



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 4th September, 2017

No. LLE 60/2017/271.- The following Bills introduced before the House on **4th September, 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 MAJULI UNIVERISTY OF CULTURE BILL, 2017

A BILL

to establish and constitute a teaching and affiliating Cultural University in the State of Assam.

Preamble

Whereas it is expedient to establish and constitute a teaching and affiliating Cultural University in the world's largest river island Majuli in the State of Assam.

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 Majuli University of Culture Act, 2017.
- (2) It extends to the whole of Assam.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

CHAPTER-I PRELIMINARY

Definitions

2. In this Act, unless the context otherwise requires,-
 - (a) "Academic Council" means the Academic Council of the University;
 - (b) "Affiliated Institution" means a College or an Institution affiliated to the University and includes a college or an institution deemed to be an affiliated college or institution under this Act;
 - (c) "Board" means the Board of Management of the University;
 - (d) "Board of Studies" means the Board of Studies of the University;
 - (e) "Chancellor" means the Chancellor of the University;
 - (f) "College" means an Institution admitted to the University in accordance with the provisions of this Act and the Statutes and includes a College managed by the University;
 - (g) "Constituent College" means a College established, managed, maintained and controlled by the University and includes a College or an institution deemed to be a constituent college of the University;
 - (h) "employee" means every person in the whole-time employment of the University;
 - (i) "faculty" means a faculty of the University;
 - (j) "Government" means the Government of Assam;
 - (k) "Institute" means the Institute, College or centre attached to the University as an affiliated Institute, or a constituent Institute and the word "institution" shall be constructed accordingly;
 - (l) "Other Universities" means the Universities established or deemed to have been established under any other enactments;

- (m) "performing arts" include music, dance, drama, culture which were created by Mahapurush Shankardeva, Madhabdeva and other great luminaries of this art and it would also include all other forms of traditional music, dance, drama and other cultural activities prevailing among different indigenous communities of Assam;
- (n) "prescribed" means prescribed by Statutes, Regulations or Rules;
- (o) "section" means a section of this Act;
- (p) "State" means the State of Assam;
- (q) "Statutes", "Regulations" and "Rules" means respectively the "Statutes", "Regulations" and "Rules" of the University made under this Act;
- (r) "Teacher" means a Professor, Reader, Lecturer or such other person imparting instruction or conducting or supervising research either in the constituent college or in the department of the University or in an affiliated college as the context may imply; and
- (s) "University" means the Majuli University of Culture established under this Act.

CHAPTER-II THE UNIVERSITY

- Incorporation of the University
3. (1) The Chancellor, the first Vice-Chancellor, Members of the Board and the Academic Council and all persons, who may hereafter become such Chancellor, Officers and Members so long as they continue to hold such office or membership shall constitute a body corporate, by the name of the Majuli University of Culture and such body corporate shall have perpetual succession and a common seal and may sue and be sued by that name.
- (2) The headquarters of the University shall be located in Majuli District of Assam.
- (3) Subject to the provisions of this Act and the Statutes, the University shall be competent to acquire and hold property both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property, which may have become vested in, or may have been acquired by it for the purposes of the University and to contract and do all other things necessary for the purpose of this Act.
- Objects
4. The University shall have following objects:-
- (i) to promote education, research and training in various spheres of culture including language, literature, visual arts, performing arts, satriya dance, ankia bhaona, mukha (mask making) etc;
 - (ii) to impart education and disseminate learning in architecture and folklore for the advancement of knowledge and for the betterment of society;

- (iii) to generate and disseminate learning and promote creating excellence in various spheres of culture, providing the infrastructure for instruction, research and creativity and in particular, to take appropriate measures for promoting into disciplinary, academic and creative pursuits in the University;
- (iv) to promote ethnic studies like ethno archaeology, ethnomusicology, satriya sanskriti;
- (v) to provide facilities and opportunities for graduate, post-graduate, doctorate and post-doctorate education in various sphere of culture including language, literature, visual arts, performing arts, architecture and folklore by instruction, training, research and development and extension and by such other means as the University may deem fit;
- (vi) to serve as a centre for fostering co-operation and exchange ideas among the academic and research communities;
- (vii) to organize exchange programmes with other Universities and institutions of repute in India and abroad; and
- (viii) to undertake such other activities as may be required to fulfill the above objects.

Powers and functions of the University

5. The University shall in particular exercise and perform the following powers and functions, namely:-
- (a) to provide for guidelines in creative arts and allied branches of learning;
 - (b) to grant, subject to such conditions as the University may determine diplomas or certificates and confer degrees and other academic distinctions on the basis of examination, evaluation or any other method of assessment, on deserving persons;
 - (c) to confer honorary degrees or other distinctions on persons for the creative excellence;
 - (d) to institute Fellowships, Awards, Medals and Scholarships;
 - (e) to recognize institution of higher learning and research for such purposes as the University may determine;
 - (f) to appoint persons working in any other University or organization as Fellows and Visiting Professors of the University for specific periods;
 - (g) to collaborate or associate with other Universities or authorities of institutions of higher learning;
 - (h) to establish and maintain Colleges, Academies, Institutes and Cultural Complexes;
 - (i) to take up documentation, translation and publication and for the purpose, enter into arrangements with other institutions or bodies;
 - (j) to declare a College, Academy or Institute as Autonomous;
 - (k) to determine standards for admission into the colleges of the University;
 - (l) to make arrangements for promoting general welfare of the teachers, employees and students;
 - (m) to regulate and enforce discipline among the employees and students;
 - (n) to receive donations and to acquire, hold, manage and dispose of any movable or immovable property;

- (o) to make arrangements for promoting the health, general welfare and moral well-being of students and take such measures as would foster in them habits of hard work, self-discipline and spirit of service to society;
- (p) to fix the fees payable to the University and to demand and receive such fees;
- (q) to hold and manage endowments and bursaries; and institute and award fellowships, scholarships, studentships, medals and prizes;
- (r) to institute and provide funds wherever necessary for carrying out the functions of the University;
- (s) to co-operate with the other Universities or Institutions or Authorities or Associations in such manner and for such purposes as the Board may determine;
- (t) to establish, maintain, manage and confer recognition to hostels;
- (u) to co-ordinate, supervise, regulate and control the teaching and conduct of research work in the affiliated institutions to the extent deemed necessary;
- (v) to determine the powers and duties of the officers and other employees of the University other than those provided in this Act;
- (w) to provide for inspection of affiliated institutions and lay down standards of instruction and research;
- (x) to institute and establish professorships, readerships, lecturerships and any other teaching and research posts required by the University and to appoint persons to such professorships, readerships, lecturerships and other teaching and research posts; and
- (y) to do all such acts and things as may be required in furtherance of the objects of the University.

University
open to all
classes and
creeds

6. No person shall, on grounds only on religion, race, caste, sex descent, residents, language, political opinion or any other of these, be ineligible for, or discriminate against in respect of any employment or office under the University or Membership of any of the authorities or bodies of the University or admission to any course of study or research in the University :

Provided that the University may, in consultation with the Government, reserve seats for the members of the Backward Class of Citizens or Scheduled Castes or Scheduled Tribes or women or any other category of persons for the purpose of admission as students to any of the constituent colleges or the institutions of the University or affiliated colleges and institutions.

CHAPTER-III

THE CHANCELLOR AND OFFICERS OF THE UNIVERSITY

- The Chancellor 7. (1) The Governor of Assam 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 the meeting of the convocations of the University.

(3) The Chancellor shall exercise the powers of overall supervision over the University and take requisite steps to develop it as centre of excellence in creativity, research and learning.

(4) The Chancellor may, either *suo moto* or on a reference made to him by the Vice-Chancellor under the provision of sub-section (8) of section 10 or by the State Government, by order in writing, annul any proceedings of any of the authorities of the University which is not in conformity with this Act, the Statutes, the Regulations, the Rules, or any other law for the time being in force:

Provided that before making any such order, the Chancellor shall call upon such authority to show cause as to why any such order should not be made and consider the cause if any, shown by such authority within a period not exceeding sixty days as may be fixed by the Chancellor.

(5) The Chancellor shall have the right to suspend or dismiss any of the authorities of the University and to take measures for the interim administration of the University:

Provided that before taking any such action the Chancellor shall give an opportunity to such authority to show cause as to why such an action should not be taken.

(6) Every proposal, for the conferment of an honorary degree shall be subject to confirmation of the Chancellor.

(7) An appeal shall lie to the Chancellor against any order of dismissal passed by the Board or the Vice-Chancellor against any employee concerned.

(8) An appeal under sub-section (7) shall be filed within sixty days from the date of service of the order of dismissal on the employee concerned.

(9) The Chancellor shall have power to remove the Vice-Chancellor from office by an order in writing on charges of mismanagement of funds or misconduct or for any other good and sufficient reasons:

Provided that orders removing the Vice-Chancellor under this sub-section shall not be passed until such charges are proved by an enquiry conducted by an officer not below the rank of Secretary to the Government, appointed by the Chancellor for the purpose:

Provided further that the Vice-Chancellor shall not be removed under this sub-section unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

Officers of the
University

8.

The following shall be the officers of the University, namely:-

- (i) the Vice-Chancellor;
- (ii) the Registrar;
- (iii) the Finance and Accounts Officer;
- (iv) the Controller of Examinations; and
- (v) such other officers as may be declared by the Statutes to be Officers of the University.

The Vice-
Chancellor

9. (1) The Vice-Chancellor shall be appointed by the Chancellor on the unanimous recommendation of a Search Committee appointed by him consisting of three members, one nominated by the Chancellor, one elected by the Board and the third nominated by the Government and the Search Committee shall make its recommendations within a period of three months from the date of its appointment:

Provided that no person shall be eligible to be a member of the Committee if he is a member of any of the authorities of the University or an employee of the University or of a college or institution maintained or recognized by or affiliated to the University:

Provided further that the first Vice-Chancellor may be appointed by the Chancellor on the recommendation of the Government for a term not exceeding two years.

- (2) In case the Committee appointed under sub-section (1) is unable to recommend a name unanimously, the Vice-Chancellor shall be appointed by the Chancellor from the panel of three names submitted to him by the Committee within the period specified in the preceding sub-section.
- (3) If the Committee fails to make a unanimous recommendation or submit a panel of names as aforesaid, another Search Committee shall be appointed by the Chancellor in the same manner as provided in sub-section (1) to make unanimous recommendation or submit a panel of three names to the Chancellor, who shall appoint a Vice-Chancellor accordingly.
- (4) No person who has completed seventy years of age shall be eligible to hold the office of the Vice-Chancellor.
- (5) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for reappointment for another term till he attains the age of seventy, whichever is earlier, following the procedure specified in sub-section(1).
- (6) The remuneration payable to, and the other conditions of service of the Vice-Chancellor shall be determined by the Chancellor:

Provided that the emoluments and other conditions of the service shall not be varied to the disadvantage of the Vice-Chancellor during his tenure as Vice-Chancellor.

Powers and
duties of Vice-
Chancellor

10. (1) The Vice-Chancellor shall be the principal of academics and executive officer of the University and all other officers of the University shall be subject to general supervision and control of the Vice-Chancellor.
- (2) The Vice Chancellor shall be the Chairman of the Board and the Academic Council, and shall be entitled to be present at and to address any meeting of any authority of the University, but shall not be entitled to vote, thereat, unless he is a member of the authority concerned.
- (3) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes, Regulations and Rules are observed and he shall have all the powers necessary for this purpose.

- (4) The Vice-Chancellor shall have the right of visiting and inspecting institutions maintained by or affiliated to the University.
- (5) If the Vice-Chancellor is of the opinion that any order or decision which is required to be passed or made by any authority of the University is necessary to be passed or made immediately and it is not practicable to convene a meeting of the said authority for that purpose he may pass such order or take such decision as he deems proper and place the matter before the said authority at its next meeting within sixty days for ratification and where the authority differs from the Vice-Chancellor, the matter shall be referred to the Chancellor whose decision thereon shall be final.
- (6) Subject to the provisions of this Act and the Statutes, the Vice-Chancellor shall have the power,-
 - (a) to make appointment to posts of non-teaching employees or to such posts as may be prescribed and specify their duties;
 - (b) to suspend, dismiss or otherwise punish any non-teaching employee of the University; and
 - (c) to take disciplinary action against students of the University.
- (7) The Vice-Chancellor shall have the power to convene meetings of the Board or the Academic Council or any other authority of the University.
- (8) It shall be the duty of the Vice-Chancellor to ensure that the proceedings of the University are carried on in accordance with the provisions of this Act, the Statutes, the Regulations and the rules made there under. If the Vice-Chancellor is of opinion that any proceedings or order of an authority of the University is violative of any of the provisions of this Act or the Statutes, Regulations or Rules made there under, he may by an order in writing, stay the operation of such proceedings or orders and send a report and make a reference to the Chancellor for a final decision in accordance with the provisions of sub-section (4) of section 7.
- (9) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Regulations.
- (10) In the event of absence of Vice-Chancellor from the headquarters or during his inability to act due to reasons like illness, the Chancellor may make such arrangement for performance of the duties of the Vice-Chancellor as he may deem fit during such absence.
- (11) In the event of the occurrence of vacancy in the office of the Vice-Chancellor, by reasons of death, resignation or otherwise, the Chancellor may appoint any person to act as Vice-Chancellor until regular appointment of Vice-Chancellor is made in accordance with section 9:

Provided that the period of such interim arrangement shall not exceed six months.

- The Registrar**
11. (1) The Registrar shall be a whole time officer of the University and shall be appointed by the State Government for such period and on such terms and conditions as may be prescribed by the Statutes.
- (2) The Registrar shall be responsible for,-
- (a) the custody of the records and the common seal of the University;
 - (b) maintaining a permanent record of the academic performance of students of the University including the courses taken, grades obtained, degrees awarded, prizes or other distinctions won and any other items pertaining to the academic performance of the students;
 - (c) executing all contracts on behalf of the University; and
 - (d) acting as the Secretary of the authorities of the University.
- (3) The Registrar shall exercise such other powers and perform such other duties as are imposed on him by the Statutes.
- (4) Suits and other legal proceedings by or against the University shall be instituted by or against the Registrar.
- The Finance and Accounts Officer**
12. (1) The Board shall appoint a person selected from among a panel containing the names of officers belonging to the Assam Finance Service, Class-I furnished by the Government or from any other source as may be provided in the Statutes, as the Finance and Accounts Officer of the University for such periods and on such terms as may be prescribed by the Statutes.
- (2) The Finance and Accounts Officer shall,-
- (a) act as the Treasurer of the University and be responsible for the proper investment of the funds and managements of the assets of the University;
 - (b) exercise general supervision over operation of all funds;
 - (c) tender advice with regard to financial transactions of the University;
 - (d) present annual financial estimates and statement of accounts;
 - (e) ensure utilization of the allocations for the programmed schemes and projects of the University;
 - (f) scrutinize the statement of accounts of the constituent colleges or other institutions maintained by the University and submit report thereon to the Vice-Chancellor and the Board;
 - (g) receive all contributions, grants, bequests, endowments and interests on investments on behalf of the University;
 - (h) collect fees, fines, sale proceeds and other amounts of casual income accruable to the University;
 - (i) operate schemes relating to scholarship funds, stipends and fellowship amounts;
 - (j) be responsible for the day-to-day financial transactions and maintenance of accounts thereof;
 - (k) administer such petty cash funds as may be needed;

- (l) operate the funds contributed by the students for various purposes;
 - (m) prepare pay and allowance bills of officers, teachers and other employees of the University and draw and disburse the amounts thereof;
 - (n) scrutinize other bills and, if they are in order, ensure prompt payment;
 - (o) prepare utilization certificates for funds received from Government and other funding agencies and get them promptly transmitted to the relevant quarters through the Registrar;
 - (p) develop and operate an internal audit system and ensure that all the registers, records and documents are properly preserved for presentation before the audit;
 - (q) place statement of accounts at such intervals as specified by the Board and the Vice-Chancellor;
 - (r) bring serious irregularities, if any, in financial transactions of the University to the notice of the Board through the Vice-Chancellor;
 - (s) render such assistance to the Registrar as may be required in management of assets and investments and scrutiny of the contracts and agreements; and
 - (t) perform such other functions as may, from time to time, be assigned to him by the Vice-Chancellor.
- (3) The Finance and Accounts Officer shall be answerable to the Vice-Chancellor and the authorities of the University for effective financial management and augmentation of resources of the University.
- The Controller of Examinations**
13. (1) The Controller of Examinations shall be appointed by the Vice-Chancellor, on deputation from Government or any other organization.
- (2) The Controller of Examinations shall be responsible for advanced preparatory action, effective conduct of examinations, proper evaluation of the answer scripts, tabulations, timely declaration of the results and expeditious distribution of the Diplomas and Certificates.
- (3) The Controller of Examinations shall perform such other functions as may be entrusted to him by the Vice-Chancellor.
- Posts and pay scales**
14. (1) All posts of officers except the Vice-Chancellor, teachers and other employees of the University including the constituent colleges shall be created and the scales of pay thereof shall be determined by the Vice-Chancellor, subject to allotment of funds in the budget of the University and with the approval of the Government.
- (2) The conditions of service and other incidental matters relating to the other employees shall be such as may be prescribed by the Statutes.

- Appointment of first Officers** 15. Notwithstanding anything contained in sections 11, 12 and 13, the first Registrar, the first Finance Officer and the first Controller of Examinations shall be appointed by the Vice-Chancellor on the recommendations of the Government.

CHAPTER-IV

THE AUTHORITIES

- Authorities of the University** 16. The following shall be the authorities of the University, namely:-
- (a) the Academic Council;
 - (b) the Board;
 - (c) the faculties;
 - (d) the Board of Studies;
 - (e) such other authorities as may be declared from time to time by the Statutes to be authorities of the University.
- Academic Council** 17. (1) The Academic Council shall consist of the following members, namely:-
- (a) the Vice-Chancellor;
 - (b) The Seniormost Secretary to the Government of Assam, Higher Education Department or his nominee not below the rank of a Joint Secretary;
 - (c) Three Awardees belonging to Assam, each of ---
 - (i) National Sahitya Akademy,
 - (ii) National Lalit kala Akademi; and
 - (iii) National Sangeet Natak Akademy, all to be nominated by the Chancellor;
 - (d) Senior most Secretary to the Government of Assam, Cultural Affairs Department or his nominee not below the rank of Joint Secretary;
 - (e) two members of the Assam Legislative Assembly to be nominated by the Government;
 - (f) Director of Higher Education, Assam;
 - (g) Director of Cultural Affairs, Assam;
 - (h) Secretary, Srimanta Shankardeva Kalakshetra;
 - (i) President, Asom Sahitya Sabha;
 - (j) three eminent scholars one each from the spheres of literary arts, visual arts and performing arts, to be nominated by the Government;
 - (k) the Registrar;
 - (l) the Controller of examinations;
 - (m) the nominee of the Centre for Cultural Resources Training; and
 - (n) the Director, North East Zone Cultural Centre;
- (2) The Academic Council shall ordinarily meet twice a year and formulate recommendations on the programmes, schemes and academic affairs of the University.

- (3) One third members shall constitute the quorum for holding the meeting of the Academic Council.
- (4) The Academic Council shall be the principal academic body of the University and subject to the provisions of this Act and Statutes, it shall coordinate and exercise general supervision over the academic programmes and policies of the University.
- Powers and functions of the Academic Council**
18. Subject to the provisions of this Act and of the Statutes, the Academic Council shall have the following powers and functions, namely:-
- (i) to advise the Board on all academic matters;
- (ii) to make regulations and to amend or repeal the same on the following matters:-
- (a) prescribing courses of studies and schemes of examinations;
- (b) conducting annual review of courses offered, content of curriculum and prescribing new courses to be introduced keeping in view the needs of the society prescribing modifications in curriculum;
- (c) prescribing qualifications for admission of students of various courses of studies, to research degrees and the examinations and the conditions under which exemptions may be granted;
- (d) prescribing standards of evaluation of the performance of students and classifications of students on the basis of their performance in the examination;
- (e) prescribing the conditions for admission of candidates for research degrees and the requirements for the award of such degrees;
- (f) prescribing the qualifications for recognition of teachers and scholars as supervisors for research;
- (g) prescribing the equivalence of examinations, degrees, diplomas and certificates of other Universities or institutions of the Country;
- (h) prescribing the qualifications of teachers; and
- (i) prescribing the norms for the upgradation of teaching posts;
- (j) to examine and act upon the recommendations of the various faculties in making regulations;
- (k) to determine the degrees, diplomas another academic distinctions which shall be granted by the University and to award the same;
- (l) to institute scholarships and fellowships;
- (m) to recommend to the Board the conferment of honorary degrees and other distinctions;
- (n) to consider the annual reports and to make suggestions thereon to the Board; and
- (o) to exercise such other powers and perform such other functions as may be prescribed by the Statutes.
- The Board**
19. (1) The Board shall consist of the following members, namely :-
- (a) the Vice-Chancellor;
- (b) the Senior most Secretary to the Government of Assam, Higher Education Department or his nominee not below the rank of a Joint Secretary;

- (c) the Senior most Secretary to the Government of Assam, Finance Department or his nominee not below the rank of a Joint Secretary;
 - (d) the Senior most Secretary to the Government of Assam, Cultural Affairs Department or his nominee not below the rank of a Joint Secretary;
 - (e) Director of Higher Education, Assam;
 - (f) Director of Cultural Affairs, Assam, Guwahati;
 - (g) Director of Archaeology, Assam Guwahati;
 - (h) three persons (one each from the spheres of literary arts, visual arts and performing arts) to be nominated by the Chancellor from among the members of the Academic Council;
 - (i) President, Asom Sahitya Sabha;
 - (j) the Registrar;
 - (k) the Finance and Accounts Officer;
 - (l) the Controller of Examinations; and
- (2) The Board shall ordinarily meet once in two months to transact its business.
- (3) One third of the members shall constitute the quorum for the meeting of the Board.

Powers and functions of the Board

20. Subject to the provisions of this Act and the Statutes, the Board shall exercise and perform the following powers and functions, namely:-
- (i) to exercise the executive powers of the University including the general superintendence and control over its institutions;
 - (ii) to admit an institution to the University as an affiliated institution in accordance with the terms and conditions prescribed by the Statutes;
 - (iii) to make Statutes for considerations and approval of the Government;
 - (iv) to hold, control and administer the properties and funds of the University including investment of money in such stocks, funds, shares or securities as deemed fit;
 - (v) to provide buildings, premises, furniture, apparatus and other requisites for carrying on the work of the University and to that end enter into, vary, carry out and cancel contracts on behalf of the University;
 - (vi) to direct the form and use of the common seal of the University;
 - (vii) to establish, maintain and manage departments and institutions of research and other advanced centres of learning as it may from time to time, deem necessary;
 - (viii) to appoint teachers and officers and to prescribe their duties;
 - (ix) to create teaching, specialist, administrative, ministerial and other necessary posts with the approval of the Government;
 - (x) to suspend, discharge, dismiss or otherwise take disciplinary action against teachers and officers;
 - (xi) to fix and regulate the fees payable by the students;
 - (xii) to create research fellowships, honorary or otherwise;
 - (xiii) to create fellowships, scholarships, studentships, bursaries, medals and prizes;

- (xiv) to exercise supervision and control over the residence and discipline of students;
- (xv) to consider and pass the Financial Estimates, the Annual Accounts together with the Audit Report and the Annual Report of the University in accordance with the provisions of the Statutes;
- (xvi) to have overall supervision over conduct of examinations and approval and publication of the results thereof;
- (xvii) to appoint members to the Faculties and Board of Studies;
- (xviii) to delegate any of its powers to the Vice-Chancellors or any other authority or officer as it may deem fit;
- (xix) to prescribe procedure for the inspection of affiliated institution so as to ensure compliance with the conditions of affiliation and to decide on the continuance of affiliation;
- (xx) to accept grants, endowments, bequests, donations, and transfers of movable and immovable properties to the University on its behalf;
- (xxi) to negotiate with other Universities and institutions of the country for the recognition of the examinations of the University; and
- (xxii) to exercise such other powers and perform such other duties as may be prescribed by the Statutes.

Faculties

21. (1) The University shall constitute such number of faculties as may be prescribed by the Statutes from time to time and each of such faculty shall, subject to the control of the Academic Council, be responsible for the co-ordination of study and research in the branches presented in the Board of studies coming under its purview.
- (2) The term of the faculty, its constitution and membership shall be prescribed by the statutes.
- (3) Subject to the provisions of this Act, each faculty shall exercise such powers and perform such duties as may be prescribed by the Statutes.
- (4) There shall be a Dean for each faculty, who shall be nominated by the Vice-Chancellor.
- (5) The Dean of each faculty shall be responsible for the due observance of the Statutes and Regulations and in guiding the deliberations of the faculty.
- (6) The Dean of a faculty shall hold office for a term of three years.

Board of Studies

22. (1) There shall be a Board of Studies for each branch of study or branches of study as the Board may decide.
- (2) The constitution, powers and functions of the Board of Studies shall be prescribed by the Statutes.

General provision in relation to authorities

23. (1) A person shall cease to be a member of any of the authorities of the University, if-
- (a) he dies or is found to be of unsound mind or permanently invalid; or
 - (b) he is found to be bankrupt and insolvent; or

- (c) he is convicted for an offence involving moral turpitude; or
 - (d) being a nominated member, his nomination is withdrawn by the nominating authority; or
 - (e) being an ex-officio member, he ceases to hold the relevant office; or
 - (f) being a nominated member, his membership terminated by the Chancellor for any act of omission and commission, after affording him an opportunity of being heard; or
 - (g) being a nominated member, he resigns or absents himself from three consecutive meetings without pre-written intimation.
- (2) The term of the nominated members of the authorities of the University shall be three academic years including part of the academic year. Vacancies arising due to death or otherwise, the nominated membership of any authority of the University may be filled up by fresh nomination and the persons nominated shall continue as member for the residual period of the term.
- (3) No act or proceeding of any Authority, committee or body of the University shall be invalid merely by reason of existence of a vacancy, or vacancies among its members.

CHAPTER-V

PROMOTION OF LITERARY, VISUAL AND PERFORMING ARTS

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| Promotion of excellence in literary arts | 24. | The University shall undertake courses, schemes, programs and projects for promotion of excellence in study, creative research, translation and inter language interaction in respect of various languages such as Assamese, Sanskrit, Hindi and English etc. |
| Degree in Doctorate of Literature in creative writing for published works | 25. (1) | <p>The University may confer the degree of Doctorate of Literature in Creative Writing in a language subject on a person for a work of poetry, fiction or drama as per the following procedure, namely:-</p> <ul style="list-style-type: none"> (a) Awardees of the National Sahitya Akademi or Asom Sahitya Sabha (for poetry/fiction/drama) or persons who have at least one earlier work which is certified by two awardees of the National Sahitya Akademi to be of high standard of creativity, shall be eligible to submit four copies of a published work of poetry/fiction/drama, along with a brief commentary that may be interpretative/analytical/critical for consideration of the University. (b) The Board shall thereupon appoint three members from among the awardees of the National Sahitya Akademi other than those who had certified about the standard of creative or other eminent creative writers of national or international stature, to assess the said published work and furnish their reports; |

- (c) In case at least two of the examiners affirm that the published original work is a creative work constitute significant contribution to literature, the Board may accept the said work for award of the degree of Doctor of Literature in the language concerned for Creative Writing and the result thereof.
- (d) The Diploma in the specific form conferring the said degree shall be presented either at the annual convocation or at a special ceremony organized by the University, as the case may be.
- Diploma in Applied Translation and Creative Writing 26. (1) The University may institute a Post-Graduate Diploma Course in Applied Translation in national, State recognized local languages and creative writing in National, State languages, recognized local languages in the Distance Education pattern as per the regulations to be formulated by the Academic Council and operate it through literary institutions or organizations within or outside Assam, specially affiliated to the University for the said purpose.
- (2) In order to be eligible for such special affiliation, the Institution or organization must fulfill the following conditions, namely:-
- (a) it should have been registered as a society or a trust;
- (b) it should have been operative for a period of not less than three years;
- (c) its balance-sheet certified by a Chartered Accountant should indicate a standing balance of at least rupees one lakh;
- (d) it should have engaged on whole time or part-time basis an eminent litterateur or creative writer or translator or academic scholar as Director or Principal; and
- (e) it should be having a library with a reasonable number of books in stock.
- Promotion of Excellence in Visual and Performing Arts 27. The University shall undertake courses, schemes, programmes and projects for promotion of excellence in study, creative research and documentation in respect of various aspects relating to visual arts and performing arts.

CHAPTER-VI FINANCE AND ACCOUNTS

- University Fund 28. (1) The University shall establish a fund to be called the University fund.
- (2) The following shall form a part of, or be paid into, the University fund, namely:-
- (a) any contribution or grant by the Government, Central Government, University Grants Commission, Industrial Undertaking, Corporations, Companies Associations, other bodies or local authorities;
- (b) any income of the University from all sources including income from fees and charges and sale proceeds;

- (c) bequests, donations, endowments and other grants, if any, received by the University; and
- (d) miscellaneous receipts.
- (3) With the prior approval of the Government, the University may, from time to time, establish such other funds in such name and for such specific purposes as may be decided by the Board.
- (4) The fund shall be kept in a Nationalised or Scheduled Bank or invested in such securities as may be decided by the Board.
- (5) The funds and all monies of the University shall be managed in such manners as may be prescribed by the Statutes.
- Power to borrow** 29. The University may, with the previous sanction of the Government as regards the purpose and amount of loan and subject to such conditions as may be specified by the Government as to security and rate of interest, borrow a sum of money from any Nationalized Bank or Scheduled bank or any other corporate body or other financial institution.
- Financial Estimate** 30. (1) The University shall prepare the Financial Estimate of receipts and expenditures of the University in such manner as may be prescribed by the Statutes.
- (2) The Board shall consider the estimates so prepared and approve them with or without modification.
- (3) The University shall submit such estimates as approved by the Board to the Government for its sanction.
- (4) The Government may pass such orders with reference to the said estimates as it thinks fit and communicate the same to the University which shall give the effect to such order.
- (5) The Board may, in urgent cases where expenditure is in excess of the amounts provided for in the budget is found to be necessary, for reasons to be recorded in writing, incur such expenditure.
- Accounts and Auditing** 31. (1) The annual accounts of the University shall be prepared by the Finance and Accounts Officer under the direction of the Board and all monies accruing to, or received by the University, from whatever sources and all amount disbursed and paid by the University shall be entered in the Books of Accounts.
- (2) The Accounts of the University shall, at least once in every year and at interval of not more than fifteen months, be audited by Local Audit.
- (3) All reports of audit made under sub-section (2) shall, as soon as may be after they are received from the Examiner of the Local Audit, be laid before the State Legislature for a total period of fourteen days which may be comprised in one or more sessions.
- (4) The Government shall have power to conduct special audit if required in respect of utilization of funds and the University shall comply with the directions issued by Government on such audit.
- (5) The University shall forthwith rectify any defect or irregularity pointed out by the auditors and report the action taken thereon to the Government.

- Annual Report 32. (1) The Board shall prepare the annual report of the University containing such particulars as the Government may specify covering each financial year, and before its final approval, it shall be presented to the Academic Council for its review on or before such date as may be prescribed by the Statutes.
- (2) Copies of the Annual Report and the Annual Accounts shall be sent to the Government and the Government shall place them before the State Legislature.

CHAPTER-VII STATUTES, REGULATIONS AND RULES

- Statutes 33. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-
- (a) the constitution, function and powers of the faculties, Board of studies and other authorities of the University and such other bodies as may be declared to be authorities of the University;
 - (b) the method of recruitment, conditions of service, powers and duties of the officers, teachers and other employees of the University;
 - (c) the conferment of honorary degrees;
 - (d) the award of degrees, diplomas, titles, certificates and other academic distinctions;
 - (e) the withdrawal of degrees, diplomas, titles, certificates and other academic distinctions;
 - (f) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;
 - (g) the procedure to be followed at meetings of authorities of the University for the transaction of business by them;
 - (h) the classification of teachers of the University and other employees;
 - (i) acceptance and management of bequests, donations and endowments;
 - (j) the grant of affiliation to institutions;
 - (k) recognition of examinations of Universities of other educational institutions as equivalent to the examinations of the University;
 - (l) fees to be charged for the courses of studies in the University and for admission to the examination of degrees and diplomas of the University.
 - (m) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes.
 - (n) conduct of examinations, including the term of office, manner of appointment and duties of examination bodies, examiners and moderators;
 - (o) supervision of students engaged in research and special studies in constituent or affiliated institutions or attached centres;
 - (p) fees to be charged for the services rendered by the University; and
 - (q) any other matters which are required to be or may be prescribed under this Act or by the statutes.

- Procedure for making Statutes
34. (1) The first Statutes of the University shall be made by the Government by notification in the Official Gazette and shall continue to be in force until amended or superseded by Statutes made by the Board in accordance with the provisions of this section.
- (2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereinafter provided.
- (3) No Statutes affecting the powers or duties of any authority of the University shall be made by the Board unless the draft of such Statutes is referred by the Vice-Chancellor to such authority concerned for expressing its views thereon within such period as may be specified in the reference or within such further period as the Vice-Chancellor may allow and views, if any, so expressed are duly considered.
- (4) Every Statute passed by the Board shall be submitted to the Government, who may give or withhold its approval thereto or refer it back to the Board for reconsideration with such observations as it may deem fit.
- (5) No Statutes passed by the Board shall be valid until approved by the Government and it shall come into force on the date of its publication in the Official Gazette or such other dates that the Government may fix.
- Regulations
35. (1) The Academic Council may, subject to the approval of the Board, make regulations consistent with this Act and the Statutes.
- (2) The regulations may provide for the exercise of all or any of the powers and functions enumerated in clause (ii) of section 18 of this Act.
- (3) Every Regulation shall come into force on the date of its publication in the Official Gazette or on such other prospective date as the Board may direct.
- Rules
36. (1) The Academic Council, Faculties and the Board of Studies of the University may, subject to the approval of the Board, make rules consistent with this Act and the Statutes and the Regulations made thereunder.
- (2) The rule may provide for,-
- (a) the giving of notices to the members of each authority, the dates of meetings and the business to be transacted at such meetings and also for keeping a record of the proceedings of meetings.
- (b) the procedure to be followed at the meetings and number of members required to form the quorum for the meetings.
- (c) all matters solely concerning such authority or the matters not provided for by this Act, the Statutes or the Regulations made under this Act.
- (3) The Board may refuse to approve the rules submitted to it or may return them to the authority concerned for further consideration or may approve the rules without modification or subject to such modification as the Board may deem fit.

- (4) Every rules made under this section shall come into force on the date of their publication in the Official Gazette or such other prospective date as the Board may direct.

CHAPTER-VIII
MISCELLANEOUS

Affiliation of
existing
institutions

37. (1) All colleges and institutions imparting education in literary, arts, visual and performing arts existing in the State and affiliated to other Universities immediately before the date of commencement of this Act shall be deemed to have been disaffiliated from the respective other Universities and have been affiliated to the University from such period and subject to such terms and conditions, as has been specified in the order of the respective Universities from which they obtained the affiliation:

Provided that the University may impose such other terms and conditions for continuation or further extension of the term of affiliation, not inconsistent with the provisions made under this Act, as it may deem fit and the college or institution shall be bound to comply with such terms and conditions, within such reasonable time as may be prescribed by the University:

Provided further that the University shall have power to alter or withdraw the affiliation deemed to have been granted under this sub-section, if the college or institution concerned does not comply with the terms and conditions so imposed.

- (2) For the purpose of deemed affiliation provided in sub-section (1), the college or institution concerned shall submit a copy of a valid letter of affiliation granted by other Universities concerned to the Registrar of the University within a period of three months from the date of commencement of this Act and the acknowledgement of the receipt of such copy by the University shall be a valid evidence for the purpose of such deemed affiliation.

Special
provisions for
students

38. Notwithstanding anything contained in this Act, the Statutes or Regulations, every students of the colleges or institutions which have been disaffiliated or transferred from other Universities in accordance with provisions of section 37 who was studying in such colleges or institutions and was eligible to be admitted to any examination held or conducted by other Universities, shall be permitted to complete his courses of study or be admitted to the examination of the University and the University shall make arrangement,-
- (a) for the instruction, teaching, training and hold examination for such student for such period in such a manner as may be determined by the Vice-Chancellor in accordance with the course of studies of other University concerned, and
- (b) for the conferment of the corresponding degrees, diplomas or other academic distinctions of the University upon any qualified students on the result of such examinations.

- Protection of action taken in good faith 39. All acts and orders done or passed in good faith by the University, any of its authorities, bodies or officers shall be final and accordingly no suit or legal proceedings shall be instituted against, or damage claimed from the University or its authorities, bodies or officers for anything done or purporting to be done or any order passed in good faith in pursuance of this Act, the Statutes, Regulations and rules made there under.
- Question regarding interpretation and dispute regarding constitution of a authority or body 40. (1) If any question arises regarding the interpretation of any provision of this Act or any Statutes or as to whether a person has been duly appointed or nominated or is entitled to be a member of any authority or body of the University, the matter shall be referred to the Chancellor.
(2) The Chancellor shall after taking such advice as he may deem necessary decide the question and his decision thereon shall be final.
- Power of Government to cause inspection of the University 41. (1) The Government shall have the right to cause inspection, to be made by such person or persons as they may direct, of the University, its buildings, libraries, museums, workshops and equipment or any institution maintained, affiliated to or approved by the University, and to cause enquiry to be made in respect of any matter connected with the University.
(2) The Government shall, before taking any action under sub-section(1), give notice to the University of their intention to cause such inspection or enquiry to be made and the University shall be entitled to be represented there at.
(3) The Government shall communicate to the Board the result of any inspection or inquiry made under sub-section (1) and may, after ascertaining the opinion of the Board thereon, convey their views to the Vice-Chancellor and to the Board.
(4) The Government may, after considering views of the Vice Chancellor and the Board on the result of any inspection or inquiry made under sub-section (1) advise the University upon the action to be taken in the matter.
(5) The Board shall report to the Government the action, if any, which is proposed to be taken or has been taken upon the result of any inspection or inquiry made under sub-section (1).
(6) A report under sub-section (5) shall be submitted to the Government with the opinion of the Board thereon and within such time as the Government may direct.
(7) Where the Board does not, within a reasonable time, take any action referred to in sub-section (4) to the satisfaction of the Government, the Government may after considering any explanation furnished by the Board in the matter, issue such directions as it may think fit, and the Board shall comply with such directions.

Pension,
Insurance and
Provident Fund

42. With the prior approval of the Government, the University may make appropriate provisions for the benefit of its officers, teachers and other employees under its control in matters of pension, insurance and provident fund and for such other benefits as it may deem fit, in such manner as may be prescribed by the Statutes.

Removal of
difficulties

43. If any difficulty arises as to the first constitution of any Authority of the University or otherwise in first giving effect to the provisions of this Act after the commencement of this Act, the State Government may, by order, take such appropriate necessary action, which appears to it to be necessary for the purpose of removing the difficulties.

Statement of Objects of Reason

The State Government in the Higher Education Deptt. decided to establish and constitute a teaching and affiliating Cultural University named as Majuli University of Culture in the world's largest river island Majuli in the State of Assam.

The decision to establish the Majuli University of Culture is to promote education, research and training in various spheres of culture including language, literature, visual arts , performing arts satriya dance, ankia bhaona , mukha etc. , to impart education and disseminate learning in architecture and folklore for advancement of knowledge , promote ethnic studies, etc.

The Majuli University of Culture at Majuli, the seat of vaishnavite culture is set up with an endeavour to promote regional art and culture and develop the first ever cultural, educational, career path development cum research hub of its kind in the State.

HIMANTA BISWA SARMA,
Minister, Education, Assam.

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

FINANCIAL MEMORANDUM

Prior approval of State Government in respect of opening / operating any account in Nationalized Bank or any other bank is must for the Majuli University of Culture 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 expenditure from the consolidated fund of the State of Assam.

MEMORANDUM OF DELEGATED LEGISLATION

In the Clause 34 of the Majuli University of Culture, powers have been delegated to the Board to make the statutes. Every statutes passed by the Board shall be submitted to the Govt. for approval. Hence, there is a provisions of delegated legislation.

In the Clause 35 of the Bill, the Academic Council may with the approval of the Board, make regulations consistent with this act and the statutes. Hence, there is a provision of delegated legislation.

In the Clause 36 of the Bill, the powers have been delegated to the Academic Council to make rules consistent with this act and the Statutes. Hence there is the provision of delegated legislation.

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