

GOVERNMENT OF RAJASTHAN

LAW DEPARTMENT



सत्यमेव जयते

THE RAJASTHAN AGRICULTURAL UNIVERSITY

(AMENDMENT) ACT, 1963

(ACT NO. 21 OF 1968)

Published By Authority

Government Central Press, Jaipur

[First Published in Rajasthan Gazette, Extraordinary, Part IV-A, dated 28th October, 1963]

LAW DEPARTMENT

NOTIFICATION

Jaipur, October 28, 1963.

No. F. 7 (34)-L/63.- The following Act of the Rajasthan State Legislature received the assent of the Governor on the 26th day of October 1963, and is published for general information:-

THE RAJASTHAN AGRICULTURAL UNIVERSITY (AMENDMENT)

ACT, 1963.

(ACT NO. 21 OF 1963)

[Received the assent of the Governor on the 26th day of October, 1963]

An

Act

To amend the Rajasthan Agricultural University Act, 1962

Whereas by Act No. 18 of 1962, a University known as the Rajasthan Agricultural University was established and incorporated at Udaipur for the development of agriculture;

And whereas, as a measure in the de-centralisation and re-organisation of University education in this State, it is expedient to re-constitute the University to enable it to provide greater facilities for higher education and research, including technology, in all branches of learning, while continuing to discharge its obligations under the said Act for the development of agriculture in this State;

And whereas, it is necessary and expedient for the said purposes to amend the said Act;

Be it enacted by the Rajasthan State Legislature in the Fourteenth Year of the Republic of India as follows: -

1. *Short title and commencement.* — (1) This Act may be called the Rajasthan Agricultural University (Amendment) Act, 1963.

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

2. *Amendment of the title, Rajasthan Act 18 of 1962.*— (1) For the title of the Rajasthan Agricultural University Act, 1962 (Act No. 18 of 1962), hereafter referred to as the principal Act, the following title may be substituted, namely:--

“The Udaipur University Act, 1962”

(2) For the long title of the principal Act, the following long title shall be substituted, namely:-

“*AN*

ACT

to provide for the establishment and incorporation of a University at Udaipur in the State of Rajasthan”.

3. *Amendment of section 1, Rajasthan Act 18 of 1962.* — For sub-section (1) of section I of the principal Act, the following sub-section shall be substituted, namely: —

“(1) This Act may be called the Udaipur University Act, 1962”.

4. *Amendment of section 2, Rajasthan Act 18 of 1962.* — In section 2 of the principal Act-

(1) for clause (d), the following clause shall be substituted, namely:-

“(d) “College” means a college of the University as mentioned in section 25 of the Act, and includes a Degree College or any educational institution for research or specialised studies in any branch of learning and where the College has more campuses than one, it includes each of such campuses”.

Clause (k), the following cause shall be substituted, namely: -

“(k) “University” means the University of Udaipur”.

5. *Amendment of section 3, Rajasthan Act 18 of 1962.*- In section 3 of the principal Act-

(1) After the word "University" in the heading, the words “and its jurisdiction” shall be inserted.

(2) In sub-section (1)-

(i) for the words "who may hereafter become" the words “who are deemed to be or may be hereafter appointed as” shall be substituted.

(ii) for the words "Rajasthan Agricultural University”, the words "University of Udaipur” shall be substituted.

(3) In sub-section (2), after the word and comma “endowments”, the words "which may be or may have become or deemed to be vested, in or acquired by the University”, shall be inserted,

(4) In sub-section (2), the following new sub-sections shall be inserted, namely:-

“(3) The jurisdiction of the University shall extend to, and powers conferred by or under this Act shall be exercisable in the Municipal limits of the city of Udaipur, the Colleges of the University and such other area or areas within the State of Rajasthan as the State Government may, by notification in the Official Gazette, direct, and all the colleges within the aforesaid limits shall be associated with or admitted to the privileges of the University, provided that they are eligible for the same in accordance with the conditions laid down in the statutes:

Provided that a notification in this behalf shall not be made except with the previous approval of the Board and the House of the State Legislature.

(4) The State Government may, by order in writing,

(i) require any College within the territorial limits of the University to terminate, with effect from such date as may be specified in the order, its association with, or its admission to the privileges of, any other University incorporated by law to such extent as may be considered necessary and proper, or

(ii) exclude, to such extent as may be considered necessary and proper, from association with, or from admission to the privileges of the University, any College specified in the order which in the opinion of the State Government is required to be self-governing or to be associated with or admitted to the privileges of, any other University or body :

Provided that no order under this sub-section shall be made otherwise than with the concurrence of the Board.”

6. *Amendment of section 5, Rajasthan Act 18 of 1962.* - In section 5 of the principal Act-

(1) in clause (i), for the word “study”, the word “learning”, and for the word “subjects”, the word “science” shall be substituted,

(2) in clause (ii), the words “in all branches of learning” shall be inserted after the word “research”.

7. *Amendment of section 9, Rajasthan Act 18 of 1962.*- In sub clause (ix) of clause (a) of section 9 of the principal Act, for the words “the Director of Agricultural Experiment Station”, the words “the Director of Research Stations, the Director of Agricultural Experiment Station” shall be substituted.

8. *Amendment of section 11, Rajasthan Act 18 of 1962.* – In section 11 of the principal Act-

(1) for sub-section (1), the following sub-section shall be substituted, namely :-

“(1) The Vice-Chancellor shall be a whole time paid office of the University and shall be appointed by the Chancellor upon the recommendation of a Selection Committee consisting of-

- (i) one person nominated by the Board not connected with the University or any College thereof;
 - (ii) one person nominated by the Chairman, University Grants Commission;
 - (iii) one educationalist nominated by the Chancellor;
 - (iv) one person nominated by the Indian Council of Agricultural Research;
- and the Chancellor shall appoint one of these person to be the Chairman of the Committee;

Provided that the first Vice –Chancellor may be appointed by the Chancellor upon the recommendation of the State Government.”

(2) for sub –section (4), the following sub-section shall be substituted, namely:-

“(4) When a vacancy occurs or is likely to occur in the office of the Vice-Chancellor by reason of leave or any other causes not being the expiry of his term of office, such vacancy shall be filled by the Chancellor on the recommendation of the State Government:

Provided that the Vice Chancellor so appointed shall serve for the residue of the term of the out-going Vice-Chancellor:

Provided further that the same person shall be eligible for re-appointment for the second term but as far as may be, in accordance with the provision of sub-section (1)”.

(3) for sub-section (6), the following sub-section shall be substituted namely:-

“(6) The Vice Chancellor may at any time relinquish office by submitting, not less than sixty days in advance of the date on which he wishes to be relieved, his resignation to the Chancellor.”

(4) for sub-section (7), the following sub-section shall substituted, namely-

“(7) Such resignation shall take effect from the date determined by the Chancellor and conveyed to the Vice-Chancellor”

(9) *Amendment of section 12, Rajasthan Act 18 of 1952.*- To section 12 of the principal Act-

(1) for sub section (2), the following sub-section shall be substituted, namely-

“(2) The Vice-Chancellor shall be ex-officio Chairman of the Board, Academic Council and the Council of Deans”.

(2) for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) The Vice-Chancellor shall be responsible for presenting Board for its deliberations and consideration matters of concern to the University. He shall have power to convene the meetings of the Board and the Academic council.’

10. *Amendment of Section 13, Rajasthan Act 18 of 1962.*- For sub section (1) of section 13 of the principal act, the following sub-section shall be substituted, namely:-

“(1) The Registrar shall be an officer of the University appointed by the Board on the recommendation of the selection committee consisting of the Vice- Chancellor and such other members as may be prescribed”.

11. *Amendment of section 14, Rajasthan Act 18 of 1962.*- In sub-section (1) of section 14 of the principal act, for the word “Vice- Chancellor” the words “ Selection committee appointed in the manner prescribed” shall be substituted.

12. *Amendment of section 15, Rajasthan Act 18 of 1962.* - In sub-section (3) of section 15 of the principal Act, for the word “Vice-chancellor”, the words “Academic Council” shall be substituted.

13. *Amendment of section 19, Rajasthan Act 18 of 1962.*- In section 19 of the principal Act-

1) for sub –division I of sub- section (1) , the following sub-division shall be substituted , namely:___

“I- The Vice- Chancellor as Chairman”.

2) for sub –division II of sub- section (1) , the following sub-division shall be substituted, namely:-

“II- Ex-officio members: -

- i. Vice-Chancellors of the other Universities in Rajasthan,
- ii. ex-Vice-Chancellors of the University,
- iii. the Deans of Colleges or Faculties,
- iv. the Registrar,
- v. the Chief Justice , Rajasthan ,
- vi. the Minister of Education, Rajasthan,
- vii. the Minister of Agriculture, Rajasthan,
- viii. the Development Commissioner, Rajasthan,
- ix. the Finance Secretary to the Government of Rajasthan ,

- x. the Agriculture Secretary to the Government of Rajasthan,
- xi. the Education Secretary to the Government of Rajasthan ,
- xii. the Director of Agriculture, Rajasthan,
- xiii. the Director of Animal Husbandry ,Rajasthan,
- xiv. the Director of College Education ,Rajasthan,
- xv. the Director of Education (Primary and Secondary),Rajasthan,
- xvi. the Director of Technical Education , Rajasthan,
- xvii. all the Heads of University Departments of the status of a Professor or Reader,
- xviii. Chairman, Municipal Corporation, Udaipur and
- xix. such other ex-officio members as may be designated by the Statutes”

3) In sub-division III of sub-section (1)—

- (i) in clause (ii) for the words “one registered graduate” the words “two registered graduates” shall be substituted.
- (ii) After the existing clause (iii), the following new clauses may be added , namely:--

“(iv) one Principal/head of college elected by the Principals/Heads of such Colleges from amongst themselves.

(v) four persons elected by the Academic Council from among its members.

(vi) two persons elected by teachers other than the Heads of University Department and Principals/Heads of colleges from amongst themselves.”

4) In sub-division IV of sub-section (1), after clause (v), the following new clauses shall be added, namely:-

“(vi) Two members, not below the rank of the Head of the Colleges from among themselves" following new clauses shall be added, namely- following Departments to be nominated by the State Government, by rotation:-

- (a) Medical,
- (b) Industries and Commerce,
- (c) Forests,
- (d) Public Works,
- (e) Mines and Geology,
- (f) Development and Planning, and
- (g) Law and Judicial including Legal Affairs;

(vii) Two persons who have rendered distinguished service to the cause of education, nominated by the Chancellor;

(viii) One member of the State Legislature nominated by the Speaker, provided he is not already a member of the Board."

(5) In sub-section (1) after sub-division IV, the following new sub-division shall be added, namely:-

"V. *Life Members*: Every person, who had made a donation to the University at any one time of an amount of, or of property valued at, one lakh rupees or more, or a representative nominated in this behalf by such person during his life time shall be a life-member of the Board:

Provided that in the case of a donor being a Corporate body, the membership shall last for a period of twenty years from the date of acceptance by the University of such donation."

(6) for sub-section(2), the following sub-section shall be substituted, namely:-

"(2) subject to the provisions of sub-section (6), the representative and nominated members, other than those mentioned in clauses (i) and (vii) of sub-division IV of sub-section (1) above, shall continue to hold office on the Board so long as they are members of, or serve the body, authority or the Department, which they represent or form which they have been nominated.

(7) for sub-section (4) , the following sub-section shall be substituted, namely:-

"(4) the chairman of the Board shall perform such functions and exercise such Powers as are provided in this Act or as may be prescribed".

(8) in sub-section (6) , a comma and the words “, the life members and the chairman of the Board,” shall be inserted after the words “ex-officio members”.

(9) After sub-section (9) the following new sub-section shall be added, namely:-

"(10) the Chairman of the Board shall be the chairman of the Executive committee of the Board, which shall consist of such members of the Board and shall have such powers and duties as may be prescribed."

14. *Amendment of section 25, Rajasthan Act 18 of 1962.*- In section 25 of the principal Act-

(1) in sub- section (4), for the words “on the recommendation of the vice-chancellor”, the words “in the manner prescribed” shall be substituted.

(2) in sub-section (7) , the words “recommended by the vice- Chancellor and” shall be omitted.

15. *Amendment of section 26, Rajasthan Act 18 of 1962.*- In section 26 of the principal Act

(1) after the word “station” in the heading , the words “and other research stations” shall be added.

(2) for sub-section (1), the following sub-section shall be substituted, namely:-

“(1) An Agricultural experiment station and such other research station shall be established for carrying out research, fundamental and applied, subject to the provisions of this Act and the statutes, in agriculture and other branches of learning respectively as the University may consider proper from time to time. The Agricultural experiment station and each research station shall have such sub-stations at such places as the University may determine from time to time.”

(3) in sub-section (2) the words “and of each research station” shall be inserted after the word “station”.

(4) in sub-section (4) , for the words “central station” the words “Agricultural Experiment station or research station” shall be substituted.

(5) In sub-section (5)-

(i) in clause (i) , for the word “study”, the word “learning” shall be substituted.

(ii) in clause (v), for the words "Central Station "the words "Agricultural Experiment Station and a research station as the case may be" shall be substituted

16. Amendment of section 43, Rajasthan Act 18 of 1962.- In section 43 of the principal Act-

(1) for the word "authority", in the heading, the word “provisions” shall be substituted.

(2) after the heading so amended, the existing section 43 shall be re-numbered as sub-section (1) of that section.

(3) after sub-section (1),as so re-numbered, the following new sub-section shall be added, namely:-

“(2) On the date of the commencement, of the Rajasthan Agricultural University Amendment Act, 1963,-

(i) any person holding office as Vice- Chancellor of the University shall on such commencement, be the Vice- Chancellor of the University so reconstituted and shall continue to hold the said office and to exercise all powers and to perform all duties conferred on the Vice-Chancellor by or under the provisions of this Act, until a new Vice-Chancellor is appointed;

(ii) the members of the authorities, bodies and committees of the University, shall be deemed to be respectively the member of the authorities, bodies and committees of the University so re-constituted and shall continue to exercise all powers and perform all duties conferred on the authorities, bodies and committees by or under this Act or the Statutes;

(iii) the appointments of the Registrar and all other officers and servants of the University, which are lawfully subsisting shall be deemed to have been made under and for the purposes of this Act and the Registrar and all such officers and

servants shall continue to hold office and to act, subject to the conditions governing the terms of their office or employment except in so far as such conditions may be altered by competent authority;

(iv) all Colleges of the University shall subject to the provisions of sub-section (3) of section 3 of this Act, be deemed to be the Colleges of the University so reconstituted;

(v) all registered graduates of the University shall be deemed to be registered graduates of the University so reconstituted;

(vi) all property, movable or immovable and all rights ,interests of whatever kind, powers and privileges of the University shall be deemed to be transferred to and vested in the university so re-constituted and shall be applied to the objects and for the purposes of the university so re-constituted;

(vii) all benefactions or grants accepted or received by or promised to the university shall be deemed to have been accepted or received by or promised to the university so re-constituted, and all the conditions on which such benefactions or grants were accepted or received or promised shall be deemed to be valid under this Act ;

(viii) all dues liabilities and obligations incurred and law – fully subsisting in favour of or against the university shall be the dues , liabilities and obligations in favour of or against the university as re- construed is named there –in ;

(ix) any will, deed or other document which contains any bequest , gift , trust in favour of the university or any nomination filed in university shall be construed as if the university as re-constituted is named there-in;

(x) the appointments of all the examiners of the university as lawfully subsisting shall be deemed to have been made under and for the purposes of this Act and act such Examiners shall continue to hold office and to act until fresh appointment are made;

(xi) all statutes and regulation , all notices and orders made or issued under this Act shall , so far as such statutes , Regulations ,notices and orders are not inconsistent with the provisions of the Rajasthan Agricultural university (Amendment) Act, 1963, shall continue in force until they are superseded or modified or withdrawn under the provisions of this Act; and

(xii) all reference in any enactment or other instruments issued under an enactment , to the university shall be construed as reference to the university so re-constituted .

Explanation – For the purposes of sub – section, the expressions :-

- (i) “this Act means the Rajasthan Agricultural University Act 1962 as amended by the by or under the Rajasthan Agricultural University Act, 1963:
- (ii) “University” means the Rajasthan Agricultural University, Udaipur as constituted by or under the Rajasthan Agricultural University, Act, 1962; and
- (iii) “the University so re-constituted” means the Rajasthan Agricultural University, Udaipur as re-constituted by or under the Rajasthan Agricultural University (Amendment) Act, 1965.”

17. *Addition of a new section 44 in Rajasthan Act 18 of 1962.*- After section 43 of the principal Act, the following new section shall be added, namely:-

“ 44. Removal of difficulties.-(1) The State Government may for the purpose of removing any difficulties, particularly in relation to the re-constitution of the Rajasthan Agricultural University Udaipur by or under the provisions of the Rajasthan Agricultural University (Amendment) Act, 1963 hereafter under this section in the area and in matters referred to as the Amending covered by this Act, by order published in the Official Gazette-

(a) direct that this Act, shall during such period as may be specified in the order, take effect subject to such adaptations whether by way of modification, addition or omission, and consistent with the Amending Act, as it may deem fit to be necessary or expedient, or

(b) give such directions as appear to it to be necessary or the removal of such difficulties that may arise in giving effect to the provisions of the Amending Act,

(c) make such other temporary provisions for the purpose of removing any such difficulties as it may deem fit to be necessary or expedient:

Provided that no such order shall be made after twelve months from the date of the commencement of the Amending Act.

(2) All orders made under sub-section (1) shall be laid before the House of the State Legislature for fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such orders or resolves that any order should not be made, such order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

(3) If any question arises regarding the interpretation of any provisions of the Rajasthan Agricultural University Act, 1962 or the Amending Act or of any Statutes, or Regulation made or deemed to have been made under this Act, or as to whether any person has been duly appointed as, or is entitled to be in member of any authority or other body of the University, the matter may be referred to the Chancellor, and shall be so referred if the Vice-Chancellor and any ten members of the Board so require. The Chancellor shall after taking such advice as he deems necessary decide the question and his decision shall be final.”

LEHAR SINGH MEHTA,
Secretary to the Government.