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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
AGRICULTURE DEPARTMENT

NOTIFICATION

No. 2583-Edn

Kolkata, the 30th April, 2001.

In exercise of the power conferred by sub-section (1) of section 51 of the Uttar Banga Krishi Viswavidyalaya Act, 2000 (West Bengal Act XX of 2000), the Governor is hereby pleased to frame the following statutes as the First Statutes of the University relating to the matters enumerated from sub-section (1) to sub-section (10) of section 50 of the said Act:—

First Statutes

CHAPTER I

PRELIMINARY

1. **Short title and commencement.**—(1) These Statutes shall be called the First Statutes of “Uttar Banga Krishi Viswavidyalaya”.
- (2) They shall come into force with immediate effect.
2. **Definitions.**—In these Statutes, unless the context otherwise requires,—
 - (a) ‘the Act’ means the Uttar Banga Krishi Viswavidyalaya Act, 2000 (West Bengal Act XX of 2000);
 - (b) ‘appointing authority’ means the Executive Council of the University;
 - (c) ‘officers’ mean all persons other than the Vice-Chancellor as mentioned in section 23 and includes persons declared as officers under sub-section (6) of section 23 and posts of officers to be created by the Executive Council with the approval from the State Government, or created by State Government for the University;
 - (d) ‘register’ means a book where the names and relevant particulars in respect of teachers, students and non-teaching staff are recorded;
 - (e) ‘regular non-teaching staff’ means a person appointed on full time and regular basis by the University other than teachers and officers and includes such non-teaching staff of the former University other than those serving the University on deputation as per provision of section 57;

- (f) 'regular student' means a student who is pursuing studies through attending classes and appearing in the examinations and is not in default of payment of prescribed tuition fees and other dues of the University till such date as may be notified by the University in this behalf;
- (g) 'regular teacher' means a person appointed on full time and regular basis by the University for the purpose of imparting instruction or conducting and guiding research or extension education programmes and includes such teachers of the former University retained in the University other than those serving the University on deputation as per provision of section 57;
- (h) 'section' means a section of the Act.
- (2) Words and expressions used and not defined in these Statutes but defined in the Act shall have the same meanings as respectively assigned to them in the Act.

PART I

STATUTES RELATING TO CONSTITUTION, POWERS AND DUTIES OF THE AUTHORITIES OF THE UNIVERSITY

3. **Authorities.**—In addition to the authorities specified in sub-section (1) to sub-section (5) of section 9, the following bodies are hereby declared to be the other authorities as referred to in sub-section (6) of section 9, namely:—

- (1) The Finance Committee;
- (2) The Research Council;
- (3) The Extension Education Council;
- (4) The Council of Students' Welfare.

4. **Finance Committee.**—(1) The Finance Committee shall consist of the following members, namely—

- (a) the Vice-Chancellor, who shall be the Chairman;
- (b) the Secretary, Department of Finance, Government of West Bengal;
- (c) the Secretary, Department of Agriculture, Government of West Bengal;
- (d) one person with experience in financial matters to be nominated by the Chancellor out of a panel of names of persons who are not members of the Executive Council, to be submitted by the Vice-Chancellor;
- (e) three members of the Executive Council, other than *ex officio* members, to be nominated by the Vice-Chancellor;
- (f) the Dean of each Faculty;
- (g) the Director of Research;
- (h) the Director of Extension Education;
- (i) the Director of Farms;
- (j) the Registrar;
- (k) the Comptroller, who shall be the Member-Secretary;

Provided that in case of clause (b) and clause (c), any officer of the State Government in the concerned Department not below the rank of Joint Secretary may be authorised to participate on behalf of the Secretary.

- (2) (a) The members nominated under clauses (d) and (e) of sub-statute (1) shall hold office for a period of four years from the date of nomination.
- (b) If a vacancy arises in the Finance Committee in respect of the member nominated under clause (d), the Chancellor shall nominate another member from the panel who shall hold office for a full period of four years from the date of nomination.
- (3) The Finance Committee shall—
 - (a) regulate the income and expenditure provided for in the budget and make such reports to the Executive Council as it thinks fit on any matter affecting the finance of the University;
 - (b) advise the Executive Council on any financial matter as referred to it by the Executive Council;
 - (c) scrutinise the annual audited accounts of the University and submit it to the Executive Council with its observations;
 - (d) examine the budget estimates including supplementary and revised estimates framed by the Comptroller before the budget is presented to the Executive Council;
 - (e) hold meeting at such time and in such place as it considers necessary and form quorum by fifty per cent. plus one of total members, provided that it shall hold meetings at least twice in a year;
 - (f) prepare its rules of business and approve it by the Vice-Chancellor;
 - (g) fill up any casual vacancy in respect of *ex officio* and nominated members shall not stand in holding meeting.

5. **Research Council.**—(1) The Research Council shall be formed by the Executive Council in order to provide counseling and advice to administer the research functioning of the University for those excepting the M.Sc and higher degree awarding research.

(2) The composition, powers and functions of the Research Council shall be such as prescribed in the Act.

(3) The Research Council shall prepare its rules of business and function in close operation with the Faculties and Directorate Extension Education.

6. **Extension Education Council.**—(1) The Extension Education Council shall be formed by the Executive Council in order to provide counselling and advice to administer the extension education functioning of the University.

(2) The composition, powers and functions of the Extension Education Council shall be such as prescribed in the Act.

(3) The Extension Education Council shall prepare its rules of business and function in close co-operation with the Faculties and Directorate of Research.

7. **The Council of Students' Welfare.**—(1) The Council of Students' Welfare shall be the policy making body in regard to the welfare, healthcare, amenities, accommodation, conduct and discipline of the students. The Council shall consist of the following members, namely—

- (a) the Vice-Chancellor;
- (b) the Dean, Students' Welfare;
- (c) the Registrar;
- (d) the Dean of each Faculty;
- (e) the Comptroller;
- (f) the Resident Superintendent-cum-NSS Co-ordinator;
- (g) the President and the Secretary of the Central Students' Union;
- (h) one student representative from each Faculty to be nominated by the Central Students' Union.

The Vice-Chancellor shall be the *ex officio* Chairman and the Dean, Students' Welfare shall be the *ex officio* Member-Secretary of the Council.

The Council shall meet at least twice in a year and one-third of the total number of members plus one shall be the quorum for a meeting of the Council of Students' Welfare.

(2) The Council of Students' Welfare shall exercise the following powers and perform the following functions:

- (a) to frame guidelines as may be necessary for the purpose of discharging its duties and responsibilities in respect of Students' Welfare on matters other than academic activities as attended in the Faculties subject to the approval of the Executive Council;
- (b) to formulate policies concerning all aspects of students' welfare;
- (c) to advise the Executive Council on all matters regarding—
 - (i) the maintenance of discipline among the students of the University;
 - (ii) the improvement of living conditions of students in the hostels;
 - (iii) implement programmes for promotion of health and welfare of students;
 - (iv) arrange for periodic supervision of halls and hostels of the students of the University;
 - (v) supervision of bodies connected with students activities;
 - (vi) formation of committees (such as Sports Committee, Health Committee, Discipline Committee, Central Mess Committee) and delegate such of its powers to these committees as are considered necessary; and
 - (vii) NSS related and other social activities of the student;
- (d) to consider and finalize the draft budget for the students' welfare to be considered and finalized by the Executive Council.

PART II

STATUTES RELATING TO THE POWERS, FUNCTIONS AND PRIVILEGES OF THE VICE-CHANCELLOR

8. **Vice-Chancellor's privileges and benefits.**—The Vice-Chancellor, in addition to his/her pay and allowances admissible under the Act, shall be entitled to—

- (a) get free furnished residential accommodation. He/She shall also be provided with a car to be maintained and a telephone connection at the residence with S.T.D. facility to be used for only official purposes free of cost;
- (b) the benefits of contributory provident fund, pension, death-cum-retiring gratuity, cash equivalent to leave salary and such other benefits as may be admissible to University Officers under the Statutes, the Ordinances and regulations framed from time to time and to be announced by the State Government;
- (c) such leave as may be admissible to University Officers under the Regulations or Rules of the University;
- (d) such travelling and other allowances, medical benefits, etc. as may be admissible under the Statutes, the Ordinances, Regulations and Rules.

9. **Additional powers of Vice-Chancellor.**—In addition to the powers and functions mentioned in section 26, the Vice-Chancellor shall exercise the following powers, namely:—

- (a) notwithstanding the provision for normal transfers in University for employee as per policy prescribed in Statutes, transfer any employee (teacher, officer or any other non-teaching staff) before attainment of his eligibility for transfer from one place to another within the jurisdiction of the University in the greater interest of the University at any time subject to availability of vacancy;
- (b) whenever a scheme financed by ICAR/GOI/State Government or any other funding agency, either single or jointly, is phased out or withdrawn by the said agency, to transfer/appoint the employees (teacher, officer and non-teaching staff) who were earlier engaged/appointed in the said scheme to any vacant post under the University.

PART III

STATUTES RELATING TO THE MANNER OF APPOINTMENT AND THE TERMS AND CONDITIONS OF SERVICE OF THE OFFICERS OF THE UNIVERSITY OTHER THAN THE VICE-CHANCELLOR

Preliminary

10. **Pay and allowance.**—The scales of pay and allowances of officers shall be such as may be determined by the Executive Council with the prior approval of the State Government from time to time.

11. **Qualifications.**—The qualifications for each category of posts of officers shall be such as may be laid down by the Executive Council with the prior approval of the State Government from time to time.

12. **Classification of officers.**—Unless otherwise decided by the Executive Council, the officers shall belong to the following categories, namely—

- (1) Grade I,
- (2) Grade II,
- (3) Grade III.

13. **Procedure of recruitment.**—When the post of an officer other than Dean of a Faculty is created or when a vacancy arises therein, the same shall be advertised in at least two leading newspapers of the country. For the post of Dean of a Faculty, applications shall be invited from amongst the Professors of the concerned Faculty through notification:

Provided that if any vacancy arises in on account of the expiry of the tenure of appointment of an incumbent to the said post, the incumbent in the position may be re-appointed for a further term with the approval of the Executive Council without advertising the post:

Provided further that where two successive advertisements or notifications, as the case may be, have not elicited good response from well-qualified and experienced candidates, the Vice-Chancellor may undertake or may cause to be undertaken negotiations to find out a suitable person for consideration of the Standing Committee as referred to in Statute 15.

14. **Screening Committee.**—(1) The Screening Committee shall consist of following members:—

- (a) in case of appointment to the post of officers other than Registrar—
 - (i) the Vice-Chancellor, the Chairman,
 - (ii) the Director of Research,
 - (iii) the Director of Extension Education,
 - (iv) the Registrar, Member-Secretary;
- (b) in case of appointment to the post of Registrar—
 - (i) the Vice-Chancellor of Research,
 - (ii) the Director of Research,
 - (iii) the Director of Extension Education,
 - (iv) the Dean of a Faculty nominated by the Vice-Chancellor, Member-Secretary.

(2) The Screening Committee shall scrutinize all applications including those for the post of Dean of a Faculty and recommend the names of candidates to be called for interview, excepting those found eligible for selection of Dean of a Faculty. The Vice-Chancellor shall select a person from amongst the eligible candidates to the post of Dean of a Faculty on such terms and conditions as may be prescribed.

15. **Standing Committee.**—(1) There shall be a Standing Committee as referred to in sub-sections (1) and (2) of section 36 constituted by the Vice-Chancellor for selection of candidates for the post of all officers of the University. The composition of the Standing Committee shall be such as referred to in this section.

(2) The panel of experts for a Standing Committee shall remain valid for a period of four years.

16. **Quorum.**—The quorum for a meeting of the Standing Committee shall be such as prescribed in sub-section (3) of section 36.

17. **Consideration of cases in absentia.**—The Standing Committee may, at its discretion, consider the applications of candidates from abroad who have expressed the desire to have their cases considered in absentia on the basis of authenticated records of testimonials and others.

18. **Recommendation of Standing Committee.**—The Standing Committee may recommend for each post a panel on the basis of merit of not more than three suitable candidates in order of preference. The panel of recommended names shall remain in a sealed cover in the custody of the Vice-Chancellor, who shall place it at the earliest opportunity, before the Executive Council for consideration and approval. If the recommendation of the Standing Committee is not acceptable to the Executive Council, it shall refer the recommendation back to the Standing Committee with reasons for reconsideration and if the Executive Council does not accept the reconsidered recommendation of the Standing Committee, the matter shall be referred by the Vice-Chancellor with appropriate explanation to the Chancellor whose decision thereon shall be final.

19. **Period of validity of the panel.**—The panel of names recommended for a post by the Standing Committee and approved by the Executive Council, shall remain valid for a period of one year with effect from the date of approval of the Executive Council. It may, however, be revalidated for a further period not exceeding six months by the Executive Council, if submitted in that regard by the Vice-Chancellor explaining reasons for such revalidation. If the first person in the panel does not join or leaves after joining the post before the expiry of the said one year, the vacancy thus arisen may be filled up by the other person in the panel to be approached serially:

Provided that the procedure laid down in these Statutes shall not apply to purely temporary and ad-hoc appointments, re-appointments and part-time appointments. Such appointments may be made by the Vice-Chancellor in the manner considered proper by him with the approval of the Executive Council for a period not exceeding six months at a time.

20. **Fixation of pay.**—(1) The pay of a fresh appointee shall ordinarily be fixed at the initial stage of the pay scale, provided that the Executive Council may, preferably on the recommendation of the Standing Committee, sanction advance increments, not exceeding five, to an exceptionally qualified candidate.

(2) If a candidate is already in the service of this University or employed in any other University or a Central or State Research Institute/Organization or in any recognised Institute, serving with a similar pay scale, his initial pay shall be fixed at a stage in the graded pay scale after giving protection of the basic pay including special pay or personal pay, if any, drawn by him.

21. **Letter of appointment.**—Except in the cases of Government employees serving on deputation, every employee referred to in sub-section (1) or sub-section (3) of section 57, ^{of the U.B.K.V. Act, 2000} and all officers on first appointment under the University, shall be provided with a letter of appointment in accordance with section 40, ^{of U.B.K.V. Act.} in the Form to be prescribed by the Vice-Chancellor. The letter of appointment shall be signed by the Vice-Chancellor.

22. **Certificate of medical fitness.**—(1) All persons, excepting those on deputation or appointed on a purely temporary and ad-hoc basis, shall, on first appointment to a post of officer, be examined by one of the Medical Officers of the University or by a District Medical Officer or any other medical officer of equivalent rank as specified by the Vice-Chancellor and such Medical Officer shall furnish a certificate about the fitness of health of the appointee in the Form as referred to in Appendix C.

(2) In case of doubt or on the basis of the report of the Medical Officer, the Vice-Chancellor may constitute a Medical Board to examine the appointee for ascertaining his medical fitness.

23. **Probation.**—(1) Except when otherwise provided in the Act or the Statutes or in the special terms of appointment on deputation, all officers shall on appointment to any permanent post, remain on probation for a period of two years, which may be extended by the Executive Council by a maximum period of one year after adducing reasons for such extension under intimation to the officer concerned. The Controlling Officer shall send to the Vice-Chancellor a report on the work and conduct of the officer at least two months before the date of expiry of the probationary period.

(2) If, during the period of probation, the work and conduct of an officer are not considered satisfactory, the Vice-Chancellor may, as required, dispense with his/her services or revert him/her to his/her former post, if any, or extend the period of probation, provided that the total period of probation including extension, if any, shall not exceed three years if the appointment is against a permanent vacancy against which the officer can be confirmed. In the event of termination of service of the officer concerned within probationary period, the appointing authority shall give him/her one month's notice or advanced pay for the equivalent period in lieu. No increment shall be due to an officer during the extended period for probation till he/she is confirmed.

24. Confirmation.—On the satisfactory completion of the period of probation, the appointing authority shall confirm an officer in the post. For an officer appointed to a temporary post or against a leave or lien vacancy in a permanent post, the question of confirmation shall not arise, unless he is appointed subsequently to a permanent post or the leave or lien vacancy becomes a permanent vacancy.

25. Additional employment.—(1) Except with the previous permission of the Executive Council, no officer shall accept additional employment with or without remuneration. An officer may, however, be permitted to accept remuneration/allowance for work done on such terms and conditions as may be determined by the Executive Council.

(2) An officer shall devote his whole-time to the service of the University and shall not engage directly or indirectly in any trade or business whatsoever or in any work.

26. Age limit.—The age limits for the persons to be employed by the University as officers shall be as stipulated by the State Government.

27. Declaration of age.—An officer shall make a declaration of his age to the appointing authority at the time of his first entry into the service of University on the basis of his Matriculation/School Final/Secondary/Higher Secondary Certificate or an equivalent Certificate. After the declaration of age and acceptance of the same by the authority, no revision of age shall, in any circumstances, be allowed to be made at a later date unless with prior approval of the Chancellor.

28. Register of officer.—The Registrar shall maintain a register for officers in which he shall enter, among other information—

- (a) name of every officer;
- (b) date of first appointment under the University;
- (c) date of birth;
- (d) age on the date of first appointment;
- (e) date on which he is due to retire on superannuation in accordance with the existing provisions; and
- (f) other particulars prescribed by the Executive Council.

29. Record of service.—There shall be a personal file for every officer in which all papers, records and other documents relating to his service in the University shall be placed. There shall also be a service book for each officers containing records of his appointment, increment, promotion, reward, punishment and all other special events in his service career. The service book shall also contain a leave account showing a complete record of all leave earned or unearned taken by him. Caused leave need not be recorded in the personal file. The service book shall be authenticated by the officer authorised in that regard.

30. Retirement.—Unless otherwise provided in the terms of appointment in any particular case, every whole-time salaried officer of the University shall retire on completion of 60 years of age or at such age to be declared by the State Government from time to time.

31. Lien.—(1) An officer, on confirmation against a permanent post, shall acquire lien on the post and ceases to hold any lien previously acquired on any other post.

(2) The appointing authority may allow an officer to retain his lien on his substantive post while on deputation to a foreign agency for a period not exceeding three years under any circumstances as may be determined by the Executive Council. The period on lien shall not be counted as qualifying service for the purpose of pension, gratuity or leaves unless contribution to leave salary and pension fund are made by the foreign employer or by the officer himself, but shall be counted for cumulative increment on return.

32. Resignation from service.—(1) If an officer in temporary position wishes to resign from service, he shall give one month's notice in writing to the Vice-Chancellor, failing which the Vice-Chancellor shall be entitled to recover from him one month's salary or salary for the period by which the notice period falls short of one month, unless otherwise directed by the Executive Council.

