THE MAHARASHTRA AGRICULTURAL UNIVERSITIES (*KRISHI VIDYAPEETHS*) ACT, 1983

[*Text as on 19th December 2024*]

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7. Amended by Mah. 14 of 2003 (3-3-2003)[2]
8. Amended by Mah. 27 of 2005 (19-5-2005)
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10. Amended by Mah. 13 of 2013 (1-7-2013)[4]
11. Amended by Mah. 32 of 2013 (25-10-2013)[5]
12. Amended by Mah. 11 of 2019 (13-6-2022)[6, 7,]

1 Section 1 of this Act came into force on 4th May 1998, being the date of publication of this Act in the *Official Gazette,* s.1(*3*). Section 2, 3 and 67 to 72 came into force *w.e.f.* 1st March 2000 *vide* G. N. A., A. H. D. D. & F. D. No. PASAMPRA. 1095/CR/-77/PART III/ADF-1(*i*), dt. 1-3-2000, Section 75 came into force *w.e.f.* 3-6-2000 *vide* G. N. A., A. H. D. D. & F. D. No. PASAMPRA. 3500/CR-38/ADF-1, dt. 3-6-2000; Section 4 to 66, 73 and 74 came into force *w.e.f.* 17-11-2000 *vide* G. N. A., A. H. D. D. & F. D. No. PASAMPARA. 3500/CR. 135/ADF-1, dt. 17-11-2000. 2 Mah. Ord. II of 2003 was repealed by Mah. 14 of 2003, s. 12.

3 Mah. Ord. VII of 2010 was repealed by Mah. 18 of 2010, s. 3.

4 Mah. Ord. X of 2013 was repealed by Mah. 13 of 2013, s. 4.

5 Mah. Ord. XVII of 2013 was repealed by Mah. 32 of 2013, s. 11.

6 Mah. Ord. XIV of 2019 was repealed by Mah. 11 of 2019, s. 10.

7 Section 8 of Mah. 9 of 2019, reads as under:—

8. Validation and savings.— Notwithstanding anything contained in the Maharashtra Agriculture Universities (*Krishi Vidyapeeths*) Act, 1983 (Mah. XLI of 1983) and the Maharashtra Animal and Fishery Sciences University Act, 1998 (Mah. XVII of 1998), or any law, rule, document or instrument to the contrary, or in any judgment or order or direction of any court,—

(*a*) the College of Fisheries, Shirgaon, Ratnagiri shall be deemed to be constituent college of the Dr. Blalasaheb Sawant *Konkan Krishi Vidyapeeth* Dapoli;

(*b*) the College of Fisheries, Shirgaon; Taraporewala Marine Biological Research Station, Mumbai; Marine Biological Research Station, Ratnagiri; Fodder Research Centre, Palghar; Kharland Research Centre, Panvel; Livestock Supervisor's Training Centre, Lanja and the Cattle Breeding Farm, Kudal (District Sindhudurg) (hereinafter referred to as "the said College, Research Centres, Instituted and Training Centre"), deleted by the Government Notification, Agriculture, Animal Husbandry, Dairy Development and Fisheries Department, No. PASAMPRA. 3500/CR-135/ADF-1, dated the 17th November 2000, shall be deemed to be the constituent College, Resarch Centres, institutes or, as the case may be, Training Centre of the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth*,;

(*c*) any student who immediately prior to the date of coming into force of this Act, was studying for a degree, diploma, certificate, academic awards, etc., in Fishery Sciences in the said College, Research Centres, Institutes and Training Centre referred to in clause (*b*) shall continue his studies under the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth;*

(*d*) all the students registered as students of the said College, Research Centres, Institutes and Training Centre, referred to in clause, (*b*) for any subject or course or programme before the coming into force of this Act, shall deemed to have been registered with the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth;*

(*e*) where any examination is held by the said University, College, Research Centres, Institutes and Training Centre but the degree or other academic distinction has not been conferred or issued or the result of any such examination has not been published, such examination shall be deemed to have been held by Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth* and that Krishi Vidyapeeth shall be competent to confer or issue any degree, diploma, certificate, academic distinction, etc., and to declare the result of such examination;

(*f*) any degree, diploma, certificate, academic distinction, etc., conferred or awarded in Fishery Sciences to

any student by the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth*, Dapoli or the said College, Research Centre, Institute and Training Centre before the coming into force of this Act, shall be deemed to have been conferred or awarded under the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth;*

13. Amended by Mah. 17 of 2019

(*g*) all benefactions, awards, certificates, accepted or received by the said College, Research Centres, Institutes and Training Centre before the coming into force of this Act, shall be deemed to have been accepted or received by the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth;*

(*h*) all property, movable or immovable obtained or all rights (including Intellectual Property Rights registered or obtained), interest of whatsoever kind powers and privileges of the said College, Research Centres, Institutes and Training Centre before the coming into force of this Act, shall be deemed to have been obtained or registered with the said College, Research Centre, Institute and Training Centre;

(*i*) all will, deed or other document (including research reports) made before the coming into force of this Act, which contains any bequest, gift, terms and trust in favour of the College, Research Centres, Institutes and Training Centre shall be deemed to have been made with the said College, Research Centre, Institute and Training Centre; (*j*) any right, privilege, obligation or liability acquired, accrued and incurred by the said College, Research Centres, Institutes and Training Centre, before the date of coming into force of this Act, shall be deemed to have been the rights, privilege, obligation or liability acquired, accrued and incurred by the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth;*

(*k*) all the resolutions passed by the authorities or bodies of the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth* with respect to the subject 'fishery sciences', shall be deemed have been passed or made by the that Krishi Vidyapeeth in accordance with the provisions of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983 (Mah. XLI of 1983), as amended by this Act;

(*l*) all rules, regulations or statutes made by the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth* And applicable to the said College, Research Centre, Institute and Training Centre, shall be deemed to have been made by that krishi Vidyapeeth in accordance with the provisions of the Maharashtra Agriculture Universities (*Krishi Vidyapeeths*) Act, 1983 (Mah. XLI of 1983), as amended by this Act;

(*m*) all academic and non-academic staff members appointed under the said College, Research Centres, Institutes and Training Centre, shall be deemed to have been appointed by the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth* and shall continue to work under that Krishi Vidyapeeth;

(*n*) any legal suit, appeal or legal proceeding of whatever nature, which is pending before any court, tribunal or authority by or against the said College, Research Centres, Institutes and Training Centre before the coming into force of this Act, shall be deemed to have been pending by or against the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth*.

9. Power to remove difficulty.— (*1*) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the *Official Gazette*, do anything, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that, no such order shall be made after expiry of a period of two years from the date of commencement of the Act.

(*2*) Every order made under sub-section (*1*) shall be laid, as soon as may be, after it is made, before each House of the State Legislature.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

MAHARASHTRA ACT No. XLI OF 1983[1]

[THE MAHARASHTRA AGRICULTURAL UNIVERSITIES (*KRISHI VIDYAPEETHS*) ACT, 1983.]

[This Act received the assent of the Governor on the 22nd day of August 1983; assent was first published in the *Maharashtra Government Gazette* on the 24th August 1983.]

An Act to consolidate and amend the Law relating to the four Agricultural Universities in Maharashtra.

WHEREAS it is expedient to consolidate and amend the law relating to the four Agricultural Universities in the State of Maharashtra ;

AND WHEREAS it has now been decided to have a common law for the better governance of the four Agricultural Universities in Maharashtra and for more efficient administration and financial control and better organisation of teaching, research and extension education in those Universities ;

AND WHEREAS in accordance with decision aforementioned, it is now found expedient to reconstitute the four Agricultural Universities in Maharashtra to provide better facilities for education in agricultural and allied matters and in particular for the development of agricultural sciences and for carrying out or undertaking such schemes or activities to help and support the Agricultural Development Programmes and extension education and such other activities of Government, as the State Government may, from time to time, direct and for matters connected with or incidental to any of the purposes aforesaid ;

It is hereby enacted in the Thirty-fourth Year of the Republic of India, as follows :—

CHAPTER I

PRELIMINARY

1. Short title and commencement.— (*1*) This Act may be called the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) Act, 1983.

(2) It shall come into force on such date[2] as the State Government may, by notification in the *Official Gazette*, appoint.

2. Definitions.— In this Act, unless the context otherwise requires,—

(*a*) "affiliated college" means a college, which is under the management of any authority other than a University and is affiliated or deemed to be affiliated to the University;

(*b*) "agriculture" includes the basic and applied sciences (including technology) relating to soil and water management, crop husbandry (including control of plant, pests and diseases), horticulture, agricultural engineering, [3]* * * * * * * forestry and also home science, co-operation and marketing relating to agriculture;

[4][(*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;]

1 For Statement of Objects and Reasons, *see* "*Maharashtra Government Gazette*" Extraordinary, Part V, dated the 14th December, 1981 at pages 689-691.

2 7th November 1983 (*vide* G. N., A. and C. D., No. AGU.-2283/41919/CR-166/19-A, dated 7th November 1983). 3 The words "animal husbandry, dairying, veterinary, fisheries, marine biology" were deleted by Mah. 17 of 1988, s. 73, second Schedule.

4 These clauses were inserted by Mah. 14 of 2003, s. 2(*a*).

(*c*) "constituent college" means a college, which is under the direct management of a University, whether located at the headquarters or elsewhere in the University area;

(*d*) "corresponding University" in relation to an existing University, means the body corporate specified against such existing University in column (*2*) of the Schedule;

(*e*) "Department" means a department designated as such by the State, with reference to a subject or group of subjects;

(*f*) "existing University" means a University specified in column (*1*) of the Schedule;

(*g*) "extension education" means the educational activities concerned with the training of the farmers and home makers and other groups serving agriculture, in improved agricultural practices and the various phases of scientific technology related to agriculture and agricultural production and marketing. It includes the work which may be done through meetings, demonstrations and other methods for teaching improved agricultural practices and the training of workers required for the conduct of these educational activities;

(*h*) "Head of Department" means the academic staff member principally responsible for teaching, research and extension education in a Department;

[1][(*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;]

[2][* * * *]

(*j*) "prescribed" means prescribed by the Statutes;

(*k*) "Principal" means the head of a college, post-graduate centre or other recognised institution;

(*l*) "recognised institution" means an institution for research or specialized studies, other than an affiliated or constituent college and recognised or deemed to be recognised as such by a University and includes any institution for lower agricultural education, such as an agricultural school or *gramsevak* training centre, which is under the direct management of the University, or which is recognised or deemed to be recognised as such by the University;

[3][(*l-1*) "Recruitment Board" means the Maharashtra Agriculture Universities Recruitment Board constituted under section 58;]

[4][* * * *]

(*n*) "Schedule" means the Schedule to this Act;

(*o*) "Schedule Castes" means such castes, races or tribes or parts of or groups within, such castes, races or tribes as are deemed to be Scheduled Castes in relation to the State of Maharashtra under article 341 of the Constitution of India, and for the purposes of this Act, includes *Nav-Buddhas*;

(*p*) "Scheduled Tribes" means such tribes or tribal communities or parts of, or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Maharashtra under Article 342 of the Constitution of India residing in any part of the State of Maharashtra and for the purposes of this Act, includes Denotified and Nomadic Tribes;

(*q*) "State Council" means the Maharashtra Council of Agricultural Education and Research constituted under this Act;

1 This Clause was inserted by Mah. 14 of 2003, s. 2(*b*).

2 Clause (*i*) was deleted by Mah. 14 of 2003, s. 2(*c*).

3 Clause (*l-1*) was inserted by Mah. 32 of 2013, s. 2.

4 Clause (*m*) was deleted by Mah. 22 of 1991, Second Schedule.

(*r*) "Statutes" and "Regulations" means, respectively, the Statutes and the Regulations of the University made or deemed to be made under this Act;

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

(*s*) "University" means a University constituted under this Act;

(*t*) "University area" in relation to any University specified in column (*2*) of the Schedule, means the area specified against it in column (*3*) of the Schedule;

(*u*) "University campus", in relation to a University, means the area of the University at its headquarters, which was immediately before the commencement of this Act, defined as the University campus of the existing University, or as may, from time to time, be defined as the University campus by the State Government by notification in the *Official Gazette.*

CHAPTER II

UNIVERSITIES

3. Incorporation of Universities.— (*1*) (*a*) In relation to each of the existing Universities specified in column (*1*) of the Schedule, with effect from the commencement of this Act, the corresponding University specified against it in column (*2*) of the Schedule, with the same name, is hereby constituted under this Act.

(*b*) The Chancellor, the Pro-Chancellor, the Vice-Chancellor, the first members of the Executive Council and the Academic Council of each of the Universities specified in column (*2*) of the Schedule and all persons who are deemed to be or may hereafter become or be, elected, nominated, appointed or co-opted as such Executives, officers or members of the respective University, are hereby constituted and declared to be the successor body corporate, with the same name as specified in column (*2*) of the Schedule, and with perpetual succession and a common seal and shall by the same name sue and be sued.

(*c*) The areas specified against the name of each University in column (*3*) of the Schedule shall be the University area and the place specified against it in column (*4*) of the Schedule shall be the headquarters of the University.

(*2*) Notwithstanding anything contained in sub-section (*1*), the State Government may, at any time, by notification in the *Official Gazette*, direct that any University shall have its headquarters at the place other than that specified against it in column (*4*) of the Schedule.

(*3*) Each University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer or dispose of any movable or immovable property, which vests in or be acquired by it, for the purposes of the University, and do all other things necessary for the purposes of this Act :

Provided that no such lease, sale or transfer of immovable property shall be made without the prior consent of the State Government.

(*4*) Notwithstanding anything contained in this Act, having regard to the interest of the State as a whole, the State Government may, by notification in the *Official Gazette*, entrust any specialised research programme in any University area to any other University, even though such a programme is not carried on or situated within the area of such University, for such period, and subject to such terms and conditions as may be specified in such notification.

4. Objects and medium of instruction and examination of University.— (*1*) Each University shall be deemed to be established and incorporated for the following purposes, namely :—

(*i*) providing for education in agriculture and allied sciences and humanities;

(*ii*) furthering the advancement of learning and research in agriculture and allied sciences;

1 This clause was inserted by Mah. 14 of 2003, s. 2(*d*).

(*iii*) undertaking and guiding extension education programmes including establishment of *Krishi Vidnyan Kendras* and organising district level farmers' Melawas, from time to time, for the improvement and development of the standard of agriculture and agriculturists in the State;

(*iv*) integrating and co-ordinating the teaching of subjects in the different Faculties of the University;

(*v*) co-ordinating agricultural education, research and extension education activities;

(*vi*) teaching and examining students in such manner, and conferring such degrees, diplomas, certificates and other academic distinctions, as the University may deem fit;

(*vii*) providing integrated agricultural education activities at all levels for maximum effectiveness and at minimum cost;

(*viii*) such other purposes, not inconsistent with the foregoing provisions of this Act, which the State Government may, by notification in the *Official Gazette*, specify in this behalf.

(*2*) The University shall endeavour to promote the use of Marathi as the medium of instruction and examination :

Provided that, English may be the medium of instruction and examination in such subjects, and for such period or periods, as may, from time to time, be prescribed by the Statutes.

5. Admissions to University and concession for certain classes.— Each University shall be open to all persons, who or whose parents have resided in the State of Maharashtra for not less than three years, during the period of ten years immediately preceding the date on which admission is sought, and no person shall be excluded from admission to any degree, diploma, certificate or other academic distinction or course of study on the ground only of religion, race, caste, sex or place of birth or political or other opinion :

Provided that, the University may, subject to the previous sanction of the State Government, reserve certain seats for purposes of admission as students in any college or institution maintained or controlled by the University for the following classes of persons, namely :—

(*i*) the Scheduled Castes and Scheduled Tribes;

(*ii*) the Other Backward Classes;

(*iii*) agriculturists, and those children of agriculturists who possess the prescribed minimum qualifications or experience in agriculture;

(*iv*) persons who and whose parents have not resided in the State at least for three years during the period of ten years immediately preceding the date on which admission is sought;

(*v*) children of freedom fighters;

(*vi*) displaced persons as defined in the Maharashtra Resettlement of Project Displaced Persons Act, 1976 (Mah. XLI of 1976), and their children;

[1][(*vii*) children of defence personnel;

(*viii*) students passing qualifying examination from the school or institution situated within a University area :]

Provided further that, the University may, subject to like sanction, also grant to persons falling under all or any of the categories (*i*), (*ii*), (*iii*), (*v*) and (*vi*) in the last preceding proviso, exemptions from payment of such fees or boarding, lodging or other charges, or from all fees and charges, or provide for such special scholarships, as it may deem fit :

[2][Provided also that, nothing] in this section shall require the University to admit to any course of study any person who does not meet the prescribed academic standards for admission to such course or

1 Clauses (*vii*) and (*viii*) were inserted by Mah. 12 of 1988, s. 2(*a*).

2 These words were substituted for the words "Provided further that nothing" by Mah. 12 of 1988, s. 2(*b*).

to retain on the rolls of the University persons whose academic records are below the minimum standards required for the award of a degree or whose personal conduct is such as to be prejudicial to the purposes of the University or to the rights and privileges of other students and academic staff members :

Provided also that, nothing in this section shall require the University to admit to any course of study, students larger in number than, or with academic or other qualifications lower than, those prescribed.

Explanation.— For the purposes of this section, "agriculturist" means a person who as an owner or tenant holds agricultural land, and whose main income is derived from personal cultivation of land, and includes any person whose principal means of livelihood is manual labour on agricultural land.

6. Powers and function of University.— Subject to the provisions of this Act, each University shall have the following powers and functions, namely :—

(*i*) to provide for instructions in agriculture and allied sciences and in such other branches of learning as the University may deem fit;

(*ii*) to make provision for conduct of research and dissemination of the findings of research and technical information through extension education programmes;

(*iii*) to institute courses of study and to hold examinations for and to confer degrees, diplomas, certificates and other academic distinctions on persons who have,—

(*a*) pursued a course of study as prescribed, or

(*b*) carried out research in the University or in an institution recognised in this behalf by the University as may be prescribed;

(*iv*) to institute degrees, diplomas, certificates and other academic distinctions;

(*v*) to confer honorary degrees and other distinctions as may be prescribed;

(*vi*) to provide lectures and instructions for field workers, farmers and other persons not enrolled as regular students of the University and to grant certificates to them as may be prescribed;

(*vii*) to establish and maintain laboratories, libraries, research stations, institutions, demonstration centres, museums and aquariums for teaching, research and extension education and such other facilities as may be deemed appropriate for University students and employees;

(*viii*) to institute and maintain colleges, schools, centres, home science wings, workshop wings and other institutions relating to agriculture and allied sciences and hostels thereof;

(*ix*) to supervise and control the residence, conduct and discipline of the students of the University and to make arrangements for promoting their health and welfare;

(*x*) to institute teaching, research and extension education posts required by the University and to appoint persons to such posts;

[1][(*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;]

(*xii*) to institute and award fellowships, scholarships and prizes in accordance with the statutes;

(*xiii*) to fix, demand and receive such fees and other charges as may be prescribed;

(*xiv*) to co-operate with other Universities and Government Departments in such manner and for such purposes as the University may determine;

(*xv*) to make provision for consumers' co-operative societies to serve the needs of students and staff of the University and of the colleges and institutions under its control;

1 Clause (*xi*) was substituted for the original by Mah. 14 of 2003, s. 3(*a*)

(*xvi*) to do all such acts and things, whether incidental to the powers and functions or not, as may be requisite in order to further the objects of the University;

[1][(*xvii*) to co-operate or collaborate with any other university, institutions, 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.]

7. Duties of University to help agricultural development programmes of Government.— It shall be the duty of each University to carry out or undertake the production of such breeder and foundation seeds, survey for estimating cost of production of such agricultural commodities, participation in such training and visit systems of extension and such other schemes and activities to help and support the Agricultural Development Programmes or activities of Government, as the Pro-Chancellor, under intimation to the Chancellor may, from time to time, direct the University to carry out or undertake within such period as may be specified in the direction.

8. For failure to comply directions under section 7, power to resume lands vested in the University.— If, in the opinion of the State Government, any University does not undertake adequate agricultural production on the lands vested in it, in accordance with the directions issued under section 7, the State Government may, by notice, call upon the University to show cause, within a specified period, why the lands vested in it as specified in the notice, should not be resumed by the State Government. After considering the cause, if any, shown by the University, the State Government may, without prejudice to any other action which may be taken under this Act, by order, resume all or any of the lands specified in the notice from the University and carry out or undertake its development programmes or activities thereon, whether by itself or through any agency specified by it in this behalf.

9. Prohibitions for award of degrees, etc., in Agriculture Veterinary Science and Fisheries by non-agricultural University.— Notwithstanding anything contained in any Act relating to the establishment of any non-agricultural University in the State, no such University shall be competent to award any degrees, diplomas, certificates or other academic distinctions in Agriculture, [2]* * * :

[3][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 (Mah. XX of 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.]:

[4][Provided further that, notwithstanding anything contained in section 9 of the Maharashtra Animal and Fishery Sciences University Act, 1998 (Mah. XVII of 1998), the Dr. Balasaheb Sawant *Konkan Vidyapeeth*, Dapoli shall also be competent to award degrees, diplomas, certificates or other academic distinctions in Fishery Sciences.]

10. Transfer of certain institutions to Government.— If, in the opinion of any University, any college, research institution, school, centre, activity or other institution transferred to and vesting in it is surplus to its requirements, the University may request the State Government that the same may be taken over by the State Government. Upon such request, the State Government may, by notification in the *Official Gazette*, direct that such institution shall, from such date and subject to such terms and

1 Clauses (*xvii*), (*xviii*) and (*xix*) were added by Mah. 14 of 2003 s. 3(*b*).

2 The words "Veterinary Science and Fisheries" were deleted by Mah. 17 of 1998, s.73, Second Schedule.

3 This proviso was added by Mah. 41 of 1989, s. 2.

4 The proviso was added and shall be deemed to have been added with effect from the 17th November, 2000 by Mah. 11 of 2019, s. 2.

conditions (including those relating to the employees serving therein or thereunder) as may be specified in the notification, cease to vest in the University and pass to, and be maintained by, the State Government; and thereupon all properties and assets and liabilities of the University in relation to such institution shall stand transferred to, and vest in, the State Government. The conditions of service of the employees, if any, transferred to the State Government along with the institution shall not be less favourable than those applicable to them immediately before such transfer.

11. Inspection and Inquiry.— (*1*) The Chancellor shall have the right to cause an inspection to be made, by such person or persons or body of persons, as he may direct, of any University, its buildings, farms, laboratories, libraries, museums, workshops and equipments of any college, institution or hostel maintained, administered or recognised by the University and of the teaching and other work conducted by

or on behalf of the University or under its auspices and of the conduct of examinations or other functions of the University, and to cause an inquiry to be made in like manner regarding any matter connected with the administration or finances of the University.

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

(*3*) After an inspection or inquiry has been caused to be made, the Chancellor may address the Vice-Chancellor on the result of such inspection or inquiry and the Vice-Chancellor shall communicate to the Executive Council the views of the Chancellor and call upon the Executive Council to communicate to the Chancellor through him its opinion thereon within such time as may have been specified by the Chancellor. If the Executive Council communicates its opinion within the specified time limit, after taking into consideration that opinion, or where the Executive Council fails to communicate its opinion in time, after the specified time limit is over, the Chancellor may proceed and advice the Executive Council upon the action to be taken by it, and fix a time limit for taking such action.

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

(*5*) The Chancellor may, where action has not been taken by the Executive Council to his satisfaction within the time limit fixed, and after considering any explanation furnished or representation made by the Executive Council, issue such directions, as the Chancellor may think fit, and the Executive Council and other authority concerned 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 in any matter 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 Statutes and Regulations or that special measures are desirable to maintain the standards of University teaching, examinations, research, extension education, administration or finances, the Chancellor may indicate to the Executive Council through the Vice-Chancellor any matter in regard to which he desires an explanation and call upon the Executive Council to offer such explanation within such time as may be specified by him. If the Executive Council fails to offer any explanation within the time specified or offers an explanation which, in the opinion of the Chancellor, is not satisfactory, the Chancellor may issue such directions as appear to him to be necessary, and the Executive Council and other authority concerned shall comply with such directions.

(*7*) The Executive Council shall furnish such information relating to the administration and finances of the University as the Chancellor may from time to time require.

(*8*) The Executive Council shall furnish to the State Government such returns or other information with respect to the property or activities of the University as the State Government may from time to time require.

CHAPTER III

MAHARASHTRA COUNCIL OF AGRICULTURAL EDUCATION AND RESEARCH

12. Constitution of State Council and its powers and functions.— (*1*) For the purposes of effective co-ordination in the activities of all Agricultural Universities in the State, particularly in

relation to teaching, research, extension education and other matters of common interests and for having periodical evaluation of the functioning of the Universities and supervision over the Universities and their academic and financial activities and programmes, the State Government shall constitute a Council to be called “the Maharashtra Council of Agricultural Education and Research”.

(*2*) (*a*) The Minister for Agriculture, Maharashtra State, shall be the Chairman of the State Council.

(*b*) The State Government may appoint a person who in its opinion, has expertise in any aspect of agricultural development, to be the Vice-Chairman of the Council [1][and the Vice-Chairman shall, subject to the provisions of this Act, hold office for a period of three years from the date of his appointment. The Vice-Chairman shall hold office during the pleasure of the State Government; and the State Government may, if it appears to it to be necessary and expedient so to do in the public interest, by order remove him from office at any time :

Provided that, the Vice-Chairman of the Council holding the office on the date of commencement of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Second Amendment) Act, 2013 (Mah. XXXII of 2013), shall vacate such office with immediate effect.]

(*c*) The Council shall consist of the following other members, namely :—

(*i*) the Vice-Chancellors of the Agricultural Universities in the State as *ex-officio* members;

(*ii*) the Chief Secretary to Government and the Agriculture, Finance and Planning Secretaries to Government as *ex-officio* members;

(*iii*) one representative of the Indian Council of Agricultural Research to be appointed by the State Government;

(*iv*) four non-official members of the Executive Councils concerned to be appointed by the State Government, one from each Agricultural University area;

(*v*) one member to be appointed by the Chancellor;

(*vi*) two agricultural scientists to be appointed by the State Government;

(*vii*) the member-secretary, a whole-time officer, to be appointed by the State Government.

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

forming part of such plans;

(*b*) subject to the provisions of section 54, to approve the annual financial estimates of the Universities;

(*c*) to grant approval to any proposals by the Universities for reappropriation of budget grants;

(*d*) to grant permission to the Universities for starting any new faculties, courses or disciplines or departments, as well as introduction of additional elective subjects for any curriculum ;

(*e*) to grant administrative approval to any building proposed to be constructed by any University, the cost of which is estimated to be three lakhs rupees or more ;

(*f*) to grant administrative approval to any equipment proposed to be purchased by any University, the cost of which is estimated to be five lakhs rupees or more ;

(*g*) to review, from time to time, the work done in the Universities relating to agricultural education, teaching, research and extension education programmes including the work connected

1 This portion was added by Mah. 32 of 2013, s. 3.

with 1[horticulture, food technology and forestry], with a view to achieving effective co-ordination in the activities of the Universities and to give them suitable guidance and directions;

2[(*g-1*) to review from time to time, the work done by the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth*, Dapoli, relating to education in Fishery Sciences, research and extension education programmes in Fishery Sciences, with a view to achieving effective co-ordination in the activities of that University and to give to it suitable guidance and directions;]

(*h*) to apprise the Chancellor of the functioning of the Universities in the light of the periodical evaluation made by it ;

(*i*) to move the State Government to release funds to the Universities, both Plan and Non-Plan at such intervals as may be found necessary, on the basis of the decisions taken by the Council ;

(*j*) to advise the State Government on any matters relating to the activities of the Universities, which may be referred to it by the State Government ;

(*k*) to exercise such other powers and to discharge such other function as are incidental to or requisite to give effect to the provisions of this Act.

(*4*) (*a*) The Council, in the exercise of its powers and the discharge of its functions, shall have the power to issue necessary directions to the Universities, under intimation to the Chancellor, which shall be final and binding on the Universities.

(*b*) It shall be the duty of the Vice-Chancellor concerned to ensure that such directions are promptly and properly implemented, and for this purpose the Vice-Chancellor shall have and exercise all the necessary powers as provided in sub-section (*6*) of section 18.

(*5*) (*a*) The Vice-Chairman shall receive such honorarium and allowances as the State Government may determine.

(*b*) The emoluments and other conditions of service of the Member-Secretary shall be such as the State Government may determine.

(*c*) Every non-official member shall receive such allowances for the purpose of meeting personal expenditure incurred in attending the meetings of the Council or for attending to any other business of the Council as such member, as the State Government may determine.

(*6*) The Council shall, in conducting its business, determine such procedure as it deems fit.

(*7*) The Council shall have the power to Act, notwithstanding any vacancy in the membership thereof or any defect in the constitution thereof.

CHAPTER IV

OFFICERS OF THE UNIVERSITIES

13. Classification of Officers and staff of University.— The personnel of each University shall be classified under one of the following categories :—

(*a*) Executives, Academic Officers and other Officers who have the administrative authority and who are designated as such by or under this Act, or by the Statutes.

(*b*) Academic staff members who have duties of an academic nature, such as teaching, research and extension education and who hold professional rank of Professor, Associate Professor, Assistant Professor, Lecturer or Demonstrator or the like as may be designated by or under this Act, or by the Statutes.

1 These words were substituted for the words "animal husbandry, horticulture, forestry, dairy science and food technology and fisheries" by Mah. 17 of 1998, s. 73, Second Schedule.

2 This clause was inserted and shall be deemed to have been inserted with effect from the 17th November, 2000 by Mah. 11 of 2019, s. 3.

(*c*) Ministerial staff members who are in the service of the University and not included in the categories (*a*) and (*b*) above.

14. Executives, Academic and other Officers.— The following shall be the Executives, Academic Officers, 1[Other Officers, and Officers declared by Statutes] of each University, namely :—

(*a*) *Executives*

(*i*) The Chancellor.

(*ii*) The Pro-Chancellor.

(*iii*) The Vice-Chancellor.

(*b*) *Academic Officers*

(*iv*) The Director of Instruction.

(*v*) The Director of Research.

(*vi*) The Director of Extension Education.

(*vii*) The Deans of Faculties.

(*viii*) The Associate Deans.

(*c*) *Other Officers*

(*ix*) The Registrar.

(*x*) The Comptroller.

2[(*xi*) The students welfare officer].

(*xii*) The Librarian.

3[(*d*) *Officers declared by Statutes*]

(*xiii*) Such other persons as may be declared by the Statutes to be the Academic Officers or Other Officers of the University :

4[Provided that, the same person may be appointed to more than one post in the category of Academic Officers or Other Officers or Officers declared by Statutes :

Provided further that, in the category of Academic Officers or Other Officers or officers declared by Statutes, any of the post may be filled or may not be filled at any time.]

15. Chancellor.— (*1*) The Governor of Maharashtra, shall be the Chancellor of each of the Universities.

(*2*) The Chancellor shall, by virtue of his office, be the head of the University and shall, when present, preside at any convocation of the University.

(*3*) The Chancellor may call for his information any papers relating to the administration of the affairs of the University and such requisition shall be complied with by the University.

(*4*) Every proposal to confer any honorary degree shall be subject to confirmation by the Chancellor.

(*5*) The Chancellor may, by order in writing, annul any proceeding of any officer or authority of the University, which is not in conformity with this Act, the Statutes or the Regulations, or which is prejudicial to the interest of the University :

1 These words were substituted for the words "and other Officers" by Mah. 12 of 1988, s. 3(*a*). 2 The entry (*xi*) was substituted for original by Mah. 14 of 2003, s. 4.

3 This heading was inserted by Mah. 12 of 1988, s. 3(*b*).

4 These provisos were substituted for the original provisos by Mah. 12 of 1988, s. 3(*c*).

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

(*6*) The Chancellor shall exercise such other powers and perform such other duties as are laid down by this Act.

16. Pro-Chancellor.— (*1*) The Minister for Agriculture, Maharashtra State, shall be the Pro-Chancellor of each of the Universities and shall in the absence of the Chancellor preside over the convocation of the University.

(*2*) The Pro-Chancellor may call for his information any papers relating to the administration of the affairs of the University and such requisition shall be complied with by the University.

(*3*) The annual programme of work of the University shall be referred to the Pro-Chancellor for his information and any suggestion made by him shall be considered by the Executive Council.

(*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. Vice-Chancellor.—[1][(*1*) The Vice-Chancellor shall be appointed by the Chancellor in the manner stated hereunder:—

(*a*) There shall be a Committee consisting of the following members to recommend suitable names to the Chancellor for appointment of the Vice-Chancellor, namely :—

(*i*) a member nominated by the Chancellor, who shall be a retired Judge of the Supreme Court or retired Chief Justice of a High Court or an eminent scientist of national repute or a recipient of *Padma* Award in the field of education;

[2][(*ii*) the Director General, Indian Council of Agricultural Research, New Delhi; or his nominee from amongst the following :—

(*A*) a person who is retired as Director General, Indian Council of Agricultural Research, New Delhi; or

(*B*) the Chairman, Agriculture Scientists Recruitment Board (ASRB), New Delhi; or

(*C*) the Director, Indian Agriculture Research Institute (IARI), New Delhi;]

(*iii*) the Principal Secretary (Agriculture) or Secretary (Agriculture), as the case may be, in the Agriculture, Animal Husbandry, Dairy Development and Fisheries Department of the Government of Maharashtra ;

(*b*) The member nominated by the Chancellor shall be the Chairman of the Committee;

(*c*) The member nominated shall be the person not connected with the University or any recognised institution of the University;

(*d*) No meeting of the Committee shall be held unless all the three members of the Committee are present.]

3[(*2*) The process of preparing a panel shall begin at least three months before the probable date of occurrence of the vacancy of the Vice-Chancellor and shall be completed within the time limit fixed by the Chancellor. The Chancellor, however, may extend such time limit if in the exigency of the circumstances, it is necessary so to do, however that the period so extended shall not exceed three months in the aggregate.

1 Sub-section (*1*) was substituted by Mah. 18 of 2010, s. 2(*a*).

2 This clause was substituted by Mah. 17 of 2019, s. 2.

3 These sub-section were substituted for sub-section (*2*) by Mah. 18 of 2010, s. 2(*b*).

(*2A*) The Committee shall recommend a panel of not less than five suitable persons for the consideration of the Chancellor for being appointed as the Vice-Chancellor within the period of two months from its constitution. The names so recommended shall be in alphabetical order without any preference being indicated. The report shall be accompanied by a detailed write-up on suitability of each person included in the panel.

(*2B*) The Chancellor may select one of the said 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 person 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.

(*2C*) A person recommended by the Committee for appointment as a Vice-Chancellor shall,—

(*a*) be an eminent academician or an administrator of high calibre;

(*b*) be able to provide leadership by his own example;

(*c*) be able to provide vision and have ability to translate the same into reality in the interest of students and society; and

(*d*) possess such educational qualifications and experience as may be specified by the State Government, by an order published in the *Official Gazette*, in consultation with the Chancellor.

(*2D*) The eligibility conditions and the process for recommendation of names for appointment as a Vice-Chancellor shall be given wide publicity to ensure the recommendation of most suitable candidates.]

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

1[(*4*) 2[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 (Mah. XIV of 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.] 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 [3][term not exceeding, twelve 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.

1 These sub-section were substituted for sub-section (*4*) by Mah. 41 of 1989, s. 3.

2 This clause was substituted for the principal clause of sub-section (*4*) beginning with words "The Vice-chancellor shall" and ending with the words "only for a second term" by Mah. 14 of 2003, s. 5(*b*).

3 These words were substituted for the words "term not exceeding six months in the aggregate" by Mah. 18 of 2010, s. 2(*c*).

(*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 (Mah. XLI of 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.]

(*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 [1][or commits or has committed breach of any of the terms and conditions of the service contract] 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 interest 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.

[2][(*7*) (*a*) The Vice-Chancellor shall draw such emoluments as the State Government may, from time to time, whether prospectively or retrospectively, determine;

(*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 :

1 These words were inserted by Mah. 14 of 2003, s. 5(*c*).

2 Sub-section (*7*) was substituted for the original by Mah. 12 of 1988, s. 4.

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.

18. Powers and duties of Vice-Chancellor.— (*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 Pro-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.

19. Registrar.— (*1*) The Registrar of each University shall be a whole time salaried officer of the University. He shall be an officer appointed by the State Government on deputation, for such period as the State Government may, from time to time, fix. His terms and conditions of service shall be such as the State Government may determine.

(*2*) The Registrar shall be responsible for the due custody of the records and the common seal of the University. [1][He shall be the *ex-officio* Member-Secretary of the Executive Council and Academic Council and selection committees for academic staff] and shall be bound to place before them all available information of the business. He shall receive applications for entrance to the University and shall keep a permanent record of all courses, curricula and other information as may be necessary.

(*3*) The Registrar may by writing under his hand addressed to the Vice-Chancellor resign his office. The resignation shall be delivered to the Vice-Chancellor ordinarily sixty days prior to the date on which the Registrar wishes to be relieved of his office, but the Executive Council may relieve him earlier. The resignation shall take effect from the date of relief.

(*4*) In the temporary absence of the Registrar on leave for whatever reasons or until the vacancy caused in any other manner is filled, the Vice-Chancellor shall appoint any suitable person temporarily for a period not exceeding three months to act as the Registrar.

(*5*) The Registrar shall be responsible for maintaining a permanent record of the academic performance of students of the University including the courses taken, grades obtained, degrees awarded,

prizes or other distinctions won and any other items pertaining to the academic performance of the students.

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

[2][(*7*) The Registrar shall be the custodian of the records and such other property of the University as the Academic Council may, commit to his charge, from time to time and it shall be the responsibility of the Registrar to keep up-to-date the record of all land records of the University, and its upkeep, care and maintenance.

(*8*) The Registrar shall be under the superintendence and control of the Vice-Chancellor. The Registrar shall be the appointing and the disciplinary authority of the employees of the University, other than the academic staff and officers of the rank of Assistant Registrar and other officers holding posts equivalent thereto or above. An appeal by a person aggrieved by the decision of the Registrar,

1 These words were substituted for the portion beginning with the words "He shall be" and ending with the words "the Academic Council" by Mah. 14 of 2003, s. 6(*a*).

2 Sub-sections (*7*), (*8*) and (*9*) were added by Mah. 14 of 2003, s. 6(*2*).

may be preferred, within thirty days from the date of communication of such decision, to the Vice-Chancellor.

(*9*) The Registrar shall be responsible for reporting to the Vice-Chancellor the consequences of any decision or action taken by any authority of the University, which he feels is in contravention of the provisions of this Act or the Statutes, Regulations, under intimation to the State Government.]

20. Comptroller.— (*1*) The Comptroller of each University shall be a whole-time salaried officer of the University. He shall be an officer belonging to the Indian Audit and Accounts Service or the Maharashtra Finance and Accounts Service appointed by the State Government on deputation, for such period as the State Government may, from time to time, fix. His terms and conditions of service shall be such as the State Government may determine.

(*2*) The Comptroller shall, under the general supervision and control of the Vice-Chancellor, hold and manage the property and investments of the University and shall advise the University as regards its financial policy.

(*3*) The Comptroller shall,—

(*a*) ensure that no expenditure, not authorised in the budget, is incurred by the University;

(*b*) be responsible for ensuring that the expenditures are made as authorised in the budget; when any budget revisions are required in the interest of expediting new programmes, changed requirements or any other reasons, he shall be responsible for preparing the needed revisions and expediting their approval by the concerned authorities;

(*c*) disallow any expenditure, which may contravene any provision of this Act or any Statutes made thereunder or for which provision is required to be made by or under this Act or any such Statute;

(*d*) propose to the Executive Council that explanation be called for unauthorised expenditure or other financial irregularities in any particular case and recommend disciplinary action against the persons at fault.

(*4*) The Comptroller may by writing under his hand addressed to the Vice-Chancellor resign his office. The resignation shall be delivered to the Vice-Chancellor ordinarily sixty days prior to the date on which the Comptroller wishes to be relieved of his office, but the Executive Council may relieve him earlier. The resignation shall take effect from the date of relief.

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

21. Deans of Faculties.— (*1*) The Dean of each Faculty of each University shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of [1][the Recruitment Board] constituted under section 58.

(*2*) The Dean of each Faculty shall be the Chief Executive and Academic officer of the Faculty, responsible to the Vice-Chancellor for its administration.

22. Duties of Deans of Faculty.— (*1*) The Dean of each Faculty shall be responsible for the organisation and conduct of teaching research and extension education work of the Department included in the Faculty, and for that purpose shall pass such orders as may be necessary in consultation with the Head of Department concerned.

(*2*) The Dean shall look into and be responsible for the due observance of the Statutes and Regulations relating to the Faculty.

(*3*) He shall preside over the meetings of the Faculty.

(*4*) He shall formulate and present policies to the Academic Council for its consideration.

1 These words substituted for the words "the Selection Committee" by Mah. 32 of 2013, s. 4.

(*5*) He shall make reports to the Vice-Chancellor on the work of the different Departments of the Faculty.

(*6*) He shall supervise the registration and progress of the students in the colleges of the Faculty.

(*7*) He shall be responsible to the Vice-Chancellor for the proper use of buildings assigned to the colleges, schools and research institutions and of the equipment thereof.

(*8*) He shall prepare the budgets in consultation with the appropriate officers and staff members in the technical area.

(*9*) Each Dean shall have such other powers and perform such other duties as are laid down by or under this Act and as may be prescribed.

23. Director of Instruction.— (*1*) The Director of Instruction of each University shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of [1][the Recruitment Board] constituted under section 58.

(*2*) The Director shall work directly under the Vice-Chancellor and shall be responsible for the due performance of the functions of the colleges and other teaching institutions and shall co-ordinate and guide education, in all the constituent and affiliated colleges of the University in close co-operation with the Deans of Faculties and other officers.

(*3*) The Director shall exercise such other powers and perform such other duties as are laid down by or under this Act and as may be prescribed.

24. Director of Research.— (*1*) The Director of Research of each University shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of [2][the Recruitment Board] constituted under section 58.

(*2*) The Director of Research shall work directly under the Vice-Chancellor and shall be responsible for the due performance of functions of the research stations all over the University area and shall co-ordinate all research of the University in close co-operation with the Deans of Faculties and other officers.

(*3*) The Director shall exercise such other powers and perform such other duties as are laid down by or under this Act and as may be prescribed.

25. Director of Extension Education.— (*1*) The Director of Extension Education of each University shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of [3][the Recruitment Board] constituted under section 58.

(*2*) The Director shall work directly under the Vice-Chancellor and shall be responsible for the co-ordination of all extension education programmes of the University in close co-operation with the Deans of Faculties and other officers.

(3) The Director shall exercise such other powers and perform such other duties as are laid down by or under this Act and as may be prescribed.

26. [4]**[Students' Welfare Officer].—** (*1*) [5][The Students' Welfare Officer] of each University shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of [6][the Recruitment Board] constituted in accordance with the provisions of the Statutes made in that behalf.

1 These words substituted for the words "the Selection Committee" by Mah. 32 of 2013, s. 5.

2 These words substituted for the words "the Selection Committee" by Mah. 32 of 2013, s. 6.

3 These words substituted for the words "the Selection Committee" by Mah. 32 of 2013, s. 7.

4 This marginal note was substituted for the original by Mah. 14 of 2003, s. 7(*d*).

5 These words were substituted for the words "Director of Students' Welfare" by Mah. 14 of 2003, s. 7(*a*).

6 These words were substituted for the words "the Selection Committee" by Mah. 32 of 2013, s. 8.

(*2*) [1][The Students' Welfare Officer of each University shall work under the Director of Instruction of the University] and shall be responsible for handling all affairs connected with the students, such as accommodation, scholarship and freeship opportunities, medical facilities, extra-curricular activities, liasion between students and teachers, students counselling, job opportunities, placement of graduates and their other problems.

(*3*) The [2][Students' Welfare Officer] shall exercise such other powers and perform such other duties as are laid down by or under this Act and as may be prescribed.

27. Associate Dean.— (*1*) The Associate Dean shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor on the recommendation of [3][the Recruitment Board] constituted under section 58.

(*2*) The Associate Dean shall be responsible for conducting teaching, research and extension education programmes at all levels within the limits of the prescribed region and shall also be the Principal of a constituent college.

(*3*) The Associate Dean shall exercise such other powers and perform such other duties as are laid down by or under this Act and as may be prescribed.

28. Power to determine conditions of University.— Subject to the provisions of this Act, the designations, qualifications, method of recruitment, pay, allowances and other conditions of service of all employees of each University and their powers and duties shall be such as may, from time to time, be determined by the Statutes and Regulations.

CHAPTER V

AUTHORITIES OF THE UNIVERSITIES

29. Authorities of University.— The following shall be the authorities of each University, namely :—

(*i*) the Executive Council,

(*ii*) the Academic Council,

(*iii*) the Faculties,

(*iv*) the Boards of Studies,

(*v*) Such other bodies of the University as may be declared by the Statutes to be the authorities of the University.

30. Executive Council.— (*1*) The Executive Council of each University shall be the executive authority of the University and shall consist of the following members, namely :—

(*i*) The Vice-Chancellor-*Ex-Officio* Chairman.

[4][(*ii*) The Commissioner of Agriculture or his nominee not below the rank of Director.

[5]* * *]

(*iv*) The Director of Horticulture or his nominee, not below the rank of Joint Director of Horticulture.

(*v*) The Chief Conservator of Forests or his nominee, not below the rank of Conservator of Forests.

1 These words were substituted for the words "the Director shall work directly under the Vice-Chancellor" by Mah. 14 of 2003 s. 7(*b*).

2 These words were substituted for the words "Director" by Mah. 14 of 2003, s. 7(*c*).

3 These words were substituted for the words "the Selection Committee" by Mah. 32 of 2013, s. 9. 4 Clause (*ii*) and (*iii*) were substituted for the original by Mah. 14 of 2003, s. 8(*a*)(*1*).

5 Entry (*iii*) was deleted by Mah. 17 of 1998, s. 73, Second Schedule.

(*vi*) One Director (Instruction, Research or Extension Education) of the University to be nominated by the Vice-Chancellor by rotation.

(*vii*) One Dean to be nominated by the Vice-Chancellor by rotation.

(*viii*) One eminent agricultural scientist, with adequate experience of active research, to be nominated by the Chancellor in consultation with the Vice-Chancellor.

[1][(*ix*) Five progressive farmers to be nominated by the Pro-Chancellor of which one shall be from the persons belonging to the Scheduled Castes, Scheduled Tribes or the Backward Class of Citizens to be appointed by rotation and not less than one shall be a woman.]

(*x*) One representative from the Indian Council of Agricultural Research.

(*xi*) One Agro-Industrialist to be nominated by the State Government.

[2][(*xii*) Three members of the Maharashtra Legislative Assembly, nominated by the Speaker of the Maharashtra Legislative Assembly.

(*xiii*) Two Members of the Maharashtra Legislative Council, nominated by the Chairman of the Maharashtra Legislative Council.]

(*xiv*) The Chairman of Agriculture Committees of two *Zilla Parishads* in the University area to be nominated by the Pro-Chancellor.

[3][(*xv*) The Registrar shall be the *ex-officio* Member-Secretary of the Executive Council but, he shall have no right to vote.

(*xvi*) The Commissioner of Dairy Development or his nominee not below the rank of Additional Commissioner.

(*xvii*) The Commissioner of Fisheries or his nominee not below the rank of Deputy Director.]

[4][* * *]

(*2*) (*a*) A member who is a representative of the Indian Council of Agricultural Research or who is nominated by the Chancellor or who, being an Agro-Industrialist, is nominated by the State Government, shall hold office for three years.

[5][(*b*) A member nominated under clause (*xii*) or (*xiii*) of sub-section (*1*) shall cease to be a member of the Executive Council as soon as he ceases to be a member of the Maharashtra Legislative Assembly or, as the case may be, the Maharashtra Legislative Council.]

(*c*) The Chairman of the Agriculture Committee of any *Zilla Parishad* who becomes a member of the Executive Council under clause (*xiv*) of sub-section (*1*) shall cease to be a member of the Executive

Council as soon as he ceases to be Chairman of the said Committee or on the expiry of the period of one year from the date of his appointment to the Executive Council, whichever is earlier.

31. Powers and duties of Executive Council.— Subject to such conditions as may be laid down by or under this Act or by the Statutes and subject to the superintendence of the State Council, the Executive Council shall exercise the following powers and perform the following duties, namely :—

(*i*) to outline broadly what programmes the University should have;

(*ii*) to discuss and review the annual report of the University and make suggestions thereon;

(*iii*) to consider and frame the annual financial estimates of the University and make suggestions thereon;

1 Clause (*ix*) was substituted for the original by Mah. 14 of 2003, s. 8(*a*)(*2*). 2 Clause (*xii*) and (*xiii*) were substituted for the original by Mah. 27 of 2005, s. 6(*a*). 3 Clause (*xv*), (*xvi*) and (*xvii*) were added by Mah. 14 of 2003, s. 8(*a*)(*5*).

4 Sub-section (*1A*) was deleted by Mah. 14 of 2003, s. 8(*b*).

5 Clause (*b*) was substituted for original by Mah. 27 of 2005, s. 6(*b*).

(*iv*) with the approval of the State Government, to borrow, on the security of University property, moneys for the purposes of the University;

(*v*) to accept, subject to the Statutes, on behalf of the University, bequests, donations and transfers of any movable and immovable property to the University;

(*vi*) to transfer any movable or immovable property on behalf of the University;

(*vii*) to establish and maintain constituent colleges, Departments, hostels, research stations, farms, schools, libraries, laboratories and demonstration centres and other facilities for students and employees;

(*viii*) to manage and regulate the finances, accounts and investments of the University; (*ix*) to fix, demand and receive payment of such fees and other charges as may be prescribed;

(*x*) to make provision for instruction, teaching and training in such branches of learning and courses of study as it may think fit, for conduct of research and for the advancement and dissemination of knowledge;

(*xi*) to grant affiliation to colleges and post-graduate institutions;

(*xii*) to approve the academic standards in affiliated colleges and recognised institutions and ensure the observance thereof;

(*xiii*) to recognise institutions of higher learning and research and withdraw recognition thereof;

(*xiv*) to make provisions for,—

(*a*) extension education of rural people;

(*b*) in service training of the staff of the University, the concerned Department of Government and the *Zilla Parishads*;

(*c*) physical and military training;

(*d*) sports and athletic clubs;

(*e*) students' welfare;

(*xv*) to arrange for and direct the inspection of affiliated colleges and recognised institutions and issue instructions for maintaining their efficiency and for ensuring proper conditions of employment for members of their staff and in case of disregard of such instructions, to recommend modifications of the conditions of their affiliation or recognition or to take such other steps as it may deem proper;

(*xvi*) to lay down scales of pay and conditions of employment of members of the staff in affiliated colleges and recognised institutions and to ensure the observance thereof;

(*xvii*) to make, amend and repeal the Statutes and Regulations;

(*xviii*) to accept, reject or refer back the Regulations to the Academic Council or any other authority;

(*xix*) to appoint examiners, fix their remunerations, if any, and to arrange for the conduct of, and for publishing the results of the University examinations and other tests;

(*xx*) to appoint such Boards and Committees, whether standing or temporary as it may deem

necessary, for the proper functioning of the University and define their constitution, functions and tenure;

(*xxi*) to delegate by Regulations any of its powers to the Vice-Chancellor or such officer of the University or Board or Committee appointed by it, as it may deem fit;

(*xxii*) to determine the form, to provide for the custody and to regulate the use of the common seal of the University;

(*xxiii*) to sanction fellowships (including travelling fellowships) scholarships, studentships, medals and prizes;

(*xxiv*) to recommend the conferment of degrees, diplomas, certificates and other academic distinctions to the Chancellor;

(*xxv*) to sanction honorary degrees or other academic distinctions;

(*xxvi*) to make provision for consumers, co-operative societies to serve the needs, of the students and staff of the university and of the colleges and institutions under its control;

(*xxvii*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act and the Statutes;

(*xxviii*) to exercise all powers of the University not otherwise provided for in the Act or the Statutes and all other powers which are requisite to give effect to the provisions of this Act or the Statutes.

32. Meeting of Executive Council.— (*1*) The Executive Council shall meet once in every two months, or more often as may be considered necessary, and on such dates as may be fixed by the Vice-Chancellor. All meetings of the Council shall be held at headquarters of the University, but, with the previous approval of the Chancellor, any meeting may be held at any other place.

(*2*) When a date has been fixed for the meeting of the Executive Council by the Vice-Chancellor under sub-section (*1*), the Registrar shall give ten clear days' notice in writing to the Members of the Council of such meeting.

33. Academic Council.— (*1*) The Academic Council of each University shall serve as an advisory body of the University and shall have the right to advise, the Vice-Chancellor and the Executive Council on all academic, research and extension education matters.

(*2*) The Academic Council shall consist of the following members, namely :—

(*i*) The Vice-Chancellor—*Ex-officio* Chairman,

(*ii*) The Director of Instruction,

(*iii*) The Director of Research,

(*iv*) The Director of Extension Education,

[1][(*v*) The Students' Welfare Officer,]

(*vi*) The Deans of Faculties,

(*vii*) The Associate Deans,

(*viii*) The Principals of affiliated colleges and recognised institutions,

(*ix*) The Heads of Departments of the Faculties,

(*x*) The Chief Research Officers in charge of research stations,

(*xi*) The Chief Extension Education Officers,

(*xii*) One academic staff member from each Faculty, other than the Head of the Department, elected by the Faculty.

[2][The Registrar shall be the *ex-officio* Member-Secretary of the Academic Council, but he shall have no right to vote.]

(*3*) The Academic Council may co-opt as members not more than four persons, for such period and in such manner, as may be prescribed, so as to provide adequate representation of

1 Clause (*v*) was substituted for the original by Mah. 14 of 2003, s. 9(*a*).

2 These words were substituted for the words "The Registrar shall be the *ex-officio* Secretary of the Academic Council" by Mah. 14 of 2003, s. 9(*b*).

different aspects of agriculture and such co-opted members shall have the right to take part in the proceedings of the Council and also to vote like any other members of the Council.

(*4*) The Academic Council shall meet at least once before the beginning of each trimester or semester.

34. Powers and duties of Academic Council.—(*1*) Subject to such conditions as may be laid down by or under the provisions of this Act or the Statues, Academic Council shall study and make recommendations on the courses of study, curricula, conduct of teaching, research and extension education within the University and the maintenance of the standard thereof.

(*2*) Without prejudice to the generality of the foregoing provision, the Academic Council shall exercise the following powers and perform the following duties, namely :—

(*i*) to make proposals for establishment of colleges, departments, research stations, libraries, laboratories, demonstration stations and such other activities necessary in the interest of agricultural improvement ;

(*ii*) to make recommendations to the Executive Council for the institution of posts of Academic Officers specified in section 14, Professorships, Associate Professorships, Assistant Professorships, Lectureships, Demonstratorships and posts at research stations including extension education and in regard to their qualifications, duties, emoluments and other conditions of service ;

(*iii*) to formulate, modify and revise schemes for the constitution or reconstitution of Departments of teaching, research and extension education ;

(*iv*) to make regulations relating to courses of study leading to degrees, diplomas and certificates in consultation with the Faculty and Board of Studies concerned ;

(*v*) to make regulations regarding the admission of students to the University ;

(*vi*) to make regulations regarding the examinations conducted by the University, and the conditions on which the students shall be admitted to such examinations ;

(*vii*) to make recommendations to the Executive Council regarding post graduate teaching, research and extension education ;

(*viii*) to make proposals for allocating subjects to the different Faculties ;

(*ix*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions of this Act and the Statues.

35. Faculties.— (*1*) Each University shall constitute all or any of the following Faculties and such other Faculties as may be constituted by the Statutes, from time to time :—

(*i*) Agriculture (including Agricultural Economics, [1]* * *).

[2]* * *

(*iii*) Agricultural Technology,

(*iv*) Agricultural Engineering,

(*v*) Home Science,

(*vi*) Basic Sciences and Humanities,

(*vii*) Post-Graduate Studies,

(*viii*) Lower Agricultural Education,

1 The words "and Animal Husbandry" were deleted by Mah. 17 of 1998, s. 73, Second Schedule. 2 Entries (*ii*) and (*ix*) were deleted by Mah. 17 of 1998, s. 73, Second Schedule.

[1]* * *

(*x*) Forestry.

The subjects comprising each Faculty shall be determined by the Statutes.

(*2*) Each Faculty shall, subject to the recommendations of the Academic Council and the approval of the Executive Council, have charge of the teaching courses of study, the research work and the extension education programmes in various disciplines.

(*3*) There shall be a Dean of each Faculty. He shall be the Chief Academic Officer of the Faculty, responsible for the due observance of the Statutes and Regulations. He shall be *ex-officio* Chairman of the Faculty.

(*4*) Each Faculty, other than the Lower Agricultural Education Faculty, shall consist of—

(*i*) Dean of the Faculty— *ex-officio* Chairman,

(*ii*) The Associate Dean in the Faculty,

(*iii*) The Heads of Departments,

(*iv*) One Professor of each Department, other than the Head of the Department, to be elected by the academic staff members of the Department,

(*v*) The Chief Research Officers,

(*vi*) The Chief Extension Education Officers,

(*vii*) The Principals of affiliated colleges and recognised institutions in the related Faculty,

(*viii*) Two Associate Professors, two Assistant Professors and two Lecturers to be elected by the respective groups.

The term of office of elected members shall be three years.

(*5*) The Faculty of Lower Agricultural Education shall consist of—

(*i*) The Dean of the Faculty— *ex-officio* Chairman,

(*ii*) Two members representing each prescribed group of lower agricultural education, elected by heads of the institutions in the respective groups, from amongst themselves.

The term of office of elected members shall be three years.

(*6*) A Faculty may co-opt concerned officers of the State Government or of any *Zilla Parishad* as members, whose number shall not be more than four and who shall be chosen for such period and in such manner as may be prescribed, so as to provide adequate representation of extension education works.

(*7*) Each Faculty shall meet at least once in a trimester or semester, but sufficiently in advance of the Academic Council meeting, in order that the recommendations of the Faculty can be considered by the Academic Council.

36. Powers and duties of Faculties.— Subject to the powers of the Academic Council of taking decisions, the Faculties may consider and make recommendations to the Academic Council on all administrative and technical matters. As far as possible, the Academic Council shall be guided by the relevant Faculty in its decisions. Barring the policy matters, the Dean of each Faculty shall take action on the resolutions adopted by the Faculty, but under intimation to the Vice-Chancellor. Each Faculty may constitute such Boards of Studies, for such subjects, consisting of such members, for such period and in

such manner, as may be prescribed. The other powers and duties of the Faculties shall be such as may be prescribed.

1 Entries (*ii*) and (*ix*) were deleted by Mah. 17 of 1998, s. 73, Second Schedule.

CHAPTER VI

STATUTES AND REGULATIONS

37. Statutes.—Subject to the provisions of this Act, 1[******] the Statues may provide for all or any of the following matters, namely :—

(*a*) the constitution, powers and duties of the authorities of the University, and the declaration of other bodies to be such authorities;

(*b*) the 2[****] other conditions of service of the Vice-Chancellor and his powers and duties;

(*c*) the designations, qualifications, method of recruitment, pay, allowances and other conditions of service of various categories of employees of the University, and their powers and duties;

(*d*) the constitution, reconstitution or abolition of Faculties and their powers and duties;

(*e*) the establishment of Departments of Teaching in the Faculties;

(*f*) the institution of pension or provident fund or insurance scheme, or all or any one or more of them, for the benefit of employees of the University;

(*g*) the designations, qualifications, method of recruitment, pay, allowances and other conditions of service of Professors, Associate Professors, Assistant Professors, Lecturers, Demonstrators and other categories of employees of affiliated colleges and recognised institutions, and their powers and duties;

(*h*) registration of graduates and maintenance of a register of registered graduates;

(*i*) recognition of examinations of other Universities or educational institutions, as equivalent to the examinations of the University;

(*j*) any matter which is to be or may be prescribed under this Act;

(*k*) any other matter which is necessary to give effect to the provisions of this Act.

38. Statutes how made.—(*1*) The Executive Council of each University shall make new Statutes in conformity with the provisions of this Act and submit them to the Chancellor for his assent within three months of the commencement of this Act .

(*2*) The Executive Council may make Statutes or may amend or repeal the Statutes, from time to time, in the manner hereafter in this section provided.

(*3*) The Executive Council may take into consideration the draft of a Statute either of its own motion or on a proposal by the Vice-Chancellor :

Provided that any Statutes pertaining to the academic matters shall be examined by the Academic Council, before they are considered by the Executive Council.

(*4*) Every Statute passed by the Executive Council shall be submitted to the Chancellor, who may give or withold his assent thereto or refer it back to the Executive Council for reconsideration.

(*5*) No Statute passed by the Executive Council shall be valid or shall come into force until assented to by the Chancellor.

(*6*) Notwithstanding anything contained in this section, if in the opinion of the State Government, it is necessary to amend any Statute or make a new Statute, the State Government may, with the concurrence of the Chancellor, make an amendment in the Statute or make a new Statute and notify it in the *Official Gazette*.

39. Regulations.— (*1*) The Executive Council, the Academic Council and the Faculties may make Regulations, consistent with this Act and the Statutes made thereunder, for all or any of the following matters :—

1 The words "and the rules made thereunder" were deleted by Mah. 22 of 1991, Second Schedule. 2 The words "emoluments and" were deleted by Mah. 12 of 1988, s. 5.

(*a*) laying down the procedure to be observed at their meetings (including the quorum required) and the conduct of their business ;

(*b*) providing for the matters which by this Act or the Statutes have to be provided by Regulations ;

(*c*) providing for all matters solely concerning such authorities or for matters for which provision is, in the opinion of such authorities, necessary for the exercise of their powers and performance of their duties under this Act or the Statutes.

(*2*) Each authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for keeping of a record of the proceedings of the meetings.

(*3*) The Academic Council may, subject to the provisions of the Statutes, and approval of the Executive Council, make Regulations providing for courses of study, system of examinations, and degrees and diplomas of the University, after receiving drafts of the same from the Faculty concerned.

(*4*) Any draft of the Regulations received from the Faculty may be approved by the Executive Council with or without any modification, or may be rejected by the Executive Council or may be returned by it to the Faculty for further consideration, together with the suggestions of the Academic Council.

(*5*) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made by any authority under this section or the annulment of any such Regulation, so however that any such amendment or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that Regulation.

CHAPTER VII

AFFILIATION AND RECOGNITION

40. Affiliation of colleges and institutions.— (*1*) After the commencement of this Act, no college or other educational institution in the University area giving instructions at the degree or diploma level in the field of agriculture shall be associated in any way with, or seek admission to any privileges of any University, other than the University established under this Act for that area.

(*2*) Where an affiliated college desires to become a constituent college, the college shall send a letter of application to the Registrar, with its terms and conditions, if any. Such application shall be considered by the Executive Council, and such Council shall recommend to the State Government whether such application should be granted or refused, and if the application be granted subject to what terms and conditions as may be mutually agreed upon between the College and the University. The State Government may, after such inquiries as appears to it to be necessary, grant or refuse the application, subject to such modifications, if any, as it may deem fit to make in the terms and conditions recommended by the Executive Council. If the application is granted, the college shall be a constituent college and shall be taken under direct management by the University, on and from such date as may be specified in this behalf by the State Government by notification in the *Official Gazette*.

41. Recognition of institutions of research and specialised studies and of lower agricultural education.— (*1*) The Executive Council shall have the power to recognise any institution of research or specialised studies under the management of any authority other than the University as recognised institution for the purpose of providing means of instruction and research to meet partially the requirements of the University for advanced degrees.

(*2*) An institution applying for recognition under this section shall send a letter of application to the Registrar and shall give full information in such letter in respect of the following matters :—

(*a*) constitution and personnel of the managing body;

(*b*) subjects and courses in regard to which recognition is sought;

(*c*) accommodation, equipment 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, lands and equipment and for the continued maintenance and efficient working of the institution.

(*3*) On receipt of a letter under sub-section (*2*), the Executive Council shall—

[1][(*a*) direct a local inquiry to be made by a Committee consisting of the following members, namely :—

(*i*) the Director of Instruction—Chairman;

(*ii*) one non-official member of Executive Council;

(*iii*) one official member of the Executive Council.]

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

(*c*) 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 results of any inquiry under clauses (*a*) and (*b*).

(*4*) The Executive Council shall also have power to recognise any institution for lower agricultural school or *gramsevak* training centre under the management of any authority other than the University, as recognised institution for the purpose of providing means of instruction in lower level education in agricultural and allied activities. The procedures prescribed in sub-sections (*2*) and (*3*) for applying for and granting or refusing to grant recognition to any institution of research or specialised studies shall apply *mutatis mutandis* for applying for and for granting or refusing recognition to any institution for lower agricultural education.

42. Inspection of colleges and institutions and reports.— (*1*) Every affiliated college and recognised institution shall furnish such reports, returns and other information as the Executive Council may require to enable it to judge the efficiency and necessity of the college or institution, with respect to the University requirements.

(*2*) The Executive Council shall cause every such college or institution to be inspected from time to time by one or more competent persons authorised by the Executive Council in this behalf.

(*3*) The Executive Council may call upon any affiliated college or recognised 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 the last two preceding sections.

43. Withdrawal of affiliation.—(*1*) The rights conferred on a college by affiliation may be withdrawn, in whole or in part, or modified if the college has failed to carry out any of the provisions of sub-section (*2*) of section 40 or it has failed to observe any of the conditions of its affiliation or it is conducted in a manner which is prejudicial to the interests of agricultural education.

(*2*) A motion for the withdrawal or the modification of such rights shall be initiated only in the Academic Council. The member of the Council 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 Academic Council shall send a copy of the notice and written statement mentioned in sub-section (*2*) to the Principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Academic Council :

Provided that, the period so specified may, if necessary, be extended by the Academic Council.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Academic Council after considering the notice of motion, statement and representation and after such inspection by any person authorised in this behalf by the Academic Council as it deems fit, shall

1 This clause was substituted for the original by Mah. 14 of 2003, s. 10.

consider the action to be taken in the matter. If the Academic Council considers that action should be taken for withdrawal of affiliation, in whole or in part, the Academic Council shall pass a resolution for that purpose, stating the grounds for such withdrawal, and make a recommendation to that effect to the Executive Council.

(*5*) On receipt of such recommendation by the Academic Council, the Executive Council may, after such further inquiry as may appear to it to be necessary, decide whether the affiliation should be withdrawn or not and whether in whole or in part.

44. Withdrawal of recognition.—(*1*) The rights conferred on an institution by recognition may be withdrawn or suspended for any period by the Executive Council, if the institution has failed to observe any of the conditions of its recognition, or the institution is conducted in a manner which is prejudicial to the interests of agricultural education or research.

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

(*3*) Before taking the said motion into consideration, the Academic Council shall send a copy of the notice and written statement mentioned in sub-section (*2*), to the Head of the institution concerned, together with the intimation that any representation, in writing submitted within a period specified in the intimation, on behalf of the institution, will be considered by the Academic Council :

Provided that the period so specified may, if necessary, be extended by the Academic Council.

(*4*) On receipt of the representation or on the expiry of the period referred to in sub-section (*3*), the Academic Council, after considering the notice of motion, statement and representation, shall consider the action to be taken in the matter. If the Academic Council considers that action should be taken for withdrawal or suspension of recognition, the Academic Council shall pass a resolution for that purpose, stating the grounds for such withdrawal or suspension, and make a recommendation to that effect to the Executive Council.

(*5*) On receipt of such recommendation by the Academic Council, the Executive Council may, after such further inquiry as may appear to it to be necessary, decide whether the recognition should be withdrawn or be suspended for a specified period.

CHAPTER VIII

TEACHING,RESEARCH AND EXTENSION EDUCATION

45. Colleges and other institutions of University.— (*1*) Each University shall establish at its headquarters, within the University campus, all or any of the following colleges and such other institutions in close juxta position and a central experiment station for fundamental and applied research in close proximity :—

(*i*) A College of Agriculture (including Agricultural Economics [1] * * *).

[2] * * * * *

(*iii*) A College of Agricultural Technology.

(*iv*) A College of Agricultural Engineering.

(*v*) A College of Home Science.

(*vi*) A College of Basic Sciences and Humanities.

(*vii*) An Institute of Post-Graduate Studies.

[3][Provided that, notwithstanding anything contained in this Act or the Maharashtra Animal and Fishery Sciences University Act, 1998 (Mah. XVII of 1998), the Dr. Balasaheb Sawant *Konkan Krishi*

1 The words "and Animal Husbandry" were deleted by Mah. 17 of 1998, s. 73, Second Schedule.

2 Entry (*ii*) was deleted by Mah. 17 of 1998, s. 73 Second Schedule.

3 This proviso was inserted and shall be deemed to have been inserted with effect from the 17th November, 2000 by Mah. 11 of 2019, s. 4.

Vidyapeeth, Dapoli, constituted under sub-section (*1*) of section 3 of this Act shall be competent to establish one or more colleges in Fishery Sciences.]

(*2*) Besides the University campus, the programme of the University may be conducted at such colleges, institutions or other places in any part of the University area as the University may decide.

(*3*) The University shall provide for under-graduate as well as post-graduate training and shall ensure for the economy and efficiency in teaching and research by gradually integrating the curricular of the colleges.

(*4*) The post-graduate teaching and research shall, as far as possible, be conducted at the Institute of Post-Graduate Studies.

46. Academic staff members of University.— Each academic staff member of the University shall hold the rank of a Professor, Associate Professor, Assistant Professor, Lecturer or Demonstrator or any other prescribed rank in harmony with his qualifications and status in the University, irrespective of the duties of teaching, research or extension education, for the time being allotted to him.

47. Teaching programme.— (*1*) The constituent and affiliated colleges and recognised institutions of the University shall have a common pattern of teaching and organisation as may be directed by the University, from time to time.

(*2*) The University shall according to need establish additional colleges and institutions to serve the requirements of the various Faculties.

(*3*) The University shall according to need start additional training centres or close down, either permanently or temporarily, any of the training institutions or classes under its control as it may consider appropriate.

48. Research programme.— (*1*) The University shall establish a research service. The research and experiment stations of the University shall be conducted by it as constituent research institutions in such manner and with such suitable changes as the University may consider appropriate.

(*2*) The University shall establish regional research stations at the existing agricultural colleges and shall according to need establish such additional experimental stations for research, both fundamental and applied, at suitable places in the University area as the University may consider appropriate.

(*3*) The University may at any time close down, curtail or expand, either permanently or temporarily, any of the research stations as the University may think appropriate.

49. Extension education programme.—The University shall establish an agricultural extension education service, and shall, subject to the provisions of this Act and the Statutes, make useful information, based upon the findings of research available, to the farmers and other people in the rural areas to help to solve their problems. It shall conduct demonstration and training programmes for the benefit of the students, extension workers, cultivators and other rural people, by establishing regional extension education units at the existing agricultural colleges. Increased agricultural production shall be the principal objectives of all extension activities and these activities shall be co-ordinated with the other functions of the University and other appropriate agencies in the University area.

50. Co-ordination of teaching, research and extension education and integration of functions and curricular and of services.— (*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 co-ordination of teaching, research and extension education activities of the University.

(*2*) The Vice-Chancellor shall be responsible, working through the appropriate officers and staff of the University, for ensuring that conditions are established whereby there is maximum feasible progress in the development of new information and technology in the natural, physical and social sciences related to agriculture and their transfer to the teaching curricular and to the educational

programmes leading to their understanding and adoption, where applicable in practice, in the University area.

(*3*) The Vice-Chancellor shall be responsible, working through the appropriate officers and staff of the University, to ensure that there is an appropriate inter-relation of the different curricular and courses offered in the different faculties of the University, so as to avoid unnecessary duplication of functions between Faculties and provide the students with the best course offerings and faculty contracts feasible within the University's resources and talents.

(*4*) The University shall develop its programme of research and extension education, keeping in view the needs of the State in general and in particular, provide appropriate technical support and consultative advice to the State Government Departments engaged in agricultural development work in the University area.

[1][CHAPTER VIII A

SPECIAL PROVISIONS IN RESPECT OF CERTAIN COLLEGES,RESEARCH CENTRES/INSTITUTES, TRAINING CENTRES AND CATTLE BREEDING FARMS, ETC.

50A. Special provisions in respect of certain colleges, research centres, etc.— Notwithstanding anything contained in clause (*b*) of section 62 of the Maharashtra Animal and Fishery Science University Act, 1998 (Mah. XVII of 1998) and the First Schedule thereto or in any notification, document or instrument to the contrary or in any law for the time being in force, on and with effect from the 17th November 2000, the following colleges, recognized institutions, research centres, training centres and farms specified below shall be constituted colleges, recognized institutions, research centres, training centres and farms of the Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth*, namely:—

(A) College

(*1*) College of Fisheries, Shirgaon, Ratnagiri.

(B) Research Centres/Institutes

(*1*) Taraporewala Marine Biological research Station, Mumbai.

(*2*) Marine Biological Research Station, Ratnagiri.

(*3*) Kharland Research Centre, Panvel.

(*4*) Fodder Research Centre, Palghar.

(C) Training Centres

(*1*) Livestock Supervisor's Training Centre, Lanja.

(D) Cattle Breeding Farms

(*2*) Cattle Breeding Farm, Kudal, District Sindhudurg.]

CHAPTER IX

FINANCE

51. University Fund.— (*1*) Each University shall establish a fund to be called the University Fund.

(*2*) The following shall form part of, or be paid into, the University Fund :—

1 This Chapter was inserted and deemed to have been inserted with effect from the 17th November, 2000 by Mah. 11 of 2019, s. 5.

(*a*) any contribution or grant by the Government ;

(*b*) the income of the University from all sources, including income from fees and charges and sale proceeds of farm products ;

(*c*) bequests, donations, endowments and other grants, if any, received by the University.

(*3*) With the previous sanction of the State Government, any portion of the University Fund may, from time to time, be credited by the University to a separate heading in the University accounts, provided that there shall be credited and debited to such special heading such sums only as shall expressly relate to the objects for which a special fund is so created.

(*4*) The University Fund shall, at the discretion of the Executive Council, be kept in the State Bank of India, or in any scheduled bank as defined in the Reserve Bank of India Act, 1934 (II of 1934), which holds a licence issued by the Reserve Bank of India under section 22 of the Banking Regulation Act, 1949 (X of 1949), or in a co-operative bank approved by the State Government for the purpose, or be invested in securities authorised by the Indian Trusts Act, 1882 (II of 1882), or, subject to the maximum limits of rupees five lakhs, in the shares of, or by giving loans to, consumers' co-operative societies established for the purposes of the University or any of the affiliated colleges or recognised institutions.

52. Financial estimates.— (*1*) The University shall prepare the annual financial estimates of receipts and expenditure of the University in such manner as the State Government may determine. \

(*2*) The Executive Council shall consider the estimates so prepared and approve them with or without modification.

(*3*) The University shall submit such estimates as approved by the Executive Council to the State Council, by such date as may be notified to the University by the State Council, for its sanction.

(*4*) The State Council, may pass such orders with reference to the said estimates as it thinks fit and communicate the same to the University which shall give effect to such orders.

(*5*) The Comptroller shall be responsible for the preparation of the financial estimates and statement of accounts of the University.

53. Statements, returns, etc., relating to grants made to be furnished to Government.— The University shall furnish to the State Government such statements, returns, accounts, reports and other information as the State Government may, from time to time, require, relating to any grants made by it and shall take such action and furnish such further statements, returns, accounts, reports, or other information relating to utilization of any grants made by the State Government, within such time, and in such manner, as the State Government may, from time to time, direct.

54. Financial control of Government.— Without the prior approval of the State Government, or an officer authorised by it in this behalf, the University shall not—

(*a*) create any new posts of "Other Officers" as specified in section 14 or the Heads of Departments or Professors or of any officers of equivalent rank ;

(*b*) revise the pay, allowances, post-retirement benefits and other benefits of any officers and other employees, both in teaching and non-teaching categories ; or

(*c*) grant any special pay, allowance or other extra remuneration of any description whatsoever, including *ex-gratia* payment, increase in the rates of scholarships or other benefits having financial implications to any such officers and employees.

55. Accounts and auditing.— (*1*) The annual accounts of the University shall be prepared by the Comptroller under the direction of the Vice-Chancellor and all monies accruing to, or received by the University, from whatever source and all amounts disbursed and paid by the University shall be entered in the accounts.

(*2*) The annual accounts and the balance sheet shall be submitted by the Vice-Chancellor to the State Government, which shall cause an audit to be carried by an auditor appointed by it. The accounts when audited shall be printed and copies thereof, together with the copies of the audit report shall be presented by the Vice-Chancellor to the Executive Council, the Pro-Chancellor and the Chancellor within three months from the date on which the accounts as audited are received by the Vice-Chancellor.

(*3*) The Executive Council shall submit a copy of the accounts and the audit report to the State Government within nine months from the end of the financial year, and the State Government shall cause the same to be laid before each House of the State Legislature.

(*4*) The Executive Council shall, every year, along with a copy of the accounts and the audit report, referred to in sub-section (*3*) submit to the State Government a statement showing the action taken by the University on all the earlier audit reports showing the number of points on which action has been taken and the number of points on which action has been initiated and those on which action is yet to be initiated.

56. Directions for maintenance of accounts.— It shall be competent for the State Government to give directions to each University regarding the manner in which the accounts relating to certain specific activities should be maintained and the University shall act according to the directions of the State Government.

CHAPTER X

MISCELLANEOUS PROVISIONS

57. Certain appointments to be under contract.— (*1*) Save as otherwise provided by or under this Act, every salaried officer and academic staff members of each University shall be appointed under a written contract. The contract shall be lodged with the Registrar, and a copy thereof shall be furnished to the employee concerned.

(*2*) No such employee shall receive any remuneration for any work in or outside the University, except as may be provided by the Statutes.

(*3*) Any dispute arising out of a contract between the University and any of its employees shall at the request of the employee concerned be referred to a Tribunal of Arbitration, consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matter decided by the Tribunal. Every such request shall be deemed submission to arbitration upon the terms of this section within the meaning of [1]Arbitration Act, 1940 (X of 1940), and the provisions of that Act shall apply accordingly.

[2]**[58. Appointment of academic staff members to be made on recommendation of Selection Board or Recruitment Board.—** (*1*) No person shall be appointed by the University as a member of the academic staff, except on the recommendation of a Selection Committee constituted for the purpose in accordance with the provisions of the Statutes made in that behalf :

Provided that, appointments to the posts of Director (other than Director of Students' Welfare), Dean, Associate Dean, Head of a Department and Professor shall be made on the recommendations of the Maharashtra Agriculture University Recruitment Board to be constituted by the State Government, common to all the Universities. The Recruitment Board shall be under the control of the State Council.

(*2*) The Recruitment Board referred to in the proviso to sub-section (*1*) shall consist of—

(*i*) the Chairman to be appointed by the Chairman of the State Council;

(*ii*) the Vice-Chancellor of the University concerned;

1 *See* now the Arbitration and Conciliation Act, 1996 (Act No. 26 of 1996). 2 Section 58 was substituted by Mah. 32 of 2013, s. 10.

(*iii*) One non-official to be nominated by the Pro-Chancellor, from amongst the non-official members of the Executive Councils of the Universities in the State;

(*iv*) two experts to be nominated by the Chancellor;

(*v*) two representatives of the Indian Council of Agricultural Research to be appointed by the State Government, one of whom shall be a specialist in the particular field for which the recruitment is to be made.

(*3*) In the absence of the Chairman of the Recruitment Board, the Chairman of the State Council shall appoint a member of the Recruitment Board to act as the Chairman of the Board.]

59. Transfer of certain staff from one University to another.— In order to make the talent and expertise of the Academic staff and officers of one University available to another University, it shall be competent for the Pro-Chancellor to transfer any member of the Academic staff and any officer [1]*** from one University to another University, for such period as the Pro-Chancellor may in each case determine. The persons transferred from one University to another shall retain their lien on their posts in the parent University and the service put in by them in the University to which they are transferred shall count for seniority in their service under the parent University.

60. Special provision for Scheduled Castes, Scheduled Tribes and other Backward Classes in services and posts in University.— Notwithstanding anything contained in this Act, the State Government shall have power to give to any University, from time to time, such directions as it may consider necessary in regard to categories of posts in which reservation of posts shall be made in favour of the members of the Scheduled Castes, Scheduled Tribes and the members belonging to other Backward Classes, the percentage of the posts to be reserved for them and any other matter connected with such reservation, and the University shall comply with such directions.

61. Vacating of office. — (*1*) Save as otherwise provided, any member of any authority or body of any University may resign his office by letter addressed to the Vice-Chancellor, through the Registrar, and on the Vice-Chancellor accepting the resignation, the office of such member shall become vacant :

Provided that where any member is appointed or nominated on any such authority or body by the Chancellor, he may resign his office by letter addressed to the Chancellor, and his resignation shall be effective, and his office shall become vacant when the resignation is accepted by the Chancellor.

(*2*) Any member of any authority or body of the University shall cease to be a member thereof on his being convicted by a Court of law of an offence which involves moral turpitude.

62. Filling of casual vacancy.—When any vacancy occurs in the office of a member other than an *ex-officio* member of any authority or body of any University before the expiry of the term of office of such member, the vacancy shall be filled, as soon as conveniently may be, by election, nomination, appointment or co-option, as the case may be, of a member who shall hold office so long only as the member in whose place he has been elected, nominated, appointed or co-opted, would have held it, if the vacancy had not occurred.

63. Acts and proceedings not invalid merely on ground of defect in constitution, vacancy, etc.— Notwithstanding that the Executive Council or the Academic Council or any other authority or body of any University is not duly constituted, or there is a defect in its constitution or re-constitution and notwithstanding that there is a vacancy in the membership of any such authority or body, no act or proceeding of such authority or body of the University, shall be invalid merely on any such ground.

64. Questions regarding interpretations and disputes regarding constitutions of University or body.— If any question arises regarding the interpretation of any provision of this Act or any Statute or Regulation or, as to whether a person has been duly nominated, elected, appointed, co-opted

[1] The portion beginning with the words "not below the rank" and ending with the words "or Director" was deleted by Mah. 12 of 1988, s. 7

or has become, or is entitled to be, a member of any authority or body of any University, the matter may be referred on petition by any person or body directly affected or *suo motu* by the Vice-Chancellor to the

Chancellor, who shall, after giving the person or body affected a reasonable opportunity of being heard and after taking such advice as he deems necessary, decide the question, and his decision shall be final.

65. Maintenance of discipline among students of University.— (*1*) All powers relating to discipline and disciplinary action in relation to the students of any University shall vest in the Vice-Chancellor.

(*2*) The Vice-Chancellor may, in the exercise of his powers, by order, direct that any student or students be expelled or rusticated for a specified period, or be not admitted to a course or courses of study in a college, institution or Department of the University for a specified period or be punished with fine, not exceeding three hundred rupees, or be debarred from taking an examination or examinations conducted by the University, college, institution or Department for a specified period, not exceeding five years, or that the result or results of the student or students concerned in the examination or examinations in which he has or they have appeared be postponed or cancelled.

(*3*) Without prejudice to the powers of the Vice-Chancellor, the Principals of colleges and institutions and Heads of Teaching Departments in the University shall have the authority to exercise such powers over the students in their respective charges, as may be necessary for the maintenance of proper discipline.

(*4*) The Vice-Chancellor shall, subject to the approval of the Executive Council, make rules of discipline and proper conduct for the students of the University, which shall also apply to the students of all colleges and institutions, and every student shall be supplied with a copy of such rules at the time of his admission.

(*5*) At the time of admission to the University, every student shall sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and shall observe and abide by the rules made by the Vice-Chancellor in that behalf.

(*6*) The disciplinary jurisdiction of the Vice-Chancellor extends to the students of all colleges affiliated to, and institutions recognised by the University.

66. Authorities and officers responsible for damage.— (*1*) It shall be the duty of every authority and officer of the University to ensure that the interests of the University are duly safeguarded.

(*2*) If it is found that a damage or loss has been caused to the University by any act on the part of any authority or officer of the University not in conformity with the provisions of this Act, or the Statutes or Regulations, except when done in good faith, or by any failure so to act in conformity thereof, or by wilful neglect or default on its or his part, such damage or loss shall be liable to be recovered from the authority or the members concerned thereof, or from the officer concerned, as the case may be, in accordance with the procedure prescribed by the Statutes.

67. Protection of acts and orders.— All acts and orders done or passed in good faith by the University, or any of its authorities, bodies or officers shall be final ; and accordingly no suit or legal proceeding shall be instituted or maintained against or damage claimed from the University or its authorities or bodies or officers for anything purporting to be done or passed in good faith and in pursuance of this Act and the Statutes and Regulations framed thereunder.

68. Constitution of committees.— Where any authority of the University is given power by this Act or the Statutes to appoint a committee, such committee may, except as otherwise provided, consist of its members, or partly of its members and partly of other persons, as the authority concerned may, in each case decide.

69. Annual report.— The annual report of each University shall be prepared under the direction of the Vice-Chancellor and submitted by him to the Executive Council on or before such date as may

be prescribed. The report as approved by the Executive Council shall be submitted by the Vice-Chancellor to the Chancellor and the State Government. The State Government shall cause the report to be laid before each House of the State Legislature.

[1][CHAPTER XA

AGRICULTURAL UNIVERSITY AND COLLEGE TRIBUNAL

69A. University and College Tribunal.— (*1*) There shall be one or more Agricultural Universities and College Tribunal for one or more universities in the State of Maharashtra for adjudication of disputes between the employees of the Universities and their respective university and between the employees of the affiliated colleges or recognised institutions and their respective managements, with regard to the matters specified in sub-section (*1*) of section 69B.

(*2*) The State Government shall, by notification in the *Official Gazette*, constitute one or more Tribunals to be called the "Agricultural University and College Tribunals" for adjudication of disputes or difference between the teachers and employees and the university, management of any affiliated colleges or recognised institutions connected with, or arising out of the matters specified in sub-section (*1*) of section 69B.

(*3*) A Tribunal shall consist of one person only, to be appointed by the State Government.

(*4*) A person shall not be qualified for appointment as a Presiding Officer of a Tribunal, unless,—

(*a*) he is or has been a Judge of the High Court ; or

(*b*) he is qualified to be appointed as a Judge of the High Court :

Provided that, a person to be appointed under this clause shall be from amongst the panel of three persons recommended by the Chief Justice of the High Court of Judicature at Bombay.

(*5*) The appointment of a person as a Presiding Officer of a Tribunal shall be on a full time basis and for such period or periods not exceeding three years in the aggregate, as the State Government may, from time to time, in each case decide.

(*6*) The remuneration and other conditions of service of the Presiding Officer shall be as determined by the State Government.

(*7*) The concerned University shall make available to a Tribunal such ministerial staff as may be necessary for the discharge of its functions under this Act.

(*8*) All expenditure on account of the remuneration, pension, provident fund contribution, leave allowance and other allowances and facilities which may be admissible to the Presiding Officer and the staff placed at his disposal, shall be met from the fund constituted under section 51, by the concerned University :

Provided that, where a common Tribunal is constituted for more than one University, such expenditure shall be borne by the concerned Universities proportionately.

(*9*) If any vacancy, other than a temporary vacancy, occurs in the office of the Presiding Officer of the Tribunal, the State Government shall, as soon as may be possible but in any case within three months appoint another qualified person to fill the vacancy. Any proceedings pending before the former Presiding Officer may be continued and disposed of by his successor from the stage at which they were, when the vacancy occurred.

69B. Right of appeal.— (*1*) Notwithstanding anything contained in any law or contract for time being in force, any employee (whether a teacher or other employee), in any university, affiliated college or recognised institution who is dismissed or removed or whose services are otherwise terminated or who is reduced in rank by the University or the management and who is aggrieved, shall have a right of filing an appeal against any such order to the concerned Tribunal :

1 This Chapter was inserted by Mah. 14 of 2003, s. 11.

Provided that, no such appeal shall lie to the Tribunal in any case where the matter has already been decided by a court or Tribunal of competent jurisdiction or is pending before such court or Tribunal on the date of coming into force of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment)

Act, 2003 (Mah. XIV of 2003), or where the order of dismissal, removal or termination of service in other manner or reduction in rank was passed by the management at any time before the date of coming into force of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Act, 2003 (Mah. XIV of 2003), and in which case the period for filing of an appeal has already expired.

(*2*) Such appeal shall be made by the employees to the Tribunal, within thirty days from the date of receipt by him of the order of dismissal, removal, termination of services or reduction in rank, as the case may be :

Provided that, where such order was made before the date of coming into force of the Maharashtra Agricultural Universities (*Krishi Vidyapeeths*) (Amendment) Act, 2003 (Mah. XIV of 2003), such appeal may be made if the period of thirty days from the date of receipt of such order has not expired.

(*3*) Notwithstanding anything contained in sub-section (*2*), the Tribunal may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant has sufficient cause for not preferring the appeal within that period.

(*4*) Every appeal shall be accompanied by a fee of four hundred rupees, which shall not be refundable and shall be credited to the university fund :

69C. General powers and procedure of Tribunal.— (*1*) For the purposes of admission, hearing and disposal of appeals, the Tribunal shall have the same powers as are vested in an appellate court under the Code of Civil Procedure, 1908 (V of 1908), and shall also have the power to stay the operation of any order against which an appeal is made, on such conditions as it may think fit to impose and such other powers as are conferred on it by or under this Act.

(*2*) The Presiding Officer of the Tribunal shall decide the procedure to be followed by the Tribunal for the disposal of its business including the place or places at which and the hours during which it shall hold its sittings.

(*3*) The Tribunal shall decide as expeditiously as possible every case, and an endeavour shall be made by the Tribunal to decide an appeal within three months from the date of filing of such appeal before the Tribunal. The Tribunal shall, if it is unable to dispose of any appeal within the period of three months, it shall put on its record the reasons for the delay in such disposal.

69D. Power of Tribunal to give appropriate reliefs and directions.— (*1*) On receipt of an appeal, where the Tribunal after giving reasonable opportunity to both the parties of being heard, is satisfied that the appeal does not fall within the purview of sub-section (*1*) of section 69B or is not maintainable before it, or there is no sufficient ground for interfering with the orders of the University or management, it may dismiss the appeal.

(*2*) Where the Tribunal, after giving reasonable opportunity of being heard to the parties concerned, decides in any appeal that the order of dismissal, removal or termination of service or reduction in rank was in contravention of any law, contract or conditions of service for the time being in force or was otherwise illegal or improper, the Tribunal may set aside the order of the University or the management, as the case may be, partially or wholly, and direct the University or, as the case may be, the management,—

(*a*) to reinstate the employees on the same post or on a lower post as it may specify,

(*b*) to restore the employees to the rank which he held before reduction or to any lower rank as it may specify,

(*c*) to give arrears of emoluments to the employees for such period as it may specify,

(*d*) to award such lesser punishment as it may specify in lieu of dismissal, removal, otherwise termination of service or reduction in rank, as the case may be,

(*e*) where it is decided not to reinstate the employee or in any other appropriate case, to give such sum to the employee, not exceeding his emoluments for six months, by way of compensation,

regard being had to loss of employment and possibility of getting or not getting suitable employment thereafter, as it may specify ; or

(*f*) to give such other relief to the employee and to observe such other conditions as it may specify, having regard to the circumstances of the case.

(*3*) It shall be lawful for the Tribunal to recommend to the State Government that any dues directed by it to be paid to the employee may be deducted from the grant if payable to the University or, as the case may be, the management and be paid to the employee direct.

(*4*) Any direction issued by the Tribunal under sub-section (*2*) shall be communicated to the concerned parties, in writing and shall be complied with by the University or, as the case may be, the management, within the period specified in the direction, which shall not be less than two months from the date of its receipt by the University or, as the case may be, the management.

69E. Decision of Tribunal to be final and binding.— Notwithstanding anything contained in any law or contract for time being in force, the decision of the Tribunal on an appeal entertained and disposed of by it shall be final and binding on the employee and the University or, as the case may be, the management; and no suit, appeal or other legal proceeding shall lie in any court or before any other Tribunal or authority, in respect of the matters decided by the Tribunal.

69F. Penalty to management for failure to comply with Tribunal's directions.— (*1*) If the university or, as the case may be, the management fails, without any reasonable cause, to comply with any direction issued by the Tribunal under section 69D within the period specified in the order, or within such further period as may be allowed by the Tribunal, the university or, as the case may be, the management shall, on conviction, be punished,—

(*a*) for the first offence, with fine which may extend to one thousand rupees :

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the order of the Tribunal, the fine shall not be less than one hundred rupees, and

(*b*) for the second and subsequent offences, with fine which may extend to two thousand rupees :

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the order of the Tribunal, the fine shall not be less than five hundred rupees :

Provided further that, when the direction issued by the Tribunal is not complied within the period stipulated in the direction or within such further period as allowed by the Tribunal, and when the contravention is a continuing one, the convicted person shall be punished with a further fine of rupees one hundred per day during which such contravention continues after conviction.

(*2*) (*a*) Where the University or, as the case may be, the management committing an offence under this section is a society, every person who at the time the offence was committed, was in charge of and was responsible to the society for conduct of the affairs of the society, as well as the society shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any person liable to the punishment, if he proves that the offence was committed without his knowledge or that he had exercised all the due diligence to prevent commission of such offence.

(*b*) Notwithstanding anything contained in clause (*a*), where the offence has been committed by a society and it is proved that the offence has been committed with the consent or connivance of, or attributable to any neglect on the part of the Executive Council of the University or any President, Chairman, Secretary, Member, Principal or Manager or other officer or servant of the society, such Executive Council, President, Chairman, Secretary,

Member, Principal or Manager or other officer or servant concerned, as the case may be, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purpose of this section, "a society" means a society registered under the Societies Registration Act, 1860 (XXI of 1860), or a public trust registered under the Bombay Public Trusts Act, 1950 (Bom. of XXIX of 1950), or any other body corporate, and includes an association or body of persons, by whatever name called, under whose management one or more colleges or institutions are conducted and admitted to the privileges of the University.

69G. Legal practitioners excluded from appearance.— Notwithstanding anything contained in any law for time being in force, a legal practitioner shall not be entitled to appear on behalf of any party in any proceedings before the Tribunal.]

CHAPTER XI

REPEAL AND SAVING

70. Repeal and Saving.— (*1*) On and from the date of commencement of this Act,—

(*a*) the Maharashtra Agricultural University (*Krishi Vidyapeeth*) Act, 1967 (Mah. XXIII of 1967);

(*b*) the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968 (Mah. IX of 1969);

(*c*) the Marathwada Agricultural University (*Krishi Vidyapeeth*) Act, 1972 (Mah. XVII of 1972);

(*d*) the Konkan Agricultural University (*Krishi Vidyapeeth*) Act, 1972 (Mah. XVIII of 1972);

shall stand repealed.

(*2*) Notwithstanding the repeal of the said Acts—

(*i*) any person holding office immediately before the commencement of this Act of Vice-Chancellor of an existing University shall, on such commencement, be the Vice-Chancellor of the corresponding University and shall continue to hold the said office on the same terms and conditions till his term of office as Vice-Chancellor of the existing University would have expired had he continued to be as such or till he ceases to be the Vice-Chancellor by reason of death, resignation or otherwise and shall exercise all the powers and perform all the duties conferred on the Vice-Chancellor of the corresponding University by or under this Act :

Provided that, in the case of Vice-Chancellor of the Marathwada *Krishi Vidyapeeth*, his term of office shall include any extension of term, not exceeding a period of two years in the aggregate from the date of his appointment, which may be granted to him by the Chancellor, even after the commencement of this Act;

(*ii*) from the date of commencement of this Act until such time as the Executive Council of the University is constituted in accordance with section 30 holds its first meeting, the Executive Council consisting of the following members shall be deemed to be constituted for the purposes of this Act, namely :—

(*a*) The Vice-Chancellor—*ex-officio* Chairman ;

(*b*) The Director of Agriculture or an Additional Director of Agriculture deputed by the Director of Agriculture;

[1]* * * * * *

(*d*) One Director of the University to be nominated by the Pro-Chancellor;

(*e*) One Dean to be nominated by the Pro-Chancellor;

(*f*) One agricultural scientist to be nominated by the Chancellor;

(*g*) One progressive farmer to be nominated by the Pro-Chancellor;

1 Entry (*c*) was deleted by Mah. 17 of 1998, s. 73, Second Schedule.

(*h*) One representative of the Indian Council of Agricultural Research ;

(*i*) Three members of the Maharashtra Legislative Assembly to be nominated by the State Government;

(*j*) Two members of the Maharashtra Legislative Council to be nominated by the State Government;

(*k*) The Chairman of Agriculture Committee of one *Zilla Parishad* in the University area to be nominated by the Pro-Chancellor;

[1][(*ii-a*)] The Registrar shall be *ex-officio* Secretary of the Executive Council;

(*iii*) from the date of commencement of this Act until such time as the Academic Council constituted in accordance with the provisions of section 33 holds its first meeting, the Academic Council consisting of the following members shall be deemed to be constituted for the purposes of this Act, namely :—

(*a*) The Vice-Chancellor—*ex-officio* Chairman ;

(*b*) The Director of Instruction;

(*c*) The Director of Research;

(*d*) The Director of Extension Education;

(*e*) Two Deans of Faculties to be nominated by the Pro-Chancellor;

(*f*) Two Associate Deans to be nominated by the Pro-Chancellor;

(*g*) Two Principals of affiliated colleges and recognised institutions to be nominated by the Pro-Chancellor.

[2][(*iii-a*)] The Registrar shall be *ex-officio* Secretary of the Academic Council;

(*iv*) all colleges which stood affiliated to any existing University immediately before the commencement of this Act, shall be deemed to be affiliated to the corresponding University under this Act till their affiliation is withdrawn by the corresponding University under this Act or till they are converted into constituent colleges under this Act, whichever is earlier;

(*v*) all other educational institutions which were entitled to any privileges of any existing University shall be entitled to similar privileges of the corresponding University;

(*vii*) all property, movable or immovable, and all rights, interest of whatsoever kind, powers and privileges of any existing University shall be transferred to, and shall, without further assurance, vest in, the corresponding University and be applied to the objects and purposes for which the corresponding University is constituted;

(*viii*) all benefactions accepted or received by any existing University and held by it immediately before the commencement of this Act, shall be deemed to have been accepted or received or held by the corresponding University under this Act, and all the conditions on which such benefactions were accepted or received or held shall be deemed to be valid under this Act, notwithstanding that such conditions may be inconsistent with any of the provisions of this Act ;

(*ix*) all debts, liabilities and obligations incurred before the commencement of this Act and lawfully subsisting against any existing University shall be discharged and satisfied by the corresponding University ;

(*x*) any will, deed or other document made before the commencement of this Act, which contains any bequest, gift, terms or trust in favour of an existing University shall, on and from the commencement of this Act, be construed as if the corresponding University is named therein instead of the existing University ;

1 Sub-clause (*i*) was re-numbered and re-lettered as clause (*ii-a*) of sub-section (*2*) by Mah. 22 of 1991, Second Schedule. 2 Sub-clause (*h*) was re-numbered and re-lettered as clause (*iii-a*) of sub-section (*2*) of Mah. 22 of 1991, Second Schedule.

(*xi*) all references in any enactment or other instrument issued under any enactment, to any existing University shall be construed as references to the corresponding University;

(*xii*) the appointment of the Registrar, all other officers and employees of any existing University and validly made and subsisting immediately before the commencement of this Act shall be deemed to have been made under; and for the purposes of this Act for the corresponding University and the Registrar and such other officers and employees shall continue to hold office or employment, except in so far as such appointments may be terminated or conditions thereof may be altered by a competent authority ;

(*xiii*) all Statutes made under the Acts repealed in respect of any existing University shall, in so far as they are not inconsistent with the provisions of this Act, continue in force and be deemed to have been made under this Act in respect of the corresponding University by the Executive Council of that University until they are superseded or modified by the Statutes made under this Act;

(*xiv*) All Regulations made by the Executive Council, the Academic Council or the Faculties or other authority of any existing University shall, in so far as they are not inconsistent with the provisions of this Act, continue in force and be deemed to have been made under this Act by the Executive Council, the Academic Council, the Faculties or other authority, as the case may be, of the corresponding University until they are superseded or modified by the Regulations made under this Act ;

(*xv*) all notices and orders made or issued by any authority under any of the Acts repealed by this section shall, in so far as they are not inconsistent with the provisions of this Act continue in force and be deemed to have been made or issued by the corresponding authority until they are superseded or modified under this Act :

Provided that, no Statutes, Regulations, notices or orders made or issued under any of the Act repealed by this section and in force immediately before the commencement of this Act shall be deemed to be inconsistent with the provisions of this Act by reason only that the power to make or issue such Statute, Regulation, rule, notice or order under this Act vests in a different authority or body or officer, or that the subject-matter thereof is permissible only under a different form of subordinate legislation or instrument to be made under this Act.

71. Removal of difficulties.— If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion requires, but not later than two years from the date of commencement of this Act, by order, do anything, not inconsistent with the objects and purposes of this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty.

SCHEDULE

[*See* sections2(*d*), 2(*f*)and 3(*1*)]

	Existing University	Name of the corresponding University constituted under this Act	University area	Headquarter of the Corresponding University
	(1)	(2)	(3)	(4)
1.	The Mahatma Phule *Krishi Vidyapeeth* constituted under the Pune Maharashtra Agricultural University (*Krishi Vidyapeeth*) Act, 1967 (Mah. XXIII of 1967).	The Mahatma Phule *Krishi Vidyapeeth*	The area comprising the Revenue Divisions of Nashik.	Rahuri.
2.	The Punjabrao *Krishi Vidyapeeth* constituted under the Punjabrao Agricultural University (*Krishi Vidyapeeth*) Act, 1968 (Mah. IX of 1969).	[1][The Dr. Punjabrao Deshmukh *Krishi Vidyapeeth*.] Nagpur and	The area comprising the Revenue Divisions of Amravati.	Akola.
3.	The Marathwada *Krishi Vidyapeeth* constituted under the Marathwada Agricultural University (*Krishi Vidyapeeth*) Act, 1972 (Mah. XVII of 1972).	[2][The Vsantrao Naik Marathwada *Krishi Vidyapeeth* Aurangabad.	The area comprising the Revenue Division of	Parbhani.
4.	The Konkan *Krishi Vidyapeeth* constituted under the Konkan Agricultural University (*KrishiVidyapeeth*) Act, 1972 (Mah. XVIII of 1972).	[3][The Dr. Balasaheb Sawant *Konkan Krishi Vidyapeeth*] Bombay and Konkan.	The area comprising the Revenue Divisions of	Dapoli.

1 These words were substituted for the words “the Punjabrao *Krishi Vidyapeeth*” by Mah. 19 of 1995, s. 2.

2 These words were substituted for the words “the Marathwada Krishi Vidyapeeth” by Mah. 13 of 2013, s. 2.

3 These words were substituted for the words “the *Konkan Krishi Vidyapeeth*” by Mah. 46 of 2000, s. 2.