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Tamil Nadu Bills

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**BILLS INTRODUCED IN THE LEGISLATIVE ASSEMBLY OF THE
STATE OF TAMIL NADU**

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 7th May, 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 22 of 2012

**A Bill further to amend the Tamil Nadu Veterinary and
Animal Sciences University Act, 1989.**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-third Year of the Republic of India as follows:—

Short title and commencement.	<p>1. (1) This Act may be called the Tamil Nadu Veterinary and Animal Sciences University (Amendment) Act, 2012.</p> <p>(2) It shall come into force on such date and the State Government may, by notification, appoint.</p>	
Amendment of section 2.	<p>2. In section 2 of the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 (hereinafter referred to as the principal Act), - in clause (g), the expression “and the Fisheries College, Tuticorin” shall be omitted.</p>	Tamil Nadu Act 42 of 1989.
Amendment of section 10.	<p>3. In section 10 of the principal Act, in sub-section (1), the expression “and Fisheries” shall be omitted.</p>	
Amendment of section 18.	<p>4. In section 18 of the principal Act, in sub-section (2),—</p> <p>(a) under the heading “Class I—Ex-officio Members”, for the items (e), (f) and (g) and the entries relating thereto, the following items and entries shall be substituted, namely:—</p> <p>“(e) the Director of Animal Husbandary”; and</p> <p>“(f) The Registrar.”;</p> <p>(b) under the heading “Class II—Other Members”, in item (c), the expression “or fisheries” shall be omitted.</p>	
Amendment of section 22.	<p>5. In section 22 of the principal Act, in sub-section (1), under the heading “Class I-Ex-officio Members” items (d) shall be omitted.</p>	
Amendment of section 24.	<p>6. In section 24 of the principal Act, in sub-section (1), the expression “Fisheries” shall be omitted.</p>	
Amendment of section 29.	<p>7. In section 29 of the principal Act, for sub-section (1), the following sub-section shall be substituted.</p> <p>(1) Subject to the provisions of this Act and the statutes, the University shall establish a Veterinary and Animal Sciences Research Organisation for doing basic research on problems primarily relating to veterinary, animal husbandry and allied subjects for the purpose of aiding the development of animal husbandry and shall for this purpose establish as many veterinary and livestock research stations as may be necessary in co-operation with the department of Animal Husbandry and Research stations under the control of the Government”.</p>	
Amendment of section 30.	<p>8. In section 30 of the principal Act,—</p> <p>(1) in subsection (1), for the expression “livestock farmers, fish farmers and fisherman”, the expression “and livestock farmers” shall be substituted;</p> <p>(2) in sub-section (2), in clause (a), for the expression “the livestock farmers, fish farmers and fisherman”, the expression “the livestock farmers” shall be substituted.</p>	
Amendment of section 41.	<p>9. in section 41 of the principal Act, in sub-section (1), in clause (a), the expression “and the Fisheries College, Tuticorin” shall be omitted.</p>	
Amendment of section 43.	<p>10. in section 43 of the principal Act, in sub-section (1-A), the expression “and Fisheries” shall be omitted.</p>	

STATEMENT OF OBJECTS AND REASONS.

The Hon'ble Chief Minister during budget session for the year 2011-2012, has announced on 13-09-2011, on the floor of the Tamil Nadu Legislative Assembly that a new "Fisheries University" will be established at Nagapattinam Taluk. To give effect to the said announcement, it has been decided to establish a "Fisheries University" at Nagapattinam Taluk.

A bill for the establishment of the Fisheries University has been introduced, separately. As a result certain consequential amendments have to be made to the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 (Tamil Nadu Act 42 of 1989). Therefore, it has been decided to amend the said Tamil Nadu Act 42 of 1989 for the purpose. The Bill seeks to give effect to the above decision.

T.K.M. CHINNAYYA,
Minister for Animal Husbandry.

A.M.P. JAMALUDEEN,
Secretary.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 7th May, 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 23 of 2012

A Bill to provide for the establishment of a University for the development of Fisheries and for the furtherance of the advancement of learning and prosecution of research and extension in Fisheries Sciences in the State of Tamil Nadu.

BE it enacted by the Legislature of the State of Tamil Nadu in the Sixty-third Year of the Republic of India as follows:—

CHAPTER-I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Fisheries University Act, 2012.
- (2) It extends to the whole of the State of Tamil Nadu.
- (3) It applies to
- (a) the colleges and institutions specified in the Schedule and
- (b) all Colleges and institutions which may be affiliated to, or established or maintained by, the University in accordance with the provisions of this Act and the statutes and regulations made there under.
- (4) It shall come into force on such date as the Government may, by notification, appoint.

Short title,
extent,
application
and
commence
ment.

2. In this Act, unless the context otherwise requires,—
- (a) “Academic Council” means the Academic Council of the University;
- (b) “affiliated college” means any college affiliated to the University and providing courses of study for admission to the examinations for degrees, diplomas or other academic distinctions of the University;
- (c) “appointed date” means such date as the Government may, by notification, appoint under sub-section (4) of section 1;
- (d) “Board” means the Board of Management of the University;
- (e) “College” means any College or Institution established or maintained by, or, affiliated to the University providing courses of study or training or providing for prosecution of research or providing extension education in Fisheries Sciences for admission to the examinations for degrees, diplomas and other academic distinctions of the University;
- (f) “Constituent College” means the Fisheries College and Research Institute, Thoothukudi and includes such other Colleges as may be declared by the Board from time to time;
- (g) “corresponding University” means the Tamil Nadu Veterinary and Animal Sciences University, Chennai;
- (h) “Dean” means the Dean (Academic) at the head quarters of the University and the Dean of each college;
- (i) “Director” means the Director of Research or the Director of Extension Education and such other person as may be declared by the statutes to be the Director;

Definitions.

(j) "extension education" means the educational activities concerned with the training of fish farmers, fishermen and other groups serving fisheries in improved fishing practices and various phases of scientific technology related to fisheries sciences;

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

(l) "Government" means the State Government;

(m) "Fisheries Sciences" means aquaculture including breeding, genetics, biotechnology, nutrition, farming, diagnosis of diseases in fishes, other aquatic resources, medical treatment of aquatic animals; fish processing including value addition, quality assurance and certification; fisheries microbiology; fisheries biochemistry; fisheries resource management including biology, physiology, population dynamics; fisheries environment including oceanography, limnology, ecology; fishing technology including gear and craft engineering, navigation and seamanship; fisheries economics and management, fisheries extension;

(n) "hostel" means a unit of residence for students of the University maintained or recognised by it either as a part of, or separate from, college of the University;

(o) "prescribed" means prescribed by the statutes or regulations made under this Act;

(p) "regulations" and "statutes" mean respectively, the regulations and statutes made under this Act;

(q) "Schedule" means the Schedule appended to this Act;

(r) "State" means the State of Tamil Nadu;

(s) "University" means the Tamil Nadu Fisheries University established under section 3.

CHAPTER-II.

THE UNIVERSITY.

Establishment
of University.

3. (1) For the development of Fisheries and for furthering the advancement of learning and prosecution of research in Fisheries sciences, on and from the appointed date, there shall be established a University by the name, the Tamil Nadu Fisheries University.

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

(3) The principal seat of the University shall be located within the limits of Nagapattinam Taluk.

Objects of
University.

4. The objects of the University shall be,—

(a) to impart quality education in different branches of Fisheries Sciences as the University may determine;

(b) to conduct organised research in frontier areas with the objective of developing cutting edge technologies in Fisheries Sciences;

(c) to provide extension services like training, consultancy, project formulation to fish farmers, fisher folk, unemployed-youth and entrepreneurs in Fisheries Sciences;

(d) to facilitate comprehensive development of Fisheries Sciences for increased contribution to states economy and set bench mark standards through appropriate interventions in fisheries teaching, research and extension;

- (e) to generate baseline data on aquatic biodiversity and fisheries resource potential;
- (f) to generate high quality professionals in Fisheries Sciences by following Veterinary Council of India regulations as a model;
- (g) to create better opportunities for marketing and value addition of fish and fishery products.
- (h) to set up an aquatic disease diagnosis and surveillance system in the State.

5. The powers and functions of the University shall be,—

Powers and
functions of
University.

- (a) to provide for instructions, research and extension in Fisheries Sciences;
- (b) to provide for dissemination of the findings of research and technical information through extension education;
- (c) to institute degrees, diplomas and other academic distinctions in Fisheries Sciences;
- (d) to hold examinations and confer degrees, diplomas and other academic distinctions on persons who have,—
 - (i) pursued a prescribed course of study; or
 - (ii) carried out research in the University under the prescribed conditions;
- (e) to confer honorary degrees or other distinctions in the prescribed manner and under the prescribed conditions;
- (f) to provide for lectures and instructions for field workers, farmers and other persons not enrolled as regular students of the University and to grant certificates to them, if necessary;
- (g) to co-operate with other Universities and authorities in such manner and for such purposes as it may determine;
- (h) to establish and maintain colleges relating to Fisheries Sciences;
- (i) to affiliate colleges to the University under conditions prescribed and to withdraw affiliation from colleges;
- (j) to establish and maintain laboratories, libraries, research stations and museums for teaching, research and extension education;
- (k) to institute and award fellowships, scholarships and prizes in accordance with the statutes;
- (l) to establish and maintain or recognise hostels for students of the University and residential accommodation for the staff of the University;
- (m) to fix, demand and receive such fees and other charges as may be prescribed;
- (n) to supervise and control hostels and to regulate discipline of the students of the University and to make arrangements for promoting their health and welfare;
- (o) to have collaboration in academic, research and extension education and such other programmes with other Universities, Research and Development Organisations;

(p) to develop entrepreneurship among students by providing hands-on training and developing managerial skills through fisheries work experience programme, industry linkages;

(q) to create world class facilities for promoting genetic and biotechnical investigations in Fisheries Sciences;

(r) to acquire and hold property, both movable and immovable, for the purpose of the University;

(s) to lease, sell or otherwise transfer any immovable property with the prior approval of the Government;

(t) to institute teaching, research and extension education posts and to appoint persons to such posts;

(u) to create administrative and other posts and to appoint persons to such posts;

(v) to work with Tamil Nadu Veterinary and Animal Sciences University in areas of mutual interest to bring better benefits to the fisher folk. The University shall report such collaboration activities to the Government annually;

(w) to work with Tamilnadu Maritime Academy at Chennai and Thoothukudi and its associated units in the areas of mutual interest to bring better benefits to the fisher folk;

(x) to do all such acts and things, whether incidental to the powers and functions aforesaid or not, as may be necessary or desirable to further the objects of the University.

Admission to
University.

6. (1) The University shall, subject to the provisions of this Act and the Statutes, be open to all persons.

(2) Nothing contained in sub-section (1) shall require the University,—

(a) to admit to any course of study any person who does not possess the prescribed academic qualification or standard;

(b) to retain on the rolls of the University any student whose, academic record is below the minimum standard required for the award of a degree, diploma or other academic distinction;

(c) to admit any person or retain any student whose conduct is prejudicial to the interest of the University or the rights and privileges of other students and staff;

(d) to admit to any course of study, students larger in number than those prescribed.

(3) Subject to the provisions of sub-section (2), the Government may, by order, direct that the University shall reserve such percentage of seats for the students belonging to the Scheduled Castes, Scheduled Tribes, Most Backward Classes and Backward Classes as may be specified in such direction and where such direction has been given, the University shall make the reservation accordingly.

7. (1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct,—

Inspection
and inquiry.

(a) of the University, its buildings, laboratories, libraries, museums, workshops and equipments;

(b) of any institution, college or hostel maintained by the University;

(c) of the teaching and other work conducted by the university or under its auspices;

(d) of the conduct of any examination held by the University.

(2) The Chancellor shall also have the right to cause an inquiry to be made by such person or persons as he may direct in respect of any matter connected with the administration or finance of the University.

(3) The Chancellor shall, in every case give notice to the University of their intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented at such inspection or inquiry.

(4) The Chancellor shall communicate to the University their views with reference to the result of such inspection or inquiry and may, after ascertaining the opinion of the University thereon, advise the University upon the action to be taken and fix a time limit for taking such action.

(5) The University shall, within the time limit so fixed, report to the Chancellor, the action taken or proposed to be taken on the advice tendered by the Chancellor.

(6) If the University does not take action within the time limit fixed or if the action taken by the University is in the opinion of the Chancellor not satisfactory, the Chancellor may, after considering any explanation offered or representation made by the University, issue such direction as they may deem fit and the University shall comply with such direction.

(7) If the University does not comply with such direction within such time as may be fixed in that behalf by the Chancellor, the Chancellor shall have power to appoint any person or body to comply with such direction and make such orders as may be necessary for the expenses thereof.

CHAPTER III.

OFFICERS OF THE UNIVERSITY.

8. The University shall consist of the following officers, namely:—

Officers of
University.

- (1) The Chancellor ;
- (2) The Pro-Chancellor ;
- (3) The Vice-Chancellor ;
- (4) The Registrar;
- (5) The Deans;
- (6) The Director of Research;
- (7) The Director of Extension Education;
- (8) The Directors;
- (9) The Controller of Examinations;
- (10) The Finance Officer; and

(11) Such other persons as may be declared by the statutes to be officers of the University.

The
Chancellor.

9. (1) The Governor of Tamil Nadu shall be the Chancellor of the University

(2) The Chancellor shall be the head of the University and shall when present, preside at any convocation of the University and confer degrees, diplomas or other academic distinctions upon persons entitled to receive them.

(3) No honorary degree or other distinction shall be conferred by the University upon any person without the approval of the Chancellor.

(4) The Chancellor may of his own motion or on application call for and examine the record of any officer or authority of the University in respect of any proceeding to satisfy himself as to the regularity of such proceeding or the correctness, legality or propriety of any decision passed or order made therein; and if, in any case, it appears to the Chancellor that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, he may pass orders accordingly:

Provided that every application to the Chancellor for the exercise of the powers under this section shall be preferred within three months from the date on which the proceeding, decision or order to which the application relates was communicated to the applicant:

Provided further that no order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation.

(5) The Chancellor shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Act or the statutes.

The Pro-
Chancellor.

10. (1) The Minister-in-charge of the portfolio of Fisheries in the State shall be the Pro-Chancellor of the University.

(2) When the Chancellor is unable to discharge his duties owing to absence, illness or any other cause, the Pro-Chancellor shall discharge the duties of the Chancellor until the date on which the Chancellor resumes his duties.

The Vice-
Chancellor.

11. (1) Every appointment of the Vice-Chancellor shall be made by the Chancellor from out of a panel of three names of eminent persons not less than the rank of Professor in the faculty of Fisheries Sciences with a degree of Bachelor of Fisheries Science, recommended by the committee referred to in sub-section (2) and such panel shall not contain the name of any member of the said committee;

Provided that if the Chancellor does not approve any of the persons in the panel so recommended by the committee, he may take steps to constitute another committee, in accordance with sub-section (2) to give a fresh panel of three different names and shall appoint one of the persons named in the fresh panel as the Vice-Chancellor .

(2) For the purpose of sub-section (1), the committee shall consist of three persons of whom one shall be nominated by the Board of Management, one shall be nominated by the Academic Council and one shall be nominated by the Chancellor:

Provided that the person so nominated shall not be a member of any of the authorities of the University.

(3) The Vice- Chancellor shall hold office for a term of three years and shall be eligible for reappointment for another term of three years:

Provided that-

(a) the Vice-Chancellor may, by writing under his hand addressed to the Chancellor and after giving two months' notice resign his office;

(b) the Vice-Chancellor shall not be removed from his office on the ground of willful omission or refusal to carry out the provisions of this Act, or abuse of the powers vested in him except by an order of the Chancellor passed after due enquiry ordered by the Government, by such person who is or has been,-

(i) a judge of the High Court; or

(ii) an officer of the Government not below the rank of Chief Secretary to Government; or

(iii) a Vice-Chancellor of any University in the State,

as may be appointed by the Government in which the Vice-Chancellor shall have an opportunity of making his representation against such removal.

(4) In the event of the occurrence of any vacancy in the office of the Vice - Chancellor by reason of his death or illness, resignation or removal, or otherwise, the Registrar shall act as Vice-Chancellor until the date on which a new Vice-Chancellor appointed in accordance with the provision of this Act to fill such vacancy enters upon his office.

(5) The Vice-Chancellor shall be a whole time officer of the University and his emoluments and other terms and conditions of service shall be as follows:—

(i) The Vice-Chancellor shall be entitled to such salary as may be prescribed;

(ii) The Vice-Chancellor shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office, and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence;

(iii) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Board, with the approval of the Chancellor, from time to time:

Provided that where an employee of-

(a) The University; or

(b) any other University or college or institution maintained by, or affiliated to, that University, is appointed as Vice-chancellor, he shall be allowed to continue to contribute to the Provident fund to which he is a subscriber, and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice- Chancellor;

(iv) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Board;

(v) The Vice-Chancellor shall be entitled to earned leave on full pay at one-eleventh of the periods spent by him on active service:

Provided that when the earned leave applied for by the Vice-Chancellor, in sufficient time before the date of expiry of the term of his office, is refused by the Chancellor in the interest of the University and if he does not avail of the leave before the date of expiry of the term of his office, he shall be entitled to draw cash equivalent to leave salary after relinquishment of his office in respect of earned leave at his credit subject to a maximum of two hundred and forty days;

(vi) The Vice-Chancellor shall be entitled, on medical grounds or otherwise, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to earned leave under clause (v).

12. (1) The Vice-Chancellor shall be the academic head and the principal executive officer of the University. He shall be a member ex-officio and Chairman of the Board, the Academic council, the Planning Board, and the Finance Committee and shall be entitled to be present at, and to address, any meeting of any authority of the University but shall not be entitled to vote there at, unless he is a member of the authority concerned.

(2) The Vice-Chancellor shall, in the absence of the Chancellor and Pro-Chancellor, preside at the convocation of the University and confer degrees, diplomas or other academic distinctions upon persons entitled to receive them.

(3) The Vice-Chancellor shall exercise control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(4) The Vice-Chancellor shall convene meetings of the Board and the Academic Council.

(5) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act, the statutes and regulations.

Powers and
duties of
Vice-
Chancellor.

(6) In any emergency, which in the opinion of the Vice-Chancellor requires immediate action to be taken, he shall, by order, take such action as he deems necessary and shall at the earliest opportunity report the action taken to such officer or authority or body as would have in the ordinary course dealt with the matter:

Provided that no such order shall be passed unless the person likely to be affected has been given a reasonable opportunity of being heard.

(7) Any person, aggrieved by an order of the Vice-Chancellor under subsection (6) may prefer an appeal to the Board within thirty days from the date on which such order is communicated to him and the Vice-Chancellor shall give effect to the order passed by the Board on such appeal.

(8) The Vice-Chancellor shall be responsible for the co-ordination and integration of teaching, research and extension education.

(9) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by statutes.

The Registrar.

13. (1) The Registrar shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor with the approval of the Board. The terms and conditions of the Registrar shall be as follows:-

(a) The holder of the post of Registrar shall be an academician in the field of Fisheries Science with a degree of Bachelor of Fisheries Science, not lower in rank than that of a Professor in the University or institutions specified in the schedule;

(b) The Registrar shall hold office for a period of three years:

Provided that a person appointed as Registrar shall retire from office, if during the term of his office, he completes the age of sixty years.

(2) (a) The Registrar shall be the ex-officio Secretary to the Board, the Academic Council and the Faculties;

(b) When the office of the Registrar is vacant, or when the Registrar is, by reason of illness, absence or any other reason, unable to exercise the powers, perform the functions and discharge the duties of his office, the powers, functions and duties of the office of the Registrar shall be exercised, performed and discharged by such person as the Vice-chancellor may appoint for the purpose;

(c) It shall be the duty of the Registrar ;

(i) to manage the property and investments of the University including trust and endowed property in accordance with the decision of the Finance Committee and the Board;

(ii) to be the custodian of the records, the common seal and such other properties of the University as the Board shall commit to his charge; and

(iii) to issue all notices convening meetings of the Board, the Academic Council, the Faculties, the Board of Studies, the Board of Examiners and the Planning Board and of any committee appointed by the authorities of the University;

(d) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar;

(e) The Registrar shall exercise such powers and perform such other functions and discharge such other duties as may be prescribed by the Board.

The Finance Officer.

14. (1) The Finance Officer shall be a whole-time salaried officer of the University appointed by the Board from out of a panel of three names recommended by the Government. The qualifications and the method of recruitment shall be such as may be prescribed.

(2) The Finance Officer shall hold office for a period of three years subject to such terms and conditions as may be specified by the Board:

Provided that a person appointed as Finance Officer shall retire from office, if during the term of his office, he completes the age of fifty-eight years.

(3) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed.

(4) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness or absence or any other cause, unable to exercise the powers, perform the functions and discharge the duties of his office, the powers, functions and duties of the office of the Finance Officer shall be exercised, performed and discharged by such person as the Vice-Chancellor may appoint for the purpose.

(5) The Finance Officer shall be the *ex-officio* Secretary to the Finance Committee.

(6) The Finance Officer shall,—

(a) exercise general supervision over the funds of the University and shall advise the University as regards its financial policy; and

(b) exercise such other powers and perform such other financial functions, as may be assigned to him by the Board or as may be prescribed:

Provided that the Finance Officer shall not incur any expenditure or make an investment exceeding such amount as may be prescribed except with the previous approval of the Board.

(7) Subject to the control of the Board, the Finance Officer shall,—

(a) ensure that the limits fixed by the Board for recurring and non-recurring expenditure for a year are not exceeded and that all monies are expended for the purposes for which they are granted or allotted;

(b) be responsible for the preparation of annual accounts, financial estimates and the budget of the University and for their presentation to the Finance Committee and the Board;

(c) keep a constant watch on the cash and bank balances and of investments;

(d) watch the progress of the collection of revenue and advise on the methods of collection employed;

(e) ensure that the registers of buildings, land, furniture and equipments are maintained up-to-date, and that stock checking is conducted in respect of equipments and other consumable materials in all offices, laboratories, colleges and institutions maintained by the University;

(f) bring to the notice of the Vice-Chancellor any unauthorised expenditure or other financial irregularity and suggest appropriate action to be taken against persons at fault; and

(g) call from any office, laboratory, college or institution maintained by the University, any information or returns as he may consider necessary for the exercise of his powers, performance of his functions or discharge of his duties.

15. (1) Each college shall have a Dean having a Bachelor degree in Fisheries Science, who shall be a whole-time salaried officer of the University and shall be appointed by the Vice-Chancellor with the approval of the Board on such terms and conditions as may be prescribed.

The Dean.

(2) The Dean shall hold office for a period of three years subject to such terms and conditions as may be specified by the Board and he shall be eligible for re-appointment for another term of three years;

Provided that a person appointed as Dean shall retire from office, if during the term of his office, he completes the age of sixty years;

(3) The Dean shall be responsible to the Vice-Chancellor for all matters concerning his college.

(4) The Dean shall exercise such powers and perform such duties as may be prescribed.

The Directors. **16.** (1) The Directors shall be whole-time salaried officers of the University with a degree of Bachelor of Fisheries Science, and shall be appointed by the Vice-Chancellor with the approval of the Board subject to such terms and conditions as may be prescribed.

(2) Every Director shall hold office for a period of three years subject to such terms and conditions as may be specified by the Board and he shall be eligible for reappointment for another term of three years;

Provided that a person appointed as Director shall retire from office, if during the term of his office, he completes the age of sixty years.

(3) The Director of Research shall be responsible for the proper functioning of the Research Stations and shall co-ordinate research work in co-operation with the Dean and other officers and shall exercise such powers and perform such duties as may be prescribed.

(4) The Director of Extension Education shall be responsible for the planning and execution of programmes of extension work based on the results of research and work in co-operation with the Dean and other officers and shall exercise such powers and perform such duties as may be prescribed.

The Controller of Examinations. **17.** (1) The Controller of Examinations shall be an academician in the field of Fisheries with a degree of Bachelor of Fisheries Science and a whole-time salaried officer of the University appointed by the Vice-Chancellor with the approval of the Board for such period and on such terms and conditions as may be prescribed.

(2) The Controller of Examinations shall exercise such powers and perform such duties as may be prescribed:

Provided that a person appointed as Controller of Examinations shall retire from office, if during the term of his office, he completes the age of sixty years.

CHAPTER IV.

AUTHORITIES OF THE UNIVERSITY.

Authorities of University. **18.** The authorities of the University shall be the Board of Management, the Academic Council, the Faculties, the Board of Studies, the Planning Board, the Finance Committee and such other bodies of the University as may be declared by the statutes to be authorities of the University.

Constitution of Board of Management. **19.** (1) The Chancellor shall, as soon as may be, after the first Vice-Chancellor is appointed under section 46, constitute a Board of Management.

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

CLASS I - EX-OFFICIO MEMBERS.

- (a) The Vice-Chancellor ;
- (b) The Secretary to Government, in-charge of Fisheries;
- (c) The Secretary to Government, in-charge of Finance;
- (d) The Secretary to Government, in-charge of Law;
- (e) Member Secretary, Council for Science and Technology;
- (f) Chief Executive Officer, Maritime Board, Chennai;
- (g) The Director of Fisheries; and
- (h) The Registrar.

CLASS II - OTHER MEMBERS.

- (a) One fisheries scientist having special knowledge or practical experience in fisheries research, teaching and extension education nominated by the Chancellor;

- b. One progressive fish farmer or fisher folk nominated by the Government;
- c. One representative of the fishery business including cooperatives and fishery Industry nominated by the Government ;
- d. One woman member with active interest in societal development nominated by the Chancellor;
- e. One educationist nominated by the Chancellor;
- f. One nominee of the Indian council of Agricultural Research, New Delhi;
- g. One member elected by the Members of the Legislative Assembly of the State from among themselves;
- h. One representative from National Fisheries Development Board , Hyderabad;
- i. One representative from the Ministry of Food Processing Industries, New Delhi;
- j. One representative from Ministry of Earth Sciences, New Delhi; and
- k. One representative from Ministry of Science and Technology, New Delhi

(3) In case the Secretary to Government, in-charge of Fisheries or the Secretary to Government, in-charge of Finance or the Secretary to Government, incharge of Law, is unable to attend the meetings of the Board, for any reason, he may depute any officer of his department not lower in rank than that of Joint Secretary to Government to attend the meetings. In case of Chief Executive Officer, Maritime Board, or the Member Secretary, Council of Science and Technology is unable to attend the meetings of the Board, for any reason, he may depute any officer of the Maritime Board or the Council of Science and Technology, as the case may be, to attend the meetings. The officer so deputed shall have the right to take part in the discussions of the meetings and shall have the right to vote.

(4) The Vice-Chancellor shall be the *ex-officio* Chairman of, and the Registrar shall be the *ex-officio* Secretary to the Board.

(5) (a) The members of the Board, other than the *ex-officio* members, shall hold office for three years and such members shall be eligible for election or nomination for another period of three years.

(b) Where a member is elected or nominated to the Board of Management in casual vacancy, the period of office held for not less than one year by any such member shall be construed as a full period of three years:

Provided that a member of the Board, who is nominated or elected in his capacity as a member of a particular electorate or body, or the holder of a particular appointment, shall cease to be a member of the Board from the date on which he ceases to be a member of that electorate or body, or the holder of that appointment, as the case may be:

Provided further that where an elected or a nominated member of the Board of Management is appointed temporarily to any of the offices by virtue of which he is entitled to be a member of the Board of Management *ex-officio*, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Board of Management by virtue of his election or nomination or whether he will vacate office as such member and become a member of *ex-officio* by virtue of his appointment and the choice shall be conclusive. On failure to make such a choice, he shall be deemed to have vacated his office as an elected or a nominated member.

(6) No Officer or employee of the University, other than the Vice Chancellor and the registrar shall be eligible to be a member of the board.

(7) The members of the Board shall not be entitled to receive any remuneration from the University except such daily and travelling allowances as may be prescribed.

(8) The Chancellor may, after giving a reasonable opportunity of being heard, remove any member of the Board other than an *ex-officio* member from office, if such member, in the opinion of the Chancellor, is incapable of acting as a member or has abused his position as a member so as to render his continuance of such member detrimental to the interest of the University.

(9) A member of the Board, other than the *ex-officio* member, may tender resignation of his membership at any time before the expiry of the term of his office. Such resignation shall be conveyed to the Chancellor by a letter in writing by the member and the resignation shall take effect from the date of its acceptance by the Chancellor.

Powers and
duties of
Board.

20. The powers and duties of the Board shall be,-

(a) to consider and review the financial requirements and approve the annual financial estimates of the University;

(b) to provide for the administration of any funds placed at the disposal of the University for the purposes intended;

(c) to arrange for the investment and withdrawal of funds of the University;

(d) to borrow money for capital improvements and to make suitable arrangements for its repayment;

(e) to acquire, hold and dispose of property on behalf of the University;

(f) to determine the form, provide for the custody, and regulate the use of the common seal of the University;

(g) to appoint such committees, either standing or temporary, as it may consider necessary and specify the terms of reference thereof subject to the provisions of this Act and the statutes;

(h) to determine and regulate all questions of policy relating to the University in accordance with the provisions of this Act and the statutes;

(i) to make financial provision for the instruction, teaching, research, advancement and dissemination of knowledge in such branches of learning and courses of study as may be determined by the Academic Council;

(j) to provide for the establishment and maintenance of colleges, hostels, laboratories, experimental farms and other facilities necessary for carrying out the purposes of this Act;

(k) to provide for the institution and conferment of degrees, diplomas and other academic distinctions;

(l) to provide for the institution, maintenance and award of scholarships, fellowships, studentships, medals, prizes and the like;

(m) to accept trust, bequest, donation and transfer of any movable or immovable property on behalf of the University;

(n) to enter into contract on behalf of the University;

(o) to implement educational, research and extension programmes under Public Private Partnership mode; and

(p) to exercise such other powers and perform such other duties not inconsistent with the provisions of this Act or the statutes as may be necessary for carrying out the purpose of this Act.

(q) to make statutes and amend or repeal the statutes.

Meetings of
Board.

21. (1) The Board shall meet at such times and places and shall, subject to the provisions of sub-sections (2) and (3), observe such rules of procedure in regard to transaction of business at its meetings including the quorum at meetings as may be prescribed:

Provided that the Board shall meet at least once in every three months.

(2) The Vice-Chancellor or in his absence, any member chosen by the members present, shall preside at a meeting of the Board.

(3) All questions at any meeting of the Board shall be decided by a majority of the votes of the members present and voting and in the case of an equality of votes, the Vice-Chancellor or the member presiding, as the case may be, shall have and exercise a second or casting vote.

(4) (a) The Board may, for purpose of consultation, invite any person having special knowledge or practical experience on any subject under consideration to attend any meeting. Such person may speak in, and otherwise take part in the proceedings of such meeting but shall not be entitled to vote.

(b) The person so invited shall be entitled to such daily and travelling allowances as are admissible to any member of the Board.

22. The Academic Council shall be the academic authority of the University and shall, subject to the provisions of this Act and the statutes, have the control and general regulation of teaching and examination in the University and be responsible for the maintenance of the standards thereof.

The
Academic
Council.

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

Constitution of
Academic
Council.

CLASS I – EX-OFFICIO MEMBERS

- (a) The Vice-Chancellor ;
- (b) The Secretary to Government, in- charge of Fisheries;
- (c) Director of Fisheries;
- (d) The Dean of each College;
- (e) The Dean (Academic);
- (f) The Director Research;
- (g) The Director of Extension Education;
- (h) The Controller of Examinations;
- (i) The Registrar.

CLASS-II OTHER MEMBERS

(a) Six members from amongst the Heads of Departments to be nominated by the Vice-Chancellor, on rotational basis;

(b) Three persons having special knowledge or practical experience in different aspects of Fisheries to be nominated by the Vice-Chancellor;

(c) One Dean from the Indian Council of Agricultural Research recognized Fisheries College;

(d) One Dean to be nominated by the Tamil Nadu Veterinary and Animal Sciences University;

(e) One Dean to be nominated by the Tamil Nadu Agricultural University;

(f) One Dean from Maritime Academy to be nominated by the Chief Executive Officer, Maritime Board;

(2) The Vice-Chancellor shall be the *ex-officio* Chairman and the Registrar shall be the *ex-officio* Secretary to the Academic Council.

(3) (a) The members of the Academic Council shall not be entitled to receive any remuneration from the University except such daily and traveling allowances as may be prescribed:

Provided that nothing contained in this sub-section shall preclude any member from drawing his normal emoluments to which he is entitled by virtue of the office he holds.

(b) A member of the Academic Council, other than the ex-officio member, may tender resignation of his membership at any time before the expiry of the term of his office. Such resignation shall be conveyed to the Vice Chancellor by a letter in writing by the member and the resignation shall take effect from the date of its acceptance by the Vice Chancellor.

(c) The term office of the members of the Academic Council, other than the *ex-officio* members, shall be three years:

Provided that a member of the Academic Council who is nominated in his capacity as the holder of a particular appointment shall cease to be a member of the Academic Council from the date on which he ceases to be the holder of that appointment.

Powers and duties of the Academic Council.

24. The powers and duties of the Academic Council shall be,—

(a) to exercise general control on teaching and other educational programmes and maintain and promote the standards thereof;

(b) to make regulations and amend or repeal the same;

(c) to make regulations regarding,—

(i) the admission of students to the University and the number of students to be admitted;

(ii) the courses of study leading to degrees, diplomas and other academic distinctions; and

(iii) the conduct of examinations and maintenance and promotion of standards of education.

(d) to advise the Board on all academic matters including the control and management of libraries;

(e) to make recommendation to the Board for the institution of Professorship, Associate Professorship, Assistant Professorship and other teaching posts including posts in research and extension education and in regard to the duties thereof;

(f) to formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching, research and extension education;

(g) to make recommendation to the Board regarding post-graduate teaching, research and extension education;

(h) to make recommendation to the Board regarding the qualifications to be prescribed for teaching and extension staff in the University;

(i) to make recommendation to the Board for the conferment of honorary degrees or other distinctions; and

(j) to exercise such other powers and perform such other duties as may be prescribed by the statutes.

The Faculties.

25. (1) The University shall include Faculties of Fisheries Sciences, Basic Sciences, Information Technology and such other Faculties as may be prescribed by the statutes.

(2) Each Faculty shall have a Dean who shall be appointed in such manner as may be prescribed.

(3) Each Faculty shall comprise such departments of teaching with such assignment of subjects of study as may be prescribed and each department shall have a Head who shall be responsible to the Dean for the proper organisation and working of that department. Such Head of the Departments shall be appointed by the Vice-Chancellor on rotation basis for a maximum period of three years subject to periodical review.

(4) The constitution and functions of the Faculties shall, in all other respects, be such as may be prescribed:

- 26.** There shall be a Board of Studies for each faculty, the constitution and functions of which shall be such as may be prescribed. The Board of Studies.
- 27.** (1) There shall be constituted a Planning Board of the University which shall advise generally on the planning and development of the University and keep under review the standard of education and research in the University. The Planning Board.
- (2) The Planning Board shall consist of the following members, namely:-
- (i) the Vice-Chancellor, who shall be the *ex-officio* Chairman of the Planning Board; and
- (ii) not more than eight persons of high academic standing nominated by the Board.
- (3) The term of office of the nominated members of the Planning Board shall be three years.
- (4) The Planning Board shall, in addition to all other powers vested in it by this Act, have the right to advise the Board of Management and the Academic Council on any academic matter.
- 28.** All the authorities of the University shall have power to constitute or reconstitute committees and to delegate to them such of their powers as they deem fit; such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority in each case, may think fit. Constitution of committees and delegation of powers.

CHAPTER V.

RESEARCH AND EXTENSION

EDUCATION ORGANISATIONS.

- 29.** (1) Subject to the provisions of this Act and the statutes, the University shall establish a Fisheries Research Organisation for doing basic research on problems primarily relating to fisheries sciences for the purpose of aiding the development of fisheries and shall for this purpose, establish as many fisheries research stations as may be necessary in co-operation with the department of Fisheries. Fisheries Research Organisation.
- (2) The Fisheries Research Organisation shall be developed under the guidance of the Director of Research.
- 30.** (1) Subject to the provisions of this Act and the statutes, the University shall establish a Fisheries Extension Education Organisation, which shall make available the information obtained on the basis of research to students, extension workers and fish farmers and fisherfolk and shall conduct demonstration and training programme for the benefit of such persons in co-operation with the concerned Government departments. Fisheries Extension Education Organisation.
- (2) The University shall undertake such fisheries extension education activities as are necessary;
- (a) to inform and demonstrate to the fish farmers and fisherfolk, the findings and developments of fisheries research on improved practices essential to uplift the living conditions of fish farmers and fisherfolk;
- (b) to increase fisheries production with special emphasis on food production and utilization.
- (3) The Fisheries Extension Education Organisation shall be developed under the guidance of the Director of Extension Education.

CHAPTER VI.

FUNDS AND ACCOUNTS.

- 31.** (1) The University shall have a General Fund to which shall be credited,— General Fund.
- (a) its income from fees, endowments, grants, donations and gifts, if any;

(b) any contribution or grant made by the Central Government, any State Government, the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 or like authority, any local authority or any corporation owned or controlled by the Government; and

Central Act
III of 1956.

(c) other receipts.

(2) The monies in the General Fund shall be invested in the securities specified in clauses (a) to (d) of section 20 of the Indian Trust Act, 1882.

Central Act II
of 1882.

(3) The University shall furnish such statements, accounts, reports and other particulars relating to any grant made by the Government and its utilisation, as the Government may require.

Other funds. **32.** The University may have such other funds as may be prescribed by the statutes.

Management of funds. **33.** The funds and all monies of the University shall be managed in such manner as may be prescribed.

Grants. **34** (1). The Government shall, every year make non-lapsable, lumpsum grants to the University as follows:—

(a) a grant not less than the net expenditure incurred in the year in respect of the activities of the institutions of Fisheries Sciences and such other Government departments relating to Fisheries Sciences as are transferred to the University;

(b) a grant not less than the estimated expenditure on pay and allowances of the staff, contingencies, supplies and services of the University;

(c) a grant to meet such additional items of expenditure, recurring and non-recurring, as the Government may deem necessary for the proper functioning of the University;

(d) annual grant to set new bench mark standards in fisheries education, research and extension, based on progress.

(2) The University shall furnish to the State Government such statements, accounts, reports and other particulars, as it may require before any grant is made by it, and the university shall take such action and furnish such statements, accounts, reports and other particulars relating to the utilization of any grant, with in such time and in such manner as the State Government may direct.

The Finance Committee. **35.** (1) The Board shall appoint a Finance Committee consisting of the following members, namely:—

(a) The Vice-Chancellor ;

(b) The Secretary to Government, in-charge of Fisheries;

(c) The Secretary to Government, in-charge of Finance;

(d) One member chosen by the Board from amongst its non-official members;
and

(e) The Finance Officer.

(2) The Vice-Chancellor shall be the *ex-officio* Chairman of the finance committee. The Finance Officer shall be the *ex-officio* secretary to the Finance committee.

(3) In case the Secretary to Government, in-charge of Fisheries or the Secretary to Government, in-charge of Finance is unable to attend the meetings of the Finance Committee, for any reason, he may depute any officer of his department not lower in rank than that of Joint Secretary to Government to attend the meetings. The Officer so deputed shall have the right to take part in the discussions of the meetings and shall have the right to vote.

(4) The Finance Committee shall,—

(a) examine the annual accounts and the annual financial estimates of the University and advise the Board thereon;

(b) review the financial position of the University from time to time;

(c) make recommendation to the Board on every proposal involving expenditure for which no provision has been made in the annual financial estimates; and

(d) make recommendation to the Board on all matters relating to the finances of the University;

(e) Perform such other functions as may be prescribed.

36. The Board may constitute such other authorities of the University as may be necessary in the manner prescribed in the statutes.

Constitute of other authority.

37. (1) The annual accounts prepared by the Finance Officer shall be submitted to such examination and audit as the Government may direct and a copy of the annual accounts and audit report shall be submitted to the Government.

Annual accounts.

(2) The University shall settle objections raised in the audit and carry out such instructions as may be issued by the Government on the audit report.

(3) The Government, shall cause the annual accounts and the audit report to be laid before the Legislative Assembly of the State together with their comments.

(4) The Finance Officer shall, before such date as may be prescribed by the statutes, prepare the annual financial estimates for the ensuing year.

(5) The annual accounts and the annual financial estimates prepared by the Finance Officer shall be placed before the Board together with the remarks of the Finance Committee for approval at its annual meeting and the Board may pass resolution with reference thereto and communicate the same to the Finance Officer who shall take action in accordance therewith.

CHAPTER VII.

CONDITIONS OF SERVICE.

38. (1) The University shall institute for the benefit of its officers, teachers and other employees such pension, gratuity, insurance and provident fund as it may deem fit, in such manner and subject to such conditions as may be prescribed.

Pension, gratuity, etc.

(2) Where the University has so instituted a provident fund under subsection (1), the Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund as if the University were a local authority and the fund a Government provident fund.

Central Act
XIX of 1925.

(3) The University may, in consultation with the Finance Committee, invest the provident fund amount in such manner as it may determine.

Explanation.—For the purposes of this section and sections 39 and 42 the word, “officer” shall not include the Chancellor, the Pro-Chancellor and the Vice-Chancellor of the University.

39. Subject to the provisions of this Act, the appointment, procedure for selection, pay and allowances and other conditions of service of officers, teachers and other employees of the University shall be such as may be prescribed.

Conditions of service.

CHAPTER VIII.

STATUTES AND REGULATIONS.

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

Statutes.

- (a) the conditions under which the teaching, research and extension in the University may be carried on;
- (b) the manner in which and the conditions under which the honorary degrees and other distinctions may be conferred;
- (c) the fixation, payment and receipt of fees and other charges;
- (d) the prescription of academic qualification and standard for admission to the University;
- (e) the terms and conditions subject to which the Registrar may be appointed and his powers and duties;
- (f) the terms and conditions subject to which the Finance Officer may be appointed and his powers, functions and duties;
- (g) the terms and conditions subject to which the Deans may be appointed and their powers and duties;
- (h) the terms and conditions subject to which the Director of Research, Director of Extension Education, Controller of Examinations and other Directors may be appointed and their powers and duties;
- (i) the daily and travelling allowances to be paid to the members of the Board, Academic Council and other authorities of the University and the committees there of;
- (j) the assignment of subjects of study for each Faculty;
- (k) the constitution and functions of the Board of Studies of each Faculty;
- (l) the constitution and functions of the Faculties;
- (m) the manner in which the Deans may be appointed;
- (n) affiliation of Colleges and Institutions;
- (o) the establishment and management of the funds and monies of the University;
- (p) the manner of publication of the accounts audited;
- (q) the period for which and the manner in which the instruction, teaching, training and holding examinations shall be conducted for the students of the colleges specified in section 44;
- (r) any other matter, which is required to be, or may be prescribed by the statutes; and
- (s) the constitution , powers and functions of the other authorities of the University.

41. (1) The Board may, from time to time, make statutes and amend or repeal the statutes in the manner hereinafter provided in this section.

Statutes how made.

(2) The Academic Council may propose to the Board the draft of any statute or of any amendment to , or of repeal of , a statute to be passed by the Board and such draft shall be considered by the Board at its next meeting:

Provided that the Academic Council shall not propose any amendment to any statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing its opinion upon the proposal and any opinion so expressed shall be considered by the Board.

(3) The Board may consider the draft proposed by the Academic Council under sub-section (2) and may either pass the draft statute or reject or return with or without amendments to the Academic Council for reconsideration.

(4) (a) Any member of the Board may propose to the Board the draft of a statute and the Board may either accept or reject the draft, if it relates to a matter not falling within the purview of the Academic Council.

(b) In case such draft relates to a matter within the purview of the Academic Council, the Board shall refer it for consideration to the Academic Council, which may, after following the procedure laid down in the proviso to sub-section (2) either report to the Board that it does not approve the draft or submit the draft to the Board in such form as the Academic Council may approve and the Board may either pass with or without amendments or reject the draft.

42. (1) Subject to the provisions of this Act and the statutes, the authorities of the University may make regulations to provide for all or any of the following matters, namely:—

Regulations.

(a) The manner in which and the conditions subject to which the pension, gratuity, insurance and provident fund may be instituted for the benefit of the officers, teachers and other employees of the University;

(b) The appointment, procedure for selection, and pay and allowances and other conditions of services of officers, teachers and other employees of the University;

(c) The giving of notice to the members of any authority of the University, the dates of the meetings and the business to be transacted at the meetings and for keeping a record of the proceedings of the meetings;

(d) The procedure to be observed at the meetings and the number of members required to form the quorum; and

(e) Any other matter which is required to be or may be prescribed by regulations.

(2) The Academic Council may, subject to the provisions of the statutes, make regulations providing for the courses of study, system of examinations and award of degrees, diplomas and other academic distinctions of the University, after receiving the draft of the same from the Board of Studies concerned.

(3) The Board may issue such direction, as it may think fit to the concerned authority to amend any regulation.

CHAPTER IX.

TRANSFER OF COLLEGES, EMPLOYEES AND FUNDS.

Tamil Nadu
Act 42 of
1989.

43. (1) Notwithstanding anything contained in the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 or the statutes, regulations and orders made there under, on and from the appointed date;

Transfer of
certain
colleges
and
institutions
to
University.

(a) the institutions specified in Part I of the Schedule, which immediately preceding such date were the constituent college and of the institutions of the Tamil Nadu Veterinary and Animal Sciences University; and

(b) the institutions specified in Part II of the schedule, which immediately preceding such date were under the control of the Fisheries Department of the Government shall be transferred to, and maintained by, the University as the constituent colleges of, and the institutions of, the University.

(2) On and from the appointed date, the control and management of the colleges and institutions specified in sub-section (1) and all properties, assets and liabilities of the corresponding University and the Government, in relation thereto shall stand transferred to, and vest in, the University.

(3) The Government may, at any time, after the appointed date, transfer to the University, any of their lands for its use on such terms and conditions as they deem proper.

(4) The Government may, at any time after the appointed date, transfer to the University, the control and management of any of their colleges or government institutions on such terms and conditions as they deem proper.

(5) Notwithstanding anything contained in any other Act relating to the establishment of a University in the State or the statutes, ordinances, regulations and orders made thereunder, on and from the date to be specified by the Government, the colleges or institutions referred to in sub-section (4) shall be disaffiliated from the University to which they were affiliated on the date immediately preceding the specified date and shall be deemed to be colleges or institutions affiliated to the University and the provisions of this Act shall, as far as may be, apply accordingly.

Special provisions for students.

44. Notwithstanding anything contained in this Act, the statutes or regulations, every student of a college specified in sub-section (1) of section 43 who immediately before the appointed date was studying in any college in the corresponding University or was eligible for any examination in the corresponding University shall be permitted to complete his course of study or be admitted to the examination in the University and the University shall make arrangements,—

(a) for the instruction, teaching, training and holding examination for such student for such period and in such manner as may be determined by the first Vice-Chancellor in accordance with the course of study in the corresponding University; and

(b) for the conferment of the corresponding degree, diploma or other academic distinction of the University upon the qualified student on the result of such examination.

Transfer of service of certain employees.

45. (1) Every person who is qualified in the field Fisheries Science and who immediately before the appointed day, is serving in the colleges and institutions of the Tamilnadu Veterinary and Animal Sciences University shall, as from the said day, become an employee of the University and shall cease to be an employee of the Tamil Nadu Veterinary and Animal Sciences University.

(2) (a) As soon as may be, after the appointed day, the Government may, after consulting the Vice-Chancellors of the Tamil Nadu Veterinary and Animal Sciences University and the Tamil Nadu Fisheries University, direct, by general or special order, that—

(i) such of the employee of the Government who immediately before the appointed day were serving in the institutions specified in Part II of the Schedule; and

(ii) such of the employee of the Tamil Nadu Veterinary and Animal Sciences University other than those specified in sub-section(1), as are specified in such order shall stand allotted to serve in connection with the affairs of the Tamil Nadu Fisheries University with effect on and from such date as may be specified in such order:

Provided that no such order shall be issued in respect of any such employee, without his consent for such allotment;

(b) With effect on and from the date specified in the order under clause (a), the persons specified in such order shall become employees of the Tamil Nadu Fisheries University and shall cease to be employees of the Government or the Tamil Nadu Veterinary and Animal Sciences University as the case may be.

(3) Every person referred to in sub-sections (1) and (2) shall hold office under the University by the same tenure, at the same remuneration and upon the same rights and privileges as to pension or gratuity, if any, and other matters as he would have held the same on the appointed day or the date specified in the order under clause (a) of sub-section (2), as the case may be, as if this Act has not been passed.

(4) The liability to pay pension and gratuity to the persons referred to in sub-sections (1) and (2) shall be the liability of the Tamil Nadu Fisheries University.

46.(1) The sums at the credit of the provident fund accounts of the employees referred to in sub-section (1) of section 45 as on the appointed date shall be transferred to the University and the liability in respect of the said provident fund accounts shall be the liability of the University.

Transfer of accumulations in provident fund and other like funds.

(2) The sums at the credit of the provident fund accounts of the employees specified in the order under sub-section (2) of section 45 as on the date specified in that order shall be transferred to the University and the liability in respect of the said provident fund accounts shall be the liability of the University.

(3) There shall be paid to the University out of the accumulations in the superannuation fund and other like funds, if any, of the corresponding University or, as the case may be, of the Government, such amounts as have been credited to the superannuation fund or other like funds, if any, on behalf of the employees referred to in sub-section (1) of section 45 and the employees specified in the order under sub-section (2) of section 45. The amounts so paid shall form part of the superannuation fund or other like funds, if any, that may be established by the University for the benefit of its employees.

47. (1) The Corresponding University shall, out of its funds as on the appointed date, pay to the University such amount as the Government may, in consultation with the corresponding University, specify.

Payment of certain monies to University.

(2) The amount payable under sub-section (1) shall be in addition to the amounts transferred under section 46.

48. On and from the appointed date, no new college imparting education in fisheries sciences shall be established except as a constituent or affiliated college of the University.

New college to be constituent or affiliated college.

CHAPTER X.

TRANSITORY PROVISIONS.

49. Notwithstanding anything contained in sub-section (1) of section 11, within six months from the appointed date, the first Vice-Chancellor shall be appointed by the Government on a salary to be fixed by them for a period not exceeding three years and on such other conditions as they think fit:

Appointment of first Vice-Chancellor.

Provided that the person appointed as the first Vice-Chancellor shall retire from office, if during the term of his office, he completes the age of sixty-five years.

50. Notwithstanding anything contained in sub-section (1) of section 13, within three months from the appointed date, the first Registrar shall be appointed by the Government on a salary to be fixed by them for a period not exceeding three years and on such other conditions as they think fit:

Appointment of first Registration.

Provided that the person appointed as the first Registrar shall retire from office, if during the term of his office, he completes the age of sixty years. ,

51. (1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Board of Management, the Academic Council and such other authorities of the University specified in section 18 within six months from the date of his appointment or such longer period, not exceeding one year, as the Government may, by notification, specify.

Transitory powers of first Vice-Chancellor.

(2) It shall be the duty of the first Vice-Chancellor to make such statutes and regulations as may be necessary with the approval of the Chancellor and submit them to the respective authority competent to deal with them for their disposal. Such statutes and regulations when framed shall be published in the *Tamil Nadu Government Gazette*.

(3) Notwithstanding anything contained in this Act and the statutes and regulations, until such time an authority is duly constituted, the first Vice-Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and functions of such authority under this Act, the statutes and the regulations.

(4) The authorities constituted under sub-section (1) shall commence to exercise their powers and perform their functions on such date or dates as the Government may, by notification, specify.

CHAPTER XI.

MISCELLANEOUS.

Annual Report.

52. (1) The annual report of the University shall be prepared under the direction of the Vice-Chancellor and submitted to the Board at least one month before the annual meeting at which it is to be considered.

(2) The Board shall, after considering the annual report forward a copy thereof to the Government.

(3) On receipt of a copy of the annual report, the Government shall cause a copy of such report together with their comments thereon to be laid before the Legislative Assembly of the State.

Disputes as to constitution of University authorities and bodies.

53. If any question arises whether any person has been duly elected or nominated as, or is entitled to be, as a member of any authority of the University or other body of the University the question shall be referred to the Chancellor whose decision thereon shall be final.

Disqualification for membership.

54. (1) No person shall be qualified for nomination or election as a member of any of the authorities of the University, if, on the date of such nomination or election, he is—

(a) of unsound mind or a deaf-mute; or

(b) an applicant to be adjudicated as an insolvent or an undischarged insolvent; or

(c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude.

(2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1), the Board shall refer such case to the Chancellor, whose decision shall be final.

Removal from membership of any University authority.

55. (1) The Board may remove by an order in writing made in this behalf, any person from membership of any authority of the University by a resolution passed by a majority of two-third of the total membership of the Board present and voting at the meeting, if such person has been convicted by a Criminal Court for an offence which in the opinion of the Board involves moral turpitude, or if he has been guilty of gross misconduct and for the same reason, the Board may withdraw any degree or diploma or other academic distinction conferred on, or granted to, that person by the University.

(2) The Board may also by an order in writing made in this behalf remove any person from the membership of any authority of the University if he becomes of unsound mind or deaf-mute or has applied to be adjudicated or has been adjudicated as an insolvent.

(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.

(4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall, as soon as may be after it is so passed, be communicated to the person concerned in the manner prescribed.

Constitution of committees and delegation of powers.

56. All the authorities of the University shall have power to constitute or reconstitute committees and to delegate to them such of their powers as they deem fit. Such committees shall, save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority in each case may think fit.

57. All 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, by the person or body who or which nominated or elected, the member in whose place has become vacant and the person nominated or elected to a casual vacancy shall be a member of such authority or body for the remainder of the term for which the member in whose place he is nominated or elected would have held office:

Filling of casual vacancy.

Provided that no casual vacancy shall be filled, if such vacancy occurs within six months before the date of the expiry of the term of the member of any authority or other body of the University.

58. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or any defect or irregularity in the appointment of a member of any authority or of other body of the University or of any defect or irregularity in any such act or proceeding not affecting the merits of the case or on the ground only that the Board did not meet once in every three months.

Validation of acts and proceedings.

59. In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served to, and served on the Registrar.

Suits and legal proceedings.

Central Act
XLV of
1860.

60. The Vice-Chancellor, the Registrar, the Finance Officer, the Deans, the Directors and other employees of the University shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

Vice-Chancellor and other Officers, etc., to be public servants.

61. The Government may, by notification, alter, amend or add to the Schedule or omit any college or institution specified in the Schedule and upon the issue of such notification, the Schedule shall be deemed to be amended accordingly.

Power to amend Schedule.

62. (1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the appointed date or, as the case may be, the notified date or otherwise in giving effect to the provisions of this Act, the Government may, by notification, make such provision not inconsistent with the provisions of this Act as may appear to them to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such notification shall be issued after the expiry of five years from the appointed date.

(2) Every notification issued under sub-section (1) or under any other provisions of this Act shall, as soon as possible after it is issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed, or the next session, the Assembly makes any modification in any such notification or the Assembly decides that the notification should not be issued, the notification shall thereafter have effect only in such modified form, or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

Tamil Nadu
Act 42 of
1989.

63. (1) On and from the appointed date, the provisions of the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 (hereinafter in this section referred to as the said Act), shall cease to apply in respect of the colleges and the institutions specified in the Schedule to which this Act applies.

Tamil Nadu Act 42 of 1989 not to apply.

(2) Such ceaser shall not affect,—

- (a) the previous operation of the said Act; or
- (b) any penalty, forfeiture or punishment, incurred in respect of any offence committed against the said Act; or
- (c) any investigation, legal proceeding or remedy in respect of such penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all statutes and regulations made under the said Act and in force on the appointed date, shall, in so far as they are not inconsistent with the provisions of this Act, continue to be in force until they are repealed by the statutes and regulations to be made under this Act.

THE SCHEDULE

[See Sections 1(3), 13 (1) (a) , 61 and 63 (1)]

PART - I.

1. Fisheries College and Research Institute, Thoothukudi.
2. Maritech Research and Extension Centre, Tharuvaikulm, Thoothukudi district.
3. Fisheries Research and Extension Center in Madhavaram Milk Colony, Chennai with the existing Madhavaram lake for the expansion of fisheries activities.
4. Fisheries Training and Research Centre at Parakkai, Kanyakumari district with the existing land.
5. Fisheries Training and Research Component at Thanjavur with the existing land.
6. The Directorate of Research and Extension (Fisheries).

PART II.

Institutions under the Fisheries Department.

1. Staff Training Institute, Chennai.
2. Fisheries Institute of Technology and Training (FITT), Chennai.

STATEMENT OF OBJECTS AND REASONS

The Hon'ble Chief Minister during budget session for the year 2011 – 2012 has announced on 13-09-2011 on the floor of the Tamil Nadu Legislative Assembly that a new "Fisheries University" will be established at Nagapattinam Taluk.

2. To give effect to the said announcement, it has been decided to establish a "Fisheries University" at Nagapattinam Taluk.

3. The Bill seeks to give effect to above decision.

K.A. JAYAPAL,
Minister for Fisheries.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 1(4), 5, 6,8,11,12 (6), 17, 18, 21, 25, 26, 32,33,36, 40, 42, 45 (2), 51, 55, 61, and 62 of the Bill authorise the Government, the Board of Management and the Academic Council of the University to prescribe the manner and the method of giving effect to certain provisions of the proposed Act, when enacted and brought into operation, by issuing suitable notifications, orders, statutes or regulations, as the case may be.

2. The powers delegated are normal and not of an exceptional character.

K.A. JAYAPAL,
Minister for Fisheries.

FINANCIAL MEMORANDUM

The Bill provides for establishment of a Fisheries University at Nagapattinam. The Bill when enacted would involve expenditure from the Consolidated Fund of the State. It is, however, not possible at this stage to estimate with any degree of accuracy the expenditure to be incurred as a result of the proposed legislation.

K.A. JAYAPAL,
Minister for Fisheries.

A.M.P. JAMALUDEEN,
Secretary.