

THE SAM HIGGINBOTTOM UNIVERSITY OF AGRICULTURE,
TECHNOLOGY AND SCIENCES, UTTAR PRADESH
ACT, 2016

[U.P. Act No. 35 of 2016]

**As passed by the Uttar Pradesh Legislature and assented to
by the Governor under Article 200 of the 'Constitution of India' on
December 27, 2016 and published in U.P. Gazette Extraordinary
dated December 27, 2016.**

AN

ACT

*to establish and incorporate a Teaching, Research and
Extension University with a view to upgrade and reconstitute the
existing Sam Higginbottom Institute of Agriculture, Technology
and Sciences (Deemed-to-be-University), Allahabad, established
and administered by the Ecumenical Minority Christian Society
namely the Sam Higginbottom Educational and Charitable
Society, Higginbottom House, 4-Agricultural Institute, Allahabad-
211007, Registered under the Society Registration Act, 1860 in
the State of Uttar Pradesh, and to provide for matters connected
therewith or incidental thereto.*

**IT IS HEREBY enacted in the Sixty Seventh Year of the
Republic of India as follows:-**

**Short title and
commencement**

1. (1) This Act may be called the Sam Higginbottom University
of Agriculture, Technology and Sciences, Uttar Pradesh Act, 2016.

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

Definitions

2. In this Act, unless the context otherwise requires : -

(a) "Academic Council" means the Academic Council of
the University;

(b) "Appointing Authority" means the Founder Society in
the case of Chancellor, the Chancellor in the case of Vice
Chancellor and Pro Vice Chancellors, Vice Chancellor in the
case of Registrar, Directors, Finance Comptroller and other
Key Officials";

(c) "Associated College" means any institution recognized
by the University and authorized under the provisions of this
Act and Statutes of the University to provide for the teaching
necessary for admission to a degree of the University.

(d) "Associations" means Association of Indian
Universities (AIU) and Indian Agricultural University
Association (IAUA).

(e) "Board of Management" means the Board of
Management of the University;

(f) "Board of Studies" means the Board of Studies of the
University;

(g) "Campus" means the unit established or constituted
by the University for making arrangements for instruction, or
research, or both;

(h) "The Chancellor", the "Vice-Chancellor", "Pro Vice Chancellor (Academic Affairs)", "Pro Vice Chancellor (Administration)", and "Registrar" mean, respectively, the Chancellor, Vice Chancellor, Pro Vice Chancellor (Academic Affairs), Pro-Vice Chancellor (Administration) and the Registrar of the University;

(i) "College/School" means an academic institution maintained or admitted by the University to its privileges, and includes an Associated / Constituent College;

(j) "Constituent College" means an institution maintained by the University and named as such by the Statutes;

(k) "Councils" means Indian Council of Agricultural Research (ICAR), Indian Council of Forestry Research and Education (ICFRE), All India Council for Technical Education (AICTE), National Council for Teacher Education (NCTE), Medical Council of India (MCI) and Nursing Council of India (NCI).

(l) "Deemed-to-be-University" means Sam Higginbottom Institute of Agriculture, Technology and Sciences (Deemed-to-be-University), Allahabad which may also be referred as Deemed University.

(m) "Department" means a Department of studies, and includes a center of Studies and Research of the University.

(n) "Director" in relation to an institute of the University means head of such institute.

(o) "Directorate" means various Directorates of the University headed by its concerned Director.

(p) "Employee" means any person duly appointed by the University.

(q) "Faculty" means a Faculty of the University;

(r) "Finance Comptroller" means the Finance Comptroller of the University.

(s) "Founder Society" means the Sam Higginbottom Educational and Charitable Society, Higginbottom House, 4 Agricultural Institute, Allahabad, Uttar Pradesh, a Society registered under Society Registration Act, 1860 which is the Apex body managing all activities of the Society including the affairs of the University.

(t) "Governor" means the Governor of Uttar Pradesh;

(u) "Hall" means a unit of residence or of corporate life for the students of the University;

(v) "Institution" means an academic institution, established and maintained by the University;

(w) "Management Committee" in relation to a college or an institution, means the managing committee or any other body, by whatever name called, charged with the management of the affair of such college or institution, as the case may be, and recognized as such by the University;

(x) "Misconduct" means such misconduct as may be prescribed.

(y) "Notification" means a notification under this Act published in the *Gazette* of the State Government of U.P.;

(z) "Prescribed" means prescribed by the statutes;

(aa) "Principal" means the head of an institution, school, or college and includes, the person for the time being duly appointed to act as principal, and, in the absence of the principal or acting principal, a Vice Principal duly appointed as such;

(ab) "Records and Publications" means the Records and Publications of the University;

(ac) "Registrar" means the Registrar of the University.

(ad) "Senate" means the Senate of the University established by the Founder Society;

(ae) "Statutes" "Ordinances" and "Regulations" means respectively, the Statutes, Ordinances and Regulations of the University made under this Act;

(af) "Student" means a person enrolled in the University under Formal/ Non Formal Education and Distance Education for taking a course of study for a degree, diploma, certificate or other academic distinction duly instituted;

(ag) "Teacher" means a person appointed as teacher by the University for the purpose of imparting instruction or conducting and guiding research or extension programmes.

(ah) "Treasurer" means the treasurer of the Society who shall be the Treasurer of the University.

(ai) "University" means the Sam Higginbottom University of Agriculture, Technology and Sciences, Allahabad Uttar Pradesh established under this Act.

(aj) "Visitor" means the Visitor of the University, who shall be The Governor of Uttar Pradesh.

**The
University**

3. (1) With effect from such date as the State Government may, by notification in the *Gazette*, appoint, there shall be established a University by the name of Sam Higginbottom University of Agriculture, Technology and Sciences, Allahabad, comprising the Visitor, the Chancellor, the Vice- Chancellor, Treasurer, Pro Vice Chancellor (Academic Affairs), Pro Vice Chancellor (Administration), the Registrar, and Finance Comptroller, the Founder Society, the Senate, Board of Management and the Academic Council of the University and all such persons or committees as may hereafter become to be appointed at such office or as members so long as they continue to hold such office or membership;

(2) The University shall be a body corporate.

(3) With effect from the commencement of this Act, the Sam Higginbottom Institute of Agriculture, Technology and Sciences (Deemed University) shall cease to function as such, and all the assets and liabilities of the said Deemed University shall stand transferred to the University.

(4) The Founder Society has allotted 667.27 acres land and sufficient constructed buildings to the Deemed University and it is all in the possession of the Deemed University, which upon the commencement of the Act shall stand transferred to the University as mentioned in Section 3(3) of this Act.

Jurisdiction of the University

4. (1) Save or otherwise provided by or under this Act, the limits of the area within which the University shall exercise its powers, shall be whole of Uttar Pradesh with its headquarters at Allahabad with powers to associate any Christian minority Institution within its jurisdiction with the prior approval of the State Government.

(2) No College or institution situated within the jurisdiction of the University shall be compulsorily Associated to the University, and Association shall be granted by the University only to such college or institution as it may agree by the statutes and the ordinances.

(3) The University may with the prior permission of the State Government establish its Academic Centers / Campuses, /offshore campus in order to provide relevant higher /professional education with the concurrence of the concerned Government where it is established.

Conditions for the establishment of the University

5. (1) Subject to any orders which the Board of Management may make with approval of the founder society, the buildings which belonged to the founder society shall continue to be known and designated by the name and style as they were known and designated immediately before the commencement of this Act;

(2) On and from the commencement of this Act every official, Chancellor, Vice-Chancellor, Treasurer, Pro Vice-Chancellor (Academic Affairs), Pro Vice-Chancellor (Administration), Registrar, Directors, Finance Comptroller and other officials, teachers and staff employed immediately before the commencement of this Act, shall hold such employment in the University by the same tenure and on the same terms and conditions and with the same rights and privileges as they had in the Deemed University.

(3) All academic programmes being offered by the Deemed University before the commencement of this Act shall continue as such under this Act.

(4) Anything done or any action including conduct of entrance examination or any degree or other academic distinctions conferred by the Deemed University before the commencement of this Act shall be deemed to have been done or taken or conferred under this Act as if this Act were enforced at all material times.

Starting of the University

6. (1) The University shall start operation only after the State Government issues Notification regarding inception/ incorporation of University under this Act. Upon such notification, the University shall apply to the concerned authority for de-recognition of status of Deemed University.

(2) The State Government shall circulate the inception/ incorporation of the University to the University Grants Commission, councils, associations and all concerned Statutory Bodies, Government and Organizations in this regard.

Objects of the University

7. The objects of the University shall be to ;

(i) make provisions for the rural masses of Uttar Pradesh and general population as a whole in the different branches of studies particularly Agriculture, Veterinary Science, Engineering, Technology and Sciences, Rural Industry, Business and other allied disciplines, and promote entrepreneurship;

(ii) further the promotion of teaching and research, particularly in Agriculture, Technology and Sciences, Human Health, Religious and Moral Education through Christian Theology and Higher Education Disciplines relevant to holistic development of the Society;

(iii) undertake field and extension programmes;

(iv) innovate in education leading to re-structuring of courses, new methods of teaching and learning, and integral development of personality through distance learning/ continuing education / and e-learning;

(v) conduct study in various innovative disciplines;

(vi) conduct studies, Research and Extension programmes for poverty alleviation, and enhancing food security for the poorest of the poor under the founder's vision "Feed the Hungry and Serve the Land";

(vii) conduct Inter-disciplinary studies and disseminate and advance knowledge by providing instructional, research and extension facilities in such branches of learning as it may deem fit;

(viii) promote national integration, Indian culture and languages and international understanding;

(ix) bring the Christian Community into the main stream and ensure overall development thereof by imparting all modern and higher, professional, theological and spiritual education.

University open to all

8. (1) The University shall be open to all persons of whatever race, religion, creed, caste or class subject to the provisions in sub-clause (2) of this section.

(2) Nothing in this section shall prevent the University from making any special provision / reservations for the administration, appointments, and admission of students, or persons belonging to Christian Minority Community which can not exceed 50 per cent.

Powers of the University

9. The University shall have the following powers :—

(i) in addition to Agriculture Education and Research, Engineering, Technology and Sciences, Veterinary Sciences, Humanities and Social Science, and Management, to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge and skills;

(ii) excepting the branches of Agriculture Education, Research, Extension, Sciences, Engineering and Technology, and relevant allied disciplines, the University will obtain no objection for starting new academic programmes in other branches from the State Government, and permission of the concerned statutory councils as may be applicable;

(iii) to promote the study of the philosophy and culture of India;

(iv) to promote educational and cultural advancement of Christians in India, and to provide for the study of Christianity, to give instruction in Christian theology and religion and to impart moral and spiritual training;

(v) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinction for good and sufficient cause;

(vi) to confer honorary (Honoris Causa) degrees or other distinctions in the manner prescribed by the statutes;

(vii) to organize and to undertake extra-mural studies and extension services and other measures for the promotion of adult education;

(viii) to provide, instruction, including Distance Education, and correspondence courses;

(ix) to cooperate or collaborate or associate with any other University, authority or institution of higher learning in such manner and for such purpose as the University may determine;

(x) to make provision of research and consultancy and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;

(xi) to approve persons working in any institution co-operating, collaborating or associating with the University, for imparting instruction or supervising research, or both, and to withdraw such approval;

(xii) to create teaching and non-teaching posts, research and extension posts required by the University and to appoint persons to such posts;

(xiii) to appoint persons as Professors, Associate Professors, or Assistant Professors, Lecturers and others as teachers of the University;

(xiv) to appoint persons as visiting Professor/Scientist, Consultants on such terms as it may deem fit;

(xv) to build up a body of academia or establish new academic faculties, in order to perform academic functions, and to pay them remuneration in the manner prescribed;

(xvi) to provide for the terms and conditions of service of-

(a) teachers and other members of the academic staff appointed by the University;

(b) teachers and other members of the academic staff appointed by any college or institution; and

(c) other employees, whether appointed by the University or any other college or institution;

(xvii) to appoint persons working in any other University or organization as teachers of the University for a specified period or on regular basis;

(xviii) to institute and award fellowships, scholarships, studentships, medals and prizes;

(xix) to make provision for research and advisory services, and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;

(xx) to declare a center, an institution, a College, a Department, a School as an autonomous center, institution, College, or Department or School, as the case may be in accordance with the statutes;

(xxi) to arrange to send visiting committees to college and institutions at the association stage and also during the period of association at regular intervals;

(xxii) to coordinate the work of different colleges and institutions working in the same and similar areas;

(xxiii) to set up central facilities like computer center, instrumentation center, library *etc*;

(xxiv) to set up curriculum development centers for different subjects;

(xxv) to prescribe fees for the University, colleges and institutions;

(xxvi) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;

(xxvii) to demand and receive payment of fees and other charges;

(xxviii) to supervise and control the residential accommodation and to regulate the discipline of students of the University and to make arrangements for promoting their health and welfare;

(xxix) to make such special arrangements in respect of all women students and students belonging to Christian community as the University may consider desirable;

(xxx) to create administrative, Ministerial and other necessary posts and to make appointments thereto;

(xxxi) to regulate the work and conduct of the employees of the University and of the employees of the colleges and institutions;

(xxxii) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary;

(xxxiii) to prescribe code of conduct for management of Associated Colleges and Institutions and enter into Memorandum of understanding for Association;

(xxxiv) to make arrangements for promoting the health and general welfare of the employees of the University and those of colleges and institutions;

(xxxv) to receive benefactions, donations and gifts from persons and to name after them such chairs, institutions, buildings and the like as the University may determine, whose gift or donation to the University is worth such amount as the University may decide;

(xxxvi) to acquire, hold and manage movable or immovable property including endowment properties with prior permission of the Founder Society/Senate, for the purposes of the University;

(xxxvii) to borrow with the approval of the Senate and Board of Management, on security of the property of the University, Money for the purposes of the University;

(xxxviii) to initiate measures to enlist the co-operation of the industry to provide complementary facilities for the students;

(xxxix) to provide for instruction through “distance learning” and “open approach” and for mobility of students from the non-formal (open learning) stream to the formal stream and *vice-versa*;

(xl) to prescribe a Code of Ethics for the teachers, Code of conduct for other employees and Code of Discipline for the students; and

(xli) to do all such acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University;

The Visitor

10. (i) The Visitor of the University shall be the Governor of Uttar Pradesh;

(ii) the Visitor shall have the right to visit the University, its buildings, laboratories and equipment (or of any college) and of any institution maintained by University, and also of the examinations, teaching and other work conducted or done by the University;

(iii) the Visitor may give notice to the University of his intention to cause an inspection to be made, and the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection;

(iv) the Visitor shall address the Vice-Chancellor with reference to the result of such inspection and the Vice-Chancellor shall communicate to the Board of Management the views of the Visitor for action to be taken thereon;

(v) the Board of Management shall communicate through Vice-Chancellor to the Visitor such action as may be taken.

(vi) if the Board of Management has any disagreement with regard to any decision of the Visitor, it shall appeal to the Visitor for the review. And the decision of the Visitor on review appeal, shall be final;

(vii) where power is conferred upon the Visitor to nominate persons to authorities, the Visitor shall to the extent necessary nominate persons to represent the various interests for the furtherance of the objects of the University. The nominees of the Visitor on various committees shall inform the outcomes of the meeting to the Visitor.

Officers of the University

11. The following shall be the Officers of the University:-

- (a) The Visitor
- (b) Chancellor
- (c) Vice-Chancellor
- (d) Treasurer
- (e) Pro-Vice-Chancellor (Academic Affairs)
- (f) Pro-Vice-Chancellor (Administration)
- (g) Registrar
- (h) Director (Research)
- (i) Director (Extension)
- (j) Director (Establishment & Estate)

- (k) Director (Internal Quality, Assessment & Assurance)
- (l) Director (Innovation, Projects & Consultancy),
- (m) Director (International Education & Training)
- (n) Director (Auxiliary Units)
- (o) Director (Chaplaincy, Guidance & Counseling)
- (p) Director (Legal Affairs)
- (q) Director (Distance Education)
- (r) Director (Development)
- (s) Director (Human Resource Management and Relations)
- (t) Director (Administration)
- (u) Director (Financial Planning & Management)
- (v) Director (Seed & Farm)
- (w) Director (Campus Ministry)
- (x) Finance Comptroller

(y) Such other officer as may be declared by the statutes to be the officer of the University.

The Chancellor

12. (1) The Chancellor shall be appointed by the founder society from amongst its own members, who by virtue of his/her office shall be the head of the University and preside over the convocations of the University and perform such other functions as may be prescribed by the Statutes. The Chancellor shall hold office for a period of five years and may be considered by the founder society for appointment for other terms. The Founder Society shall decide honorarium/allowances, *etc.* to be paid to the Chancellor.

(2) Where power is conferred upon the Chancellor to nominate persons to authorities, the Chancellor shall nominate persons to represent the various interests for the furtherance of the objects of the University. The Chancellor shall visit the University campus from time to time. The nominees of the Chancellor on various committees will send their reports after the respective meetings.

The Vice-Chancellor

13. (1) The Vice Chancellor shall be a whole time salaried officer of the University and shall be appointed by the Chancellor. The Vice-Chancellor shall hold office for a term of five years and renewable for further terms on the recommendation of the Senate up to the age as may be permissible as per norms. In the absence of Vice-Chancellor due to retirement/resignation /illness/leave or any other reason, the Pro-Vice-Chancellor authorized by the Chancellor, shall officiate in his/her place.

(2) The Vice-Chancellor shall be the principal executive and academic Head of the University and shall exercise general supervision and control over the affairs of the University and implement the decisions of all the authorities of the University.

(3) The Vice Chancellor may, if he/she is of the opinion that immediate action is called for on any matter exercise any power conferred upon any authority of the University under Statutes, the Rules and Regulations/Bye-laws, take such action or proceed to take such action and shall report to the concerned authority on the action taken by him/her on such matters:

Provided that if the authority concerned as mentioned in sub-section (3) is of the opinion that such actions ought not to have been taken, it may refer the matter to the Chancellor whose decision thereon shall be final.

(4) The Vice Chancellor shall be the Chairman of the Board of Management, Academic Council, University Finance Committee, Planning and Monitoring Board or any other committees mentioned or not.

(5) It shall be the duty of the Vice-Chancellor to ensure that the Statutes, Ordinances, the Rules, Bye-laws and Regulations of the University are duly observed and implemented and he/she shall have all the necessary powers in this regard.

(6) The Vice Chancellor shall exercise such other powers and perform such other functions as may be prescribed or laid down in the Ordinances.

**The Pro-Vice
Chancellor**

14. (1) The Pro-Vice Chancellors as mentioned hereunder shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor and shall assist the Vice-Chancellor in the matters as may be assigned by the Vice Chancellor :-

- (a) Pro-Vice Chancellors (Academic Affairs).
- (b) Pro-Vice Chancellors (Administration).

(2) The emoluments and other terms and conditions of service of the Pro-Vice Chancellors shall be as may be decided by the Senate.

The Registrar

15. (1) The Registrar shall be a whole-time salaried officer of the University and with the prior approval of the Senate; shall be appointed by the Vice-Chancellor; however, the Vice-Chancellor may also appoint any whole time teacher as Registrar for the interim period. Being a professional university, the Registrar shall be selected from amongst the eminent Educationist/Academicians not below the rank of Associate Professor.

(2) The emoluments and other terms and conditions of service of the Registrar shall be as may be prescribed by the Statutes.

(3) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such duties as may be prescribed by the Statutes.

**Directors in
the University**

16. (1) As the University has threefold functions, *viz.* teaching, Research and Extension, there shall be Directors in the University to assist the Vice-Chancellor in the smooth functioning of the University specifically in the areas of Research and Extension. There shall also be Director of Distance Education, and other Directors to assist the Vice-Chancellor in the University management. The Directors shall be appointed by the Vice-Chancellor.

(2) The Directors shall exercise such other powers and perform such duties as may be prescribed by the Statutes / Regulations.

**Finance
Comptroller**

17. The Finance Comptroller shall be full time salaried officer of the University and be appointed by the Vice-Chancellor with prior approval of the Senate and shall work under the supervision and control of the Vice-Chancellor. The Finance Comptroller shall :-

(a) manage Finances of the University;

(b) preparation of annual budget, estimate and statements for approval of the Treasurer, the Finance Committee and the Board of Management;

(c) Perform such other functions as may be assigned to him by the Vice-Chancellor.

**Authorities of
the University**

18. The following shall be the Authorities of the University:-

(i) The Senate;

(ii) The Board of Management;

(iii) The Academic Council;

(iv) The University Finance Committee;

(v) The Planning and Monitoring Board;

(vi) Such other authorities as may be declared by the statutes to be the authorities of the University.

Senate

19. (1) There shall be constituted a Senate of the University. The Senate shall consist of the following members : -

- | | | | |
|-------|--|---|-------------------------|
| (i) | Chairman, Sam Higginbottom Educational and Charitable Society, Allahabad | - | <i>Chairperson</i> |
| (ii) | Chancellor, Sam Higginbottom University of Agriculture, Technology and Sciences | - | <i>Vice Chairperson</i> |
| (iii) | Vice-Chancellor of Sam Higginbottom University of Agriculture, Technology and Sciences | - | <i>Member Secretary</i> |
| (iv) | President/Bishop or his nominee, Yeshu Darbar Church, Allahabad | - | <i>Member</i> |
| (v) | Vice-President, Yeshu Darbar Trust | - | <i>Member</i> |
| (vi) | Vice-Chairman, Sam Higginbottom Educational and Charitable Society, Allahabad | - | <i>Member</i> |
| (vii) | Executive Secretary, Sam Higginbottom Educational and Charitable Society, Allahabad | | <i>Member</i> |

- | | | |
|--------|---|---------------|
| (viii) | Treasurer, Sam Higginbottom Educational and Charitable Society, Allahabad | <i>Member</i> |
| (ix) | General Secretary, Yesu Darbar Church | <i>Member</i> |
| (x) | Treasurer, Yesu Darbar Church | <i>Member</i> |
| (xi) | One nominee of the President, Yesu Darbar Church | <i>Member</i> |
| (xii) | Two nominees of the Chairman, Sam Higginbottom Educational and Charitable Society | <i>Member</i> |
| (xiii) | Two nominees of the Chancellor | <i>Member</i> |

(2) All the powers of the management of the University shall vest in the Senate; and the appointment of Chancellor, Vice Chancellor, Treasurer, Pro-Vice Chancellors, Directors, Registrar, Finance Comptroller and other Key Officials shall be made by the appointing authority. For such appointments, the Senate shall decide honorarium/salary, etc.

Board of Management

20. (1) The Board of Management shall be the principal executive body of the University.

The Board of Management shall consist of the following:-

- | | | |
|--------|---|---------------------------|
| (i) | The Vice-Chancellor | - <i>Chairperson</i> |
| (ii) | The Visitor's Nominee | - <i>Member</i> |
| (iii) | Treasurer of the Society / University | - <i>Member</i> |
| (iv) | The Pro Vice-Chancellor (Academic Affairs) | - <i>Member</i> |
| (v) | The Pro Vice-Chancellor (Administration) | - <i>Member</i> |
| (vi) | Registrar | - <i>Member Secretary</i> |
| (vii) | One Faculty Dean (inclusive of Dean, Student Welfare) by rotation for a period of one year, nominated by the Vice- Chancellor | - <i>Member</i> |
| (viii) | Two nominees of the Chancellor of the University | - <i>Members</i> |
| (ix) | One nominee of the University Grants Commission | - <i>Member</i> |
| (x) | One nominee of Govt. of India/Indian Council of Agricultural Research | - <i>Member</i> |

- | | | |
|---------|---|-----------------------------|
| (xi) | Principal Secretary / Secretary, or Nominee, Department of Agriculture Education and Research, Govt. of Uttar Pradesh | - <i>Member</i> |
| (xii) | Principal Secretary / Secretary, or Nominee, Department of Finance, Govt. of Uttar Pradesh | <i>Member</i> |
| (xiii) | Director General, Uttar Pradesh Council of Agricultural Research, or nominee | - <i>Member</i> |
| (xiv) | One representative from amongst the Professors by rotation for one year to be nominated by the Vice Chancellor | - <i>Member</i> |
| (xv) | Principal Secretary / Secretary or nominee Department of Minority Welfare, Govt. of U.P. | - <i>Member</i> |
| (xvi) | Two nominees of the Senate | - <i>Members</i> |
| (xvii) | Three nominees of the Society, Sam Higginbottom Educational and Charitable Society | - <i>Members</i> |
| (xviii) | Two Representatives of Yeshu Darbar Church | - <i>Members</i> |
| (xix) | Director (Research) | - <i>Ex-Officio Members</i> |
| (xx) | Director (Extension) | - <i>Ex-Officio Members</i> |
| (xxi) | Director Human Resource Management and Relations (H,R,M, and R) | - <i>Ex-Officio Members</i> |
| (xxii) | Director (University Development) | - <i>Ex-Officio Members</i> |
| (xxiii) | Director (Financial Planning and Management) | - <i>Ex-Officio Members</i> |
| (xxiv) | Director (Innovation, Project and Consultancy) | - <i>Ex-Officio Members</i> |
| (xxv) | Director (Administration) | - <i>Ex-Officio Members</i> |
| (xxvi) | Finance Comptroller | - <i>Ex-Officio Members</i> |
| (xxvii) | One Director from the remaining Directors to be nominated by the Vice-Chancellor on year to year basis. | - <i>Ex-Officio Members</i> |

(2) The constitution of the Board of Management, the such term of office of its members and its powers and duties shall be as may be prescribed.

The Academic Council

21. (1) The Academic Council shall be in charge of the academic affairs of the University and subject to the Statutes and the provisions of this Act, shall have the control and general regulation of, and be responsible for, the maintenance of standards of instruction, education and examination and for the requirements for obtaining degrees and diplomas, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

(2) The Academic Council shall consist of the following:-

- | | | | |
|--------|--|---|--------------------|
| (i) | The Vice-Chancellor | - | <i>Chairperson</i> |
| (ii) | The Pro-Vice-Chancellor (Academic Affairs) | - | <i>Member</i> |
| (iii) | The Pro-Vice-Chancellor (Administration) | - | <i>Member</i> |
| (iv) | Registrar | - | <i>Secretary</i> |
| (v) | Director (Research) | - | <i>Member</i> |
| (vi) | Director (Extension) | - | <i>Member</i> |
| (vii) | Director (Distance Education) | - | <i>Member</i> |
| (viii) | Director (Innovation, Project & Consultancy) | - | <i>Member</i> |
| (ix) | Director (Human Resource Management and Relations) | - | <i>Member</i> |
| (x) | One nominee of the Director General, U.P. Council of Agricultural Research | - | <i>Member</i> |
| (xi) | Directors of Campuses | - | <i>Members</i> |
| (xii) | Faculty Deans, School/College Deans and Dean Student Welfare | - | <i>Members</i> |
| (xiii) | Heads of Departments | - | <i>Members</i> |
| (xiv) | One Professor and one Associate Professor other than Heads from each School/College by rotation for a period of one year | - | <i>Members</i> |
| (xv) | Three Experts nominated by the Vice-Chancellor | - | <i>Members</i> |
| (xvi) | Three co-opted members by the Academic Council who are not the members of the teaching staff of the University | - | <i>Members</i> |
| (xvii) | Examination Controller | - | <i>Member</i> |

(3) The constitution of the Academic Council and the term of office of its members shall be such as may be prescribed.

**Finance
Committee**

22. (1) The constitution, powers and functions of the Finance Committee shall be such as may be prescribed

(2) The Finance Committee shall consist of the following:-

- | | |
|---|----------------------|
| (1) The Vice-Chancellor | - Chairperson |
| (2) Treasurer of the Society / University | - Member Secretary |
| (3) The Pro-Vice-Chancellor (Academic Affairs) | - Member |
| (4) The Pro-Vice-Chancellor (Administration) | - Member |
| (5) Registrar | - Member |
| (6) Director (Financial Planning & Management) | - Member |
| (7) Finance Comptroller | - Member |
| (8) Deputy Finance Comptrollers | - Members |
| (9) Two members nominated by the senate | - Members |
| (10) Director (University Development) | - Ex-Officio Members |
| (11) Director (Research) | - Ex-Officio Members |
| (12) Director (Extension) | - Ex-Officio Members |
| (13) Director (Human Resource Management and Relations) | - Ex-Officio Members |
| (14) Director (Innovation, Projects & Consultancy) | - Ex-Officio Members |
| (15) Director (Administration) | - Ex-Officio Members |
| (16) One Director to be nominated by the Vice-Chancellor for a period of one year. | - Ex-Officio Members |
| (17) Principal Secretary/ Secretary or nominee, Department of Agricultural Education and Research, Government of U.P. | - Ex-Officio Members |
| (18) One Representative of Indian Council of Agricultural Research (Government of India) | - Ex-Officio Members |

(19) One Financial Expert nominated - *Ex-Officio*
by the Chancellor *Members*

(20) One Financial Expert nominated - *Ex-Officio*
by the Vice-Chancellor *Members*

**The Planning and
Monitoring Board**

23. (1) The Planning and Monitoring Board shall be the principal Planning Body of the University and shall be responsible for the monitoring of the development programmes of the University.

(2) The constitution, powers and functions of the Planning and Monitoring Board shall be such as may be prescribed.

**Other
Authorities**

24. The constitution, powers and functions of the other authorities, which may be declared by the Statutes to be the authorities of the University, shall be such as may be prescribed.

**Academic
Structure of the
Faculty**

25. (1) On and from the commencement of this Act the faculties and ongoing academic programmes of the erstwhile the "Sam Higginbottom Institute of Agriculture, Technology and Sciences, (Deemed University)" shall continue to be the faculties and ongoing academic programmes of the University.

(2) The Academic Council and Board of Management shall have power to create and establish any new faculty or a school or an institute or a college or a department.

**The Directorates
of the University**

26. The following shall be the Directorates of the University to be headed by concerned Director:-

- (i) Directorate of Research;
- (ii) Directorate of Extension Education;
- (iii) Directorate of Distance Education;
- (iv) Directorate of Seed & Farm
- (v) Directorate (Development);
- (vi) Directorate (Human Resource Management and Relations);
- (vii) Directorate (Financial Planning & Management);
- (viii) Directorate (Establishment and Estate);
- (ix) Directorate (Campus Ministry);
- (x) Directorate (Administration);
- (xi) Directorate (Internal Quality, Assessment & Assurance);
- (xii) Directorate (Innovation, Projects & Consultancy);
- (xiii) Directorate (International Education & Training);
- (xiv) Directorate (Auxiliary Units);
- (xv) Directorate (Chaplaincy, Guidance & Counseling);
- (xvi) Directorate (Legal Affairs);

Any other Directorate subsequently created under this Act and Statutes.

All conditions of service, appointment, powers, duties *etc.* shall be prescribed.

Transitory provisions regarding Statutes

27. On the commencement of the University the constitution of the Sam Higginbottom Institute of Agriculture, Technology and Sciences (Deemed University), bye-laws and rules in force immediately before such commencement, shall *mutatis mutandis* apply to the University unless amended or rescinded by the Board of Management and Senate of the University.

Statutes

28. Subject to the provision of this Act, the Statutes may provide for all or any of the following matters, namely:—

(a) the constitution, powers and functions of the University and other bodies of the University, as may be constituted from time to time;

(b) the election, appointment and continuance in office of the members of the authorities, filling of vacancies of members, and all other matters relating to those authorities, for which it may be necessary or desirable to provide;

(c) the designation, manner of appointment powers and duties of the officers of the University;

(d) the appointment of teachers of the University and other academic staff and their emoluments;

(e) the appointment of teachers and other academic staff working in any other University or Institution for a specific period for undertaking a joint project;

(f) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary actions;

(g) the institution of degrees and diplomas/certificates;

(h) the conferment of honorary degrees (Honoris Causa);

(i) the establishment, amalgamation, sub-division and abolition of faculties, Departments, Centers and Schools;

(j) the establishment of Institutes, Colleges, Centers, Departments of teaching in the faculties and recognizing associated Colleges or Institutes;

(k) the terms and conditions of service of the:—

I. teachers and other members of the academic staff appointed by the University;

II. teachers and other members of the academic staff appointed by any college or institution, and other employees whether appointed by the University or any college or institution;

(l) the principles governing the seniority of employees of the University, Colleges and institutions;

(m) the procedure for any appeal by an employee of the University;

(n) Institution of fellowships, scholarships, studentships, medals and prizes and other incentives;

(o) the establishment and abolishment of hostels maintained by the University;

(p) Maintenance of discipline among the employees of the University, and the employees of colleges and institutions;

(q) the conditions under which colleges and institutions may be admitted to the privileges of the University and the conditions under which such privileges may be withdrawn;

(r) Management, supervision and inspection of colleges and institutions established and maintained by the University or colleges and Institutions associated with the University;

(s) Constitution of governing bodies of colleges and institutions admitted to the privileges of the University and the supervision and inspection of such colleges and institutions;

(t) the extent of the autonomy which a college or institution declared as an autonomous college or institution may have and the matter in relation to which such autonomy may be exercised;

(u) the delegation of powers vested in the authorities or officers of the University;

(v) all other matters which by this Act, are to be, or may be, provided for by the Statutes.

**Power to
make Statutes**

29. (1) The Board of Management shall for carrying out the purposes of the Act shall make Statutes:

Provided that the Board of Management shall not make, amend or repeal any Statutes affecting the status, powers or constitution of any authority of the University until such authority has been given a reasonable opportunity of expressing its opinion in writing on the proposed changes and any opinion so expressed within the time specified by the Board of Management, has been considered by the Board of Management.

(2) Every Statute shall require the approval of the Chancellor, who may assent or withhold his/her assent or remit it to the Board of Management for reconsideration in the light of the observations made by him/her.

(3) A new Statute or a Statute amending or repealing an existing Statute shall not be valid unless it has received the assent of the Chancellor :

Provided that if the Chancellor does not convey his decision within ninety days of the reference received by him/her, then the matter shall be directly referred to the Senate.

(4) A Statute made by the Board of Management shall have effect from the date it is assented to by the Chancellor or from such later date as may be specified by him/her or by the Senate.

Ordinances

30. Subject to the provisions of this Act, the Ordinances may provide for all or any of the following matters, namely:—

(a) the admission of students to the University and their enrollment as such;

(b) the course of study to be laid down for all degrees and diplomas and certificates of the University;

(c) the condition under which students shall be admitted to the degrees, diploma, certificate or other courses and to the examinations of the University and shall be eligible for the award of degrees and diplomas;

(d) the conditions of residence of the students of the University and the levying of fees for residence in hostels maintained by the University;

(e) the recognition and management of hostels not maintained by the University;

(f) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(g) the appointment and emoluments of employees other than those for whom provision has been made in the statutes;

(h) the management of colleges and institutions maintained by the University;

(i) maintenance of discipline among the students of the University, college and institutions;

(j) the fees which may be charged by the University for any purpose;

(k) the conditions subject to which persons may be recognized as qualified to give instruction in hostels;

(l) the conditions and mode of appointment and the duties of examining bodies; examiners and moderators;

(m) the remuneration to be paid to the examiners, moderators, invigilators and tabulators;

(n) the medium of instruction and the conduct of examinations;

(o) the establishment of centers of studies, inter-disciplinary studies, special centers, specialized laboratories and other committees;

(p) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

(q) the remuneration and allowances, including travelling and daily allowances to be paid to persons employed on the business of the University;

(r) regulation of the conduct and duties of the employees of the University, colleges and institutions, and regulation of the conduct of the students of the University and of colleges and institutions;

(s) the categories of misconduct for which action may be taken under this Act or the Statutes or the Ordinances; and

(t) any other matter which, by this Act or the Statutes, is to be, or may be, provided for by the Ordinances.

**First
Ordinance**

31. The bye-laws of the Sam Higginbottom Institute of Agriculture, Technology and Sciences (Deemed University) in force immediately before the commencement of this Act shall be deemed to be the first ordinance of the University and may be repealed or amended at any time by the Board of Management and ratified by the Senate in such manner as may be prescribed.

There shall be an equivalence committee of the University to recognize the degrees of other Universities on the basis of University syllabus and status.

Regulations

32. The authorities of the University may make regulations consistent with this Act, Statutes and the Ordinances, in the manner prescribed by the Statutes for the conduct of their own business and that of the committees, if any, appointed by them.

**Annual
Report**

33. (1) The annual report of the University shall be prepared under the directions of the Board of Management, which shall include, among other matters, the steps taken by the University towards the fulfillment of its objects.

(2) The annual report so prepared shall be submitted to the Chancellor by such date as may be prescribed.

(3) A copy of the annual report, as prepared under sub-section (1) shall be submitted to the Senate by Chancellor with its comments if any.

**Accounts and
Audits**

34. (1) The annual accounts and balance-sheet of the University shall be prepared under the directions of the Board of Management and shall, once at least every year and at interval of not more than fifteen months, be audited by experienced and qualified firm of Chartered Accountant of repute.

(2) A Copy of the annual accounts, together with the audit report thereon, shall be submitted to the Senate and the Chancellor along with the observations of the Board of Management.

(3) Any observations made by the Chancellor on the annual accounts shall be brought to the notice of the Senate and the Board of Management and the observations, if any, shall after review by the Board of Management, be submitted to the Chancellor.

Conditions of Service of Employees

35. (1) Every employee of the University shall be appointed under a written contract and such contracts shall not be inconsistent with the provisions of this Act, Statutes and the Ordinances made thereunder.

(2) The contract referred to in sub-section (1) shall be lodged with the University and a copy thereof shall be furnished to the employee concerned.

Tribunal of Arbitration

36. (1) Any dispute arising out of a contract (for job in the University) between the University and any employee of the University shall on the request of the employee be referred to a tribunal of Arbitration which shall consist of one member nominated by the Board of Management, one member nominated by the employee concerned and a umpire to be nominated by the Chancellor;

(2) The decision of the Tribunal shall be final;

(3) The procedure for regulating the work of the Tribunal of Arbitration shall be such as may be prescribed.

Pension or Insurance schemes

37. The University may for the benefit of its employees provide such insurance/pension schemes as it may deem fit in such manner and subject to such conditions as may be prescribed.

Disputes as to the constitution of the University authorities and bodies

38. (1) If any question arises as to whether any person has been duly elected or appointed or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor for decision.

(2) A person aggrieved by the decision of Chancellor may prefer an appeal to the Visitor within thirty days of the decision of the Chancellor and the Visitor's decision shall be final.

Filling up of casual vacancies

39. All the casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled, as soon as may be convenient, by the person or body who appoints, elects or co-opts the members whose place has become vacant and any person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Proceedings of the University authorities or bodies not invalidated by vacancies

40. No act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

Protection of action taken in good faith

41. No suit or legal proceedings shall lie against any officer or employee of the University for anything, which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

Right of the State Government to ask for information and documents as and when required

42. (1) A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University, or other document in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceedings or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence.

(2) It shall be the duty of the University or any authority or officers of the University to furnish such information or records relating to the administration or finances and other affairs of the University as the State Government may call for.

(3) The State Government, if it is of the view that there is a violation of the provisions of the Act or the Statutes or Ordinances made there under may issue such directions to the University as it may deem necessary.

Minimum Standards of U.G.C. /I.C.A.R.

43. (1) The University shall maintain minimum standard of Higher and Professional Education as laid down by the University Grants Commission (U.G.C.)/Indian Council of Agricultural Research (I.C.A.R.) and other Statutory Councils, from time to time.

(2) The minimum qualifications for appointment of teachers will be in accordance with the norms communicated by the Indian Council of Agricultural Research / University Grants Commission and other statutory councils as may be applicable.

(3) The service conditions of teaching and non-teaching staff shall be such so may be prescribed.

Publication of Statutes, and Ordinances

44. (1) Every Statute or Ordinance made under this Act shall be made available in writing.

(2) Each new Statute or Ordinance made under this Act shall be enforced as soon as it is made by the competent authority.

Permanent Endowment Fund

45. (1) The University shall establish a permanent endowment fund of Ten Crore rupees.

(2) The University shall have the power to invest the permanent endowment fund in such manner as may be prescribed.

(3) The University may transfer any amount from the general fund or the development fund to the permanent endowment fund.

General Fund

46. (1) The University shall establish a general fund to which the following amount shall be credited:-

(a) all fees which may be charged by the University;

(b) all sums received from any other sources;

(c) all contributions made by the Founder Society; and all grants received from State Government/ Central Government and I.C.A.R.

(d) all contributions made in this behalf by any other person or body which are not prohibited by any law for the time being in force.

(2) The moneys credited to the general fund shall be applied to meet all the recurring expenditures of the University.

**Development
Fund**

47. (1) The University shall also establish a development fund to which following money shall be credited:-

(a) development fees, which may be charged from students;

(b) all sums received from other sources for the purpose of the development of the University;

(c) all contributions made by the Founder Society;

(d) all contributions made in this behalf by any other person or body which are not prohibited by any law for the time being in force; and

(e) all income received from the permanent endowment fund.

(2) The money credited to the development fund from time to time shall be utilized for the development of the University or as decided by the Finance committee of the University.

**Maintenance
of Fund**

48. The funds established under section 45, 46 and 47 shall be subject to general supervisions and control of the Senate and it shall be regulated and maintained in such manner as may be prescribed by the Statutes.

**Financial
Condition**

49. The University shall continue to receive all the Government grants as received by the Deemed University from the Department of Agriculture Education & Research, Government of Uttar Pradesh. The University receiving grants from any other source shall not be adversely affected under this Act. However, aforesaid grants shall be subject to the discretion of authorities of concerned Governments.

**Utilization
of State
Government
Funds**

50. The University will have regular audits of Local Fund (Government of U.P.), and Accountant General Audit for the funds received from State Government and submit its utilization of funds as per rules and guidelines of the State Government.

Fees

51. The fees charged for different academic programmes shall be in accordance with the unit cost of academic program shall be such as may be reviewed, revised and prescribed from time to time.

**Dissolution of
University**

52. (1) If the University proposes its dissolution in accordance with the law governing its constitution or incorporation shall give atleast six months written notice to the State Government along with a schedule of plan, details of Liability disbursement and arrangements.

(2) On the receipt of notice referred to in sub-section (1) the State Government shall make such arrangement for Administration of the University from the date of dissolution of the University and until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed by the Statutes/Regulation.

**Expenditure
of the
University
during
dissolution**

53. (1) The Expenditure for administration of the University during the taking over the liabilities of the University shall be met out of the permanent endowment fund, the general fund and the development fund.

(2) If the funds referred to sub-section (1) are not sufficient to meet the expenditure of the University during the taking over the liabilities of the University such expenditure may be met by disposing of the properties or assets of the University by the State Government.

**Derecognition
of the
University by
the State
Government**

54. (1) Where the State Government is satisfied that the University is not functioning in accordance with the provisions of this Act, it shall require the University to show cause within such time, which shall not be less than two months, as to why the University should not be de-recognized.

(2) If, upon receipt of the reply of the University to the notice given under sub-section (1) the State Government is satisfied that a *prima facie* case of mismanagement or violation of the provisions of this Act, the Statutes, the Ordinances made thereunder, it shall order such enquiry as it deems necessary.

(3) For the purposes of an inquiry under sub-section (2), the State Government shall, by notification, appoint an officer or authority as the enquiring authority to enquire into and report upon the allegations of mismanagement and violation of the provisions of this Act, the Statutes, the Ordinances or any direction issued thereunder.

(4) Wherever according to the State Government any enquiry is to be instituted with regard to the affairs of the University it shall proceed for enquiry without suspending the senate by issuance of an appropriate notification.

(5) Every inquiring authority appointed under sub-section (3) shall, while performing its functions under this Act have all the powers of a Civil Court under the Code of Civil Procedure, 1908 trying a suit and in particular in respect of the following matter, namely:-

- (a) summoning and enforcing the attendance of any witness and examining him/her on oath;
- (b) requiring the discovery and production of any document;
- (c) requisitioning any public record or copy thereof from any office;
- (d) receiving evidence on affidavits;
- (e) any other matter which may be prescribed.

(6) If, upon receipt of the inquiry report, the State Government is satisfied that the University has been mismanaged or has violated provisions of this Act, the State Government shall issue notification regarding the derecognition of the University.

(7) Under sub-section (6), the expenditure for administration of the University during the taking over the liabilities of the University shall be met out of the permanent endowment fund, the general fund and the development fund. If the funds referred to above are not sufficient to meet the expenditure of the University during the taking over the liabilities of the University such expenditure may be met by disposing of the properties or assets of the University by the State Government.

(8) Prior to the issuance of any notification under sub-section (6) it shall necessarily be placed before both the houses of the State Legislature and shall have to be passed with majority by the State Legislature.

Power of the State Government to issue direction on policy matters

55. The State Government may issue such directions from time to time to the University on policy matters not inconsistent with the provisions of this Act as it may deem necessary. Such directions shall be complied with by the University.

Power to remove difficulties

56. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, published in the official *Gazette*, make such provisions, 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 under this section after the expiry of two years from the date of commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

With a view to developing agricultural education, research and extension in the Vindhyan Agro Climatic Zone of the State, Sam Higginbottom Institute of Agriculture, Technology and Sciences (Deemed University), Allahabad was established and administered by the Ecumenical Minority Christian Society, the Sam Higginbottom Educational and Charitable Society, Higginbottom House, 4-Agricultural Institute, Allahabad. After considering the adequate availability of teaching / non-teaching staff and other essential infrastructure facilities in the said Deemed University, it has been decided to upgrade, reconstitute and establish it as a full fledged University under the State Act so as to ensure successive development of agricultural education, research, extension, science, technology and other disciplines in the State.

The Sam Higginbottom University of Agriculture, Technology and Sciences, Uttar Pradesh Bill, 2016 is introduced accordingly.

