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Repealed by O.A. 17/65

**THE ORISSA UNIVERSITY OF AGRICULTURE AND
TECHNOLOGY ACT, 1961**

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AN ACT TO ESTABLISH AND INCORPORATE A UNIVERSITY OF
AGRICULTURE AND TECHNOLOGY IN THE STATE OF ORISSA

WHEREAS it is expedient to establish and incorporate a University of Agriculture and Technology for the education of the people of the State and particularly for the development of Agriculture and Technology for the benefit of the people of Orissa ;

It is hereby enacted by the Legislature of the State of Orissa in the Twelfth Year of the Republic of India as follows :—

Short title,
extended
commence-
ment.

1. (1) This Act may be called the Orissa University of Agriculture and Technology Act, 1961.

(2) It extends to the whole of the State of Orissa.

(3) It shall come into force with effect from such date as the Government may, by notification, appoint.

Definitions

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

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

(2) "Agriculture" includes the basic and applied sciences dealing with soil and water management, production of crop, fish or live-stock, veterinary science, home science and such other ancillary subjects as are necessary for the proper study and understanding of agricultural production and its development ;

(3) "Board" means the Board of management of the University constituted under section 13 ;

(4) "Extension" includes all educational programmes undertaken for the purpose of ascertaining the problems of research in agriculture and allied subjects, disseminating the results of research and providing training for the purpose of such dissemination ;

- (5) "Faculty" means a Faculty of the University ;
- (6) "Governor" means the Governor of Orissa ;
- (7) "Government" means the State Government of Orissa ;
- (8) "Prescribed" means prescribed by Statutes ;
- (9) "Registered Graduate" means a graduate registered under the provisions of this Act ;
- (10) "Statutes" and "Regulations" mean respectively the Statutes and Regulations of the University made under this Act ;
- (11) "Teacher" means a person appointed or recognised by the University for the purpose of imparting instruction or conducting and guiding research or extension educational programme and includes a person who may be declared by the Statutes to be a teacher ; and
- (12) "University" means "The University of Agriculture and Technology" as constituted under this Act.

The University of Agriculture and Technology.

3. (1) The first Chancellor and the first President of the University and the first members of the Board and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name 'Orissa University of Agriculture and Technology'.

(2) The University shall have perpetual succession and a Common seal and shall sue and be sued by the said name.

Objects of the University.

4. (1) The University shall be deemed to have been established and incorporated for the following purposes among others, namely :—

- (i) making provision for education of the people in agriculture and allied subjects ;
- (ii) furthering the prosecution of research in agriculture and allied sciences and guiding and controlling the work of affiliated colleges and institutions ;
- (iii) undertaking field and extension programmes, guiding research stations and other allied institutions, establishing such other institutions and doing such other work as may be considered necessary for or incidental to carrying out the purposes mentioned in clause (i); and
- (iv) teaching and examining students and conferring degrees, diplomas and other distinctions.

(2) From and after the commencement of this Act, research and extension relating to agriculture, undertaken by the Government, so far as may be, shall be integrated and co-ordinated with the activities of the University in such manner as may be determined by Government in consultation with the Board.

Officers and
authorities
of the Uni-
versity.

5. (1) The following shall be the Officers of the University:—

- (i) the Chancellor;
- (ii) the President;
- (iii) the Vice-President;
- (iv) the Registrar;
- (v) the Comptroller;
- (vi) the Dean of Student Welfare;
- (vii) Deans of Faculties;
- (viii) Director of Agriculture Experiment Station;
- (ix) Director of Extension; and
- (x) such other persons as may be appointed under the Statutes of the University.

(2) The following shall be the authorities of the University:—

- (i) the Board of Management;
- (ii) the Academic Council;
- (iii) the Board of Faculties; and
- (iv) such other authorities as may be constituted by the Statutes.

Chancellor

6. (1) The Governor shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University and shall, when present, preside over any convocation of the University.

(2) The Chancellor shall have the right to cause inspections to be made of the University, its buildings, laboratories and equipments of institutions under the control of the University by such person or persons as he thinks fit and to cause an enquiry to be made in like manner in respect of any matter connected with the administration and the finances of the University.

(3) The Chancellor shall in every case give notice to the University of his intention to cause inspection or enquiry 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 or enquiry.

(4) The Chancellor may address the Board with reference to the results of such inspection or enquiry and recommend the action to be taken thereon.

(5) On receipt of a communication from the Chancellor, the Board shall consider the same and inform the Chancellor as soon as may be, the details of the action it proposes to take and the action, if any, taken in pursuance of such communication.

(6) If the Board does not, within a reasonable time, take action to the satisfaction of the Chancellor, he may, after considering any explanation furnished or representation made by the Board, issue such directions as he may think fit and the Board shall be bound to comply with such directions.

(7) No honorary degree shall be conferred on any person without the approval of the Chancellor.

(8) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes.

President

7. (1) The President shall be appointed by the Chancellor and no person shall be eligible for such appointment unless he is above forty years of age.

(2) The term of office of the President shall be five years from the date of his appointment:

Provided that the Chancellor may, from time to time, extend the aforesaid term of office for a total period not exceeding six months.

(3) The Chancellor may at any time remove the President from office, if in his opinion or on receipt of a resolution of the Board adopted by two-thirds of its members, it appears that his continuance in office is detrimental to the interests of the University :

Provided that no such removal shall be made without giving the President a reasonable opportunity of being heard.

(4) The President may relinquish his office by submitting resignation to the Chancellor subject to the condition that he shall give notice of three months of his intention so to do.

(5) A person holding the office of President shall be eligible for reappointment :

Provided that no person shall be eligible to hold such office for more than two terms consecutively.

(6) The President shall be a whole-time salaried officer of the University and his emoluments and other service conditions shall be such as may be prescribed and shall not during his term of office be varied to his disadvantage.

(7) Where a vacancy occurs or is likely to occur in the office of the President for any cause other than expiry of the term of office, the Registrar shall report the fact forthwith to the Chancellor and such vacancy shall be filled up in accordance with the provisions of sub-section (1).

(8) In case the President proceeds on leave the Vice-President and in the absence of the Vice-President such person as may be appointed by the Chancellor shall act as the President during the period of leave.

Powers and duties of the President

8. (1) The President shall in the absence of the Chancellor preside at any convocation of the University.

(2) Subject to the provisions of section 22 it shall be the duty of the President to ensure the faithful observance of the provisions of this Act and Statutes and for the said purpose he may exercise all such powers and take all such actions as may be necessary in that behalf.

(3) The President shall have power to convene meetings of the Academic Council.

(4) The President shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(5) The President shall be responsible for the presentation of the budget and the statement of accounts to the Board.

(6) In any emergency which in the opinion of the President requires immediate action to be taken, he shall take such action as he deems necessary and shall at the earliest opportunity report the action to the authority which in the ordinary course would have dealt with the matter.

(7) Any person in the service of the University aggrieved by an order under sub-section (6) may within thirty days from the date of communication of the order prefer an appeal to the Board whose decision shall be final subject however to the orders of the Chancellor in a further appeal, if any, filed before him within thirty days from the date of the decision of the Board.

(8) The President shall at a convocation confer degrees on persons entitled to receive them provided that when the Chancellor is present, he may himself confer any or all of the degrees.

(9) The President shall be responsible for co-ordination and integration of teaching, research and extension education programmes in the University.

(10) The President shall discharge such other duties and perform such other functions as may be prescribed.

Vice-President.

9. (1) The Vice-President shall be a whole-time officer of the University and shall be appointed by the President with the approval of the Board.

(2) The Vice-President shall be a person trained and experienced in some one or more of the branches of science which serve agriculture in its broad sense.

(3) The term of office of the Vice-President shall be five years from the date of his appointment and a person appointed as Vice-President shall be eligible for re-appointment.

(4) He shall be responsible to the President for the integration and co-ordination of all the activities of the Colleges and other institutions under the University. He shall have such other powers as may be prescribed.

Registrar

10. (1) The Registrar shall be a whole-time officer of the University and shall be appointed by the President with the approval of the Board.

(2) The Registrar shall subject to the provisions of the Act and the Statutes be responsible for the custody of the records and the common seal of the University. He shall be *ex officio* Secretary of the Academic Council.

(3) The Registrar shall be responsible for the conduct of the examinations as prescribed and shall make all other arrangements necessary therefor and be responsible for the due execution of all processes connected therewith.

(4) The Registrar shall perform such other duties as may be prescribed or required from time to time by the Board or the President.

Comptroller

11. (1) The Comptroller shall be a whole-time officer of the University and shall be appointed by the President with the approval of the Board. He shall be the *ex officio* Secretary of the Board and his duties, powers and functions in respect of such office shall be as may be prescribed.

(2) The Comptroller shall manage the property and investments of the University and advise in regard to its financial policy. He shall be responsible for the preparation of the budget and statement of accounts for presentation by the President.

(3) The Comptroller shall be responsible for ensuring that no expenditure not authorised in the budget is incurred by the University otherwise than by way of investments and shall disallow any expenditure which may contravene the terms of any statute or for which provision is required to be made by the Statutes but has not been made.

Dean of Student Welfare.

12. (1) The Dean of Student Welfare shall be a whole-time Officer of the University and shall be appointed by the President with the approval of the Board.

(2) The Dean of Student Welfare shall have the following duties, namely:—

- (i) to make arrangements for the housing of students;
- (ii) to direct a programme of student counselling;
- (iii) to arrange for the employment of students in accordance with plans approved by the President;
- (iv) to supervise the extra curricular activities and needs of students ;
- (v) to assist the graduates who leave the University in procuring employment; and
- (vi) to organise and maintain contact with the alumni of the University.

Board of Management.

13. (1) The Chancellor shall, as soon as may be after the date of commencement of this Act, constitute a Board of Management.

(2) The Board shall consist of the following members:—

- (i) two representatives of the registered graduates of the University to be elected by them one of whom shall not be an employee of the Government :

Provided that for the purpose of constitution of the first Board all such members shall be nominated by Government;

- (ii) three officers in the employment of Government in connection with the administration of Agriculture and allied subjects to be nominated by Government

- (iii) two non-official members nominated by Government from among persons interested in Agriculture;
- (iv) one non-official member to be nominated by Government from among persons interested in Co-operative Organisation;
- (v) one member to be nominated by Government in consultation with the Indian Council of Agricultural Education; and
- (vi) two non-official members to be elected by the members of the Orissa Legislative Assembly from among themselves :

Provided that no employee of the University shall be a member of the Board.

(3) The term of the office of the Members of the Board other than those mentioned in clauses (ii) and (vi) of sub-section (2) shall be six years and one-third of such members shall retire every two years by rotation in the prescribed manner.

(4) The Board shall from among its non-official members elect a Chairman whose term of office shall be two years and who shall, subject to the provisions in the Statutes in that behalf, conduct the business of the Board at its meetings.

Power of
the Board.

14. The Board shall have power to—

- (1) approve the budget submitted by the President ;
- (2) make such appointments as may be prescribed and to approve the appointments to be made by the President ;
- (3) hold, control and administer the property and funds of the University ;
- (4) approve the transfer of any movable or immovable property belonging to the University ;
- (5) administer any public or private funds placed at the disposal of and accepted by the University for specific purposes ;
- (6) invest moneys belonging to the University ;
- (7) design the form and give directions for the use of the common seal of the University ;
- (8) appoint such Committees whether standing or temporary as it deems necessary for the proper discharge of the functions of the Board ;
- (9) borrow money for capital improvements and make suitable arrangements for its repayments ;
- (10) meet at such time and in such places as it deems necessary :

Provided that it shall hold regular meetings at least every two months and at least one half of such meetings shall be held at the University ;

- (11) regulate and determine all matters of policy connected with the University in accordance with this Act and the Statutes ;
- (12) generally give effect to the provisions of this Act ; and
- (13) exercise all the powers of the University not otherwise provided for.

Academic Council.

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

- (i) the President and the Vice-President ;
- (ii) the Deans of Faculties ;
- (iii) the Dean of Student Welfare ;
- (iv) the Heads of Departments of various Faculties ;
- (v) the Director of Agriculture Experiment Station ; and
- (vi) the Director of Extension.

(2) The President shall be the Chairman of the Academic Council and in his absence the Vice-President shall act as the Chairman of the said Council.

(3) The Academic Council shall, subject to the provisions of this Act and the Statutes have the power to make regulations providing for the courses of study and shall have general control over teaching, research and extension work of the University and shall be responsible for maintenance of the standards thereof.

(4) Without prejudice to the generality of the foregoing powers the Academic Council shall have power to—

- (i) advise the Board on all academic matters including the control and management of libraries;
- (ii) make regulations regarding the admission of students to the University;
- (iii) make regulations regarding the examinations held by the University and the conditions subject to which students shall be admitted to such examinations;
- (iv) make regulations relating to the courses of study for obtaining degrees, diplomas and certificates ;
- (v) make recommendations to the Board as regards the qualifications to be prescribed for teachers in the university ; and
- (vi) 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.

(5) The Academic Council shall have powers to make regulations and to call for reports in respect of research schemes of different branches of the University.

Faculties.

16. (1) The University shall include such faculties as may be prescribed.

(2) Each Faculty shall comprise of such departments as may be prescribed and different subjects of study shall be assigned to the various departments by the Statutes.

(3) There shall be a Board for each Faculty, the constitution and powers of which shall be as may be prescribed.

(4) There shall be a Dean for each faculty who shall be chosen in such manner and for such period as may be prescribed.

(5) The Dean shall be the Chairman of the Board of Faculty and would be responsible for due observance of the Statutes and regulations relating to the Faculty.

(6) The Dean shall be responsible to the President for the work of the different Departments in the Faculty.

(7) The manner of appointment and functions of the Dean shall be as may be prescribed.

Agriculture
Experiment
Station.

17. (1) There shall be established one or more Agriculture Experiment Stations by the University with sub-station throughout the State as may be necessary from time to time for the purpose of carrying out all research activities related to agriculture and allied sciences. Subject to the provisions of this Act and the Statutes such research shall be both in fundamental and applied sciences in all Faculties.

(2) The Director of Experiment Station shall be appointed by the President with the approval of the Board.

(3) There shall be a Director in charge of the Agriculture Experiment Station with powers to control and co-ordinate all research activities of the experiment station. The Director shall formulate the research programmes in the experiment station in consultation with the respective Deans and shall be responsible to the President and have such number of Associate Directors as may be prescribed.

Extension
Service.

18. (1) An Extension Service shall be established and maintained by the University for the purposes of—

- (a) undertaking extension programmes in different Blocks constituted under the Orissa Zilla Parishad Act, Orissa Act 7 of 1960 1959 gradually covering the entire State in such manner as may be determined by Government in consultation with the Board ;
- (b) collection of information from the field;
- (c) rendering assistance to the people in solving their problem relating to agriculture;
- (d) dissemination of knowledge; and
- (e) such other purposes as may be prescribed.

(2) There shall be a Director of Extension who shall be a whole-time officer of the University.

(3) The Director of Extension shall be appointed by the President with the approval of the Board. He shall be responsible to the President and may have such number of Associate Directors as may be prescribed.

Supplementary provisions relating to membership.

19. (1) Any casual vacancy among the members of any authority of the University, shall be filled, as soon as may be, by the person or body who appointed, elected or co-opted the member whose place has fallen vacant and the person so appointed, elected or co-opted to fill up such a vacancy shall be a member of such authority for the residue of the term of his predecessor.

(2) A person who is a member of an authority of the University as a representative of another body whether of the University or not, shall retain his seat on the University authority so long as he continues to be a member of the body by which he was nominated, appointed or elected and thereafter till his successor is duly appointed and assumes office.

Proceedings of the University Authorities and Bodies not invalidated by vacancies.

20. 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 or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

Removal from membership of University.

21. The Board may, subject to the approval of the Chancellor remove any person from membership of the Board or any other authority of the University on the ground that such person has been convicted of an offence involving moral turpitude.

Membership and Proceedings.

22. If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority of the University subordinate to the Board or whether any decision of the University or of any authority subordinate to the Board is in conformity with this Act and the Statutes, the matter shall be referred to the Chancellor whose decision thereon shall be final.

Pension or Provident Fund.

23. (1) The University shall constitute for the benefit of its employees in such manner and subject to such conditions as may be prescribed, such pension, insurance or provident fund as it may deem fit.

(2) Where any such provident fund has been so constituted with the approval of the Chancellor, the Chancellor may declare that the provisions of the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

Registration of Graduates.

24. Registration of Graduates of the University shall be done in accordance with the statutes made under this Act.

Statutes.

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

- (a) constitution, powers and duties of the authorities of the University;
- (b) election, appointment and continuance in office of the members of the authorities of the University including the continuance in office of the first members and filling in of vacancies and all other matters relating to these authorities for which it may be necessary to provide ;
- (c) qualifications, manner of appointment, powers and duties, salaries, allowances and other conditions of service of the officers of the University ;
- (d) designation, classification, manner of appointment, qualification, salaries, allowances and other conditions of service of teachers and other employees of the University ;
- (e) constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of officers, teachers and other employees of the University ;
- (f) institution of degrees and diplomas ;
- (g) conferment of Honorary Degrees ;
- (h) establishment, amalgamation, subdivision and abolition of Faculties ;
- (i) establishment of Departments of teaching in the Faculties ;
- (j) establishment and abolition of hostels maintained by the University ;
- (k) institution of Fellowships, scholarships, medals and prizes ;
- (l) registration and maintenance of a register of Registered Graduates ;
- (m) admission of students to the University and their enrolment and continuance as such ;
- (n) courses of study to be laid down for all degrees and diplomas of the University ;
- (o) conditions under which students shall be admitted to degree, diploma or other courses and to the examinations of the University and shall be eligible for the award of degrees and diplomas ;
- (p) conditions of residence of the students of the University and the fees for residence in hostels maintained by the University ;
- (q) recognition and management of hostels not maintained by the University ;
- (r) fees which may be charged by the University for any purpose ;

- (s) conditions subject to which persons may be recognised as qualified to give instructions in hostel ;
- (t) conditions and mode of appointment and the duties of examining bodies, examiners and moderators ;
- (u) conduct of examination ;
- (v) conditions for the award of fellowships, scholarships, studentships, bursaries, medals and prizes ;
- (w) conduct of business of the various authorities of the University ; and
- (x) all other matters which by this Act are to be or may be provided for by the Statutes.

Manner of making statutes.

26. (1) The first statutes with regard to matters specified in clauses (a) to (l) of section 25 shall be made by the Government after being previously published in the Gazette for the consideration of objections, if any, as may be received from the public within a month of such publication. Subsequent amendments and alterations in respect of these items shall, subject to the approval of the Government, be made by the Board.

(2) The first statutes with regard to matters specified in clauses (m) to (x) of section 25 shall, subject to the approval of the Board and the Chancellor, be made by the President. The Academic Council may, from time to time, propose draft of subsequent amendments and alterations of such statutes, which would be considered by the Board at its next meeting. The Board may approve any such draft and amend or alter the statutes accordingly or reject it or return it to the Academic Council for reconsideration, either in whole or in part, together with any amendments which it may suggest.

General Fund of the University.

27. The University shall have a general fund called the University Fund to which shall be credited—

- (1) its income from fees, endowments and grants, if any ;
- (2) contributions or grants made by the State or Central Government and other authorities for general or specific purposes ; and
- (3) other contributions or grants.

Foundation Fund.

28. (1) The University shall have a fund called the Foundation Fund.

(2) The Foundation Fund shall consist of—

- (a) the sum of not less than ten lakhs of rupees which shall be given to it by the Government in the course of five years after the coming into force of this Act ;
- (b) any contributions to this fund which may be made by the Government, any local or other public body or others ; and
- (c) any contributions to this fund which may be made by the University.

(3) The Foundation Fund shall be invested and be kept invested, in securities, issued or guaranteed by the Central Government or by any other State Government and such investments shall not be varied without the consent of the Chancellor.

(4) The corpus of the Foundation Fund shall be kept intact but the interest thereon may be utilised for the purposes of the University.

(5) The expenditure from the revenues of the State referred to in clause (a) of sub-section (2) shall be expenditure charged on the revenues of the State.

Other funds 29. The University may have such other funds as may be prescribed.

Grants by the Government. 30. The Government shall sanction in favour of the University an annual grant not exceeding fifty lakhs of rupees.

Accounts and audit. 31. (1) The Accounts of the University shall be maintained in the prescribed manner under the direction of the President, and all moneys accruing to or received by the University from whatever source and all amounts disbursed or paid shall be entered in the accounts.

(2) The accounts of the University and its funds shall be subject to audit under the Orissa Local Fund Audit Act, 1948. The copy of the audit report shall be presented by the President to the Board and the Chancellor. A copy of the same shall be sent to the Government with a note of action taken on the report.

Orissa Act 5
of 1948.

Residence of students. 32. Students shall reside in accommodations maintained by the University or approved by the President subject to the conditions prescribed.

Annual Report. 33. The Annual Report of the University shall be prepared under the direction of the President who shall submit it to the Board and thereafter send the report approved by the Board to the Government who shall lay the same before the Orissa Legislative Assembly.

Interim appointments. 34. At any time after the enforcement of this Act and until such time as the authorities of the University are duly constituted, any Officer of the University may be appointed by the President. Such appointment and the terms and conditions thereof shall have the prior approval of the Chancellor.

Removal of difficulties. 35. (1) The Government may, for the purpose of removing any difficulties relating to the enforcement of the provisions of this Act, by order published in the Gazette—

(a) direct that this Act and any Statutes made thereunder 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, as they may deem necessary or expedient;

(b) direct by whom and in what manner the powers, duties and functions to be exercised or discharged under this Act by any officer or authority of the University shall be exercised and discharged until such officer or authority is duly appointed or constituted; or

- (c) make such other temporary provisions as they may deem necessary or expedient:

Provided that no such order shall be made or shall remain in force after the expiry of a period of one year from the date of commencement of this Act.

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

Transfer of
Colleges to
the University
and
other provisions
connected with or
incident to
such transfer.

36. (1) The Government may, at any time after the commencement of this Act, by order published in the Gazette direct that any College owned and maintained by the Government including the attached hostels and other buildings forming part of such college together with the articles or furniture, library, books, laboratories, stores, instrument, apparatus, appliances and equipments of such college shall, with effect from such date and subject to such conditions as may be specified in the order, be transferred to the University and upon the publication of the said order, such college including the attached hostels and other buildings forming part of such college together with the articles of furniture, library, books, laboratories, stores, instruments, apparatus, appliances and equipments of such college shall be deemed to have been transferred to the University as its college:

Provided that until arrangements are made by the University, the Government shall be, and continue to be, responsible for keeping the buildings of the said College, including the fixtures, fittings and connections, in a proper state of repair, as may from time to time be required by the University.

- (2) Nothing in this section shall be deemed to authorise the University to sell, lease, exchange or otherwise dispose of any land or building of any college transferred to the University under sub-section (1).

(3) Where any college has been transferred to the University by an order under sub-section (1), notwithstanding anything contained in this Act, the University shall employ all members of the teaching staff and other servants of the Government who, immediately before the date of the publication of the said order, were serving in or were attached to that college, on such foreign service conditions as may be determined by the Government :

Provided that such employees may, within a period of one year from the date they are called upon by the University so to do, exercise their option to revert to their services under the Government, failing which they shall be deemed to have been absorbed in the services of the University with effect from the date of the expiry of the period aforesaid and shall thereafter be governed by the terms and conditions governing the said services.