

(4) He shall also exercise such powers and perform such duties of the Chancellor as the Chancellor may by order in writing delegate to the Pro-Chancellor and such delegation may be subject to such restrictions and conditions as may be specified in such order.

17. (1) The Vice-Chancellor of each University shall be appointed in accordance with the provisions of this sub-section. For the selection of the Vice-Chancellor, the Chancellor shall constitute a Committee of three persons, one of whom shall be the Director-General, Indian Council of Agricultural Research, one person nominated by the Chancellor and one non-official member of the Executive Council of the concerned University nominated by that Executive Council. The Chancellor shall also appoint one of the three as the Chairman of such Committee. The Committee shall prepare a panel of not less than three persons who, in the opinion of the Committee, are suitable to hold the post of the Vice-Chancellor and shall submit this panel to the Chancellor. The Chancellor may select one of the persons from such panel for the post of the Vice-Chancellor and appoint the person to such post. If the Chancellor does not approve any of the persons in the panel or if the person selected by the Chancellor for the post of Vice-Chancellor is not willing to accept the office of the Vice-Chancellor, the Chancellor may require the above-mentioned Committee to prepare a fresh panel.

(2) The Chancellor shall proceed to constitute the Committee mentioned in sub-section (1) well in advance of the expiry of the term of any existing Vice-Chancellor. The Committee shall submit a panel of names to the Chancellor within two months of its constitution. If the Committee fails to submit a panel of names within the period of two months, the Chancellor may proceed to appoint any person whom he deems fit to the office of the Vice-Chancellor.

(3) The Vice-Chancellor shall be a whole time salaried officer of the University.

(4) The Vice-Chancellor shall hold office for a term of five years, which may be extended by the Chancellor in exceptional circumstances to a term not exceeding in the aggregate six months, for reasons which shall be stated in the order extending the term.

(5) The Vice-Chancellor may, after giving three months' notice, resign his office, by tendering his resignation in writing to the Chancellor. The resignation shall take effect on its acceptance by the Chancellor.

(6) (a) The Chancellor may, on the recommendation of the Pro-Chancellor on the ground that the Vice-Chancellor has neglected or without reasonable excuse has failed to carry out his responsibility of implementing the directions issued by the Pro-Chancellor under section 7, or by the State Council under section 12, by order, remove the Vice-Chancellor at any time from office.

(b) If the Vice-Chancellor, in the opinion of the Chancellor, omits or refuses to carry out the provisions of this Act or abuses the powers vested in him and if it appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interests of the University, the Chancellor may, after consultation with the concerned Executive Council, by order, remove the Vice-Chancellor at any time from office.

(c) No order under clause (a) or (b) shall be made, unless the Vice-Chancellor has been given a reasonable opportunity of being heard in respect of the action proposed to be taken against him.

¹ [(7) (a) The Vice-Chancellor shall draw such emoluments as the State Government may, from time to time, whether prospectively or retrospectively, determine ;

¹ Sub-section (7) was substituted for the original by Mah. 12 of 1988, S. 4.

(b) The other conditions of service of the Vice-Chancellor shall be such as may be determined by the Statutes and accepted by the Vice-Chancellor at the time of his appointment :

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

(8) In the event of the occurrence of a vacancy in the office of the Vice-Chancellor by reason of death, resignation or otherwise, the Chancellor may nominate a Director or a Dean of the University or of any other Agricultural University in the State or any other person to act as Vice-Chancellor, until a regular appointment of Vice-Chancellor is made in accordance with sub-section (1) of this section :

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

(9) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Pro-Chancellor shall make such arrangements for carrying on the duties of the office of the Vice-Chancellor, as he may think fit. Until such arrangements are made, the Director or the Dean or any other person nominated by the Pro-Chancellor for that purpose shall carry on the current duties of the office of the Vice-Chancellor :

Provided that, in the case of a temporary vacancy of less than two months, the Vice-Chancellor may by order in writing entrust his duties to any Director or Dean or, in their absence to the Registrar, as a measure of emergency.

Powers and
duties of
Vice-Chan-
cellor.

18. (1) The Vice-Chancellor shall be the principal executive of the University. He shall, in the absence of the Chancellor and Pro-Chancellor, preside at any convocation of the University. He shall be also an *ex-officio* member and Chairman of the Executive Council and the Academic Council.

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

(3) The Vice-Chancellor shall have power to convene meeting of the Executive Council and the Academic Council.

(4) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the Statutes and the Regulations are faithfully observed, and he shall have all powers necessary for this purpose.

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

(6) The Vice-Chancellor shall be responsible for prompt and proper implementation, by the University and its authorities and officers, of the directions issued by the Pro-Chancellor under section 7, and by the State Council under section 12, from time to time, and he shall have and exercise all the powers necessary for this purpose, notwithstanding anything contained in this Act or in the Statutes and Regulations made or deemed to be made under this Act.

(7) The Vice-Chancellor shall manage, through appropriate officers and staff members, the colleges, departments, institutions of specialised studies, laboratories, libraries, museums, hostels and schools maintained by the University, both at the headquarters and outside.

(8) The Vice-Chancellor may call for reports from the colleges, recognised institutions and hostels on all activities of the University, as he deems necessary for the proper functioning of the University.

(9) The Vice-Chancellor shall supervise and control the residence, conduct and discipline of the students of the University. He shall also make arrangements for

promoting their health and general welfare, in consultation with such Committee as may be prescribed.

(10) The Vice-Chancellor shall have power to appoint such employees of the University as provided in this Act or in the Statutes.

(11) The Vice-Chancellor shall be responsible for the presentation of the annual accounts and the balance-sheet in time to the Executive Council.

(12) The Vice-Chancellor shall hold, control and administer the property and funds of the University.

(13) The Vice-Chancellor shall administer the funds placed at the disposal of the University for specific purposes.

(14) The Vice-Chancellor shall make provision within means available to him and in accordance with the financial estimates sanctioned by the State Council under section 52 for buildings, premises, apparatus and other means needed for carrying on the work of the University.

(15) The Vice-Chancellor shall, with the concurrence of the Executive Council, enter into, vary, carry out, or cancel contracts on behalf of the University in exercise of performance of the powers and duties assigned to it by or under this Act and the Statutes, on the advice of the Legal Committee to be appointed by the Executive Council for the purpose.

(16) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall, subject to the control of the Chancellor, take such action which he deems necessary and shall at the earliest opportunity thereafter report his action to the Executive Council and to such other authority or officer as would have in the ordinary course, dealt with the matter.

(17) Where any action taken by the Vice-Chancellor under the last preceding sub-section affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Executive Council within thirty days from the date on which such person has received notice of the action taken, and the Executive Council shall consider the appeal at its next meeting and shall give its decision within three months from the date of appeal.

(18) Any person aggrieved by the appellate order of the Executive Council may, within thirty days from the date of communication of such order, appeal to the Chancellor, and the decision of the Chancellor on such appeal shall be final.

(19) Subject to the provisions of the preceding sub-sections, the Vice-Chancellor shall give effect to the orders of the Executive Council regarding the appointment, suspension, removal or dismissal of any of the employees of the University.

(20) The Vice-Chancellor shall exercise such other powers and perform such other duties as are laid down under this Act and may be conferred or imposed on him by the Statutes.

MAHARASHTRA ACT No. XLI OF 1989.

(First published, after having received the assent of the Governor, in the
"Maharashtra Government Gazette" on the 4th November 1989.)

An Act further to amend the Maharashtra Agricultural Universities (Krishi Vidyapeeths)
Act, 1983.

Mah. WHEREAS, it is expedient further to amend the Maharashtra Agricultural
XLI Universities (Krishi Vidyapeeths) Act, 1983, for the purposes hereinafter appearing;
of It is hereby enacted in the Fortieth Year of the Republic of India, as follows :—
1983.

1. This Act may be called the Maharashtra Agricultural Universities (Krishi Short title.
Vidyapeeths) (Amendment) Act, 1989.

Mah. Act No. XLI of 89

1989

Amendment of section 9 of Mah. XLI of 1983. 2. In section 9 of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983 (hereinafter referred to as "the principal Act"), the following proviso shall be added, namely :—

"Provided that, nothing in this section or section 40 shall apply to the Yashwantrao Chavan Maharashtra Open University established under section 3 of the Yashwantrao Chavan Maharashtra Open University Act, 1989 or any institution of higher learning or studies recognised by that University under clause (xxiii) of sub-section (1) of section 5 of that Act; and that University shall be competent to award any degrees, diplomas, certificates or other academic distinctions in Agriculture, Veterinary Science and Fisheries."

Amendment of section 17 of Mah. XLI of 1983. 3. In section 17 of the principal Act, for sub-section (4), the following sub-sections shall be substituted, namely :—

"(4) The Vice-Chancellor shall ordinarily hold office for a term of three years from the date on which he enters upon his office and shall, on expiration of his term of office, be eligible for re-appointment to that office only for a second term.

The Chancellor may, by order,—

(a) direct that notwithstanding the expiration of his term, the Vice-Chancellor may continue to hold office ; or

(b) nominate a Director or a Dean of the University or of any other Agricultural University in the State or any other person to hold the office of the Vice-Chancellor for such term not exceeding six months in the aggregate, as he may specify from time to time in his order :

Provided that, the Vice-Chancellor, so continuing, or the Director, Dean or other person so nominated to hold office of the Vice-Chancellor, shall cease to hold such office on the date on which the person appointed as Vice-Chancellor in accordance with the provisions of sub-section (1) enters upon his office.

(4A) No person shall hold, or continue to hold, the office of Vice-Chancellor after he attains the age of sixty-five years.

(4B) For the removal of doubt, it is hereby declared that, notwithstanding anything contained in this Act or the terms of any contract of service or the term of office of any person who, on the date of commencement of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Act, 1989, continues to hold the office of the Vice-Chancellor of any University,—

(a) after having completed three years or more in such office or attained the age of sixty-five years ; or

(b) completes three years in such office after the date of such commencement, shall cease to hold such office on the date of such commencement or, as the case may be, on the date of completion of three years in such office; and accordingly such person shall be deemed to have vacated such office on the respective such date and such office shall be deemed to be vacant on such date."



महाराष्ट्र शासकीय राजपत्र

असाधारण
प्राधिकृत प्रकाशन

गुरुवार, एप्रिल १०, २००३/चैत्र २०, शके १९२५

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Act, 2003 (Mah. Act No. XIV of 2003), is hereby published under the authority of the Governor.

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

PRATIMA UMARJI,
Principal Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XIV OF 2003.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 10th April 2003).

An Act further to amend the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983.

WHEREAS both Houses of the State Legislature were not in session;

AND WHEREAS the Governor of Maharashtra was satisfied that the circumstances existed which rendered it necessary for him to take

Mah. XL1 of 1983. immediate action further to amend the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Ordinance, 2003, on the 3rd March 2003 ;

(२४९)

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature ; it is hereby enacted in the Fifty-fourth Year of the Republic of India as follows :—

Short title
and
commence-
ment.

1. (1) This Act may be called the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Act, 2003.

(2) It shall be deemed to have come into force on the 3rd March 2003.

Amendment
of section 2
of Mah. XLI
of 1983.

2. In section 2 of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983 (hereinafter referred to as "the principal Act"),—

Mah.
XLI
of
1983.

(a) after clause (b), the following clauses shall be inserted, namely :—

"(b-1) "Backward Class of Citizens" means such classes or parts of or groups within such classes as are declared, from time to time, by the State Government to be Other Backward Classes and *Vimukta Jatis* and Nomadic Tribes ;

(b-2) "collaboration" means collaborating academic activities of the University with other universities, academic institutions (local, regional, national or international), research institutions and organizations involved in the activities relating to research, agriculture, industry, trade and commerce and the word "to collaborate" shall be construed accordingly ; "

(b) after clause (h), the following clause shall be inserted, namely :—

"(h-1) "Joint Venture" means an agreement entered into or collaboration made by the University, with any other government institute, semi-government institute, company or commercial establishment to increase the productivity and resources of the university and transmission of technology to people at large, with the prior permission of the Government ; "

(c) clause (i) shall be deleted ;

(d) after clause (r), the following clause shall be inserted, namely :—

"(r-1) "Tribunal" means the Agricultural University and College Tribunal, established under section 69A ; "

Amendment
of section
6 of Mah.
XLI of
1983.

3. In section 6 of the principal Act,—

(a) for clause (xi), the following clause shall be substituted, namely :—

"(xi) to create administrative, ministerial and other posts with the prior approval of the State Government and to appoint persons to such posts, as per the prescribed procedure ; "

(b) after clause (xvi), the following clauses shall be added, namely :—

"(xvii) to co-operate or collaborate with any other university, institution, authority or organisation for research and advisory

services and for that purpose to enter into appropriate arrangements with other universities, institutions, authorities or organisations to conduct certain courses ;

(xviii) to undertake academic collaboration programmes with universities and institutions in the country directly and with universities and institutions abroad with the prior approval of the State and Central Government ;

(xix) to enter into Joint Ventures with any other government, institute, semi government institute, company or commercial establishment.”.

4. In section 14 of the principal Act, under the heading “ (c) *Other Officers* ”, for entry (xi), the following entry shall be substituted, namely :—

Amendment of section 14 of Mah. XLI of 1983.

“ (xi) The Students’ Welfare Officer.”.

5. In section 17 of the principal Act,—

Amendment of section 17 of Mah. XLI of 1983.

(a) in sub-section (1),—

(1) for the words “ a Committee of three persons ” the words “ a Committee of four persons ” shall be substituted ;

(2) after the words “ by that Executive Council ” the words “ and the Secretary (Agriculture), Government of Maharashtra ” shall be inserted ;

(3) for the words “ one of the three ” the words “ one of the said persons ” shall be substituted ;

(b) for the principal clause of sub-section (4), beginning with the words “ The Vice-Chancellor shall ” and ending with the words “ only for a second term.”, the following shall be substituted, namely :—

“ The Vice-Chancellor shall, subject to the terms and conditions of his service, hold office for a period of five years from the date on which he enters upon his office ; and shall not be eligible for reappointment :

Provided that the Vice-Chancellor who is in office on the date of coming into force of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Act, 2003 shall, if,—

(i) it is his second term in office on reappointment, continue to hold the office only till the completion of his term of three years; and

(ii) it is his first term in office, continue to hold the office till the completion of the term of five years from the date of his appointment to that office.

(c) in sub-section (6), in clause (b), after the words “ provisions of this Act ” the words “ or commits or has committed breach of any of the terms and conditions of the service contract ” shall be inserted.