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## PART V

### Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*.  
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The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

### THE GUJARAT ORGANIC AGRICULTURAL UNIVERSITY BILL, 2017.

### GUJARAT BILL NO. 15 OF 2017.

### A BILL

*to establish and incorporate a University for the development of organic agricultural sciences in the State of Gujarat.*

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

### CHAPTER I

### PRELIMINARY

1. (1) This Act may be called the Gujarat Organic Agricultural University Act, 2017. Short title and commencement.
- (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 the context otherwise requires,-

- (a) "Academic Council" means the Academic Council of the University constituted under section 13;
- (b) "affiliated college or institution" means a college or institution affiliated to the University under section 45;
- (c) "agriculture" means natural resource management, crop improvement including production and protection, horticulture, veterinary, animal sciences and fisheries, dairy science and technology, plant molecular biology and biotechnology, forestry, agriculture engineering and technology, food technology, home science, agri-business management, basic sciences and humanities in relation to agriculture, any other subject related to agriculture;
- (d) "authority" means any authority of the University as specified in section 10;
- (e) "Board" means the Board of Management constituted under section 11;
- (f) "Board of Studies" means academic affairs committee at faculty level;
- (g) "College or institution" means a constituent or affiliated college of the University under its direct administrative and financial control and management;
- (h) "Chancellor" means the Chancellor of the University;
- (i) "COI" means Centre of Incubations under the jurisdiction of the University;
- (j) "Comptroller" means the Comptroller of the University appointed under section 31;
- (k) "Dean" means the Dean of the college or the Dean of the Faculty appointed under section 29;
- (l) "Director" means the Director of Research and Dean of post-graduate studies and, Director of Extension Education

- appointed under sections 27 and 28, respectively;
- (m) "Extension Education Council" means the Extension Education Council of the University constituted under section 17;
  - (n) "Faculty" means the Faculty in the University as specified in this Act and the Statutes;
  - (o) "Finance Committee" means the Finance Committee constituted under section 41;
  - (p) "Hostel" means a place of residence for students of the University or colleges or institutions maintained or recognized by the University under this Act;
  - (q) "KVK" means the Krishi Vigyan Kendra under the jurisdiction of the University;
  - (r) "Officer" means an officer of the University as specified in section 22 of the Act;
  - (s) "organic agriculture" means and includes all the disciplines mentioned in clause (c) which avoid use of synthetic fertilizers, pesticides, Genetically Modified Organisms, synthetic hormones and chemicals, minimize pollution of air, soil and water, and optimize the health and productivity of interdependent communities of plants, animals and people;
  - (t) "prescribed" means prescribed by the Statutes;
  - (u) "Registrar" means the Registrar of the University appointed under section 30;
  - (v) "Research Council" means the Research Council of the University constituted under section 15;
  - (w) "Statutes and regulations" means the Statutes and regulations of the University specified under sections 42 and 44, respectively;



- (x) "Student" means the person admitted to and enrolled in constituent college or unit of the University for undergoing a course of study for a degree, or other academic programme duly instituted;
- (y) "teacher" means a person not below the rank of an Assistant Professor appointed or recognized by the University for the purpose of imparting instruction and/or conducting and guiding research or extension programmes, and shall include any other person who may be declared by the Statutes to be a teacher;
- (z) "University" means the Gujarat Organic Agricultural University as constituted under section 3 of this Act;
- (za) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 24.

## CHAPTER II UNIVERSITY

**Establishment  
and  
Incorporation  
of University.**

3. (1) There shall be established and constituted a University by the name of the "Gujarat Organic Agricultural University".

(2) The University shall consist of the Chancellor, the Vice-Chancellor, the Board of Management, the Academic Council, the Research Council, the Extension Education Council and other authorities and officers and constituent bodies as set forth in this Act or as provided in the Statutes.

(3) The University shall have perpetual succession and a common seal and may sue or be sued by the said name.

(4) The headquarters of the University shall be at Gandhinagar or at such other place as the State Government may determine.

**Territorial  
Jurisdiction and  
Constituent Bodies.**

4. (1) With respect to the teaching at the University or college level, research, and extension education programmes in the field of organic agriculture, the

territorial jurisdiction and the responsibility of the University shall extend to the entire State of Gujarat.

(2) All colleges, research stations, COIs and other institutions under the jurisdiction and authority of the University shall be the constituent units of the University under the management and control of the University officers and authorities.

(3) The Organic Agricultural University may assume responsibility for the establishment, development and operations of its constituent bodies in the territorial jurisdiction and abroad as may be required.

5. The objects of the University shall be as follows, namely:-

**Objects of  
University.**

- (1) making provisions for imparting education towards development of quality human resource in different branches of study in organic agriculture;
- (2) advancement of learning and conducting of research;
- (3) to acquire the traditional and ancient knowledge and refine it with modern scientific tools;
- (4) undertaking extension education and training;
- (5) promoting partnership and linkages with national and international educational institutions;
- (6) such other purposes as the University may from time to time determine.

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

**Admission to  
University.**

(2) Subject to the provisions under sub-section (1), the University shall reserve seats for the person belonging to the Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes specified by the Government or candidates from other States in India:

Provided that no such person shall be entitled to be admitted to the University unless he meets the standards prescribed in respect of such candidates.

Powers and  
functions of  
University.

7. The University shall have the following powers and functions, namely:-
- (1) to provide for diploma, post-graduate and vocational courses instruction in organic agriculture and other areas as the University may deem fit;
  - (2) to provide for conduct of research in organic agriculture;
  - (3) to facilitate dissemination of the findings of research and technical information through an extension program;
  - (4) to institute courses of study and hold examinations for and confer degrees, and other academic distinctions on persons who have pursued and qualified for a prescribed course of study or research or both in the University or including part courses and research carried out in any other University or recognized institutions for the purpose;
  - (5) to withdraw or cancel any degree, diploma or certificate conferred or granted by the University in such manner as may be prescribed;
  - (6) to provide training for farmers, field workers, rural youth and other persons not enrolled as regular students of the University;
  - (7) to have collaboration in academic, research and extension programmes with other Universities, Indian Council of Agricultural Research Institutes and Public and Private Research and Development Organizations or Institutions;
  - (8) to acquire, hold and retain property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may have become vested or have been acquired by it for the purpose of the University, and to receive and borrow money from the Central Government, State Government or any other approved sources and do all other things necessary for the purpose of this Act;



- (9) to establish and maintain colleges, laboratories, libraries, museums, research stations, KVKs or Centre of Incubations as per agro climatic conditions of the State and units thereof relating to organic agriculture and allied sciences;
- (10) to create teaching, research, extension and other posts with the approval of the Government and to appoint persons to such posts;
- (11) to create administrative and other posts as the University may deem necessary from time to time and to appoint persons to such posts;
- (12) to institute and award fellowships, scholarships, stipends, prizes in accordance with the Statutes;
- (13) to inspect research stations and recognized institutions and to take measures to ensure that proper standards of instruction, teaching are maintained in them;
- (14) to lay down and regulate the pay-scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff of the University;
- (15) to lay down and regulate the pay-scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff in affiliated colleges or centres and recognized institutions of the University;
- (16) to fix, demand and receive such fees and other charges as may be prescribed;
- (17) to institute and maintain residential accommodations for students and staff of the University as appropriate;
- (18) to supervise and control the residence, conduct and discipline of the students of the University, and to make arrangement for promoting their health and welfare;

- (19) to regulate the expenditure and to manage the finance and to maintain the accounts of the University;
- (20) to purchase or to take on lease any land or building or works which may be necessary or convenient for the purpose of the University on such terms and conditions as it may think fit and proper and to construct, alter and maintain any such building or works;
- (21) to draw and accept, to make and endorse, to discount and negotiate government promissory notes and other promissory notes, bills of exchange, cheques or other negotiable instruments;
- (22) to raise and borrow moneys on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to pay out the funds of the University, all expenses incidental to the raising of moneys, to repay and redeem any money borrowed after taking prior permission of the State Government;
- (23) to receive grants, subventions, subscriptions, donations and gifts for the purpose of the University and consistent with the objects for which the University is established and to allocate and disburse grants out of the fund to institutions and courses recognized by it for the purpose of developing them so as to promote organic farming;
- (24) to establish such special centres, specialized study centres or other units for research and instruction as in the opinion of the University, necessary for the furtherance of its objective;



- (25) to provide printing, reproduction and publication of research and other works and to organize exhibitions, workshops seminars, conference, etc. pertaining to organic farming and agriculture;
- (26) to hold and manage trusts and endowments;
- (27) to carry out accreditation of the laboratories, Institutes and the Universities for organic agriculture;
- (28) to do all such acts and things whether incidental to the powers aforesaid or not as may be required in order to further the objects of the University.

8. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the grounds only of religion, race, creed, caste, language, sex, place of birth, class or profession of political or other opinion or any of them.

University open to all irrespective of sex, religion, class, creed or opinion.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to religious belief, race, creed, caste, language, sex, place of birth, class or profession of political or other opinion in order to entitle him to be admitted as a teacher or a student of the University or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

9. (1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories and equipment and of any constituent units of the University and to cause an inquiry to be made in respect of any matter connected with the University.

Inspection and Inquiry.

(2) The Chancellor, shall, in every case, give due notice to the University of his intention to cause an inspection or enquiry to be made and the University entitled to be represented thereat.

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

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

(5) The Chancellor may, where such action has not been taken by the University to the satisfaction of the Chancellor within the time limit fixed and after considering any explanation furnished or representation made by the University, issue such directions as he may think fit and the University shall comply with such directions.

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

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

**CHAPTER III**  
**AUTHORITIES OF UNIVERSITY**

10. The following shall be the authorities of the University, namely:-

**Authorities of  
University.**

- (i) the Board of Management;
- (ii) the Academic Council;
- (iii) the Research Council;
- (iv) the Extension Education Council;
- (v) the Faculties and their Board of Studies;
- (vi) such other bodies of the University as may be declared by the Statutes to be authorities of University.

11. (1) The Chancellor shall, soon after the first Vice-Chancellor is appointed, constitute the Board of Management.

**Board of  
Management  
and its  
Constitution.**

(2) The Board of Management shall consist of the following members, namely:-

- (i) the Vice-Chancellor –Chairperson;
- (ii) the Secretary, Department of Agriculture, Government of Gujarat or his nominee not below the rank of Deputy Secretary;
- (iii) the Secretary, Finance Department, Government of Gujarat or his nominee not below the rank of Deputy Secretary;
- (iv) the Secretary from the Department of Animal Husbandry or Fisheries or Forestry or his nominee not below the rank of Deputy Secretary, to be nominated by the Government of Gujarat keeping in view the teaching and research programmes at the University;



- (v) one eminent person from the field of organic agriculture and allied sciences, to be nominated by the State Government;
- (vi) one outstanding woman having background of organic farming, to be nominated by the State Government;
- (vii) one progressive farmer having background of organic farming, from the jurisdiction of the University, to be nominated by the State Government;
- (viii) one representative from the Indian Council of Agricultural Research (ICAR), to be nominated by the Director General, ICAR;
- (ix) the Director of Agriculture, Gujarat State;
- (x) the Director of Animal Husbandry, Gujarat State;
- (xi) the Director of Horticulture, Gujarat State;
- (xii) one member nominated by the Vice-Chancellor by rotation in the prescribed manner from amongst the Deans;
- (xiii) one Director, to be nominated by the Vice-Chancellor from Director of Research or from Director of Extension Education;
- (xiv) Registrar – Member-Secretary;

(3) The term of the office of the Members of the Board other than the *ex-officio* members shall be two years.

(4) When any vacancy occurs in the office of any member by the reason of death, resignation or any cause other than the expiry of term, the vacancy shall be filled in accordance with the provisions of this section and the person who fills such vacancy shall hold office for the remainder of the term for which the person whose place he fills would have been a member.

(5) No action or proceedings of the Board shall be invalid merely on the ground of the existence of any vacancy or defect in the constitution of the Board.

(6) No other officer or employee of the University shall be eligible to be the member of the Board under clause (v) to (vii) of sub-section (2) of this section.

(7) The Board shall, on such date and at such place fixed by the Vice-Chancellor, hold its meeting:

Provided that the Vice-Chancellor shall fix a date and a place for the meeting of the Board at least once in every three months.

(8) One-third of the members of the Board shall form quorum at a meeting of the Board:

Provided that if a meeting of the Board is adjourned due to insufficient quorum, no quorum shall be necessary at the next meeting called for transacting the same business.

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

12. (1) Subject to the provisions of this Act and the Statutes, the Board shall be the Chief Executive Body of the University and shall manage and supervise the properties and activities of the University and shall be responsible for the conduct of all administrative affairs of the University not otherwise provided for in this Act.

**Powers and  
functions of  
Board.**

(2) Without prejudice to the generality of the foregoing powers, the Board shall exercise the following powers and perform the following functions, namely:-

- (i) to consider and approve the financial requirements, estimates and the budget of the University;
- (ii) to hold and control the property and the funds of the University and issue any general directive on behalf of the University;
- (iii) to accept or transfer any property on behalf of the University;
- (iv) to accept on behalf of the University, bequests, donations and endowments;
- (v) to administer funds placed at the disposal of the University for the purpose intended;
- (vi) to arrange for the investment and withdrawal of the funds of the University;
- (vii) to borrow money for capital investments with prior approval of the State Government and make suitable arrangements for its repayment;
- (viii) to consider, decide the matters of general policy relating to the progress and development of the University;
- (ix) to suggest the steps to be taken by the authorities of the University in pursuance of the policy decided by the Board;
- (x) to enter into, vary, carry out and cancel contracts on behalf of the University in exercise or performance of the powers and functions assigned to it by or under this Act or the Statutes;
- (xi) to make provision for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;
- (xii) to consider and approve the recommendations of the Academic, Research and Extension Education Councils where required;
- (xiii) to direct the form and use of the common seal of the University;
- (xiv) to appoint such committees and bodies as it may deem necessary and set down the terms of reference thereof in accordance with the provisions of this Act and the Statutes;



- (xv) to consider and approve establishment, amalgamation and abolition of college, department, centre or research station or sub-station on the recommendation of Academic Council, Research Council or Extension Education Council;
- (xvi) to create teaching, research, extension education and other posts with the approval of the State Government;
- (xvii) to approve the recommendations of the Selection Committee in the prescribed manner for appointment of officers, teachers and employees of the rank of Assistant Professor and above;
- (xviii) to affiliate centres or colleges or recognize institutions of research in organic agriculture or extension education as may be provided by the Statutes;
- (xix) to arrange for and to direct, the inspection of affiliated centres or colleges, recognized institutions and hostels, to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment including pay-scales and allowances for the members of their teaching, other academic and non- teaching staff;
- (xx) to withdraw, either in whole or in part, or to modify the rights conferred on a college by affiliation or on an institution by recognition;
- (xxi) to recommend to the State Government for withdrawal or reduction of a grant of a college which makes default in carrying out the conditions of affiliation;
- (xxii) to recognize a member of the staff of an affiliated centre or college or recognized institutions to undertake specialization of studies;
- (xxiii) to make such provision as to enable affiliated centre or colleges and recognized institutions to undertake specialization of studies;

- (xxiv) to lay down and regulate the pay-scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff of the University;
  - (xxv) to lay down and regulate the pay-scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff in affiliated centres, colleges and recognized institutions of the University;
  - (xxvi) to supervise and control the residence, conduct and discipline of the students of the University, and to make arrangement for promoting their health and welfare;
  - (xxvii) to institute and award fellowship and scholarships, studentships, medals, prizes and other awards;
  - (xxviii) to institute and confer or grant degrees, diplomas and other academic distinctions;
  - (xxix) to call for reports, returns and other information from colleges and recognized institutions;
  - (xxx) to exercise all powers to promote diploma, post-graduate and vocational courses, teaching, research and extension education;
  - (xxxi) to fix, demand and receive such fees and other charges as may be prescribed;
  - (xxxii) to make recommendations, not otherwise provided for in this Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes;
  - (xxxiii) to formulate the committee for accreditation of laboratories, institutes and the Universities.
- (3) The powers and functions under clauses (xviii) to (xxiii) of sub-section (2) shall not be exercised or performed by the Board except upon the recommendation made by the Academic Council.

(4) The exercise of powers by the Board under clauses (xxiv) and (xxv) of sub-section (2) in so far as they relate to the laying down and regulating the pay-scales, allowances and other conditions of service of the members of the teaching, other academic and non-teaching staff of the University, constituent college, affiliated college and recognized institution, shall be subject to the approval of the State Government.

(5) The Board may, appoint committee to carry out its administrative work and define their constitution, functions and tenures as may be prescribed.

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

- (i) the Vice-Chancellor-Chairperson, *ex-officio*;
- (ii) the Director of Research and Dean of Post-graduate studies, *ex-officio*;
- (iii) the Director of Extension Education, *ex-officio*;
- (iv) all Deans, *ex-officio*;
- (v) two Heads of the Department from each faculty, to be nominated by the Vice-Chancellor on rotation basis;
- (vi) one teacher of the rank of Professor from each faculty, by rotation, to be nominated by the Vice-Chancellor;
- (vii) three eminent educationist from outside the University, to be nominated by the Vice-Chancellor;
- (viii) the Registrar, *ex-officio* Member-Secretary.

The Comptroller and the University Librarian shall be the non-member invitees.

(2) The Academic Council may co-opt as members not more than two persons for such period and in such manner as may be prescribed so as to secure adequate representation of different sectors of organic agriculture and allied fields.



(3) All members of the Academic Council other than the *ex-officio* members and members referred in sub-section (2) shall hold office for a term of two years.

(4) One-third of the members of the Academic Council shall form quorum at a meeting of the Council:

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

(5) The Academic Council shall meet at least once in each semester on such date as may be fixed by the Vice-Chancellor. However, the special meetings of the Academic Council may be called by the Vice-Chancellor.

**Powers and  
functions of  
Academic  
Council.**

14. (1) The Academic Council shall, subject to provisions of this Act and the Statutes, have the powers by regulations to prescribe all courses of study and determining curricula, and shall have the control on teaching and other educational programmes within the University, and shall be responsible for the maintenance of standards thereof.

(2) The Academic Council shall have the powers to make regulations consistent with this Act and the Statutes relating to all academic matters subject to its control and to amend or repeal such regulations.

(3) In particular, and without prejudice to the generality of the foregoing powers, the Academic Council shall have the following powers, namely:-

- (i) to advise the Board and the Vice-Chancellor on all academic matters;

- (ii) to make recommendations for the institution of Professorships, Associate Professorships, Assistant Professorships and other teaching posts including posts in research and extension education and in regard to the duties thereof;
- (iii) to make recommendations for adjunct professorship;
- (iv) to make recommendations for the establishment, amalgamation or abolition of faculty, college, department of teaching, research and extension education;
- (v) to make regulations regarding the admission of students to the University, and determine the number of the students to be admitted;
- (vi) to make regulations relating to the courses of study leading to degrees, diplomas and certificates;
- (vii) to make regulations relating to the conduct of examinations and to maintain and improve standards of education;
- (viii) to arrange for co-ordination of studies and teaching in affiliated colleges and recognized institutions;
- (ix) to approve regulations prescribing the manner of granting exemption in approved courses of studies in the University or in the affiliated colleges for qualifying degrees, diploma and certificates;
- (x) to recommend to the Board, the affiliation of a college and recognition of the institution;
- (xi) to make proposals for allocating subjects to the faculty;
- (xii) to make proposal for diploma, vocational courses, post-graduate teaching, research and extension education;
- (xiii) to recommend qualifications to be prescribed for teaching, research and extension education staff in the University;
- (xiv) to make recommendations regarding the qualifications to be prescribed for teachers in the University;

- (xv) to exercise such other powers and perform such other functions as may be conferred or imposed on it under the provisions of this Act, by the Board or the Vice-Chancellor.

**Research Council.**

15. (1) The Research Council shall consist of the following members, namely:-

- (i) the Vice-Chancellor – Chairperson;
- (ii) the Directors of Agriculture, Horticulture, Animal Husbandry, Fisheries or Chief Conservator of Forests of the Government, depending upon research mandate and programmes of the University;
- (iii) the Director of Extension Education;
- (iv) all Deans;
- (v) all Heads of the Departments/Associate Directors;
- (vi) Director of Research – Member-Secretary.

The Registrar and the Comptroller shall be the non-member invitees.

(2) The Research Council may co-opt as members not more than four persons including one progressive farmer having background of organic farming for such period and in such manner as may be prescribed so as to secure adequate representation of different sectors of agriculture and allied fields.

**Functions of Research Council.**

16. The Research Council shall consider and make recommendations in respect of:

- (i) the research programmes and projects undertaken or to be undertaken by the various University scientists in the field of organic agriculture and allied sciences and their prioritization, monitoring and evaluation;
- (ii) physical, fiscal and administrative facilities required for implementing research projects;



- (iii) orienting research to meet farmers and needs of other stake holders;
- (iv) Public-Private Partnership in research;
- (v) any other matter pertaining to research programmes which may be referred to it by the Vice-Chancellor or the Board or any other authorities of the University.

17. The Extension Education Council shall consist of the following members, namely:-

Extension  
Education  
Council.

- (i) the Vice-Chancellor-Chairperson;
- (ii) the Directors of Agriculture, Horticulture, Animal Husbandry, Fisheries or Chief Conservator of Forests of the Government, depending upon mandate and programmes of the University;
- (iii) the Director of Research and all Associate Directors or Joint Directors;
- (iv) all Deans;
- (v) all Heads of the Departments, Regional Research Station or Centres;
- (vi) two eminent persons in the field of Extension Education from outside of the University, to be nominated by the Vice-Chancellor;
- (vii) two progressive farmers having background of organic farming, to be nominated by the Vice-Chancellor;
- (viii) the Director of Extension Education- Member-Secretary.

The Registrar and the Comptroller shall be the non-member invitees.

(2) The Vice-Chancellor may co-opt up to two members from related organizations.

**Functions of  
Extension  
Education  
Council.**

**18.** The Extension Education Council shall consider and make recommendations in respect of,-

- (i) the extension programmes and projects of the University;
- (ii) co-ordination of extension activities;
- (iii) development of farmers' education, training and advisory services;
- (iv) monitoring and evaluation of the extension programmes and projects of the University;
- (v) any other matter referred to it by the Vice-Chancellor, Board or any other authorities of the University.

**Faculties and  
Board of  
Studies.**

**19.** (1) The University shall have the faculties.

(2) Each faculty shall have the Board of Studies consisting of the following members, namely:-

- (i) the Dean of Faculty – Chairperson;
- (ii) the Principal of the constituent colleges;
- (iii) all Heads of the Departments of the concerned faculty;
- (iv) one senior faculty member from each Department, to be nominated by the Dean of Faculty;

The senior Head of the Department shall be the Member-Secretary.

(3) The functions of each faculty shall be as follows, namely:-

- (i) to review teaching programmes and suggest improvement thereof;
- (ii) to consider the recommendations of the Committee of the courses and curricula and submit to the Academic Council the same for approval;
- (iii) to perform such other functions as may be assigned to it by the Academic Council or the Vice-Chancellor.

20. Every authority shall have the power to appoint Committees which may, unless otherwise provided in this Act or Statutes, consist of the members of the authority and such other persons as it may deem fit.

Constitution of Committees.

21. (1) Save as otherwise provided in this Act, if any member other than *ex-officio* member of any authority or body of the University, is unable by reason of his death, resignation, removal or otherwise to complete his full term of office, the vacancy so occurred shall as soon as possible, be filled by appointment, nomination or co-option, as the case may be, and the person so appointed, nominated or co-opted shall hold such office for the remainder period for which the member in whose place such person is appointed, nominated or co-opted would have held office if the vacancy had not occurred.

Provisions in relation to membership of authorities.

(2) The Board may remove any person from membership of any authority or body of the University on the ground that such person has been convicted of any offence involving moral turpitude or conduct not befitting the office held by the concerned member with the approval of the Chancellor:

Provided that the prior approval of the Chancellor shall not be necessary where such person has been convicted by a competent court of law:

Provided further that no such order shall be made against any person without giving him reasonable opportunity of being heard.

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



(4) Whenever any person becomes a member of any authority or body of the University by virtue of the office held by him, he shall forthwith cease to be a member of such authority or body if he ceases to hold such office before the expiry of the term of his membership:

Provided that he shall not be deemed to have ceased to hold his office merely by reason of his proceeding on leave for a period not exceeding four months.

(5) Any member, other than an *ex-officio* member of any authority or body of the University may resign from his office by letter addressed to the Vice-Chancellor and such resignation, upon acceptance, shall take effect from the date on which the same is submitted.

#### CHAPTER IV OFFICERS OF UNIVERSITY

Officers of  
University.

22. The following shall be the officers of the University, namely:-
- (i) the Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) the Director of Research and Dean of Post-graduate Studies;
  - (iv) the Director of Extension Education;
  - (v) the Deans;
  - (vi) the Registrar;
  - (vii) the Comptroller;
  - (viii) such other officers in the service of the University as may be declared by the Statutes to be the officers of the University.

23. (1) The Governor of the State of Gujarat shall, by virtue of his office, be the Chancellor of the University. **Chancellor.**

(2) The Chancellor shall be the Head of the University and shall when present, preside at the Convocation of the University.

(3) The Chancellor may by an order in writing, annul any order or proceedings of the officer or any authority of the University which is not in conformity with this Act and the Statutes:

Provided that before making any such order he shall call upon the officer or the authority concerned to show cause why such an order should not be made and if any sufficient cause is shown within the time specified in this behalf, he shall consider the same and pass appropriate order.

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

24. (1) The Vice-Chancellor shall be appointed by the State Government from amongst three persons recommended by a search committee constituted for the purpose under sub-section (3). **Vice-Chancellor.**

(2) To be eligible for being appointed as the Vice-Chancellor, a person shall have excellence and demonstrated leadership qualities in the agricultural development alongwith minimum ten years of administrative experience in the State of Gujarat and has not attained the age of sixty-five years.

(3) For the purpose of sub-section (1), the Chancellor shall constitute a search committee which shall consist of the following members, namely:-

(i) the Director General, ICAR or his nominee;

(ii) one person in the rank of the Vice-Chancellor or his equivalent, to be nominated by the State Government;

(iii) one nominee of the Chancellor, who shall be the Convener and Chairman of the Search Committee.

(4) The Committee so appointed shall, within maximum eight weeks and in such manner as may be prescribed by Statutes, select three persons whom it considers fit for being appointed as the Vice-Chancellor and shall recommend to the State Government the names of the persons so selected along with such other particulars as may be prescribed by the Statutes.

(5) The Vice-Chancellor shall hold office for a term of five years:

Provided that no person appointed as the Vice-Chancellor shall continue to hold his office as such after he attains the age of seventy years.

(6) The emoluments to be paid to the Vice-Chancellor, and the terms and conditions subject to which he shall hold office, shall be such as may be determined by the State Government based on the norms of the University Grants Commission (UGC) or Indian Council of Agricultural Research (ICAR).

(7) (a) During the leave or absence of the Vice-Chancellor, or

(b) in the event of a permanent vacancy in the office of the Vice-Chancellor, until an appointment is made under sub-section (1) to that office-

the senior most Director, Dean or the Registrar of the University shall be given a charge with the prior approval of the Chancellor, of that post and he shall carry on the current duties of the office of the Vice-Chancellor.



(8) The Vice-Chancellor may, by writing under his signature addressed to the Chancellor, after giving one month's notice, resign from his office and such resignation shall take effect from the date of the acceptance of resignation by the Chancellor.

(9) The Vice-Chancellor may be removed from his office by the Chancellor, if it is satisfied that the incumbent:-

- (a) has become insane and stands so declared by a competent court;
- (b) has been convicted by a court for any offence involving moral turpitude;
- (c) has become an insolvent and stands so declared by a competent court;
- (d) has been physically unfit and incapable of discharging functions due to protracted illness or physical disability;
- (e) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service as determined by the State Government or has abused the powers vested in him or if the continuation of the Vice-Chancellor in the office is detrimental to the interest of the University:

Provided that the Vice-Chancellor shall not be removed from his office, unless an opportunity of being heard is offered to him.

(10) A person shall be disqualified for being appointed as, or from being, a Vice-Chancellor –

- (i) if he is a Member of the Parliament or of any state Legislature or of any local authority;
- (ii) if he is a member of a political party; or
- (iii) if he incurs disqualifications as mentioned in sub-section (9).

**Powers and  
Duties of Vice-  
Chancellor.**

25. (1) The Vice-Chancellor shall be the principal executive officer of the University and *ex-officio* Chairman of the Board, the Academic Council and other authorities and shall in the absence of the Chancellor, preside at the convocation of the University and confer degrees on persons entitled to receive them.

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

(3) (a) The Vice-Chancellor shall have power to convene the meetings of the Board of Management, the Academic Council, the Research Council and the Extension Council.

(b) The Vice-Chancellor may delegate the power under clause (a) to any other officer of the University.

(4) The Vice-Chancellor shall ensure compliance of the provisions of this Act, Statutes and regulations.

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

(6) The Vice-Chancellor may take any action in any emergency, which in his opinion calls for immediate action. He shall in such case and as soon as may be thereafter, report his action to the authorities who would ordinarily have dealt with the matter for ratification. If the authority disagrees with the action of the Vice-Chancellor, the matter shall be referred to the Chancellor, whose decision shall be final.

(7) Where any action taken by the Vice-Chancellor under sub-section (6) affects any person in the service of the University to his disadvantage, such

(8) If the Vice-Chancellor is satisfied that a decision of the Board is not in the best interest of the University, he shall refer it to the Chancellor, whose decision thereon shall be final.

(9) Subject to the provisions of the preceding sub-sections, the Vice-Chancellor shall give effect to the decisions of the Board regarding the appointments, promotions and dismissal of officers, teachers and other employees of the University.

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

(11) The Vice-Chancellor shall exercise such other powers and perform such other duties as are conferred or imposed upon him under the provisions of this Act and the Statutes.

26. The other officers of the University as referred to in clause (viii) of section 22 shall be appointed by the Vice-Chancellor with the approval of the Board or a nominated body of the University, on such terms and conditions as may be prescribed:

**Other officers  
of University.**

Provided that the Vice-Chancellor may make appointments of such other officers as a temporary measure for a period of six months under the intimation to the Board or such nominated body of the University.

27. (1) The Director of Research and Dean of post-graduate studies shall be a whole time salaried officer of the University and shall be appointed by the Vice-Chancellor with the prior approval of the Board.

**Director of  
Research and  
Dean of Post-  
graduate  
Studies.**

(2) The qualifications, emoluments and the terms and conditions of service of



the Director shall be such as may be prescribed.

(3) He Shall be responsible for the direction and co-ordination of Post-graduate studies and research programmes in the University as laid down in section 33 and efficient working of research Stations.

(4) The Director shall exercise such other powers and perform such other duties as may be prescribed.

(5) The Director shall also perform such other duties as may be assigned to him from time to time, by the Vice-Chancellor.

**Director of  
Extension  
Education.**

28. (1) The Director of Extension Education shall be a whole time salaried officer of the University and shall be appointed by the Vice-Chancellor with the prior approval of the Board.

(2) The qualifications, emoluments and the terms and conditions of service of the Director of Extension Education shall be such as may be prescribed.

(3) He shall be responsible for the agriculture extension programmes as laid down in section 34.

(4) He shall plan and direct the programme of students advisement and counseling and to enlist the co-operation of prospective employers and employment agencies to assist in the placement of graduates of the University and to promote discipline amongst the students of the University.

(5) He shall plan and organize students extra-curricular activities such as sports, cultural and other recreational activities, National Cadet Corps (NCC), National Service Scheme (NSS) and communication skill improvement and other allied activities.

(6) He shall make arrangements and supervise management of students' hostel, cafeteria and mess.

(7) He shall supervise and control medical and health services and other welfare measures in the University.

(8) The Director of Extension Education shall exercise such other powers and perform such other duties as may be prescribed.

(9) The Director of Extension Education shall also perform such other duties as may be assigned to him from time to time, by the Vice-Chancellor.

**29.** (1) There shall be a Dean of each faculty or as the case may be, the **Deans.** Dean of college who shall be chosen in such a manner as may be prescribed.

(2) The Dean shall be a Head of the College and be responsible for teaching, research and extension education in the College.

(3) The Dean of faculty shall hold office for a term of three years and shall be eligible for being chosen to that office for a further term of three years.

(4) The Dean of faculty shall be the Chairman of Board of Studies of the concerned faculty and shall be responsible to the Vice-Chancellor for the organization and implementation of the teaching programme of the faculty.

(5) The Dean of each faculty shall be responsible for due observance of Statutes and regulations relating to that faculty.

(6) The Dean shall exercise such other powers and perform such other functions and duties as may be prescribed.

(7) The Dean shall also perform such other duties as may be assigned to him from time to time, by the Vice-Chancellor.

**30.** (1) The Registrar shall be a whole time salaried officer of the **Registrar.** University and shall be an *ex-officio* Secretary of the Board and the permanent invitee in the meetings of all the councils of the University.

(2) He shall be appointed by the Vice-Chancellor with the prior approval of the Board and his qualifications, emoluments and the terms and conditions of the service shall be such as may be prescribed.

(3) He shall be responsible for the due custody of records and common seal of the University.

(4) He shall be responsible for the establishment matters and general administration in the University as may be prescribed.

(5) He shall be responsible for admissions and conduct and management of examinations, maintenance of permanent records of the students at the University including the courses taken, credits obtained, degrees, prizes or other distinctions and other items pertaining to academic performance and discipline of the students.

(6) The Registrar shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

(7) The Registrar shall also perform such other duties as may be assigned to him from time to time, by the Vice-Chancellor.

**Comptroller.** 31. (1) The Comptroller shall be appointed by the Vice-Chancellor with the prior approval of the Board and his qualifications, emoluments and the terms and conditions of service shall be such as may be prescribed.

(2) He shall be responsible for preparation of the budget, the statement of accounts, and management of the funds and investments of the University.

(3) He shall be responsible for ensuring that expenditure is made as authorized by the University.

(4) He shall arrange periodical internal inspection of the accounts maintained by the various units of the University.

(5) He shall be responsible for the maintenance of the accounts of the University in the form and manner as approved by the Board and keep constant watch on the state of cash and bank balance and on the state of investment.

(6) He shall see that the asset registers are maintained up-to-date and that the regular stock checking is conducted.



(7) He shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

(8) The Comptroller shall also perform such other duties as may be assigned to him from time to time, by the Vice-Chancellor.

#### CHAPTER V EDUCATION, RESEARCH AND EXTENSION

32. (1) Subject to provisions of this Act, education in the University shall include Master and Doctoral degree programmes, short-term diploma, certificate, or vocational courses in the disciplines of organic agriculture and allied sciences as may be prescribed. **Educational programmes.**

(2) The educational programmes shall maintain congruence with the State and the National policies.

(3) The University shall put in place initiatives for e-learning, distributed or distance education, Information and Communication Technology (ICT) enabled knowledge sharing, etc.

33. (1) Subject to the provisions of this Act and the Statutes, the University shall carry on strategic, basic and applied research in organic agriculture. **Research.**

(2) The University through its research organization shall be the principal agency of control over research activities in organic agriculture, animal husbandry and other allied branches in its jurisdiction.

(3) The University may establish Regional and Zonal Research Stations and Sub-Stations in different agro-climatic zones in its territorial jurisdiction for the conduct of research including operational research.

34. (1) The extension education programmes shall be established in the University and shall, subject to the provisions of this Act and the Statutes, ensure **Extension education programmes.**

technology assessment and refinement and facilitate adoption of technology based on research findings to farmers and others for accelerated agricultural growth. The University shall conduct demonstrations and training programmes for the benefit of various stakeholders. The extension education programmes shall be co-ordinated with various units of the University and other appropriate agencies of the Central or the State Government, as the case may be.

(2) The University shall be responsible for developing models of organic agricultural extension education in the State.

**Integration of  
teaching,  
research and  
extension  
education.**

35. (1) In consultation with the appropriate officers of the University, the Vice-Chancellor shall be responsible for taking such steps as may be necessary for the full integration of teaching, research and extension education activities of the University.

(2) Every faculty member borne on teaching cadre shall devote time as may be decided by the Vice-Chancellor in consultation with the appropriate officers of the University in an academic year for undertaking research or extension education besides teaching. Likewise, a faculty member on research or extension education shall spend some time in teaching.

(3) All teaching, research and extension education staff located in the college shall be under the administrative control of Dean of the College and overall technical control of Director of Research or, as the case may be the Director of Extension Education.

(4) The University shall develop its programme of research and extension education keeping in view the regional needs of the State and provide the appropriate technological backstopping to the Government and other stakeholders.

**CHAPTER VI****FINANCE**

**36.** (1) The University shall have the General Fund. The following shall form part of, or be paid into, the University Fund:- **University Funds.**

- (a) the income from fees, endowments and grants and the income from properties of the University including hostel, experimental stations and farms;
- (b) any contribution and grants made by the State Government on such conditions as are consistent with the provision of this Act;
- (c) other contributions, grants, donations, benefactions and loans and other receipts.

(2) The University shall form a fund called the Foundation Fund from contributions and grants made by the Central Government or the State Government or approved agency for being credited to that fund and such other sums as may be specified by the Board to this fund. The Board may, as and when necessary, retransfer such amount as may be specified, from the Foundation Fund to the General Fund, in the manner as may be prescribed.

(3) The University shall furnish statement of accounts, reports and other particulars to the State Government relating to any grant made by the Government and shall take such action and furnish such statements, accounts, reports and other particulars relating to the utilization of any grant within such time and manner as the State Government may direct.

(4) The University may, in furtherance of its objectives, to accept the grants from the State Government or any other State Government or the Central Government or Statutory Bodies or endowments or donations under such conditions as may be agreed upon between the University and the grantor or donor.



- Management of Funds.** 37. The General Fund, Foundation Fund and other funds of the University shall be managed according to the provisions prescribed by the Statutes.
- Accounts and audit.** 38. The Annual Statement of accounts (based on the double entry system of accounting) of the University shall be prepared by the Comptroller and certified by an authority to be nominated or authorized by the Board. The Statement shall include all the money accruing to or received by the University from any source and all amounts disbursed and paid by the University. Such statement shall be submitted to the Government by the Board normally within six months after close of the financial year to which these pertain.
- Annual report.** 39. The annual report of the University shall be prepared by the Registrar or any other officer, assigned under the direction of the Vice-Chancellor normally within six months from the close of the financial year and circulated to the Members of the Board before the meeting at which it is to be considered. The Board shall, after consideration of the annual report, forward a copy thereof to the State Government.
- Government Grants.** 40. The State Government shall make the following *lump sum* grants to the University every year, namely:-
- (i) a grant not less than the estimated expenditure of pay and allowances of the staff contingencies, supplies and services of the University for proper functioning of University;
  - (ii) a grant to meet the actual pensionary and all other retirement liabilities of the pensioners of the University; and
  - (iii) non-lapsable *lump sum* grant of an amount equal to the net outlay in the annual plan to the University in respect to schemes included in the Five Year Plans and transferred to it for implementation by the University.

41. (1) The Finance Committee of the Board shall consist of the following members, namely:- **Finance Committee.**

- (i) the Vice-Chancellor – Chairperson;
- (ii) the Secretary to the Government of Gujarat, Finance Department or his nominee not below the rank of Deputy Secretary;
- (iii) the Secretary to the Government of Gujarat, Agriculture Department or his nominee not below the rank of Deputy Secretary;
- (iv) one Director or Dean from amongst the Board Members, to be nominated by the Vice-Chancellor;
- (v) one nominee of the Board;
- (vi) the Comptroller – Member-Secretary.

The Registrar shall be the non-member invitee.

(2) The Finance Committee shall have the following functions, namely:-

- (i) to examine the annual accounts and budget estimates of the University and to advise the Board thereon;
- (ii) to review the financial position of the University from time to time;
- (iii) to make recommendations to the Board on all matters relating to the finances of the University.

## CHAPTER VII

### STATUTES AND REGULATIONS

42. Subject to the provisions of this Act, the Statutes of the University may provide for any matter connected with the affairs of the University and shall, without prejudice to the generality, provide for the following matters in particular, namely:- **Statutes.**

- (i) constitution, powers and duties of the authorities;
- (ii) creation, composition and functions of the other Bodies or Committees

- necessary or desirable for improving the academic life of the University;
- (iii) designations, powers, functions, duties, manner of appointment and selections, emoluments, and terms and conditions of service of the officers other than the Chancellor and the Vice-Chancellor;
  - (iv) classification, designation, qualifications and manner of appointment, emoluments, terms and conditions of services and duties of teachers and non-teaching staff of the University;
  - (v) terms and conditions of service of the Vice-Chancellor;
  - (vi) establishment, amalgamation, sub-division or abolition of faculties, departments, research stations, centres or other units of the University;
  - (vii) establishment of pension and insurance schemes for the benefit of officers, teachers and other employees of the University and rules, terms and conditions of such schemes;
  - (viii) holding of convocations to confer degrees and diplomas;
  - (ix) conferment and withdrawal of honorary degrees and academic distinctions;
  - (x) conditions of service, remunerations and allowances including traveling and daily allowances to be paid to officers, teachers and other persons employed under the University;
  - (xi) conditions and mode of appointment and the duties of examining bodies and examiners;
  - (xii) management of colleges, centres, divisions, departments, regional stations, COIs, KVKs and other institutions funded or maintained by the University;
  - (xiii) constitution of Selection Committee for appointment of teachers and other staff;



(xiv) all other matters which are required under this Act to be provided by the Statutes.

43. (1) The Board shall propose the Statutes to be made under section 42 to the Chancellor for his assent and they shall be valid only after the assent of the Chancellor is received and notified by the Vice-Chancellor.

**Statues, their making, amendments, repeal and operation.**

(2) Any Statute may be amended or repealed by the Board with the approval of the Chancellor.

(3) All Statutes made under this Act shall be published in the *Official Gazette*.

44. (1) The authorities of the University may make regulations consistent with this Act and the Statutes for-

**Regulations.**

(i) laying down the procedure for their meetings and number of members required to form the quorum;

(ii) providing for matters which by this Act and the Statutes are required under this Act or the Statutes to be regulated by regulations;

(iii) providing for any other matter solely concerning the authority and not provided for by this Act and the Statutes.

(2) The Academic Council may, subject to the provisions of this Act and the Statutes, make regulations providing for courses of studies, system of examination, academic calendar, award of degrees and diplomas of the University and other matters related to Resident Instruction.

(3) The regulations made by any authority of the University shall be subject to such directions as the Board may from time to time give in this behalf.

(4) The Academic Council may make regulations for the following matters, namely:--

- (i) the conferment of academic distinctions and withdrawal of degrees;
- (ii) the establishment and closure of hostels maintained by the University;
- (iii) the institution of fellowships, scholarships, stipends, bursaries, medals and prizes and the conditions of award thereof;
- (iv) the entrance or admission of the students to the University and their enrollment and continuance as such and the conditions and procedures for cancelling enrollment of students;
- (v) the fees that may be charged by the University;
- (vi) the course of study to be laid down for all degrees, diplomas and certificates of the University;
- (vii) the conditions under which the students shall be admitted to the degrees, diplomas, or other courses and examinations of the University and their eligibility for the award of degrees and diplomas;
- (viii) the conditions for conferment of degrees and other academic distinctions;
- (ix) the maintenance of discipline among the students of the University;
- (x) the special arrangements, if any, which may be made for residence, discipline and teaching of women students and making provisions for special courses of study for women;
- (xi) the conditions for residence of students of the University and the levy of fees for residence in hostels.

**CHAPTER VIII****AFFILIATION, RECOGNITION AND ACCREDITATION**

45. (1) A centre or a college desiring to impart education in organic agriculture and allied sciences shall apply to the Registrar for an affiliation to the University, not later than 31<sup>st</sup> March of the year preceding the year in which the centre or the college is proposed to be started:

**Affiliation.**

Provided that, on the recommendation of the Vice-Chancellor, the Board may, if it is satisfied that there are special reasons to do so, after recording such reasons, entertain a letter of application sent to the Registrar after the 31<sup>st</sup> March.

(2) A centre or a college applying for an affiliation shall satisfy the Board and the Academic Council that,-

- (a) the centre or the college shall be under the management of regularly constituted governing body;
- (b) the strength and the qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the education in organic agriculture and allied sciences to be imparted by the centre or the college and for conducting and guiding research in organic agriculture and programmes of extension education to be undertaken by the centres or the colleges;
- (c) the buildings in which the centre or the college is or shall be located are suitable and that provision has been or shall be made, in conformity with the Statutes, for the residence in the centre or the college or in lodging approved by the centre or the college, of students not residing with their parents or guardians and for the supervision and welfare of the students;



- (d) due provision is made or shall be made for a library;
- (e) where affiliation is sought in any branch of experimental science, arrangements have been or shall be made in conformity with the Statutes and regulations for imparting instruction in that branch of science in a properly equipped laboratory;
- (f) due provision is made or shall be made as far as circumstances may permit, for the residence of the principal and other members of the teaching staff in or near the centre or the college or the place provided for the residence of students;
- (g) the financial resources of the centre or the college are such as to make due provision for its continued maintenance and efficient working;
- (h) the rules for fixing the fees by the centre or the college, if any, to be paid by the students have not been so framed as to involve such competition with any existing centre or the college in the same neighbourhood as would be injurious to the interest of education;
- (i) there is a selection committee of the college for recruitment of the Principal and members of the teaching staff of the college, which shall include,-
  - (a) in case of recruitment of the Principal, a representative of the University nominated by the Vice-Chancellor, and
  - (b) in case of recruitment of a member of the teaching staff of the centre or the college, a representative of the University nominated by the Vice-Chancellor and the Head of the Department, if any, concerned with the subject to be taught by such member:

Provided that nothing in this clause shall apply to a Government college, a college maintained by the State Government or a college established and administered by the minority;

(j) the centre or the college shall comply with the Statutes and regulations providing for conditions of service including pay-scales and allowances for the teaching and other academic and non-academic staff of an affiliated centre or the college, not being a Government centre or a college or a centre or college maintained by the State Government;

(k) such other conditions as may be specified in the Statutes in accordance with the provisions of this Act have been complied with.

(3) The application shall contain an assurance that after the centre or the college is affiliated, any transfer of management, all changes in the teaching staff and all other changes that may result in any of the aforesaid requirement not being fulfilled or continued to be fulfilled shall forthwith be reported to the Board.

(4) On receipt of a letter of application under sub-section (1), the Board shall,-

(a) direct an inquiry to be made by a competent person or persons authorised by the Board in this behalf, in respect of the matters referred to in sub-section (2) and such other matters as may be deemed necessary and relevant;

(b) make such further inquiry as may appear to it to be necessary;

(c) give due consideration to the request, if any, made by the applicant for reconsideration of any of the conditions conveyed to him;

- (d) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused either in whole or in part, stating the result of any inquiry under clauses (a) and (b):

Provided that where the views of the Academic Council with regard to the affiliation of a centre or college are not acceptable to the Board, the Board shall refer the matter again to the Academic Council, with or without its comments, and the Academic Council shall communicate to the Board its views again with regard to the affiliation of the centre or the college.

- (5) The Registrar shall submit the application and all proceedings, if any, of the Academic Council and the Board relating thereto to the State Government which shall, after such inquiry as may appear to it to be necessary, grant or refuse the application or any part thereof.
- (6) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of the instructions in respect of which the centre or the college is affiliated and where the application or any part thereof is refused, the grounds of such refusal shall be recorded.
- (7) As soon as possible after the State Government makes its order, the Registrar shall submit to the Board and the Academic Council, a full report regarding the application, the action taken thereon under sub-sections (4) to (6) and of all proceedings connected therewith.
- (8) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (6).

Extension of  
Affiliation.

46. Where a centre or a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed in section 45 shall, as far as possible, be followed.



47. (1) The Board shall have power, after consultation with the Academic Council, to recognise any institution of research in organic agriculture or extension education, other than a college.

Recognition of  
Institution.

(2) An institution, which desires to obtain such recognition, shall apply to the Registrar giving full information in the letter of application in respect of the following matters, namely:-

- (a) constitution and personnel of the managing body;
- (b) subjects and courses for which recognition is required;
- (c) accommodation, equipment, library facilities and the number of students for whom provision has been or is proposed to be made;
- (d) the strength of the staff, their qualifications and salaries and the research work done by them;
- (e) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

(3) Before taking the application into consideration, the Board may call for any further information which it may deem necessary.

(4) If the Board decides to take the application into consideration, it may direct an inquiry to be made by a competent person authorized by it in this behalf. After considering the report made as a result of such inquiry and making such further inquiry as may appear to it to be necessary, the Board shall, after obtaining the opinion of the Academic Council, grant or refuse the application or any part thereof.

(5) Where the application or any part thereof is granted, the Board shall specify the subjects and courses of instruction in respect of which the institution is recognized and make a report to that effect to the Academic Council at their next

succeeding meeting. Where the application or any part thereof is refused, the grounds of such refusal shall be stated.

**Inspection of  
Centre or  
College and  
recognised  
institution.**

**48.** (1) Every affiliated centre or college or recognized institution shall furnish such reports, returns and other information as the Board may, after consulting the Academic Council, required for enabling it to judge the efficiency of the centre or the college or the institution.

(2) On a direction being made by the Board in that behalf, it shall be the duty of the Inspection Committee constituted for that purpose, to inspect an affiliated college or a recognized institution and to make a report to the Board.

(3) The Board shall cause every such centre or college or institution to be inspected from time to time by the inspection committee.

(4) The Board may call upon any centre or college or institution so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters referred to in sub-section (2) of section 45 or, as the case may be, sub-section (2) of section 47.

**Affiliated  
centres or  
college and  
recognised  
institution to  
comply with  
provisions  
pertaining to  
medium of  
instruction.**

**49.** (1) Every affiliated centre or college or recognized institution shall comply with the provisions made in that behalf by this Act, the Statutes and the regulations, in respect of the medium of instruction in organic agriculture and allied sciences, research in organic agriculture and programmes of extension education and examination therein.

(2) If any affiliated centre or college or recognized institution contravenes the provisions of sub-section (1), then, notwithstanding anything contained in the other provisions of this Act,-

- (a) the rights conferred on such centre or college or institution by the affiliation or recognition shall stand withdrawn from the date of such contravention; and

(b) such centre, college or institution shall cease to be an affiliated centre, college or recognised institution for the purposes of this Act.

(3) If any affiliated centre, college or recognized institution, the affiliation of which is withdrawn under sub-section (2) raises any dispute as to the withdrawal of its rights of affiliation or recognition, then such dispute shall be referred to the State Government and the State Government shall decide the dispute and its decision shall be final.

**50.** (1) The rights conferred on a centre or a college by affiliation may be withdrawn in whole or in part or may be modified if the centre or college fails to carry out any of the provisions of sub-section (2) of section 45 or the centre or the college fails to observe any of the conditions of its affiliation or the centre or the college is conducted in a manner which is prejudicial to the interests of education. **Withdrawal of affiliation.**

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Board. The member of the Board, who intends to move such a motion, shall give notice of motion and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Board shall send a copy of the notice of the motion and statement of grounds on which it is made to the Principal of the centre or the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the centre or the college shall be considered by the Board:

Provided that for the reasonable cause being shown by the centre or the college, the period so specified may, if necessary, be extended by the Board.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Board after considering the notice of motion, statement and representation, and after such inspection by the persons authorised by the Board



in this behalf, and such further inquiry as may appear to it to be necessary and after consulting the Academic Council, shall record its opinion in the matter:

Provided that where the views of the Academic Council with regard to the withdrawal or modification of the rights conferred by affiliation are not acceptable to the Board, the Board shall, before passing such resolution, refer the matter again to the Academic Council, with or without its comments and the Academic Council shall communicate again to the Board its views in the matter.

(5) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council and the Board relating thereto, to the State Government which, after such further inquiry, if any, as may appear to it to be necessary, shall make such order as it deems fit, and communicate the same to the Board.

(6) Whereby an order made under sub-section (5), the rights conferred on any centre or college by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

(7) The Board may, on recommendation of the Academic Council, recommend to the State Government withholding or reduction of a grant to an affiliated centre or college which, on a report by an inspection committee or otherwise, is found making persistent default in carrying out the conditions of affiliation.

**Withdrawal of  
recognition.**

**51.** (1) The recognition granted under section 47 may be withdrawn or suspended for any period, if the institution fails to observe any of the conditions of its recognition or where the institution has conducted in a manner which is prejudicial to the interest of education.

(2) A motion for such withdrawal or suspension shall be initiated only in the Board. The member of the Board, who intends to move such a motion, shall give notice of it and shall state in writing the grounds on which it is made.

(3) Before taking the said motion into consideration, the Board shall send copy of the notice of motion and statement of grounds on which it is made to the head of the institution concerned, together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution will be considered by the Board:

Provided that on sufficient cause being shown by the institution, the period so specified may, if necessary, be extended by the Board.

(4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Board, after considering the notice of motion, statement and representation and after such inspection by any competent person authorised by the Board in this behalf and after such further inquiry as may appear to it to be necessary, and after consulting the Academic Council, may, by a resolution, withdraw or suspend recognition.

52. (1) There shall be an accreditation and performance rating system for any institution having regular approval, based on State or National level gradation. Such performance grade may be used in all letter heads, sign boards, literature and publications, including prospectus and franchise materials of the institution.

Accreditation  
system.

(2) The accreditation of performance once obtained shall remain valid for a period of five years.

**Accreditation  
Committee.**

**53.** (1) The Board shall form an Accreditation Committee with at least one *ex-officio* member of Board and one academician who shall provide credit rating on the basis of the norms determined by the Board from time to time, to the Organic Agricultural University and the institutions teaching organic agriculture subjecting to this voluntary accreditation and shall also publish and put on the website of the University for information of the public.

(2) The period of Accreditation Committee shall be two years.

**Application  
for  
accreditation**

**54.** An application for accreditation under section 52 shall be made to the Board along with hard and soft copy and by depositing such fee as may be prescribed by regulations, by a bank draft, within the notified date but not later than the 31<sup>st</sup> July of each year.

**Norms for  
accreditation.**

**55.** The Board may grant accreditation on the basis of the following norms, namely:-

(i) the accreditation and certification shall be made either directly by the Accreditation Committee of the Board based on the analytical tools of credit rating system as far as adaptable or the Board may cause the accreditation and certification be done through National Assessment and Accreditation Council;

(ii) once the accreditation is done, it shall remain valid for a period of five years from the date on which the certification of accreditation is communicated to the institution concerned;

(iii) the performance analysis shall have three academic, administration and financial components;

(iv) the study for determining performance rate shall be based on previous five years data, current contents of the program and the future projection made on the basis of data analysis;



(v) the Accreditation Committee shall require complete disclosure of performance records, accounting and financial records and procedures of human and other asset management of the institution;

(vi) as regards the academic component, the following data shall form basis of study:

- (a) faculty student ratio;
- (b) system of detailed curriculum development and teaching practice sessions;
- (c) number of annual working days;
- (d) number of working days lost and the reasons thereof;
- (e) qualification of the faculty;
- (f) class performance of the students and class records;
- (g) system of clinical program and internship;
- (h) evaluation system and record keeping;
- (i) student-computer ratio;
- (j) online library facility;
- (k) capital investment of the institution per student;
- (l) library investment per student;
- (m) residential facility;
- (n) outside the class hour of the faculty advice and interaction per student;
- (o) career counseling opportunities;

- (p) quality of the body of alumni;
- (q) publication by faculty and students in journals;
- (r) laboratory facilities;
- (s) per student procurement of books and journals;
- (t) class room environment;
- (u) status of fee and
- (v) any other information needed by the committee.

(vii) The financial performance data shall depend upon the previous five years annual accounts, annual reports, annual budget, fund raised, financial asset management and deployment, future plan, asset structure and any other financial information as may be required;

(viii) The administrative performance component shall be assessed on the basis on composition of the management body, observance of regulatory rules, administrative staff ratio, working days loss and any other information that may be required for ascertain the management;

(ix) The study shall be based on the records, visit, inspection of the institution and the outcome of the dialogue of the committee with the management, staff, students and the faculty;

(x) The committee may visit the institution with or without providing notice and it may visit the institution more than once, if required;

(xi) Data based analysis shall be communicated to the institution before rating begins for further observation and supplementary information, if required.

Obligation of the institution to facilitate free and fair enquiry.

56. The institution shall provide all the required information and copies of documents and facilities to the Accreditation Committee. The facility shall be

provided so that the Committee may meet management, faculty members, staff and the students and record their comments, if needed.

#### CHAPTER IX

#### SUPPLEMENTARY PROVISIONS

57. (1) No member of the teaching, other academic and non-teaching staff shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of these charges and unless the penalty to be inflicted on him is approved by the Vice-Chancellor or any other officer of the University authorised by the Vice-Chancellor in this behalf.

Dismissal,  
removal and  
termination of  
service of staff.

(2) No termination of service of such member not amounting to his dismissal or removal falling under sub-section (1) shall be valid unless,-

(a) he has been given a reasonable opportunity of showing cause against the proposed termination, and

(b) such termination is approved by the Vice-Chancellor or any officer of the University authorised by the Vice-Chancellor in this behalf:

Provided that nothing in this sub-section shall apply to any person who is appointed on probation or for a temporary period only.

(3) An appeal from an order of dismissal, removal or reduction in rank under sub-section (1) or of termination under sub-section (2) shall lie to the Board within sixty days from the date of the communication of such order and the decision of the Board in such appeal shall be final:

Provided that the Board may admit any appeal after the period of limitation laid down in this clause if the appellant satisfies the Board that he had sufficient cause for not preferring the appeal within such period.



Provident  
Fund, Pension  
and Insurance.

58. (1) The University shall constitute such pension, gratuity, insurance, provident fund, contributory pension fund as it may deem fit in such manner and subject to such conditions as may be prescribed, for the benefit of its officers, teachers, ministerial staff and other employees.

(2) For such pension, gratuity, insurance and provident fund so constituted by the University, the Government should declare that the provisions of the Provident Funds Act shall apply to such funds as if it were the State Government provident Fund:

Provided that the University shall have power in consultation with the Finance Committee and the Board to invest provident fund amount in such manner as it may determine.

Vacating of  
office.

59. (1) Any member of any authority or body of the University may resign his office by letter addressed to the Vice-Chancellor through the Registrar and on the acceptance of the resignation by the Vice-Chancellor, the office of such member shall become vacant.

(2) The Board may remove any person from membership of any authority or body of the University on the ground that such member has been convicted by a court of law of an offence involving moral turpitude:

Provided that no order for removal of such person shall be made without giving him an opportunity of being heard.

(3) Subject to the provisions of sub-section (2), a person, who is a member of any authority or body of the University as a representative of another body, whether of the University or not, shall retain his seat on the University authority or body so long as he continues to be a member of the body by which he was appointed and thereafter till his successor is duly appointed.

Filling up of  
causal vacancies.

60. When any vacancy occurs in the office of a member, other than an *ex-officio* member of any authority or other body of the University before the expiry

of the term of office of such member, the vacancy shall be filled in, as soon as may be, by nomination, appointment or, as the case may be, co-option of a member who shall hold office so long only as the member in whose place he has been nominated, appointed or co-opted, would have held it, if the vacancy had not occurred.

61. No act or proceeding of any authority or other body of the University shall be valid merely by reason of any vacancy in its membership or by reason of a person having taken part in the proceedings of the authority or other body who is subsequently found to have been not entitled to do so.

**Proceedings  
not  
invalidated  
by vacancies.**

XLV of 1860.

62. Every officer and employee of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

**Officers  
and  
employees  
to be public  
servants.**

*Explanation.*— for the purpose of this section, any person who is appointed by the University for a specified period or specified work of the University or, who receives any remuneration by way of compensatory allowance or fee for any work done from the University fund shall be deemed to be an officer or employee of the University while he is performing, and in relation to all matters relating to the performance of, duties and functions connected with such appointment or work.

63. Where any question arises as to-

(1) the interpretation of any provision of this Act, or of any Statute or regulation, or

**Disputes as to  
constitution of  
University.**

(2) whether a person has been duly appointed as, or is entitled to be or ceases to be entitled to be, a member of any authority, or other body of the University,-

(a) it may be referred to the State Government if it relates to a matter specified in clause (1), and

(b) it shall be referred to the State Government if—

- (i) it relates to a matter specified in clause (2), or
- (ii) if four members of the Board so require, irrespective of whether it relates to a matter specified in clause (1) or clause (2), and the State Government shall, after making such inquiry as it deems fit (including giving opportunity of being heard where necessary) decide the question and its decision shall be final.

Protection of  
acts and  
orders.

64. All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and at no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes and regulations framed there under.

## CHAPTER X

### TRANSITORY PROVISIONS

Appointment  
of first Vice-  
Chancellor.

65. (1) Notwithstanding anything contained in section 24, the first Vice-Chancellor shall be appointed by the State Government as soon as practicable after the date of commencement of this Act for a period not exceeding two years and on such terms and conditions as the State Government may think fit.

(2) A person who has attained excellence and demonstrated leadership qualities in agricultural development alongwith minimum 10 years of administrative experience in the State of Gujarat and he has not attained age of 65 years shall be eligible for candidature to the post of Vice-Chancellor.

Transitory  
Powers of first  
Vice-  
Chancellor.

66. (1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Academic Council and other authorities of the University other than the Board within six months after the date of his appointment or such longer period not exceeding one year in the aggregate as the State Government may, by notification in the *Official Gazette*, specify.



(2) The first Vice-Chancellor shall, with the assistance of the Advisory Committee consisting of not more than thirteen members nominated by the State Government-

- (a) subject to the provisions of this Act and the approval of the Chancellor,-
  - (i) make provisional Statutes necessary for constituting the authorities of the University and regulating the procedure at their meetings and the transaction of their business,
  - (ii) draw up any rules that may be necessary for regulating the method of constitution of authorities,
- (b) frame the first Statutes and regulations under this Act and submit them for confirmation to the respective authorities when they commence to exercise their functions.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date or dates as the State Government may, by notification in the *Official Gazette*, specify.

(4) The Statutes and regulations framed by the first Vice-Chancellor shall, when confirmed by the respective authorities, be published in the *Official Gazette*.

67. The first Vice-Chancellor appointed under section 65 shall have the following powers until the Board commences to exercise its functions, namely: -

**Extraordinary  
Powers of First  
Vice- Chancellor.**

- (a) with the previous approval of the Chancellor, to make additional Statutes to provide for any matter not provided for by the first Statutes;
- (b) to constitute provisional authorities and bodies and on their recommendations, to make rules providing for the conduct of the work of the University;

- (c) subject to the control of the State Government, to make such financial and land or office arrangements, as may be necessary to enable this Act or any part thereof to be brought into force;
- (d) with the sanction of the Chancellor, to make, such appointment as may be necessary to enable this Act or any part thereof to be brought into force;
- (e) to appoint any committee as he may think fit to discharge such of his functions as he may direct, and
- (f) generally to exercise all or any of the powers conferred on the Board by or under the provisions of this Act.

Appointment of  
first Registrar.

**68.** Notwithstanding anything contained in section 30, the first Registrar shall be appointed by the State Government as soon as practicable after the date of commencement of this Act, for a period not exceeding three years and on such terms and conditions as the State Government thinks fit.

First  
appointment of  
officers and  
teachers of  
University.

**69.** At any time after the passing of this Act and until such time as the authorities of the University shall commence to exercise their functions,-

- (a) any officer of the University may be appointed by the Vice-Chancellor with the previous sanction of the Chancellor;
- (b) teachers or technical staff of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Agriculture and such other person or persons, if any, as the Chancellor thinks fit to associate with them.
- (c) non-technical staff may be appointed by the Vice-Chancellor through recruitment process as per government guidelines:

Provided that no such appointment shall be made until financial provision has been made therefor.

**CHAPTER XI**  
**MISCELLANEOUS**

70. The students shall reside in the accommodation maintained by the University or approved by the Vice-Chancellor subject to the conditions as may be prescribed. The Vice-Chancellor or an authorized officer of the University may however, permit the student to reside with their parents or in private accommodations when no such accommodation is available with the University. **Residence of students.**
71. The Vice-Chancellor may, by Statutes, delegate the powers exercisable under this Act or the Statutes made there under, to any authority, officer, heads of colleges/divisions/departments/ institutions or units/office subject to such conditions and restrictions as the Vice-Chancellor may deem proper. **Delegation of powers.**
72. Notwithstanding anything in this Act and until such time as the authorities are duly constituted, the Vice-Chancellor may subject to the approval of the Board, after it has been constituted appoint committees temporarily to exercise, perform and discharge any of the powers, functions and duties of such authority under this Act. **Constitution of ad-hoc committees.**
73. If any question arises as to whether any person has been duly appointed or is entitled to be a member of any authority or other body of University, the matter shall be referred to the Chancellor whose decision thereon shall be final: **Disputes as to constitution of authorities or bodies.**
- Provided that before taking any such decision, the Chancellor shall give the person affected thereby reasonable opportunity of being heard.
74. All suits and other legal proceedings by or against the University shall be instituted, prosecuted or defended on behalf of the University by the Registrar or any other officer specifically nominated in this behalf by the Vice-Chancellor. **Legal Proceeding.**



Deputation of  
Government  
employees.

75. All employees of the College, Research Institutes and other offices and institutions of Government departments whose services have been transferred to the University shall be deemed to be the transferred employees of the State Government. Such transferred employees shall be governed in accordance with the terms and conditions as determined by the Board in consultation with the State Government while those who have been employed by the University shall be subject to the provisions of this Act and the Statutes made there under. The transferred Government employees may opt for the University service on such terms and conditions as may be prescribed by Statutes.

Powers to  
remove  
difficulties.

76. (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the coming into force of this Act or otherwise giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

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

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

(3) Every order made under this section shall be laid as soon as may be, after it is made, before the State Legislature.

### STATEMENT OF OBJECTS AND REASONS

Organic agriculture is a holistic production management system that avoids use of synthetic fertilizers, pesticides and genetically modified organisms, minimizes pollution of air, soil and water, and optimizes the health and productivity of interdependent communities of plants, animals and people.

To meet these objectives, organic agriculture farmers need to implement a series of practices that optimize nutrient and energy flows and minimize risk, such as crop rotations and enhanced crop diversity, different combinations of livestock and plants, symbiotic nitrogen fixation with legumes, application of organic manure and biological pest control.

All these strategies seek to make the dedicated efforts in the field of organic agriculture extension and research. Hence, there is a need of an institute which look after for each and every aspect involved in organic agriculture.

There is a huge demand of organic produces and same way agrarian community ready to adopt organic agriculture, too, but there is big dilemma about production process, techniques, nutritive materials for crop, pest-disease-weed management as well sustainable management of water & soil resources.

There is also an empty forum where supply and demand meet and work together to serve agrarian community through wealth and serve to society with health.

It is also necessary to make available resources for each and every aspect getting involved in organic production, processing and marketing. In addition to this, it is desirable to train and prepare manpower to tackle the upcoming challenges in the field of food security, climate change, environment management and sustainable agriculture through organic agriculture. There is no such institutions to offer comprehensive solutions, learning tools, education, accreditation and affiliation for the organic agricultural science. To make available such type of resources, there is a need to establish University of Organic Agriculture.

Hence it's proposed to establish Gujarat Organic Agricultural University.

This Bill seeks to achieve the aforesaid objects.

The following notes on clauses explain, in brief, some of the important provisions of the Bill:-

*Clause 1.*-This clause provides for short title and commencement of the Act.

*Clause 2.* - This clause defines certain terms used in the Bill.

*Clauses 3 to 7.*-These clauses provide for establishment and incorporation of the Gujarat Organic Agricultural University, territorial jurisdiction and constituent bodies, objects, admission, powers and functions of the University.

*Clause 8.*- This clause provides that the University shall be open to all irrespective of their sex, race, creed, caste, place of birth, religious belief or political or other opinion.

*Clause 9.*- This clause provides for inspection and inquiry of the University by any person or persons as directed by the Chancellor.

*Clause 10.* - This clause provides for the authorities of the University.

*Clauses 11 and 12.*-These clauses provide for the constitution of the Board of Management, term of members of the Board, meetings of the Board, powers and functions of the Board of Management.

*Clauses 13 and 14.*-These clauses provide for the constitution of the Academic Council, term of members of the Academic Council, meetings of the Academic Council, powers and duties of the Academic Council.

*Clauses 15 and 16.*-These clauses provide for the constitution of the Research Council and functions to be performed by the Research Council.

*Clauses 17 and 18.*-These clauses provide for the constitution of the Extension Education Council and functions to be performed by the Extension Education Council.



*Clause 19.* – This clause provides for the faculties of the University and Board of Studies.

*Clause 20.* - This clause provides for the constitution of the committees by the authorities of the University which may, unless otherwise provided by or under this Act.

*Clause 21.* – This clause provides for the Membership of different authorities of the University.

*Clause 22.* – This clause provides for the officers of the University.

*Clause 23.* – This clause provides that the Governor of Gujarat shall be the Chancellor of the University.

*Clauses 24 and 25.* - These clauses provide for the qualification, other terms and conditions of service for appointment of the Vice-Chancellor of the University and also provides for his powers and duties.

*Clause 26.* – This clause provides that the Vice-Chancellor may make appointments of such other officers as a temporary measure for a period of six months under intimation to the Board of Management or such nominated body of the University.

*Clause 27 to 31* - These clauses provide for the appointment of the Director of Research and Dean of Post-graduate Studies, the Director of Extension Education, the Deans, the Registrar and the Comptroller and their powers and duties thereof.

*Clauses 32 to 35.* - These clauses provide for the education, research and extension education programmes to be provided in the University and integration of education, research and extension programmes thereof.

*Clauses 36 and 37.* - These clauses provide for the funds the University and its management thereof.

*Clause 38.* – This clause provides for the accounts and audit of the University.

*Clause 39.* – This clause provides for annual report to be prepared by the Registrar or any other officer, assigned under the direction of the Vice-Chancellor within six months from the close of the Financial Year.

*Clause 40.* – This clause provides that the Government shall every year make the *lump sum* grants to the University as specified therein.

*Clause 41.* – This clause provides for the constitution of the Finance Committee and its functions thereof.

*Clauses 42 and 43.* – These clauses provide for making and repeal of Statutes made by the Board for the matters as specified therein.

*Clause 44.* – This clause provides for making of the regulations made by various authorities of the University, for the matters as specified therein.

*Clauses 45 and 46.* – These clauses provide for the affiliation of a college to the University and extension of affiliation thereof.

*Clause 47.* – This clause provides for recognition of institutions of research in organic agriculture or extension education, other than a college, by the Board.

*Clause 48.* – This clause provides for inspection of affiliated centre or college and recognized institution by the inspection committee.

*Clause 49.* – This clause provides that every affiliated centre or college or recognized institution shall have to comply with provisions pertaining to medium of instruction.

*Clauses 50 and 51.* – These clauses provide for withdrawal of affiliation of any centre or college and withdrawal of recognition of any centre of the University.

*Clauses 52 and 53.* – These clauses provide for accreditation and performance rating system for any institution having regular approval, based on State and/or National level gradation as also provides for the formation of the accreditation committee.

*Clauses 54 and 55.* – These clauses provide for the procedure to be followed for making an application for grant of accreditation and certification on the basis of the norms as specified therein.

*Clause 57.* – This clause provides for dismissal, removal and termination of service of staff of the University.

**Clause 58.** – This clause provides for the pension, provident fund and insurance for the benefits of the officers, ministerial staff, teachers and other employees of the University.

**Clauses 59 and 60.** - These clauses provide for the manner in which a member of any authority or body may resign from his office and filling of the casual vacancies.

**Clause 61.**-This clause provides that proceedings shall not be invalidated by any vacancy in the membership of any authority or other body of the University.

**Clause 62.**-This clause provides that the officers and employees of the University shall be deemed to be the public servant within the meaning of Indian Penal Code.

**Clause 63.** – This clause provides for the redressal of disputes with regard to the interpretation of this Act or Statutes, etc., and disputes regarding the appointment, entitlement and cessation of a member of any authority or any other body of the University.

**Clause 64.** –This clause provides for usual indemnity for acts done in good faith.

**Clause 65.** - This clause provides for the appointment of the first Vice-Chancellor by the State Government for a period not exceeding two years.

**Clause 66.** - This clause provides for the transitory powers of the first Vice-Chancellor.

**Clause 67.** - This clause provides for the extra-ordinary powers of the first Vice-Chancellor.

**Clause 68.** - This clause provides for the appointment of the first Registrar by the State Government for a period not exceeding three years.

**Clause 69.** - This clause provides for the appointment of the officers and teachers, technical and non-technical staff, by the Vice-Chancellor with the previous sanction of the State Government immediately after coming into force in this Act.



**Clause 70.** - This clause provides for the residence of the students, maintained by the University or approved by the Vice-Chancellor.

**Clause 71.**- This clause provides that the Vice-Chancellor shall delegate such powers to the any authority, officer, heads of colleges/divisions/departments/ institutions or units/office subject to such conditions and restrictions as he may deem proper.

**Clause 72.** - This clause provides for constitution of *ad hoc* committees by the Vice-Chancellor subject to the approval of the Board of Management.

**Clause 73.** - This clause provides for disputes as to constitution of authorities or bodies.

**Clause 74.** - This clause provides that all suits and legal proceedings by or against the University shall be instituted, prosecuted or defended by the registrar or any other officer nominated by the Vice-Chancellor.

**Clause 75.** - This clause provides for deputation of the college, research institutes, and other offices and institution of Government department whose services have been transferred to the University.

**Clause 76.**- This clause empowers the State Government to remove difficulties arising in giving effect to the provisions of the Act, within a period of three years from the commencement of this Act.

**CHIMANBHAI SAPARIYA,**

#### **FINANCIAL MEMORENDOM**

Sub-clause (1) (b) of clause 36 of the Bill contemplates the payment of contribution of the grant to the University among others by the State Government. The Bill, if enacted and brought into operation, would involve an estimated annual expenditure for the financial year 2017-18 of rupees 10.00 crores from the Consolidated Fund of the State. In the Budget Estimate for the year 2017-18, a provision of rupees 10.00 crores will be made out of which rupees 10.00 crores would be both recurring and non-recurring nature.

**CHIMANBHAI SAPARIYA,**

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

This Bill provides for delegation of legislative powers in the following respects:-

**Clause 1-** Sub-clause (2) of this clause empowers the State Government to appoint by notification in the *Official Gazette*, the date on which the Act shall come into force.

**Clause 6.** – Proviso to sub-clause (2) of this clause empowers the University to prescribe by Statutes, the standards for admission to the University, in respect of the candidates belonging to Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Class;

**Clause 7.** – (i) Sub-clause (5) of this clause empowers the University to prescribe by Statutes, the manner in which the University shall withdraw or cancel any degree, diploma or certificate conferred or granted by it;

(ii) sub-clause (16) of this clause empowers the University to fix, demand and receive or recover such fees and other charges as prescribed by the Ordinances.

**Clause 10.** – Sub-clause (vi) of this clause empowers the Board to declare by the Statutes, such other bodies of the University to be the authorities of the University.

**Clause 11.** – (i) Para (xii) of sub-clause (2) of this clause empowers the University to prescribe by Statutes, the manner in which one member from the Dean of Faculties shall be nominated by Vice-Chancellor, by rotation;

(ii) sub-clause (9) of this clause empowers the University to prescribe by Statutes, the allowances for the person having experience or special knowledge on any subject under consideration to attend its meeting who is invited by the Board for the purpose of consultation.

**Clause 12.** – (i) Para (xvii) of sub-clause (2) of this clause empowers the Board, the manner in which the recommendations of Selection Committee for

appointment of officers, teachers and employees of the rank of Assistant Professor and above shall be approved

(ii) Para (xxxii) of sub-clause (2) of this clause empowers the Board to fix, demand and receive or recover such fees and other charges as prescribed by the Statutes.

(iii) Sub-clause (5) of this clause empowers the Board of Management to prescribe by Statutes, constitution, functions and tenure of the committee appointed for carry out the administrative work.

**Clause 13.** – Sub-clause (2) of this clause empowers the Board to prescribe by Statutes, the period for which and the manner in which the Academic Council may co-opt as members not more than two persons so as to secure adequate representation of different sectors of organic agriculture and allied fields.

**Clause 14.** – (i) Sub-clause (1) of this clause empowers the Board to prescribe by Statutes, the courses of study;

(ii) Para (xiii) of sub-clause (3) of this clause empowers the Board to prescribe by Statutes, the qualifications to be recommended by the Academic Council for teaching, research and extension staff in the University;

(iii) Para (xiv) of sub-clause (3) of this clause empowers the Board to prescribe by Statutes, the qualifications to be recommended by the Academic Council for teachers in the University.

**Clause 15.** – Sub-clause (2) of this clause empowers the Board to prescribe by Statutes, the period for which and the manner in which Research Council may co-opt as members not more than four persons including one progressive farmer having background of organic farming so as to secure adequate representation of different sectors of agriculture and allied fields.

**Clause 24.** – Sub-clause (5) of this clause empowers the Board of Management to prescribe by the Statutes the manner in which the Search Committee shall select three persons whom meet considers fit for being appointed as the Vice-Chancellor; and it also empowers to prescribe other particulars along with which the committee shall recommend to the State Government, the names of the persons so selected for the post of the Vice-Chancellor.



**Clause 26.** – This clause empowers the Board to prescribe by Statutes, the terms on which and the conditions subject to which the other officers of the University shall be appointed by the Vice-Chancellor with the approval of the Board of Management or a nominated body of the University.

**Clause 27.** – (i) sub-clause (2) of this clause empowers the Board of Management to prescribe by Statutes, the qualifications, emoluments and the terms and conditions of the service of the Director of Research and Dean of Post-graduate Studies;

(ii) sub-clause (4) of this clause empowers the Board of Management to prescribe by Statutes, the other powers to be exercised and the other duties to be performed by the Director.

**Clause 28.** – (i) Sub-clause (2) of this clause empowers the Board to prescribe by Statutes, the qualifications, emoluments and the terms and conditions of service of the Director of Extension Education;

(ii) sub-clause (8) of this clause empowers the Board of Management to prescribe by Statutes, the other powers to be exercised and the other duties to be performed by the Director of Extension Education;

**Clause 29.** – (i) Sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes, the manner in which the Dean of each faculty shall be chosen;

(ii) sub-clause (6) of this clause empowers the Board of Management to prescribe by Statutes, the other powers to be exercised and the other duties to be performed by the Dean of faculty;

**Clause 30.** – (i) Sub-clause (2) of this clause empowers the Board of Management to prescribe by Statutes, the qualifications, emoluments and the terms and conditions of service of the Registrar;

(ii) sub-clause (4) of this clause empowers the Board of Management to prescribe by Statutes, establishment matters and general administration in the University for which the Registrar shall be responsible;

(iii) sub-clause (6) of this clause empowers the Board to prescribe by Statutes, the other powers to be exercised and the other duties to be performed by the Registrar.

**Clause 31.** – (i) Sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes, the qualifications, emoluments and the terms and conditions of service of the Comptroller;

(ii) sub-clause (7) of this clause empowers the Board of Management to prescribe by Statutes, the other powers to be exercised and the other duties to be performed by the Comptroller.

**Clause 32.** – Sub-clause (1) of this clause empowers the Board of Management to prescribe by Statutes, the Master's and Doctoral degree programmes and short-term diploma, certificate, or vocational courses in the disciplines of organic agriculture and the allied sciences, to be included in the education in the University.

**Clause 36.** – Sub-clause (2) of this clause empowers the Board of Management to prescribe by Statutes, the manner in which it may, as and when necessary, retransfer such amount, from the Foundation Fund to the General Fund.

**Clause 37.** – This clause empowers the Board of Management to prescribe by Statutes, the manner in which the General Fund, Foundation Fund and other funds of the University shall be managed.

**Clause 54.** – This clause empowers the Finance Committee to prescribe by regulations, the fees which may be deposited alongwith the application of accreditation to be made to the Board of Management.

**Clause 58.** – Sub-clause (1) of this clause empowers the Board of Management to prescribe by the Statutes, the manner in which and the conditions subject to which the University shall make provisions for insurance, pension, provident fund, gratuity and contributory pension fund of the officers, ministerial staff, teachers and other employees of the University.

**Clause 66.** – (i) Sub-clause (1) of this clause empowers the State Government to specify by notification in the *Official Gazette*, the period not exceeding one year in the aggregate within which the first Vice-Chancellor shall make an arrangements for constituting the Academic Council and other authorities of the University;

(ii) Sub-clause (3) of this clause empowers the State Government to specify by notification in the *Official Gazette*, the date or dates from which the Academic

Council and other authorities of the University other than the Board of Management shall commence to exercise their functions.

**Clause 70.** – This clause empowers the Board to prescribe by Statutes, the conditions subject to which the students shall reside in the accommodation maintained by the University or approved by the Vice-Chancellor.

**Clause 75.** – This clause empowers the Board to prescribe by Statutes, the terms and conditions subject to which the transferred Government employees may opt for the University service.

**Clause 76.-** This clause empowers the State Government to make an order published in *Official Gazette*, to remove any difficulty if arised in giving effect to the provisions of this Act within a period of three years.

The delegation of legislative powers, as aforesaid, is necessary and is of a normal character.

Dated the 6<sup>th</sup> March, 2017.

**CHIMANBHAI SAPARIYA.**

By order and in the name of the Governor of Gujarat,

Gandhinagar  
Dated the 6<sup>th</sup> March, 2017

**K. M. Lala,**  
Secretary to the Government of Gujarat  
Legislative and Parliamentary Affairs Department.