

GAUHATI UNIVERSITY (AMENDMENT) ACT, 1949

3 Preamble, The 30th April 1949. No.L.206/49/2.—The following Act of the Assam Legislative Assembly, having been assented to in His Majesty's name by the Governor, is hereby published for general information (Received the assent of the Governor on the 30th April, 1949) ASSAM ACT VI OF 1949 THE GAUHATI UNIVERSITY (AMENDMENT) ACT, 1949 (Passed by the Assembly) (Published in the Assam Gazette, Extraordinary of the 30th April 1949.) An Act to amend the Gauhati University Act, 1947 (Assam Act XVI of 1947) WHEREAS it is expedient to amend the Gauhati University Act, hereinafter called the Principal Act, in the manner hereinafter appearing It is hereby enacted as follows Assam xvi 1947. Act of 1. (1) This Act may be called the Gauhati University Short title and com- (Amendment) Act, 1949. mencement. (2) It shall come into force at once

2. In clause (q) of section 5 of the Principal Act, before Amendment ' 'to do all such other acts and things" the follow- of section 5 the words of Assam Act XVI of ing words shall be inserted, namely "save and except such functions and powers as are 1947. vested in the Development Committee under this Act". 2 3. In sub-section (1) of section 12 of the Principal Amendment Of section 12 Act, the last word "and" in clause (ix) shall be. deleted, of Assam Act XVI of the cömma and the word "and" shall be added after the word "woman" in clause (x) and the following new clause 1947. shall be inserted, namely: — "(xi) two persons nominated by the Government of Assam". 4. (1) In section 13 of the Principal Act, after the Ame.ndment of section 13 proviso in clause (a) the following new proviso shall be of Assam Act XVI inserted, namely :— 'C Provided that the Executive Council shall not ad- of 1947. minister and exercise its power of control in respect of the funds (including the Gauhati University Trust Board Fund) which have become vested in the University for the pur- poses of buildings, roads, tanks, pipe lines or other structures of the University, such grants from the Government and such donations from private individuals or associations as are specially given for the aforesaid purposes of the Uni- versity." (2) In clause (d) of section 13 of the Principal Act, after the words 'Cany funds" the following words shall be inserted, namely "other than those given for the purposes of buildings, roads, tanks, pipe lines and other structures of the Uni- versity" (3) In clause (i) of section 13 of the Principal Act, after the words "all matters" the following shall• be inserted, namely • "except those which are vested in the Development Committee under this Act". 5. (1) After section 32 of the Principal Act, the Insertion of new sections following shall be added, namely :— in Assam Act XVI of 1947. "32A. (1) If a member of the Court or the Executive Removal of members of Council of the University remains absent without sufficient the Court reason from the two successive meetings of the Court or and Execu- from five successive meetings of the Executive Council as the tive Council case may be, the Chancellor may call upon that member conti- for nued ab- to offer within a reasonable time such explanations as he may desire to offer. sence. (2) If a member of the Court or the Executive Council when called upon by the Chancellor to offer explanation fails to offer any explanation or gives an explanation which, in the opinion of the Chancellor is unsatisfactory, the Chancellor may remove such member from office." 6. To the Principal Act, the following new sections Insertion of new sections shall be added, namely :— 39, 40, 41 and 42 in "39. The Chancellor shall appoint a Development Como Assam Act mittee of not more than five persons including the Minister xvi of 1947. in charge of Education who shall be the Chairman of the 3 Development Committee for the following purposes of, namely 2— Commi ttee and its duties. Powers Of (a) raising Of funds from Government, private indie viduals and associations for buildings) roads and other structures of the University, (b) taking by acquisitions purchase, grant, testa- mentary disposition or otherwise such land and property, movable or immovable, as are ree quired and necessary for the buildings, roads, and other structures of the University, (c) inviting and approving plans of buildings, roads, tanks, pipe lines and other structUres of the University, (d) inviting and accepting tenders for the construction of buildings, roads, tanks and pipe lines and Other structures of the University, (e) doing all other acts incidental or appertaining to the construction of buildings, roads, tanks, structures of the pipe lines and other University

40. Notwithstanding any power vested in the the Deve- Executive Council, authority or person under any provisions lopment of this Act and the Statutes, the Development Committee Committee.shall have for the pürpose of discharging the duties vested in it, the power to incur, supervise and control expenditures (a) out of funds (including the Gauhati University Trust Fund) which have become vested in

the University, for the purpose of buildings, roads, tanks, pipe lines and other structures of the University and (b) out of grants from Government and donations from private individuals or associations that may be given to the University for the aforesaid purposes of the University. 41. (1). The estimate of expenditure and annual report The estimate and in respect of construction of buildings, roads, tanks, pipe of audit account of lines and other structures of the University shall be prepared under the direction of the Development Committee and shall be submitted to the Executive Council for placing before the Court at least two months before the date of the annual meeting of the Court. (2) The annual accounts and balance sheets of the Development Committee shall be prepared under the direction of the Committee and shall be submitted to the Chancellor for audit. The accounts when audited shall be submitted to the Executive Council for publication in the Assam Gazette, and copies thereof shall together with copies of the audit report, if any, be submitted to the Court and to the Chancellor. (3) The annual report, estimates and accounts of the Development Committee shall be considered by the Court at its annual meeting and the Court may pass resolutions thereon and communicate the same to the Development Committee, 4 The Provisional. 42. (1) If, at any time, the Government of Assam are of opinion that special reasons exist that in any respect the objects and purposes of the University are not managed in furtherance of the objects and purposes of the University or in accordance with this Act and the Statutes and Regulations, or in furtherance of objects for which any grant or donation is specifically made by Government, Public bodies or individuals, the Government of Assam may indicate to the Executive Council such matter in regard to which the Government of Assam desire explanation and call upon that body within reasonable time to offer such explanation as it may desire to offer, with any proposal which it may desire to make. (2) If the Executive Council fails to offer any explanation or makes proposal or proposals which, in the opinion of the Government of Assam is or are unsatisfactory, the Government of Assam may issue such instructions, as appear to them to be necessary and desirable in the circumstances of the case, and the Executive Committee shall give effect to such instructions. S. M. LAHIRI, Secy. to the Govt. of Assam, Leg. Deptt.