognised institution for the purpose of transfer of technology on well defined terms and conditions to raise funds for the University or for technical collaboration;
- (q) to provide for printing, reproduction and publication of research activities;
- (r) to do all other activities whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University.

Chancellor

8.

The Governor of Assam shall be the Chancellor of the University.

Powers and duties
of Chancellor.

9.

- (1) The Chancellor shall have the power to cause an inspection to be made by such person or persons as he may direct, 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.
- (2) The Chancellor shall in every such case, give notice to the Executive Council of his intention to cause an inspection or 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.
- (3) The Chancellor may address the Vice-Chancellor with reference to the result of such inspection and enquiry and the Vice-Chancellor shall communicate to the Executive Council the views of the Chancellor with such advice as the Chancellor may offer upon the action to be taken thereon.
- (4) The Executive Council shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or enquiry.

- (5) 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 Executive Council issue such directions as he may think fit and the Executive Council shall be bound to comply with such directions.
- (6) Expenses that may be incurred in connection with such inspection or enquiry and certified as such by the Chancellor shall be a charge on the University.
- (7) The Chancellor shall have such other powers as may be conferred on him by or under the provisions of this Act.
- (8) The Chancellor as head of the University shall have the power to suspend the activities of the various authorities of the University as and when circumstances so demand and vest all powers and functions of these authorities in his own hand or 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.

University to be
Open to all.

10.

The University shall be open to all irrespective of gender, race, religion, caste or creed 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 him to be admitted thereto as a teacher or as a student or to hold any office therein, or to graduate or to enjoy or exercise any particular benefaction accepted by the University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction.

Jurisdiction

11.

The jurisdiction of the Cotton University shall extend throughout the State of Assam.

Vice-Chancellor

12.

- (1) The Vice-Chancellor shall be appointed by the Chancellor on the recommendation of an Advisory Board constituted by the Chancellor for the purpose and consisting of three members of whom one member shall be elected by the Executive Council, one member shall be nominated by the State Government and one member shall be nominated by the Chancellor. The Chancellor shall appoint one of them as Chairman of the Advisory Board.
- (2) The Advisory Board shall recommend a panel of names of three persons to the Chancellor who may appoint one of the persons recommended to be Vice-Chancellor. If the Chancellor does not approve any of the person recommended by the Advisory Board, he may call for a fresh recommendation.
- (3) The Vice-Chancellor shall be a whole time officer of the University who shall hold office for a period of five years and shall be eligible for re-appointment.
- (4) The Vice-Chancellor shall retire on the date he attains the age of 70 years subject to the provision of subsection (3).
- (5) Whenever there is any temporary vacancy in the Office of the Vice-Chancellor by reasons for leave, illness or other causes, the Chancellor shall make such other arrangements as he may think fit for exercising the powers and performing the duties of the Vice-Chancellor during the absence.
- (6) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be determined by the Chancellor, provided that the salary of the Vice-Chancellor shall not be less than Rs. 75000/- per month, as revised from time to time and all other allowances as are admissible under relevant rules.

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| Powers and duties
Of vice-Chancellor. | 13. | (1) | The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall, in the absence of the Chancellor, preside at meetings of the Court and any convocation of the University. He shall be an ex-officio member and Chairman of the Executive Council, the Standing Finance Committee, the Construction Committee, and of the Academic Council and shall be entitled to be present and to speak at any meeting of any authority or other body of the University. When present, he shall preside over all such meetings. |
| | | (2) | It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes, the Ordinances and the Regulations are faithfully observed. |
| | | (3) | The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council, the Academic Council, the Finance Committee, and the Construction Committee. |
| | | (4) | In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, the Vice-Chancellor shall take such action as he deems necessary, and shall at the earliest opportunity thereafter report his action to the officer, authority or other body who or which in the ordinary course, would have dealt with the matter. |
| | | (5) | When any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Executive Council through the officer, authority or other body of the University within thirty days from the date on which such action is communicated to him. |
| | | (6) | The Vice-Chancellor shall give effect to any order of the Executive Council regarding the appointment, dismissal or suspension of an officer or a teacher of the University or regarding the recognition or withdrawal of the recognition of any such teacher and shall exercise general control in the University. He shall be responsible for maintenance of the discipline of the University. |
| | | (7) | The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances. |
| Pro-Vice
Chancellor. | 14. | (1) | There may be one Pro-Vice Chancellor, who shall be appointed by the Vice Chancellor, under intimation to the Chancellor, from amongst the Professors of the University or any other Higher Education Institution (HEI) for a period of three years. |
| | | (2) | The appointment is co-terminus with the term of the Vice Chancellor. |
| | | (3) | The Pro-Vice Chancellor shall take up the responsibilities assigned to him by the Vice Chancellor. |
| | | (4) | The Pro-Vice Chancellor shall be a member of all the statutory bodies. |
| Additional Allowance
to Pro-Vice Chancellor. | 15. | | The Pro-Vice Chancellor shall be entitled to an additional allowance of Rupees Five Thousand (Rs. 5,000/-) only per month during the tenure. |
| Registrar | 16. | (1) | The Registrar shall be a whole time salaried officer of the University and shall be appointed by the Executive Council on such terms, conditions and remunerations as may be prescribed. |
| | | (2) | The term of the Registrar shall be for five years but he may be eligible for re-appointment. |

- (3) The Registrar shall be the Ex-officio Secretary, of the Court, Executive Council and of the Construction Committee, provided that, notwithstanding anything contained in this Act, the Executive Council may, either for special purpose or in general, appoint any other officer of the University as Secretary. All communications in general shall be addressed to and on behalf of the University and shall be received by the Registrar.

Powers and duties of
The Registrar.

17.

The powers and duties of the Registrar shall be the following:

- (i) to be the custodian of the records, common seal and such other property of the University as the Executive Council shall commit to his charge and to manage such properties;
- (ii) to sign and verify all appointments, contracts and agreements made on behalf of the University and to act as Secretary of such other Committees as may be prescribed by the Statutes;
- (iii) to conduct the official correspondence of the Court and the Executive Council;
- (iv) to issue all notices convening meetings of all such Committees or Councils or Boards of which he is the Secretary;
- (v) to arrange for and superintend the examination of the University till such time when the University appoints other officers, if any, for this purpose; and
- (vi) to perform such other work as may, from time to time, be prescribed by the Executive Council;
- (vii) to represent the University in any Court of Law and to sue any party for any liability to the University and for breach of any contract entered into with the University.

Academic
Registrar.

18.

The Academic Registrar shall be appointed by the Registrar on recommendation of the Executive Council. He shall be the Secretary of the Academic Council and shall be responsible for preparation of curriculum, syllabus and text books for different courses of the University. The term of the Academic Registrar shall be for five years but may be reappointed if found eligible. The Academic Registrar shall support the Vice Chancellor and the Registrar on all academic matters.

Dean, Research and
Development.

19.

The Executive Council shall appoint the Dean, Research and Development from amongst the Professors of the University.

Dean, Students
Welfare.

20.

The Executive Council shall appoint the Dean, Students' Welfare from amongst the Professors of the University.

The Finance Officer.

21.

- (1) The Finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Executive Council for a period of five years on such terms, conditions and remuneration as may be prescribed. He may be eligible for re-appointment.
- (2) The Finance Officer shall exercise general supervision over the funds of the University and advice in regard to its financial policy. He shall be responsible for the preparation of balance sheet at the end of each financial year.
- (3) Subject to the control of the Executive Council, he shall manage the investments of the University and be responsible for the preparation and presentation of the annual estimates and statements of accounts, and for proper maintenance of the accounts.

- (4) Subject to the powers of the Executive Council, the Finance Officer shall be responsible for ensuring that all moneys are expended for the purposes for which they are generated.
- (5) The Finance Officer shall exercise such other powers as may be prescribed by the Statutes and the Ordinances;
- (6) The officer shall be responsible for audit of accounts of the University at least once every year and at intervals of not more than fifteen months. Audit shall be done by the Examiner, Local Accounts:

Provided that the Chancellor may, on the recommendation of the Executive Council in the case of casual vacancy, may ask the Registrar to perform the duties of Finance Officer.

Controller of Examination .

22.

- (1) It shall be the duty of the Controller of Examination to hold various examinations of the University, its constituent Colleges, if any.
- (2) The Controller of Examinations shall be the authority to hold examinations and shall ensure that the results are declared in time.

Authorities of the University .

23.

The following shall be the authorities of the University:

- (i) The Court;
- (ii) The Executive Council;
- (iii) The Academic Council;
- (iv) The Post Graduate Board;
- (v) The Under Graduate Board;
- (vi) The Board of Studies;
- (vii) The Finance Committee;
- (viii) The Selection Committees;
- (ix) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Court

24.

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

EX-OFFICIO MEMBERS:

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Pro Vice-Chancellor;
- (iv) The Minister of Education, Assam;
- (v) The Registrar;
- (vi) Academic Registrar;
- (vii) The Controller of Examinations;
- (viii) The Finance Officer;
- (ix) Dean, Research and Development;
- (x) Dean Students' Welfare;
- (xi) The senior-most Secretary in the Education (Higher) Department of the Government of Assam;
- (xii) The Director of Higher Education, Assam;
- (xiii) The Director of Technical Education, Assam;
- (xiv) The Director of Medical Education, Assam;
- (xv) The Director of Agriculture, Assam;
- (xvi) The Director of Animal Husbandry and Veterinary, Assam;
- (xvii) The Vice-Chancellors of the Dibrugarh University;
- (xviii) President and Secretary, Cotton University Teachers' Association;
- (xix) Two members nominated by the Executive Council;
- (xx) The Principal of the Constituent Colleges, if any;
- (xxi) Two Heads of the Academic Departments of Cotton University (to be selected on the basis of seniority).

OTHER MEMBERS:

- (xxii) Two persons distinguished in Literature/ Law/ Medicine/ Science/ Engineering/ Technology/ Commerce/ Public life nominated by the Chancellor;
- (xxiii) Two representatives with good records to be elected by the Post-Graduate Students of the University from amongst themselves:

Provided that a student to be so elected must have been a student of the University for at least one year prior to his election:

Provided further that no student who has taken more than one year in excess of the period prescribed for the course of which he is a student would be eligible for such election.

- (xxiv) Two members (one female) of the Cotton College / Cotton University Alumni (to be nominated by the Chancellor).

- (2) Save as otherwise provided and except that ex-officio members and student members all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:

Provided, that no person nominated or elected in his capacity as a member of a particular body or as holder of a particular appointment shall be a member after he ceases to be a member of that body or holder of that appointment, as the case may be:

Provided further that any member elected or nominated under clause (xxiii) shall hold office for a period of one year only from the date of his election or nomination, as the case may be. He shall cease to be member of the Court on his ceasing to be a student of the University.

- (3) When a person ceases to be a member of the Court, he shall cease to be a member of any of the authorities or committees of the University of which he may happen to be a member by virtue of the membership of the Court.
- (4) With the approval of the Court, the Vice-Chancellor may remove an elected or selected member.

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| Meeting of the Court. | 25. | The Court shall meet at least twice a year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be held in January and shall be called the Annual General Meeting. The Court may also meet at such times as it may, from time to time, determine. |
| Powers and duties of the Court. | 26. | <p>Subject to the provisions of this Act, the Court shall have the following powers and duties, namely:-</p> <ul style="list-style-type: none"> (i) to review, from time to time, the broad policies and programmes, of the University and suggest measures for the improvements and development of such policies, programmes, works and other affairs; (ii) to consider the annual report, the annual accounts, the audit report and the statement of the financial estimates, for the ensuing year, to approve the financial estimates, with such comments, if any, to express its views on the annual report and to suggest such measures as it may deem proper on the matters covered by them; (iii) to approve, with or without modifications, the Statutes submitted by the Executive Council: |

Provided that before making any modification to the Statutes submitted by the Executive Council, the Executive Council shall be given an opportunity to consider the modifications proposed by the Court and the Court shall consider the opinion expressed by the Executive Council on such modifications.

- (iv) to consider the annual balance sheet prepared at the end of each financial year but not later than six months from the end of such financial year alongwith the Receipts and Payment Account and Income and Expenditure Account, which all should be in conformity with the existing accounting practices as notified from time to time by various oversight committees and the Government of India. These should be held up for review by the Finance committee before it is placed for scrutiny by the Executive Council and then for approval by the Court. Such audit report along with the audited financial statements shall form part of the annual report of the University and shall be placed in public domain for dissemination of information.

Executive
Council.

27.

(1)

The Executive Council shall be the Executive body of the University. It shall consist of the following members, namely:-

EX-OFFICIO MEMBERS:

- (i) The Vice-Chancellor;
- (ii) The Pro Vice-Chancellor;
- (iii) The Registrar;
- (iv) Academic Registrar;
- (v) Two Members of Assam Legislative Assembly;
- (vi) The Director of Higher Education, Assam;
- (vii) The Director of Technical Education, Assam;
- (viii) The Director of Medical Education, Assam;
- (ix) The Chairman, Board of Secondary Education, Assam;
- (x) Chairman, Higher Secondary Education Council, Assam;
- (xi) The Principal of Constituent Colleges, if any;
- (xii) President and Secretary, Cotton University Teachers' Association.

OTHER MEMBERS:

- (xiii) Two Heads of Departments of the University who are professors, to be chosen by the Vice-Chancellor by rotation according to seniority for a period of three years;
- (xiv) One Dean of Faculty to be chosen by the Vice-Chancellor from the Deans of Faculties of the University for a period of three years, by rotation according to seniority;
- (xv) Two members to be elected by the Court from amongst its members at its Annual General Meeting other than employees and students of the University;
- (xvi) Two teachers other than a Dean of Faculty of the University to be elected by the Academic Council from amongst such teachers who are its members;
- (xvii) Two persons of whom one shall be women to be nominated by the Chancellor, and
- (xviii) Two persons to be nominated by the State Government;
- (xix) Two members (one female) from Cotton College Alumni (to be nominated by the Vice Chancellor).

- (2) Save as otherwise provided and except the ex-officio members, all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be:

Provided that no person nominated or elected in his capacity as member of a particular body or as a holder of a particular appointment shall be member after he ceases to be member of that body or holder of that appointment, as the case may be.

- (3) When a person ceases to be member of the Executive Council, he shall cease to be member of any of the authorities of the university of which he may happen to be a member by virtue of his membership of the Executive Council.

Powers of
Executive Council.

28. (1) The Executive Council shall hold, control and administer the property and funds of the University and shall appoint a Finance Committee to advise it on matters of finance consisting of six members of whom the Vice-Chancellor shall be the Chairman, the Finance Officer shall be the Secretary and the other four members shall be appointed as follows:-
- (i) Two members to be elected by the Executive Council from among its members and
 - (ii) Two members to be nominated by the State Government one from the Finance Department and the other from the Education Department of the State Government.
- (2) It shall do all acts appertaining or incidental to the construction of buildings, roads, tanks, pipelines and other structures of the University and for the purpose shall appoint a Construction Committee consisting of seven members of whom the Vice-Chancellor shall be the Chairman, the Registrar shall be the Secretary, the Finance Officer, a member and the remaining four members shall be appointed from among the members of the Executive Council with power to co-opt experts as members who shall have no power to vote:
- Provided that at least one member of the Committee shall be appointed from amongst the members elected to the Executive Council by the Court.
- (3) It shall determine the form and regulate, the use of the Common Seal of the University.
- (4) It shall lay before the State Government annually a full statement of the financial requirements of the University.
- (5) It shall administer funds placed at the disposal of the University for any specific purpose including those given for the purpose of buildings, roads, tanks, pipelines and other structures of the University.
- (6) Subject to the provisions of this Act and the Statutes, it shall appoint the officers (other than the Chancellor and the Vice-Chancellor), teachers, office and technical staff and other employees of the University and define their duties and conditions of service and shall provide for the filling up of temporary vacancies.
- (7) It shall have power to accept, on behalf of the University, bequest, endowments, donations or transfer of any movable or immovable property.
- (8) It shall arrange for holding of conducting and publishing the results of the University examinations.

- (9) It shall, subject to the powers conferred by this Act on the Vice-Chancellor, regulate and determine all matters under this Act concerning the University in accordance with this Act, the Statutes and the Ordinances:

Provided that no action shall be taken by the Executive Council in respect to the numbers, qualifications or emoluments of teachers otherwise than in consultation with the Academic Council; and

- (10) It shall exercise all other powers of the University of which no specific provisions have been made in this Act or in the Statutes.

The Academic Council.

29.

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

(a) **EX-OFFICIO MEMBERS:**

- (I) The Vice-Chancellor;
- (II) Pro Vice-Chancellor;
- (III) Registrar;
- (IV) Academic Registrar;
- (V) The Director of Higher Education;
- (VI) The Director of Technical Education, Assam;
- (VII) The Director of Medical Education, Assam;
- (VIII) The Deans of Faculties;
- (IX) The Professors of the University;
- (X) The University Associate Professors who are Heads of Department of Teaching;
- (XI) The Librarian of the University;
- (XII) President and Secretary of University Teachers' Association;
- (XIII) The Principal of Constituent College, if any.

(b) **OTHER MEMBERS:**

- (XIV) Persons not exceeding three, other than teachers of the University, appointed by the Chancellor being persons who by reasons of their possessing expert knowledge in subjects named for the purpose by the ex-officio members of the Academic Council are in the opinion of the Chancellor fitted to serve in the Council;
- (XV) Two persons to be elected by the Court, who are not employees or students of the University; and
- (XVI) Two members (one female) of the Cotton College/ Cotton University Alumni (to be nominated by the Vice Chancellor).

- (2) Save as otherwise provided and except the ex-officio members, all other members shall hold office for a period of three years from the date of their election or nomination, as the case may be.

- (3) When a person ceases to be a member of the Academic Council he shall cease to be a member of any of the authorities of university of which he may happen to be a member by virtue of his membership of the Academic Council.

Powers of the Academic Council.

30.

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

- (i) to make proposals to the Executive Council for the institution of Professorship, Associate Professorship, Assistant Professorship or other teaching posts, and in regard to the duties and emoluments thereof;
- (ii) to submit to the Executive Council draft Regulations, regarding methods and manner of conducting examinations including setting up of Moderation Boards and to award in accordance with such Regulations, Fellowships, Scholarships, Medals and other rewards;

- (iii) to recommend examiners for appointments to be made by the Vice-Chancellor after report from the Faculties concerned;
- (iv) to control the University Library, to frame Regulations regarding its use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the Library;
- (v) to assign subjects to the faculties;
- (vi) to assign teachers to the faculties;
- (vii) to promote research within the University including the establishment of a Research Council and to require reports on such research from the persons employed thereon;
- (viii) to organise teaching in the University and to control the work of teachers; and
- (ix) Such other powers and duties as may be assigned to it under the Statutes.

Faculties

31. (1) The University shall include Faculty of Arts, Science, Law, Medicine, Technology, Agriculture, Engineering, Commerce, Management Science, Mass Communication, Environmental Science and Indian Fine Arts and such other Faculties as may be prescribed by the Statutes.
- (2) Each Faculty shall, subject to the control of the Academic Council, have charge of teaching, the courses of study and the research work including delivery of consultancy services in such subjects as may be assigned to such Faculty by the Ordinances.
- (3) Each Faculty shall consist of;
- (i) the Dean of the faculty;
 - (ii) the Heads of the Departments comprised in the Faculty;
 - (iii) such teacher of subjects assigned to the Faculty as may be appointed to the faculty by the Academic Council;
 - (iv) such teachers of subjects not assigned to the Faculty but having, in the opinion of the Academic Council, an important bearing on those subjects, as may be appointed to the Faculty by the Academic Council :
- Provided that a teacher so elected shall hold office for a period of two years from the date of his election;
- (v) such other persons as may be appointed to the Faculty by the Academic Council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty.

Powers of Faculty

32. Subject to the provisions of this Act, each Faculty shall have the following powers, namely:-
- (a) to constitute the Committees of Courses and Studies in Departments assigned to it;
 - (b) to recommend to the Academic Council the courses of studies for the different examinations, after consulting the Committees of Course and Studies;
 - (c) to recommend to the Academic Council, after consulting the Committees of Courses and Studies, the names of the examiners in subjects assigned to the Faculty;
 - (d) to recommend to the Academic Council the conditions for the award of Degrees, Diplomas and other distinctions;

- (e) (subject to the control of the Academic Council) to encourage research in subjects assigned to the Faculty; and
- (f) to deal with any other matters referred to by the Academic Council.
- Dean of faculty 33. (1) There shall be a Dean of each Faculty who shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the faculty. He shall be the Executive Office of the Faculty and shall preside at its meeting.
- (2) Each Faculty shall comprise such Departments of teaching as may be prescribed by the Ordinances. The Head of every such Department shall be Professor of the Department or, if there is no Professor, the Associate Professor. If there is more than one Professor, or more than one Associate Professor of a Department, the Vice-Chancellor shall appoint as the Head of the Department such one of the Professors or, if there is no Professor, such one of the Associate Professors as he thinks fit. The Head of the Department shall be responsible to the Dean for the organisation of the teaching in the Department and smooth running of the Department.
- (3) The Dean of a Faculty be elected by the Faculty from among the Heads of the Departments of the Faculty and shall hold office for a period of three years or be nominated by the Vice-Chancellor from among the Professors of the Faculty.
- Selection Committee. 34. (1) There shall be a Selection Committee for making recommendations to the Executive Council for appointment of Professors, Associate Professors, Assistant Professors, Registrar, Finance Officer, Controller of Examinations, Librarian, Deputy Registrars, Deputy Controller of Examinations and other officers of the University as may be provided for by the Statutes consisting of the following members:-
- (i) the Vice-Chancellor as Chairman of the Selection Committee;
- (ii) three persons not holding any office of profit under the University of whom one to be nominated by the Chancellor, one to be nominated by the Executive Council and other to be nominated by the Academic Council;
- (iii) the Registrar shall be the Member-Secretary of the Selection Committee except for the Selection Committee of the appointment of Registrar in which case the Vice-Chancellor shall nominate one person as Member-Secretary in consultation with the executive Council.
- (2) In making recommendations for the appointment of Professors of the University, the Selection Committee shall have the Head of the Department concerned, if he is a Professor, one Professor of the Department to be nominated by the Vice-Chancellor and two persons not in the services of the University to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council, who have special knowledge of the subject for which the Professor is to be selected.
- (3) In making recommendations for the appointment of Associate Professors or Assistant Professors and other teachers of the University, the Selection Committee shall have the Head of the Department concerned, one Professor of the Department to be nominated by the Vice-Chancellor and two persons to be nominated by the Executive Council out of a panel of not less than five names of persons recommended by the Academic Council being persons not connected with the University, who have special knowledge of or interest in the subject for which the teacher is to be selected:

Provided that where the Executive Council proposes to make an appointment otherwise than in order of merit arranged by the Selection Committee the post of Professors, Associate Professors and Assistant Professors, it shall record its reasons in writing and submit them to the Chancellor who may approve the proposal or return it to the Executive Council for reconsideration. After reconsideration, if the Executive Council desires to pursue its original proposal, it shall refer the matter again to the Chancellor for his decision which shall be final:

Provided further that, where a Selection Committee recommends to the Executive Council the name of one person only and that person is not acceptable to the Executive Council, the Executive Council shall record its reasons in writing for not accepting the recommendation and direct the Registrar to advertise the vacancy again and convene a meeting of the Selection Committee for making fresh recommendation, and in so doing communicate to every member of the Selection Committee the reasons recorded as above.

- (4) Where an appointment is to be made to a temporary vacancy of teacher of the University, the appointment shall be made, if vacancy is for a period of one year or more, on the recommendation of the Selection Committee in accordance with the provisions of the preceding sub-sections and no ad-hoc appointment shall be made by the Executive Council.
- (5) If a member of the Selection Committee is unable to attend, he may send his opinion in writing to the Vice-Chancellor and such opinion shall be taken into consideration by the Committee in making its recommendations.
- (6) If the Executive Council does not accept any of the recommendations of the Selection Committee it shall refer the matter to the Chancellor, stating clearly the reasons for not agreeing with the Selection Committee, and the decision given by the Chancellor thereon shall be final.
- (7) The Executive Council shall constitute one or more Committees for making recommendations to the Executive Council for appointment to other administrative posts and may prescribe by Ordinance the procedure and methods to be followed in making such recommendations.
35. (1) There shall be a Students' Advisory Council which shall consist of the following members, namely:-
- (i) The Dean Students' Welfare as the Chairman;
 - (ii) the Director/Deputy Director of Students' Welfare as Ex-officio Treasurer;
 - (iii) President and Secretary of the University Teachers' Association;
 - (iv) President, Vice-President and Secretary of the University Students' Union;
 - (v) Principals of the Constituent Colleges, if any;
 - (vi) one student from each teaching faculty of the University to be elected as prescribed by the Statutes;
 - (vii) five students, one from each of the five activities mentioned below who have shown outstanding performances in the following activities, to be nominated by the Vice-Chancellor, namely:
 - (a) Sports;
 - (b) National Service Schemes;
 - (c) National Cadet Corps;
 - (d) Cultural activities
 - (e) Specially abled;
 - (viii) four female students to be nominated by the Vice-Chancellor;

- (ix) the Director of Sports and Physical Education, if any;
- (x) the members of the Students' Advisory Council shall elect from amongst themselves the Secretary of the Council;
- (xi) two members (one female) from Cotton College/ Cotton University Alumni (to be nominated by the Vice Chancellor)

- (2) The term of the members of the Students' Advisory Council other than ex-officio members shall be one year.
- (3) The quorum to constitute a meeting of Students' Advisory Council, the rules of procedures and conduct of business to be followed at a meeting, the period within which a meeting shall be called and such other matter shall be prescribed by the Statutes:

Provided that no student shall be eligible to be or continue to be a member of the Students' Advisory Council unless he is enrolled as a student or after he attains the age of twenty five years. A student member shall cease to be such member if he fails to pass at the next University Examination.

Functions of
Students' Advisory
Council.

36.

The functions of the Students' Advisory Council shall be as follows:-

- (i) to make recommendations to the Executive Council and the Academic Council in the matters affecting the students corporate life of the University in so far as it concerns the students and the co-curricular activities;
- (ii) all rules affecting discipline, welfare, sports, library, Management of Hostels, Students Home, extension work, social work, students' health, N.C.C, National Service Scheme etc. shall be placed before the Students' Advisory Council for its views before any decision is taken by the Executive Council;
- (iii) the Vice-Chancellor or any authority of the University may ask for the views of the Students' Advisory Council on any matter concerning the welfare of students;
- (iv) the Chairman of the Students' Advisory Council shall be the Authority to decide whether a matter does or does not concern the students;
- (v) the Students' Advisory Council shall frame its own rules of business and shall submit the same to the Executive Council for consideration and approval;
- (vi) the end of the bifurcation between Cotton College and Cotton University and the creation of a single entity shall mean that the Cotton University shall have the common logo (Cotton College logo), the common flag (Cotton College flag), the common Foundation Day (May 27), the common holiday list, common Teachers' Association and common Students Union and one Prospectus.

Finance
Committee.

37.

There shall be a Finance Committee of the University consisting of the following members, namely:-

- (i) the Vice-Chancellor as Chairman;
- (ii) two members elected from the Court from amongst its members;
- (iii) two members elected by the Executive Council from its members;
- (iv) two members to be nominated by the State Government, one from the Finance Department and the other from the Education Department;
- (v) Finance (and Accounts) Officer;
- (vi) Registrar (Administration).

- | | | |
|------------------------------|-----|---|
| Powers of Finance Committee. | 38. | <p>The powers of the Finance Committee shall be as follows:-</p> <ol style="list-style-type: none"> (a) to examine the annual budget estimates and to give advice and suggestion to the Executive Council thereon; (b) to make recommendations to the Executive Council relating to the Finance of the University; (c) to examine every proposal for new expenditures involving sum of money exceeding rupees one lakh and to advice the Executive Council thereon; (d) to review the financial position of the University periodically; (e) to suggest in general the means for the improvement of the financial position of the University; (f) to consider and recommend revision of grades of pay and grades of pay of new posts to the Executive Council; (g) to deal with such other matters relating to the financial matters of the University as may be prescribed by the Statutes and Ordinances. |
| University Fund | 39. | <ol style="list-style-type: none"> (1) The University shall have a Fund to be known as 'Cotton University Fund' to which shall be credited all its income, fees, fines, contributions, donations, loans and advances from any other sources. (2) The University may also create by Ordinance made in this behalf one or more separate special funds for the administration of endowments, trusts or other grants for specific purposes. (3) The State Government shall for the purpose of this Act, contribute annually to the University Fund so as to enable the University run smoothly and efficiently. |
| Accounts and Audit. | 40. | <ol style="list-style-type: none"> (1) The Statement of Accounts of every completed financial year shall be placed for consideration of the Court together with the Audit Report in the next year. For this purpose the accounts shall be audited by a firm of Chartered Accountants subject to overall Audit Scrutiny by the Accountant General, Assam. (2) Such Annual Statement of Accounts shall, together with copies of the audit report, be submitted, through the Executive Council, to the Court and to the State Government and thereupon, the State Government may publish the same in the Official Gazette. (3) The Finance Committee of the University shall conduct half-yearly internal audit and the report of such audit shall be submitted to the State Government regularly. (4) Notwithstanding anything contained hereunder, the State Government shall have power when deemed necessary to order an audit of the accounts of the University. (5) The annual budget estimates, shall after these are finalized by the Executive Council be circulated to the Chancellor, State Government and all members of the Court at least fifteen days before they are submitted to the State Government. (6) The University shall obtain prior approval from the Finance (Budget) Department of the State Government for opening any account in a Nationalised Bank or any other Bank. The operation of such Account by the University shall be as per approvals accorded from time to time by the said Department. |

- Statutes 41. Subject to the provisions of this Act, the Statutes may provide for all/any of the following matters, namely:
- (i) the conferment of honorary Degrees;
 - (ii) the Institution of Fellowships, Scholarship, Exhibition and prizes;
 - (iii) the terms of office, the method of appointment and the conditions of service of the officers of the University;
 - (iv) the designation and the powers of the officers of the University;
 - (v) the constitution, powers and duties of the authorities of the University ;
 - (vi) the establishment of constituent Colleges and Hostels and their maintenance;
 - (vii) the constitution of Pensions, Insurance and Provident Funds for the benefit of the officers, teachers, clerical and other staff;
 - (viii) the maintenance of a register of registered graduates; and
 - (ix) all matters, which by this Act, are to be or may be prescribed by the Statutes.
- Framing of Statutes. 42. (1) Subject to the provisions of this Act and with the approval of the Court, the Executive Council may make Statutes for the purpose of carrying out the provisions of this Act, and in respect of all matters which are required to be or may be provided for by the Statutes.
- (2) The draft Statutes or draft amendments may be approved or amended or rejected by the Court in the manner hereinafter provided that no draft Statutes or draft amendments to Statutes with financial implication shall be amended without further reference to the Executive Council.
- (a) every draft of Statute proposed by the Executive Council shall be submitted to the Court for consideration. Such draft shall be considered by the Court at its next meeting. The Court may pass the Statute or may amend it or may return the Statute to the Executive Council for re-consideration;
 - (b) 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;
 - (c) 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;
 - (d) a Statute passed by the Court shall have no validity until it has been assented to by the Chancellor;
 - (e) any member of the Court may propose to the executive Council the draft of any Statutes; and the Executive Council shall submit such proposed draft to the Court with its comments.
- Ordinances 43. Subject to the provisions of this Act, and the Statutes, the Executive Council may frame Ordinances to provide for all or any of the following matters, namely:
- (i) the admission of students to the University and their enrolment as such;
 - (ii) the courses of study to be laid down for all degrees and diplomas of the University;
 - (iii) the conditions under which the students shall be admitted to the degree and diploma courses and the examinations of the University and shall be eligible for the Degrees and Diplomas;

- (iv) the conditions of residence of the students of the University;
- (v) recognition of the Hostels;
- (vi) the qualifying attendance required in the various courses;
- (vii) the extension of University teaching in any suitable centre within the State by means of University extension lectures or others;
- (viii) the emoluments and conditions of service of teachers of the University;
- (ix) the fees to be charged for study in the University and for admission to the examinations, degrees and diplomas of the University;
- (x) the formation of Departments of teaching in the Faculties;
- (xi) the constitution, powers and duties of the Boards of the University;
- (xii) the conduct of examinations; and
- (xiii) all matters which by this Act or the Statutes are to be or may be provided by the Ordinances.

- Regulations 44. (1) Subjects to the provisions of this Act, Statutes and Ordinances, each of the Authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances, for the purpose of carrying out the duties and for exercising the powers assigned to the Authority concerned under this Act, the Statutes and the Ordinances.
- (2) Without prejudice to the generality of the preceding sub-section such Regulations may provide for all or any of the following matters, namely:
- (i) number of members required to form a quorum;
 - (ii) all matters which are required to be prescribed by the regulations under this Act, Statutes or the Ordinances;
 - (iii) all matters solely concerning the authorities and not otherwise provided for by or under this Act, Statutes or Ordinances.
- (3) Notwithstanding anything contained in preceding sub-sections, the Executive Council may direct, except the Court, to make such amendments and annulments of any regulations framed by the authority in such manner as it may specify;
- Provided that any Authority which is dissatisfied with such directions of the Executive Council may appeal to the Chancellor and the decisions of the Chancellor given in the appeal shall be final.
- Acts or proceedings not to be invalid by reasons of certain irregularities. 45. No act or proceedings of the University or of any authority or Committee of the University shall be invalid merely by reasons of the existence of any vacancy or vacancies among its members or by reason of the invalidity of the election, nomination, appointment of any of its members or by reason of any irregularity in the manner of choosing a member.
- Chancellor's decision to be final in certain matters. 46. Whenever any question arises as to whether any person has been duly elected, appointed, chosen or nominated as, or is entitled to be a member of any Authority or Body of the University or whether any decision of any of the Authorities or of the Vice-chancellor of the University is in conformity with this Act, the Statutes and the Ordinances, the question shall be referred to the Chancellor whose decision shall be final.
- Period of membership of the Authorities. 47. (1) All ex-officio members of all authorities of the University shall hold office so long as they hold membership, offices or posts by virtue of which they become members of such Authorities.
- (2) Save as otherwise provided in this Act, all other members of the Authorities of the University shall hold office for a period of five

years or till the expiry of the term of membership, whichever is earlier from the date of election, nomination, appointment or choosing of the members concerned.

Delegation

48.

Subject to the provisions of this Act, the Vice-Chancellor, and with the previous approval of the Vice-Chancellor, the Registrar, may delegate any of his powers or duties conferred upon, imposed by or under this Act to an Officer under his direct administrative control.

Transitory Provisions.

49.

- (1) The Chancellor shall, within three months from the date of the commencement of this Act, appoint, on such terms and conditions as he thinks fit, a person to be the Vice-Chancellor. For this purpose he/she may constitute an Advisory Board as described in section 12(1). A Joint Secretary in the Education (Higher) Department shall be the Secretary to the search Committee so constituted.
- (2) A Joint Secretary, Department of Higher Education, Government of Assam, nominated by Government shall act as the first Registrar of the University until a regular Registrar is appointed.
- (3) The existing bank balances, bank accounts of the Cotton College and Cotton College State University shall be the property of the Cotton University.
- (4) The first Vice-Chancellor shall, within a period of three months from the date of his appointment or within such longer period, not exceeding six months from the date of his appointment as the Vice Chancellor, may by notification, direct and with the assistance of a Committee consisting of not more than six member nominated by the Chancellor, cause the first Statutes, the first Ordinances and the first Regulation so framed to come into force with effect from the date of such publication as if they were framed or made under the provisions of the Act relating to them.
- (5) The first Vice-Chancellor shall within three months or within such a longer period not exceeding six months as the State Government may, by notification direct, from the date of coming into force of the first Statutes, the first Ordinance and the first Regulation, cause arrangements to be made for constituting the first Court, the first Executive Council, the first Post-Graduate Board in accordance with the first Regulations.
- (6) The State Government shall, by notification in the Official Gazette, appoint a date, and on and from such date the Authorities of the University constituted under Section 23 shall commence to exercise the powers and duties conferred upon them by or under this Act, the first Statutes, and the first Regulations.
- (7) The first Statutes, the first Ordinances and the first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act.
- (8) The first Vice-Chancellor may, subject to the sanction of the Chancellor appoint such administrative, ministerial and other staff as he deems necessary for giving effect to the provisions of this section.
- (9) Notwithstanding that all the officers and members of the Authorities, constituting the University have not been appointed, nominated, chosen or elected, as the case may be, the University shall be deemed to have come into existence on and from the date on which this Act comes into force.

- (10) The present Principal of Cotton College shall hold an administrative / academic post deemed appropriate to the rank, qualification and status of the incumbent.
- First appointment of Teachers and Authorities . 50. Notwithstanding anything contained in this Act, the first Registrar shall be appointed by the Chancellor, on such terms and conditions as he may deem fit. A Joint Secretary, Education (Higher), Government of Assam shall be the first Registrar until a regular Registrar is appointed by the Chancellor.
- Appointment of Teachers . 51. (1) The teachers of the University may be appointed by the Executive Council after considering the recommendations of a Selection Committee consisting of the Vice-Chancellor and such other person or persons as per rules and regulations of the University.
- (2) The seniority of the teachers in the integrated degree and post-graduate course shall be maintained as per norms.
- (3) The headship in the department shall rotate every three years among those who are eligible for it.
- (4) The University shall not create any post without the approval of the State Government.
- Existing Teachers and Staff . 52 (1) All posts of Cotton College and Cotton College State University including the vacant posts are transferred immediately to the Cotton University with effect from the date of commencement of this Act.
- (2) The existing teachers and staff of the Cotton College and Cotton College State University shall constitute a special cadre with respect to their service conditions at the time of their appointments.
- (3) All pension matters of the present and past teachers and staff of Cotton College (now upgraded to Cotton University) shall be handled by the Directorate of Higher Education.
- State Government's power of supervision . 53. (1) If, at any time, the State Government is of the opinion that special reasons exist that in any respect the affairs of the University are not managed in furtherance of the objects for which any grant or donation is specifically made by the State Government, Public bodies or individuals, University Funds are misappropriated or misapplied, the State Government may indicate to the Executive Council such matter in regard to which the State Government desires explanation and call upon that body within reasonable time to offer such explanation as it may desire to offer, with any proposal which it may desire to make.
- (2) If the Council fails to offer any explanation or makes proposal or proposals which, in the opinion of the State Government is or are unsatisfactory, the State Government may issue such instructions, as may appear to them to be necessary and desirable in the circumstances of the case and the Executive Council shall give effect to such instructions.
- Emergency power of the State Government . 54. (1) If, at any time, it appears to be necessary and expedient in the opinion of the State Government, the State Government may with prior consultation with the Chancellor, by a notification published in the Official Gazette, suspend all or any of the powers of the University as provided in section 7 and other powers as may be ancillary to such powers and take over all or any of the powers of management, functions of such authorities or officers including holding, conduct and superintendence of and management, and appointment of any person or authority in connection with any or more examination or publication of the result of any such examination or to any matter incidental thereto for such period as may be specified in the notification and 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) Provisions of the Statutes, Ordinance and Regulations framed under this 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 shall take effect accordingly for the purposes of exercising the powers under the preceding sub-section.

(3) The State Government may constitute an Advisory Committee consisting of at least three persons who, in the opinion of the State Government are eminent educationists, for advising the State Government in the matter of discharging the powers, duties, functions and responsibilities in respect of which such powers are taken over by the State Government under sub-section (1) of this section.

Repeal of Assam Act No.XIX of 2011 and Savings.

55. (1) The Cotton College State University Act,2011 shall stand repealed with effect from the date of commencement of this Act.

(2) Notwithstanding such repeal of the Act under sub-section (1), the validity or effect or consequence of anything already done or suffered or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect of any such right, title, obligation or liability or penalty, claim of demand etc., already commenced or enforced under the Act so repealed, before the date of commencement of this Act, shall have effect as if this repealing Act has not been passed.

(3) Notwithstanding anything contained in this Act, any decision given, order made, anything done, any action taken or any proceedings commenced under any of the provisions of the Act so repealed or Rules, Statutes, Regulations in force under the repealed Act immediately before the commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act, continue to be in force and shall be deemed to have been given, made, done, taken or commenced under the corresponding provisions of this Act.

Interpretation

56. If any dispute arises as to the interpretation of any of the provisions of this Act, the interpretation given by the Chancellor shall be final and binding to all concerned.

Removal of difficulties.

57. (1) If any difficulty arises as to the first constitution or reconstitution of any Authority of the University after the commencement of this Act or otherwise in first giving effect to the provisions of this Act, the State Government may, by order, remove the difficulties as it deems necessary for the purpose.

(2) Notwithstanding all that is contained in this act, any difficulties or disputes encountered by the University shall be attended to by the Vice Chancellor in order to provide solution(s), in consultation with the Chancellor if required.

In all such matters the Vice Chancellor's decision shall be final.

Statement of Objects and Reasons

During the course of functioning of the Cotton College State University, several conflicting issues have cropped up during the last four or five years of its existence. The issues are related to both academic and administrative affairs. Apart from these, there were other fundamental issues to be sorted out to convert this institution into a leading University of the country keeping in view its past glory and fine legacy. For the growth of the new University towards the desired path such vexed issues are required to be addressed in an effective manner.

Keeping in view the above background, the Government in Higher Education Department desires to bring this Bill for merger of the Cotton College and the Cotton University.

HIMANTA BISWA SARMA,
Minister, Education, Assam.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.

The Cotton College University Act,2011

Existing Provision

This new Bill “ Cotton University Bill,2017” contains the provision to repeal earlier “ Cotton College State University Act,2011” in the Sec.55 Repeal and Savings which is in-built. Hence, there is no need for making a comparative statement.

FINANCIAL MEMORANDUM

Prior approval of State Government in respect of opening/ operating any account in Nationalised Bank or any other Bank is must for Cotton university and thus the State Government shall be responsible over the University Account/ Fund/ Financial Policy etc. Hence, there is financial involvement in the proposed Bill which necessitates expenditures from the consolidated fund of the State of Assam.

MEMORANDUM OF DELEGATED LEGISLATION

In the clause 48 of the Cotton University Bill,2017 powers have been delegated to the Vice Chancellor and with the previous approval of the Vice-Chancellor, the Registrar, may delegate any of his powers or duties conferred upon, imposed by or under this Bill to an Officer under his direct administrative control. Hence, there is provisions of delegated Legislation in the proposed Bill.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.

THE ASSAM KRISHNAGURU ADHYATMIK VISVAVIDYALAYA BILL, 2017**A
BILL**

to establish a Private University under the name and style "The Assam Krishnaguru Adhyatmik Visvavidyalaya" under Section 6 of the Assam Private Universities Act, 2007. Assam Act No.XII of 2007.

Preamble

Whereas it is expedient to establish a Private University under the name and style "The Assam Krishnaguru Adhyatmik Visvavidyalaya" under section 6 of the Assam Private Universities Act, 2007 and for matters connected therewith or incidental thereto; Assam Act No.XII of 2007.

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

**Short title,
extent and
commencement.**

1. (1) This Act may be called the Assam Krishnaguru Adhyatmik Visvavidyalaya Act, 2017.
- (2) It extends to the whole of Assam.
- (3) It shall come into force at once.

**Establishment
of the Assam
Krishnaguru
Adhyatmik
Visvavidyalaya.**

2. (1) For furthering the advancement of learning and prosecution of higher education and research, there shall be established a Private University under the name and style "The Assam Krishnaguru Adhyatmik Visvavidyalaya" in the State of Assam.
- (2) The details regarding name, location, jurisdiction and infrastructure of the said University are mentioned in the Schedule appended to this Act.

SCHEDULE

[See sub-section (2) of Section 2]

Details regarding name, location, jurisdiction and infrastructure belonging to "The Assam Krishnaguru Adhyatmik Visvavidyalaya" as envisaged under section 6 of the Assam private Universities Act, 2007:-

Name of the University :	"The Assam Krishnaguru Adhyatmik Visvavidyalaya" (Sponsored by Krishnaguru Foundation, Nasatra, Dist. Barpeta, Assam).
Location of the University :	Located at Village:- Nasatra Kuriharpam, Mouza- Paka, Circle – Sarthebari, Dist- Barpeta (Assam).'
Jurisdiction :	Extending over the State of Assam
Infrastructure :	<ul style="list-style-type: none"> (i) Land : 60 Bighas 00 Katha 01 Lessa covered by Dag Nos.45, 87, 83, 85, 41, 42, 44 and 223, 225, 244, 152, 239 of Village – Nasatra kuriharpam, mouza- Paka, Circle – Sarthebari, Dist- Barpeta (Assam). (ii) Built up area: 94,250 Sq.ft. Permanent RCC building <ul style="list-style-type: none"> (a) Class rooms = 15, size 30 x 40 = 4 nos. Sizes 30 x 30 = 8 nos. Sizes 30 x 20 = 3 nos. (b) Administrative Building : 9000 Sq.ft. (c) Library : 6400 Sq.ft. (d) Teachers Common room : 30 x 40 = 1200 Sq.ft. (e) Boys Common room : 30 x 40 = 1200 Sq.ft. (f) Girls Common room : 30 x 40 = 1200 Sq.ft. (g) Hostel for boys : 01 building, for 100 students (h) Hostel for Girls : 01 building, for 200 students (i) Laboratory : Separate 6 for Science subjects capacity 40 each. (j) Auditorium : 7072 Sq.ft. (k) Staff quarter : 20 Nos. under construction. (iii) Endowment Fund : Rs.2,79,88,641/- (Rupees two crore seventy nine lakh eighty eight thousand six hundred and forty one) only. (iv) Library Books and Journals : Books and journals worth Rs.20,92,465/- (v) Equipments and Furniture : Purchase worth Rs.15,15,281/-

Details of major equipments with numbers of unit are shown below:-

**LIST OF
LABORATORY EQUIPMENTS AND WORKSHOP MACHINES AND TOOLS**

Sl. No.	EQUIPMENTS	QUANTITY
1	Branded Desktop Computer Model :- Lenovo Intel Core i3 4th Gen CPU, 4GB DDR3 Ram, 500GB HDD, DVD Writer, Keyboard and Mouse. 18.5" LED Monitor.	10 Nos.
2	UPS 600VA ELNOVA	10 Nos.
3	Canon IR2002 Photocopier Cum Printer	01 no.
4	Stabilizer 2kva	01 no.
5	ELNOVA 600VA UPS	01 no.
6	KASPERSKY ANTIVIRUS	01 no.
7	AMMONIUM CHLORIDE (FIZ) 500 GM	01 no.
8	Milli Ammeter 1	02 nos.
9	Multimeter 1	05 nos.
10	Bar Magnet 4	10 nos.
11	Battery Eliminator 3amp. 1	5 nos.
12	Micro ammeter 500MICRO	2 nos.
13	Microscope 100micro	2 nos.
14	PN junction diode	10 nos.
15	Transistor bc-107	3 nos.
16	Transistor bc-547, 557, 558	7 nos.
17	Voltmeter 10 volt	2 nos.
18	Screw gauge 25MM (velvet box) 1	5 nos.
19	Bread board	2 nos.
20	Capacitor 1	10 nos.
21	IC 555	5 nos.
22	L.E.D.	10 nos.
23	Magnetic Compass 18MM 1	20 nos.
24	Mettler Bridge (Best) 1	1 no.
25	Resistance 1	10 nos.
26	Stop watch Digital 'Racer'	2 nos.
27	Voltmeter 15volt 1	2 nos.
28	Zener Diode 1	5 nos.
29	Capillary tube	2 nos.
30	Glass slab 1	5 nos.
31	Prism 50X50 MM 1	5 nos.
32	Potassium Iodide 100gm	2 nos.
33	Potassium Ferrocyanide 500gm	1 no.
34	Ferrous Sulphide 1kg	01 no.
35	Nessler's Reagent 125ml	01 no.
36	Sodium hydrogen Phosphate 500gm	01 no.
37	Ferrous sulphate 500gm	2Nos.
38	Whatman Filter Paper No. 1	1 pkt.

39	Ethanol 500ml	01 no.
40	Phenolphthlene 125ml	01 no.
41	Ammonium Sulphate 500gm	01 no.
42	Sodium hydrogen Pelletes 500gm	01 no.
43	Sodium Carbonate 500gm	01 no.
44	Silver nitrate 25gm	01 no.
45	Acetone 500ml	2 nos.
46	Nitric acid 500ml	2 nos.
47	Sulphuric acid 500ml	2 nos.
48	Hydrochloric acid 500ml	2 nos.
49	Conical Flask 100ml	12 nos.
50	Beaker 100ml	12 nos.
51	Beaker 250ml	12 nos.
52	Pipette 10ml	6 nos.
53	Pipetta 25ml	6 nos.
54	Burette 50ml	6 nos.
55	Test Tube holder	24 nos.
56	Spatula	12 nos.
57	PH Paper (Best)	1 pkt.
58	Travelling Micoscope	1 no.
59	Copper Calorimeter	3 nos.
60	Tuning Fork Set of 8	6 set
61	Optical Bench (Brass) 1.5 metter Long	1 set
62	Potentiometer	1 no.
63	Lachlanche Cell	5 nos.
64	Battery Eliminator (Best)	2 nos.
65	Storage Cells 6 Volt	2 nos.
66	Hydrochloric Balance	1 no.
67	Test Ture 15 X 1250 MM 100	01 no.
68	Potassium sodium tartarate 500Gm	01 no.
69	Test ture brass 1	12 nos.
70	Sodium nitroprousside 100gm	01 no.
71	Soudium thiosulphate 500gm	01 no.
72	Zine sulphate 500gm	01 no.
73	Magnesium chloride 500gm	01 no.
74	2,4 Dinitrophenyl Hydrazine 25gm	01 no.
75	Dropper 8' long treet 1	24 nos.
76	Lab. Thermometer 1	12 nos.
77	Lead Carbonate 500Gm	01 no.
78	Lead Nitrare 500gm	01 no.
79	Sulphuric acid 500ml	5 nos.
80	PH paper Universal (Best) 1pkt	01 no.
81	Compound Microscope BM-3	4 nos.
82	Stell Almirah without locked	7 nos.
83	Steel almirah with locked	3 nos.

84	V.I.P. Chair	3 nos.
85	Soffa set	1 nos.
86	E. Chair	7 nos.
87	Office chair	53 nos.
88	Staff chair	55 nos.
89	V.C. Table 8ft X 6ft	1 no.
90	Registrar and Controlar table 6ft X 4ft	2 nos.
91	Office table	21 nos.

Statement of Objects of Reason

The “ Assam Private University Act,2007” was passed in order to provide for establishment and incorporation of Private Universities in the State of Assam for imparting higher education.

In accordance with the provision made under sec.6 of the Assam Private Universities Act,2007 a proposal was received from the ‘Krishnaguru Foundation’ to establish a private university under the name & style “ The Assam Krishnaguru Adhyatmik Visvavidyalaya” after fulfilling all the requirements of the Act, it has been decided to allow establishment of a private university under the said name and style.

The coming of private institutions in higher education in the State to supplement the efforts of the Government would help in extending better educational facilities to students.

The Bill seeks to achieve the aforesaid objects.

HIMANTA BISWA SARMA,

Minister, Education, Assam.

M. K. DEKA,

Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

The proposed Assam Krishnaguru Adhyatmik Visvavidyalaya Bill, 2017 does not make any provision which necessitates any expenditure from the consolidated Fund of the State of Assam.

MEMORANDUM OF DELEGATED LEGISLATION

In the clause 47 of the Assam Private Universities Act, 2007 powers have been delegated to State Government to make rules for carrying on the purpose of the said Act. All provisions of the Assam Private Universities Act, 2007 would be applicable to the University established under this Act. There are no provisions of delegated Legislation in the proposed Assam Krishnaguru Adhyatmik Visvavidyalaya Bill, 2017.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.

THE BODOLAND UNIVERSITY (AMENDMENT) BILL, 2017

A

BILL

to amend the Bodoland University Act, 2009

Preamble

Whereas it is expedient to amend the Bodoland University Act, 2009, hereinafter referred to as the principal Act, in the manner hereinafter appearing ;

Assam
Act No.
XI of 2009.

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

Short title, extent and commencement.

1. (1) This Act may be called the Bodoland University (Amendment) Act, 2017.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Insertion of section 44.

2. In the principal Act, after section 43, the following new section 44(1),(2) & (3) shall be inserted, namely:-

“Pension and Family Pension.

- 44 (1) The existing permanent employees of the University, both teaching and non-teaching who entered in their services before 01-02-2005 and transferred from Gauhati University to Bodoland University and employees entered in their original services before 01-02-2005 and later joined Bodoland University through proper channel from other Provincialised or Government institutions with pay protection, shall be eligible for pension or family pension on their retirement from the service of the University or death, as the case may be:

Provided that these employees of the University who entered service before 01-02-2005 and who have retired or expired before coming into force of this Act shall be entitled to receive pension or family pension, as the case may be, under the provisions of this Act:

Provided further that those employees of the University, who have entered service on or after 01-02-2005 shall be covered under the New Pension Scheme introduced by the State Government.

- (2) The University shall regulate the matter regarding implementation and payment of pension and family pension to their employees by such Authority as may be determined by the University:

Provided that granting and eligibility of pension shall be guided by the Assam Services (Pension) Rules, 1969.

- (3) Pension under this section shall include superannuation pension and family pension including gratuity and leave encashment as per rules applicable for these purposes for the State Government employees:

Provided that all the liabilities under this section shall be borne by the University from their own resources.”

Statement of Objects & Reasons

The Bodoland University has been established in the year 2009. The Bill seek to insert a section i.e. 44 (1), (2) & (3) in the Bodoland University Act,2009 which includes the provision of (old) Pension Scheme 'Pension & Family Pension' as per Assam Services (Pension) Rules, 1969 which is not included earlier.

The Provisions are as follows :-

Section 44 (1) : The existing permanent employees of the University, both teaching and non-teaching who entered in their services before 01-02-2005 and transferred from Gauhati University to Bodoland University and employees entered in their original services before 01-02-2005 and later joined Bodoland University through proper channel from other Provincialised or Government institutions with pay protection, shall be eligible for pension or family pension on their retirement from the service of the University or death, as the case may be:

Provided that these employees of the University who entered service before 01-02-2005 and who have retired or expired before coming into force of this Act shall be entitled to receive pension or family pension, as the case may be, under the provisions of this Act:

Provided further that those employees of the University, who have entered service on or after 01-02-2005 shall be covered under the New Pension Scheme introduced by the State Government.

The reason behind the objects stated above is to provide pension and family pension to the regular employee who joined in the University on or before 01/02/2005.

(2) The University shall regulate the matter regarding implementation and payment of pension and family pension to their employees by such Authority as may be determined by the University:

Provided that granting and eligibility of pension shall be guided by the Assam Services (Pension) Rules, 1969.

The reason behind this is to pave the way to regulate and implementation and payment of pension and Family Pension as per Assam Services (Pension) Rules, 1969.

(3) Pension under this section shall include superannuation pension and family pension including gratuity and leave encashment as per rules applicable for these purposes for the State Government employees:

Provided that all the liabilities under this section shall be borne by the University from their own resources?

The reason behind this is to pave the way to include superannuation of pension, Family Pension, DCRG and leave encashment as per Govt. of Assam Service Rule.

Therefore, the Bodoland University (Amendment) Bill,2017 has been prepared to place before the current Budget Session of Assam Legislative Assembly,2017.

HIMANTA BISWA SARMA,
Education etc. Assam.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.

Financial Memorandum

The Bill proposes to amend the Bodoland University Act, 2009.

There is no financial involvement on its enactment as an Act of the State Legislature.

Memorandum of Delegated Legislation

There is no provision of the delegated Legislation in the proposed Bill.

THE BODOLAND UNIVERSITY ACT,2009**Existing Provision**

This Amendment Bill seeks to insert a new Section viz. Section 44(1),(2) and (3) in the principal Act. The Bodoland University Act.2009.

The principal Act, consisted of 43 Sections which did not have the new Section will introduce the end viz. Section 44 (1),(2) and (3) to make provision for Pension and Family Pension for the regular employees of the Bodoland University who joined in service on or before 01-02-2005.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.

**THE ASSAM FISCAL RESPONSIBILITY AND
BUDGET MANAGEMENT (AMENDMENT) BILL, 2017**

**A
BILL**

further to amend the Assam Fiscal Responsibility and Budget Management Act, 2005.

Preamble

Whereas it is expedient further to amend the Assam Fiscal Responsibility and Budget Management Act, 2005, hereinafter referred to as the principal Act, in the manner hereinafter appearing ;

**Assam Act
XXVII of
2005.**

It is hereby enacted in the sixty-eighth Year of the Republic of India as follows:-

Short title,
extent and
commencement.

1. (1) This Act may be called the Assam Fiscal Responsibility and Budget Management (Amendment) Act, 2017
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of
section 4.

2. In the principal Act, in section 4, in sub-section (3), for the existing clause (v), the following shall be substituted, namely:-
 - “(v) Anchor fiscal deficit of the State to an annual limit of 3 percent of Gross State Domestic Product (GSDP) in any financial year ;

Explanation: (a) For the purpose of this clause, the State Government shall be,-

 - (i) eligible for flexibility of 0.25 percent over the borrowing limit for any given year for which the borrowing limits are to be fixed, if their debt-GSDP ratio is less than or equal to 25 percent in the preceding year;
 - (ii) eligible for an additional borrowing limit of 0.25 percent of GSDP in a given year for which the borrowing limits are to be fixed, if the interest payments are less than or equal to 10 percent of the revenue receipt in the preceding year ;
 - (b) The two options of flexibility provisions as mentioned in Explanation (a) above can be availed of by the State Government either separately if any of the above criteria is fulfilled or simultaneously if both the above criteria are fulfilled, to attain a maximum fiscal deficit-GSDP limit of 3.5 per cent in any given year ;
 - (c) The flexibility in availing the additional limit under either of the two options or both as mentioned in Explanation (a) above will be available to the State Government only if there is no revenue deficit in the year in which borrowing limits are to be fixed and the immediately preceding year.”

STATEMENTMENT OF OBJECTS AND REASONS

As per recommendations of the 14th Finance Commission a state becomes eligible to avail additional borrowing limit of 0.50 percent for any given year provided Debt-GSDP ratio and Interest payment-Revenue receipt ratio is not exceeded 25% and 10% respectively in the preceding year in which borrowing limits are to be fixed. The flexibility in availing the additional limit under either of the two options or both will be available to a state only if there is no revenue deficit in the preceding year. This Bill seeks to amend and substitute the Principal Act, in section 4, in sub section (3) for the existing clause (V) so as to become the state eligible for availing additional borrowing limit of 0.5% in a financial year and also to provide for the bar of jurisdiction of Civil Courts to question the legality of actions and decisions taken by the State Government under the Act.

HIMANTA BISWA SARMA,

Finance Minister, Assam.

M. K. DEKA,

Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

The proposed changes would not involve any additional expenditure, as the same will be administered by the existing staff.

MEMORANDUM OF DELEGATED LEGISLATION

In this Bill there is no provision for delegation of any power to Government or any authority under it.

Assam Fiscal Responsibility and Budget Management Act, 2005

Existing provision	Proposed Amended provision
<p>3. In the principal Act, in section 4, in sub-section (3), -in clause(v)</p> <p>“(v) reduce fiscal deficit to 3% of the estimated Gross State Domestic Product by 2010-11 and maintain the same the same level thereafter;”;</p>	<p>3. In the principal Act, in section 4, in subsection (3) for the existing clause (v), the following shall be substituted, namely:-</p> <p>“(v) Anchor fiscal deficit of the State to an annual limit of 3 percent of Gross State Domestic Product (GSDP) in any financial year.</p> <p>Explanation: (a) For the purpose of this clause, the State Government shall be,-</p> <p>(i) eligible for flexibility of 0.25 percent over the borrowing limit for any given year for which the borrowing limits are to be fixed, if their debt-GSDP ratio is less than or equal to 25 percent in the preceding year ;</p> <p>(ii) eligible for an additional borrowing limit of 0.25 percent of GSDP in a given year for which the borrowing limits are to be fixed, if the interest payments are less than or equal to 10 percent of the revenue receipt in the preceding year ;</p> <p>(b) The two options of flexibility provisions as mentioned in Explanation (a) above can be availed of by the State Government either separately if any of the above criteria is fulfilled or simultaneously if both the above criteria are fulfilled to attain a maximum fiscal deficit-GSDP limit of 3.5 per cent in any given year ;</p>

	<p>(c) The flexibility in availing the additional limit under either of the two options or both as mentioned in Explanation (a) above will be available to the State Government only if there is no revenue deficit in the year in which borrowing limits are to be fixed and the immediately preceding year.</p>
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M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.