

Registered No. D A-1

BANGLADESH



GAZETTE

Extra Issue
Published by the authority

Tuesday, September 15, 2020

BANGLADESH NATIONAL PARLIAMENT

Dhaka, 31 Vadra, 1427/ 15 September, 2020

Upon acceptance by Parliament, the following Act received the President of the Republic's assent on September 15, 2020 (31 Vadra, 1427) and is hereby notified for the information of all concerned: -

ACT NO. 18 OF THE YEAR 2020

An Act for the establishment of Habiganj Agricultural University to align and achieve parity with the advanced world in the field of agricultural science and technology and to provide quality education in agricultural science at the national level along with creating opportunities for higher education and research in science, technology, and other conventional disciplines fostering the expansion of education in agriculture, science, and technology within the country, and for the invention of new technologies.

Whereas, it is expedient and necessary to establish a university named Habiganj Agricultural University to maintain harmony and achieve equality with the advanced world in the field of agricultural science and technology, to impart advanced education in agricultural science at the national level, to create opportunities for higher education and research in science, technology, and other traditional disciplines, and to expand education in agriculture, science, and technology in the country, including the development of new technologies;

Therefore, the following Act is hereby enacted: -

9011

(As per S.R.O. No. 301-Law/2020, dated November 10, 2020, the Act came into effect on December 17, 2020, corresponding to the 2nd Poush, 1427 of the Bengali calendars.)

(Disclaimer: This English translation of the Habiganj Agricultural University Act, 2020 (originally enacted in Bengali) is not a legally binding document. In the event of any discrepancy, inconsistency, ambiguity, authoritative reference, or legal proceedings, the original Bengali version of the Act shall prevail.)

1. Short Title and Commencement: -

- (1) This Act shall be called the *Habiganj Agricultural University Act, 2020*.
- (2) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

2. Definitions: - Unless anything contrary to the subject or context exists in this Act —

- (1) "Organogram" means the organogram approved by the Chancellor;
- (2) "Finance Committee" means the Finance Committee of the University;
- (3) "Faculty" means the faculty of the University;
- (4) "Institute" means any institute recognized, approved, or established by the University;
- (5) "Academic Council" means the Academic Council of the University;
- (6) "Authority" means any authority mentioned in Section 17;
- (7) "Employee" means any employee mentioned in Section 8;
- (8) "Chancellor" means the Chancellor of the University;
- (9) "Student Advisor" means the Student Advisor mentioned in Section 8(Cha);
- (10) "Treasurer" means the Treasurer of the University;
- (11) "Dean" means the Dean of a faculty;
- (12) "Schedule" means the schedule of this Act;
- (13) "Planning and Development Committee" means the Planning and Development Committee of the University;
- (14) "Proctor" means the Proctor of the University;
- (15) "Regulation" means the regulation formulated by the University under this Act;
- (16) "Provost" means the head of any residential hall of the University;
- (17) "Pro-Vice-Chancellor" means the Pro-Vice-Chancellor of the University;
- (18) "Rules" mean the rules formulated by the University under this Act;
- (19) "Department" means any department of the University;
- (20) "Departmental Chairperson" means the head of a department;
- (21) "University" means the Habiganj Agricultural University established under Section 3;

9012

(As per S.R.O. No. 301-Law/2020, dated November 10, 2020, the Act came into effect on December 17, 2020, corresponding to the 2nd Poush, 1427 of the Bengali calendars.)

(Disclaimer: This English translation of the Habiganj Agricultural University Act, 2020 (originally enacted in Bengali) is not a legally binding document. In the event of any discrepancy, inconsistency, ambiguity, authoritative reference, or legal proceedings, the original Bengali version of the Act shall prevail.)

- (22) "Board of Governors" means the Board of Governors of the Institute;
- (23) "Vice-Chancellor" means the Vice-Chancellor of the University;
- (24) "University Grants Commission" means the University Grants Commission of Bangladesh, constituted under the *University Grants Commission of Bangladesh Order, 1973 (President's Order No. 10 of 1973)*;
- (25) "Registrar" means the Registrar of the University;
- (26) "Teacher" means any professor, associate professor, assistant professor, or lecturer of the University and any other person recognized as a teacher by the University;
- (27) "Student" means any student enrolled in the regular academic programs of the University;
- (28) "Disciplinary Committee" means the Disciplinary Committee of the University;
- (29) "Statutes" mean the statutes formulated by the University under this Act;
- (30) "Syndicate" means the Syndicate of the University;
- (31) "Hall" means a residential dormitory managed and operated by the University for students' collective living and co-curricular education.

4. Establishment of the University:-

- (1) In accordance with the provisions of this Act, a university named Habiganj Agricultural University shall be established in the Sadar Upazila of Habiganj district.
- (2) A statutory body shall be constituted under the name *Habiganj Agricultural University*, comprising the Chancellor, Vice-Chancellor, Pro-Vice-Chancellor, Treasurer, Syndicate members, and Academic Council members.
- (3) The University shall have perpetual succession and a common seal. Subject to the provisions of this Act, it shall have the power to acquire, hold, and transfer both movable and immovable property, and it may sue and be sued in its own name.

4. University Open to All: - The University shall be open to individuals of all races, religions, castes, genders, tribes, and classes, and no discrimination of any kind shall be permitted against anyone.

5. Powers of the University: - Subject to the provisions of this Act, the University shall have the following powers: -

- (a) To provide undergraduate and postgraduate education in various fields of agricultural science and to undertake necessary measures for research and training;

- (b) To develop and manage short- and long-term courses relevant to industry, commerce, society, and the economy, by integrating online distance learning and campus-based education in accordance with prescribed standards of higher education, focusing on creating skilled human resources to meet modern technological, professional, vocational, and economic needs;
- (c) To undertake educational and research activities to advance agricultural education, research, and extension, and to expand the scope of agricultural science;
- (d) To create opportunities for higher education and research in science, technology, and other conventional fields alongside agricultural sciences;
- (e) To plan and design academic activities and curricula for degrees, certificates, postgraduate diplomas, or other purposes;
- (f) To admit students to various courses conducted by the University;
- (g) To cooperate with other universities, national and international agricultural education, science, and technology institutions, research and development organizations, professional bodies, and associations, and to improve, expand, and implement the University's education, research, and outreach activities in collaboration with them;
- (h) To confer degrees, certificates, diplomas, or other special recognitions or honors in education to individuals who have completed courses or research conducted by the University as prescribed by the statutes and regulations;
- (i) To introduce and award fellowships, scholarships, stipends, prizes, medals, etc., as prescribed by the statutes, to recognize merit in education;
- (j) With the approval of the Chancellor and under conditions prescribed by the University Grants Commission and the Government, to create positions such as Professor, Part-time Professor, Visiting Professor, Associate Professor, Assistant Professor, Lecturer, Supernumerary Professor, and Emeritus Professor, as well as other necessary researcher and teaching positions, and to appoint individuals to those positions;
- (k) To prescribe and collect fees as determined by the statutes;
- (l) To establish and maintain dormitories for teachers and residential halls for students and oversee their management and inspection;
- (m) To supervise and regulate the moral and academic discipline of the University's teachers, employees, and students, improve co-curricular activities, and ensure their health and well-being;

- (n) To enter into, execute, amend, or terminate contracts for the fulfillment of the University's objectives;
- (o) To receive grants and scholarships from domestic and foreign individuals or organizations, with the approval of the University Grants Commission and the Government, for the expansion and development of the University's education;
- (p) To create opportunities for innovation in science, technology, and other conventional fields alongside agricultural sciences;
- (q) To organize exhibitions of sustainable agricultural technology and high-yield agricultural products and publish books and journals;
- (r) To undertake any other activities necessary to achieve and implement the University's objectives.

6. Teaching at the University: -

- (1) The university or its institutes shall conduct all recognized educational and research activities, including all lectures and activities in laboratories or workshops.
- (2) Teachers shall conduct teaching activities in the manner prescribed by the rules.
- (3) The authority responsible for teaching shall be determined by the statutes.
- (4) Matters related to curricula, syllabi, and admissions shall be determined by the statutes and rules.

7. Responsibilities of the University Grants Commission (UGC):-

- (1) The University Grants Commission (UGC) may arrange for the inspection or evaluation of the University's activities through a committee consisting of one or more individuals.
- (2) The UGC shall notify the University in advance regarding the purpose of any such inspection or evaluation, and the University shall have the right to be represented during such processes.
- (3) The UGC shall communicate its opinions regarding such inspections or evaluations to the University and provide recommendations to the Syndicate for necessary actions, while also informing the Ministry. The University authorities shall submit a report to the UGC on the actions taken in response.
- (4) The UGC shall determine the needs of the University in the field of education and formulate development plans accordingly.
- (5) The UGC shall review the University's budget and other financial requirements and forward recommendations to the Government.

(6) If, following an inspection, the UGC considers any matter critical or urgent, it may issue directives to the University for necessary corrections.

8. Employees of the University: - The following shall be the employees of the University: -

- (a) Vice-Chancellor;
- (b) Pro-Vice-Chancellor;
- (c) Treasurer;
- (d) Dean;
- (e) Registrar;
- (f) Controller of Examinations;
- (g) Departmental Chairperson;
- (h) Director (Research);
- (i) Director (Outreach Activities);
- (j) Director (Finance and Accounts);
- (k) Director (Planning and Development);
- (l) Student Affairs Advisor;
- (m) Proctor;
- (n) Provost;
- (o) Librarian;
- (p) Chief Engineer;
- (q) Chief Medical Officer; and
- (r) Any other employees declared as such by the statutes.

9. Chancellor: -

(1) The President of the People's Republic of Bangladesh shall be the Chancellor of the University and shall preside over convocation ceremonies for the conferment of academic and honorary degrees:

Provided that if the Chancellor so desires, he may nominate another person to preside over any convocation ceremony.

(2) The Chancellor shall have the powers vested in him by this Act and the statutes.

(3) The approval of the Chancellor shall be required for each proposal to confer an honorary degree.

(4) The Chancellor may initiate an investigation into any incident related to the University, and upon sending the investigation report to the Syndicate, the Syndicate shall take necessary action regarding the matter and submit a report to the Chancellor detailing the actions taken.

(5) If the Chancellor is satisfied that an abnormal situation exists which seriously disrupts the normal functioning of the University, he may issue necessary orders and directives to ensure the continuity of the University's operations. Such orders and directives shall be binding on the University authorities, teachers, and employees, and the Vice-Chancellor shall implement them.

10.Vice-Chancellor :-

(1) The Chancellor, under the conditions specified by him, shall appoint a qualified agriculturalist or a distinguished professor from any university, who is involved in agricultural education and research, as the Vice-Chancellor for a term of 4 (four) years. Provided, however, that no individual shall be eligible to be appointed as Vice-Chancellor for more than 2 (two) consecutive terms.

(2) Notwithstanding anything in sub-section (1), the Vice-Chancellor may continue in office at the pleasure of the Chancellor.

(3) In the event of the vacancy of the Vice-Chancellor's position, or if the Vice-Chancellor is unable to perform his duties due to leave, absence, illness, or any other reason, the Pro-Vice-Chancellor shall carry out the responsibilities of the Vice-Chancellor until a new Vice-Chancellor is appointed, or until the Vice-Chancellor is able to resume his duties. However, in the absence of the Pro-Vice-Chancellor, or if the position of Pro-Vice-Chancellor is vacant, the Treasurer or the senior-most Dean shall assume the responsibilities of the Vice-Chancellor.

11.Powers and Responsibilities of the Vice-Chancellor:-

(1) The Vice-Chancellor shall be the full-time principal academic executive of the university, and by virtue of his office, he shall be the Chairperson of the Syndicate, the Academic Council, the Planning and Development Committee, and the Finance Committee.

(2) The Vice-Chancellor shall be accountable to the Chancellor in the performance of his duties.

(3) The Vice-Chancellor may attend any meeting of any authority of the university and participate in its proceedings, but he shall not have the right to vote on any decision unless he is a member of that authority.

(4) The Vice-Chancellor shall faithfully implement the provisions of this law, the constitution, regulations, and rules, and may exercise the necessary powers for this purpose.

(5) The Vice-Chancellor shall convene the meetings of the Syndicate, the Academic Council, the Finance Committee, and the Planning and Development Committee and shall take necessary steps to implement the decisions made in those meetings.

(6) The Vice-Chancellor shall exercise general control over the teachers, staff, and students of the university.

(7) If the Vice-Chancellor does not agree with any decision of the university's authority, he may suspend the implementation of that decision and return it to the relevant authority for reconsideration at its next regular meeting, along with his comments. If, after reconsideration, the authority still does not agree with the Vice-Chancellor, he shall send the matter to the Chancellor for a final decision, and the decision of the Chancellor shall be considered final.

(8) In the event of an emergency situation in the administration of the university, if the Vice-Chancellor considers it necessary to take immediate action, he may do so and shall inform the relevant authority, which is usually responsible for taking such action, as soon as possible about the measures taken.

(9) If the Vice-Chancellor deems it necessary, he may assign any of his powers or duties, with the approval of the Syndicate, to any teacher or staff member of the university.

(10) The Vice-Chancellor shall be responsible for the overall implementation of the university's approved budget.

(11) The Vice-Chancellor shall exercise other powers as prescribed by the constitution, regulations, and rules.

12.Pro-Vice Chancellor: -

(1) The Chancellor, under conditions determined by him, shall appoint a professor or agricultural educator from the university to the position of Pro-Vice Chancellor for a term of 4 (four) years.

(2) Notwithstanding anything in Sub-section (1), the Pro-Vice Chancellor may remain in office as long as he is satisfactory to the Chancellor.

(3) The Pro-Vice Chancellor shall exercise the powers and perform the duties as defined by the constitution and delegated by the Vice-Chancellor.

13.Treasurer: -

(1) The Chancellor, under conditions determined by him, shall appoint a Treasurer for a term of 4 (four) years.

(2) To be appointed as Treasurer, a person must have at least 20 (twenty) years of experience in teaching, administration, or financial management, with a postgraduate degree.

(3) Notwithstanding anything in Sub-section (1), the Treasurer may remain in office as long as he is satisfactory to the Chancellor.

(4) The Treasurer shall have overall supervision of the university's funds and shall advise the Vice-Chancellor, relevant committees, and the Syndicate on financial policies.

(5) Under the control of the Syndicate, the Treasurer shall manage the university's property and investments and shall be responsible to the Syndicate for presenting the annual budget and financial statements.

- (6) The Treasurer shall be accountable to the Syndicate to ensure that funds are spent according to the approved allocation.
- (7) The Treasurer shall sign all financial agreements on behalf of the university.
- (8) The Treasurer shall perform other duties and exercise powers as determined by the constitution and delegated by the Vice-Chancellor.
- (9) If the position of Treasurer becomes temporarily vacant due to leave, illness, or any other reason, the Syndicate shall immediately inform the Chancellor, and the Chancellor shall make appropriate arrangements for the performance of the Treasurer's duties.

14.Registrar: - The Chancellor, under conditions and terms determined by him, shall appoint an agricultural expert as the Registrar, and he shall be a residential employee of the university. The Registrar shall: -

- (a) Perform the secretarial duties of the Syndicate and Academic Council;
- (b) Maintain all confidential reports, university records, documents, common seals, etc., entrusted to him by the Vice-Chancellor;
- (c) Be the custodian of all properties of the university entrusted to his supervision by the Syndicate;
- (d) Handle all official correspondence on behalf of the university;
- (e) Perform other duties assigned by the Syndicate, Academic Council, and Vice-Chancellor;
- (f) Sign all agreements on behalf of the university, except for financial agreements; and
- (g) Ensure the overall security of the university.

15.Controller of Examinations: - The Controller of Examinations shall be responsible for all matters related to the conduct of examinations and shall perform other duties as determined by the Constitution and regulations, and assigned by the Vice-Chancellor.

16.Appointment, Duties, and Powers of Other Employees: -

For those employees of the university whose appointment procedures, duties, and powers are not specified in this law, the Syndicate shall determine the appointment procedures, duties, and powers of such employees in accordance with the organizational structure approved by the Chancellor, as specified by the Constitution.

17. Authorities of the University : - The following authorities shall exist in the university:

- (a) Syndicate;
- (b) Academic Council;
- (c) Faculty;
- (d) Department;
- (e) Finance Committee;
- (f) Planning and Development Committee;
- (g) Selection Committee;
- (h) Discipline Committee; and
- (i) Other authorities formed according to the Constitution.

18 Syndicate: -

(1) The Syndicate shall be composed of the following members: -

- (a) The Vice-Chancellor, who shall also be its Chairman;
- (b) The Vice-Chancellor of any other public agricultural university in Bangladesh, nominated by the Chancellor;
- (c) Two members of Parliament, nominated by the Speaker;
- (d) The Pro-Vice-Chancellor;
- (e) The Treasurer;
- (f) The Divisional Commissioner of Sylhet;
- (g) The Executive Chairman of the Bangladesh Agricultural Research Council;
- (h) The Director-General of the Department of Agricultural Extension;
- (i) A representative from the Ministry of Education, at the level of Joint Secretary, nominated by the Government;
- (j) A representative from the Ministry of Agriculture, at the level of Joint Secretary, nominated by the Government;
- (k) A representative from the Bangladesh Agricultural Research Institute, Bangladesh Sugarcane Research Institute, Bangladesh Jute Research Institute, Bangladesh Rice Research Institute, Bangladesh Livestock Research Institute, and Bangladesh Fisheries Research Institute, nominated by the Government;

- (l) A representative nominated by the Chairman of the University Grants Commission;
- (m) Two distinguished agricultural scientists or experts in science and technology, nominated by the Chancellor;
- (n) Two Deans, nominated by seniority in rotation by the Vice-Chancellor;
- (o) Two Professors, nominated by the Chancellor;
- (p) A successful agricultural entrepreneur or leader from the private sector, nominated by the Ministry of Agriculture; and
- (q) The Registrar, who shall also be the Member Secretary.

(2) Any member of the Syndicate, who has been nominated, shall hold office for a term of two years from the date of their nomination:

Provided, however, that even after the completion of their term, they shall remain in office until their successor assumes responsibility.

Further provided, that if a member of the Syndicate ceases to hold the position or affiliation through which they were nominated, they shall no longer remain a member of the Syndicate.

Meeting of the Syndicate: -

(1) Subject to the provisions of this section, the Syndicate may determine the procedure for conducting its meetings.

(2) Meetings of the Syndicate shall be held on the date, at the place, and at the time determined by the Vice-Chancellor:

Provided, however, that at least one meeting of the Syndicate shall be held every three months.

(3) The Vice-Chancellor may call a special meeting of the Syndicate at any time, as required by the university.

(4) To constitute a quorum, the presence of at least two-thirds of the total members, including the Chairman of the meeting, shall be required.

20.Powers and Responsibilities of the Syndicate: -

(1) The Syndicate shall be the principal executive authority of the university and shall be responsible for the overall management of the university, subject to the provisions of this law and the constitution, and shall have supervisory powers over students, faculty, and staff.

(2) Without diminishing the comprehensiveness of the powers under sub-section (1), the Syndicate shall perform the following duties:

- (a) Formulation, amendment, and approval of the constitution;
- (b) Formulation of policies and decisions regarding the administration and functioning of the university;

- (c) Delegation of any powers to the Vice-Chancellor or any other authority, as necessary;
- (d) Granting financial or other forms of rewards, medals, etc., to individuals nominated or recommended by the Academic Council for exceptional contributions to education and research;
- (e) Creation, abolition, or temporary suspension of the positions of professors, associate professors, assistant professors, lecturers, and other teachers, researchers, and staff, subject to the approval of the Chancellor and in accordance with the recommendations of the Academic Council and the Syndicate, the prior approval of the University Grants Commission, and the budget allocations;
- (f) Submission of the complete financial requirements of the university for the relevant year to the University Grants Commission annually, along with a report on the funds received from external sources in the previous year;
- (g) Acceptance of immovable and movable properties transferred to the university through will, donation, or other means;
- (h) Abolition or temporary suspension of any department or institute, in accordance with the constitution and on the recommendation of the Academic Council;
- (i) Creation of scholarships for education, and creation of other educational positions with the prior approval of the government, on the recommendation of the Academic Council, and appointments to those positions;
- (j) Establishment of new faculties, departments, etc., and creation of educational and research opportunities, subject to the recommendation of the Academic Council and the prior approval of the Chancellor;
- (k) Consideration and approval of the university's development plans and annual budget, in alignment with the grants received from the government and internal revenue, and decision-making based on the proposed annual expenditures;
- (l) Determination of the university's financial needs, acquisition of property, fund collection, and management, including control and administration;
- (m) Appointment of university faculty and staff, and determination of their duties and terms of employment;
- (n) Consultation with the Finance Committee on financial matters;
- (o) Establishment, maintenance, and management of halls for student residence;
- (p) Ensuring student discipline, health, cultural and social development, and general welfare;

- (q) Taking necessary actions to advance and develop the study, progress, and development of agriculture, science and technology, and other related fields, in line with the university's objectives in education, research, training, and extension services;
- (r) Determining the size of the university's common seal and establishing the procedures for its custody and use;
- (s) Formulation of rules and regulations on any subject related to the university's objectives and functions, where there is no specific provision in this law or the constitution;
- (t) Performance of other tasks as prescribed in this law and the constitution.

21.Academic Council: -

(1) The Academic Council shall be composed of the following members:

- (a) The Vice-Chancellor, who shall also be the Chairperson;
- (b) The Pro-Vice-Chancellor;
- (c) The Deans of the Faculties;
- (d) The Chairpersons of the Departments;
- (e) All Professors and Associate Professors;
- (f) The University Librarian;
- (g) The Director (Research) of the University;
- (h) The Director (External Affairs) of the University;
- (i) The Controller of Examinations of the University;
- (j) At least one agricultural research expert nominated from agricultural research institutions designated by the government;
- (k) One Dean from any public agricultural university in Bangladesh, nominated by the Syndicate;
- (l) The Registrar, who shall also be the Member-Secretary.

(2) Any member nominated to the Academic Council shall hold office for a term of 2 (two) years from the date of their nomination:

Provided that any nominated member may, at any time, resign from their position by submitting a signed letter addressed to the Chairman.

9023

(As per S.R.O. No. 301-Law/2020, dated November 10, 2020, the Act came into effect on December 17, 2020, corresponding to the 2nd Poush, 1427 of the Bengali calendars.)

(Disclaimer: This English translation of the Habiganj Agricultural University Act, 2020 (originally enacted in Bengali) is not a legally binding document. In the event of any discrepancy, inconsistency, ambiguity, authoritative reference, or legal proceedings, the original Bengali version of the Act shall prevail.)

(3) Any nominated member shall continue to hold their position until their successor has assumed office, even after the completion of their term:

Provided that, if a member ceases to hold the position or office from which they were nominated, they shall no longer remain a member of the Academic Council.

22. Powers and Responsibilities of the Academic Council: -

(1) The Academic Council shall be the principal academic authority of the university and, subject to the provisions of this law and constitution, shall be responsible for maintaining the quality of teaching, education, and examinations in the university. It shall have control and supervisory authority over these matters.

(2) Under the overall authority outlined in subsection (1), the Academic Council shall also have the following powers:

- (a) To make decisions on all matters related to education and research and provide advice to the Syndicate;
- (b) To determine the educational activities, curriculum, and syllabus for the university;
- (c) To determine the standards for education, research, and examinations, as well as the criteria for student admission, degrees, and examinations; to ensure the timely conduct of examinations in each department, evaluation, and publication of results; to maintain discipline among students and assign responsibilities to teachers regarding the same; and to frame regulations regarding education, training, and all matters related to teaching and research;
- (d) To propose the establishment of new faculties or departments and the introduction of new subjects in the research and collection areas of any faculty, for consideration by the Syndicate;
- (e) To consider proposals for creating, abolishing, or temporarily suspending the positions of Professors, Associate Professors, Assistant Professors, Lecturers, and other teachers or researchers, and to provide recommendations to the Syndicate in this regard;
- (f) To frame regulations for the award of degrees, diplomas, certificates, scholarships, fellowships, stipends, prizes, medals, honorary degrees, etc., and recommend suitable individuals for the same to the Syndicate;
- (g) To form committees on any matter related to the development of education and research, and to consider and approve the recommendations of those committees;
- (h) To determine courses or syllabi, approve examiner panels for each course, approve research topics for research degrees, and appoint examiners for the examination of each of these subjects, based on recommendations from relevant committees;

- (i) To frame regulations aimed at improving and maintaining the quality of excellence in the various departments and faculties of the university and decide on forming collaborations or joint activities with other universities and research institutions, both within the country and abroad;
- (j) To propose policies for teacher training and skill development and submit those to the Syndicate, as well as to take initiatives for providing scholarships for training and education;
- (k) To determine the equivalency and recognition of degrees from other universities or higher educational institutions;
- (l) To decide on exempting a student or examinee from any course;
- (m) To decide on the proposal of a doctoral thesis topic, in accordance with the constitution, when a candidate suggests a subject for a doctorate degree;
- (n) To frame regulations for the use of the university library and make arrangements for its proper management;
- (o) To carry out and implement other education-related responsibilities and powers as defined by the constitution and assigned by the Syndicate.

23. Faculty: -

(1) Upon the recommendation of the Academic Council, subject to the approval of the Grant Commission and the Chancellor, one or more faculties will be established, consisting of the specified subjects. At the initial stage of the university, the following faculties will be established:

- (a) Faculty of Agriculture;
- (b) Faculty of Fisheries;
- (c) Faculty of Veterinary Medicine and Animal Science; and
- (d) Faculty of Science and Technology.

(2) Under the general supervision and control of the Academic Council, each faculty will be responsible for the teaching and research in subjects as determined by the constitution and regulations.

(3) The structure, powers, and functions of the faculties will be determined by the constitution and regulations.

(4) The faculty will submit recommendations or proposals for the introduction of new courses or curricula for approval by the Academic Council.

(5) Each faculty will have a Dean, who, under the control and general supervision of the Vice-Chancellor, will be responsible for ensuring the proper implementation of the constitution, regulations, and provisions related to the faculty.

9025

(As per S.R.O. No. 301-Law/2020, dated November 10, 2020, the Act came into effect on December 17, 2020, corresponding to the 2nd Poush, 1427 of the Bengali calendars.)

(Disclaimer: This English translation of the Habiganj Agricultural University Act, 2020 (originally enacted in Bengali) is not a legally binding document. In the event of any discrepancy, inconsistency, ambiguity, authoritative reference, or legal proceedings, the original Bengali version of the Act shall prevail.)

(6) The Dean will be responsible for the overall management and supervision of all academic and research activities of the faculty.

(7) The Vice-Chancellor, with the approval of the Syndicate, will appoint the Dean from among the professors of the faculty, based on seniority, for a two-year term, on a rotational basis.

(8) No individual may be appointed as Dean for more than two consecutive terms:

However, this provision will not apply if there is only one professor in the faculty.

(9) In the event that the position of Dean becomes vacant due to illness or any other reason, the Vice-Chancellor will take appropriate measures to manage the duties of the Dean.

(10) The Dean will preside over all meetings of the faculty; in the Dean's absence, the senior-most professor will perform the duties of the Dean and preside over the meetings.

(11) The Dean may attend the meetings of any committee related to education within any department or institute of the faculty and participate in the proceedings, but if the Dean is not a member of the committee, they will not have the right to vote.

24. Institute: -

(1) The university, when necessary, may establish one or more institutes for advanced education and research in any important field, in accordance with the procedure determined by the constitution, with the approval of the Chancellor.

(2) Each institute will have a Board of Governors, including a Director, which will be determined by the constitution.

25. Department:-

(1) In the university, one or more departments will be formed in each field of study, consisting of all the teachers in that subject.

(2) Under the supervision of the Dean, the Department Chair will be responsible for planning, managing, and coordinating the department, with the cooperation of the other teachers of the department.

(3) The Department Chair will exercise the powers and perform the duties as determined by the constitution and regulations.

26. Curriculum Committee : -Each department will have a Curriculum Committee for the management of education and research, the composition, powers, and functions of which will be determined by the constitution.

27.University Fund: -

(1) The university will have a general fund into which the following sources of money will be deposited, namely:

- (a) Grants provided by the government and the grant commission;
- (b) Fees and various charges paid by students;
- (c) Donations from alumni;
- (d) Donations from local authorities, other institutions, companies, or individuals;
- (e) Donations received from foreign individuals or institutions with government prior approval;
- (f) Income generated from the university's own assets and operations;
- (g) Trust funds or scholarship funds;
- (h) Income from other sources for the university;
- (i) Profits or income derived from the university's financial investments; and
- (j) Loans taken by the university with government prior approval.

(2) The funds will be deposited in any scheduled bank approved by the university in its name, and funds will be withdrawn following the procedure determined by regulations.

Explanation: For the purpose of this section, the term "scheduled bank" refers to the definition of "Scheduled Bank" under Article (2)(j) of the Bangladesh Bank Order, 1972 (President's Order No. 127 of 1972).

(3) The necessary expenditures of the university will be covered from the fund.

(4) Surplus funds of the university will be invested in areas approved by the Syndicate.

(5) The university may, if necessary, establish special funds for specific purposes and manage such funds in accordance with the procedure defined by regulations.

28.Finance Committee: -

(1) The university will have a finance committee, which will be constituted with the following members: -

- (a) The Vice-Chancellor, who will also be its Chairman;
- (b) One finance expert nominated by the Chancellor;
- (c) A representative of at least the rank of Joint Secretary, nominated by the Ministry of Finance;

- (d) Two finance experts nominated by the Syndicate, of whom at least one must be a person not employed by the university;
- (e) One professor nominated by the Academic Council;
- (f) One Dean nominated by the Vice-Chancellor; and
- (g) The Treasurer, who will also be the member-secretary of the committee.

(2) Any member nominated to the Finance Committee will hold office for a term of 2 (two) years from the date of their nomination. However, they will remain in their position until a successor has taken over, even after the expiration of their term.

29. Powers and Responsibilities of the Finance Committee: -The Finance Committee will: -

- (a) Oversee matters related to the university's income and expenditure;
- (b) Advise the Syndicate on all matters related to the university's finances, funds, assets, and accounts;
- (c) Consider the university's annual budget and advise the Syndicate accordingly; and
- (d) Perform any other duties as specified by the Constitution or assigned by the Vice-Chancellor or the Syndicate.

30.Planning and Development: -

(1) The university will have a Planning and Development Committee, which will be composed of the following members:

- (a) The Vice-Chancellor, who will also serve as the Chairman;
- (b) The Pro-Vice-Chancellor;
- (c) The Treasurer;
- (d) All Deans;
- (e) The Director (Research);
- (f) The Director (External Affairs);
- (g) One Department Chairperson appointed by the Pro-Vice-Chancellor;
- (h) Three individuals, not employed by the university, nominated by the government, 1 (one) of whom will be an engineer, 1 (one) an architect, and 1 (one) a finance and accounting expert;

- (i) Two Professors nominated by the Academic Council;
- (j) The Chief Engineer of the university; and
- (k) The Director (Planning and Development), who will also serve as the Member-Secretary.

(2) Any member appointed to the Planning and Development Committee will hold their position for a term of 2 (two) years from the date of appointment, provided that, even after the completion of their term, they will remain in office until their successor assumes the position. It is further specified that any appointed member may resign from their position at any time by submitting a signed letter addressed to the Chairman.

(3) The Planning and Development Committee will be the principal planning authority of the university. It will develop a comprehensive development plan in alignment with the university's objectives and will evaluate the university's development programs.

31. Selection Committee: -

- (1) Separate selection committees will be formed for the recommendation of university faculty and staff appointments.
- (2) The composition and functions of the selection committees will be determined by the constitution and regulations.
- (3) If the Syndicate does not agree with the recommendations of the selection committee, the matter must be referred to the Chancellor, and their decision on the matter will be considered final.

32. Disciplinary Committee: -

- (1) The university will have a disciplinary committee.
- (2) The composition, powers, and functions of the disciplinary committee will be determined by the constitution.

33. Other Authorities of the University : - The composition, powers, and functions of other authorities declared as authorities of the university by the constitution will be determined by the constitution.

34. University Teachers: -

- (1) All teachers of the university shall be employed on a full-time basis: However, the Vice-Chancellor may appoint one or more part-time teachers to ensure that the university's educational activities are not disrupted.
- (2) University teachers shall:
 - (a) Teach through lectures, tutorials, discussions, seminars, practical sessions, and workshops;
 - (b) Conduct and supervise research;

- (c) Maintain personal contact with students, provide guidance to them, and supervise their activities;
 - (d) Assist the authorities in formulating curricula and syllabi for the university, its faculties, and other curriculum-supporting organizations, as well as determining and conducting examinations, evaluating answer sheets and research papers, and organizing library, laboratory, and other educational and curriculum-supporting activities;
 - (e) Perform other duties and responsibilities as defined by the constitution and assigned by the Vice-Chancellor, Dean, and Department Chair.
- (3) No university teacher shall engage in any part-time or full-time employment or other activities without the formal prior approval of the university authorities.

35. Constitution: - Subject to the provisions of this law, the constitution may provide for the following or any of the following matters:

- (a) Determination of the powers and responsibilities of the Vice-Chancellor;
- (b) Determination of the powers and responsibilities of the Pro-Vice-Chancellor;
- (c) Determination of the powers and responsibilities of the Treasurer;
- (d) Establishment, management, and maintenance of the university's academic units, departments, laboratories, research centers, research farms, extension centers, computer labs, other farms, and external activity centers;
- (e) Determination of titles, job grades, powers, duties, and conditions of service for the university's teachers and employees;
- (f) Establishment of halls and other institutions and their maintenance;
- (g) Procedures for the appointment, promotion, and dismissal of university teachers and employees;
- (h) Formation of pension funds, joint insurance, welfare funds, and future funds for the welfare of university teachers and employees;
- (i) Determination of the procedures for the meetings of the Academic Council;
- (j) Introduction of chairs (professorships) in honor of distinguished individuals in the fields of knowledge and science at national and international levels;
- (k) Awarding honorary degrees;
- (l) Introduction of fellowships, scholarships, awards, and medals for educational achievements;

- (m) Determination of the subjects and nature of research activities;
- (n) Formation, powers, and functions of the university authorities;
- (o) Determination of provisions related to the creation, abolition, or temporary suspension of positions for teachers and researchers;
- (p) Establishment of new departments or institutes, temporary suspension, abolition, and provisions for creating opportunities for education and research;
- (q) Determination of the objectives and purposes of the Academic Council;
- (r) Formulation of provisions regarding the formation and functions of various committees;
- (s) Maintenance of a register of registered graduates; and
- (t) Any other matters that may be determined by the constitution under this law.

36. Constitution Formation: -

- (1) The Syndicate may formulate, amend, or repeal the constitution in the manner described in this section.
- (2) The constitution described in the schedule will be the first constitution of the university.
- (3) The Academic Council or any other authority of the university may propose amendments to the constitution to the Syndicate.
- (4) All constitutions formulated by the Syndicate must be presented to the Chancellor for approval, along with the Syndicate's recommendations. However, the provisions related to the terms of employment of the university's teachers and employees do not require the Chancellor's approval.
- (5) After receiving a proposal for the approval of a constitution, the Chancellor may return the constitution or any of its provisions to the Syndicate for reconsideration or for considering any amendments directed by the Chancellor. If the Syndicate resubmits the constitution to the Chancellor, with or without the directed amendments, and the Chancellor does not approve it within 30 (thirty) days from the date of submission, it will be deemed to have been approved after the expiration of that period.
- (6) No constitution proposed by the Syndicate will be valid unless the Chancellor approves.

37: - Rule Formation: -

- (1) In accordance with the provisions of this law and the constitution, rules may be formulated on any or all of the following matters:
 - (a) Formulation of curricula and syllabi for the university's degree, diploma, or certificate courses;
 - (b) Determination of conditions for participation in university degree, diploma, or certificate exams and eligibility for receiving the respective degree, diploma, or certificate;

- (c) Determination of the procedures for conducting university exams;
 - (d) Conditions for awarding fellowships, scholarships, assistantships, honorary degrees, medals, and awards for academic achievements;
 - (e) Conditions for university students' residence in halls and their behavior and discipline;
 - (f) Determination of fees related to the university's curricula and examinations;
 - (g) Admission and enrollment procedures for university students;
 - (h) Determination of the methods for conducting teaching activities, classroom management, research, workshops, educational tours, and internships;
 - (i) Formation of various committees related to education in the university;
 - (j) Formation of university faculties and determination of their powers and responsibilities;
 - (k) Formation, duties, and responsibilities of various university authorities.
- (2) Upon the recommendation of the Academic Council, with the approval of the Syndicate, the Grant Commission, and the government, rules may be formulated, amended, or repealed.

38. Regulation Formulation: -

- (1) The university authorities, with the approval of the Syndicate, may formulate regulations consistent with this law, the constitution, and the rules on the following matters:
- (a) Formulation of procedures to be followed in their respective meetings and determination of the necessary number of members for quorum;
 - (b) Formulation of provisions for all matters that can be defined by regulations in accordance with this law, the constitution, or the rules;
 - (c) Formulation of provisions on other matters related to the university authorities, but not covered by this law, the constitution, or the rules.
- (2) Each university authority will formulate regulations for giving notice to its members regarding the date of its meetings and the matters to be discussed, and for keeping records of the meeting minutes.
- (3) The Syndicate may issue instructions for the amendment or repeal of any regulations formulated under this section, in the manner prescribed by it, and the concerned authority shall be bound to comply with such instructions.
- (4) If any university authority is dissatisfied with the instructions under subsection (3), it may appeal to the Chancellor, and the Chancellor's decision in the appeal will be considered final.

39.Hall: -

- (1) Every student of the university shall reside in the hall, residence, or place determined by the constitution, and under the conditions set by the university.
- (2) The Provost and other supervisory staff of the hall shall be appointed in accordance with the procedures determined by the constitution.
- (3) Every hall will be under the supervision of a university employee authorized by the Discipline Committee.
- (4) If any hall is not operated in accordance with the procedures determined by the constitution, the university may withdraw the approval of that hall.

40.Dormitory: -

- (1) The dormitory shall be of the type determined by the constitution.
- (2) All staff supervising the dormitory shall be appointed in accordance with the procedures determined by the constitution.

41.Admission to University Programs: -

- (1) Admission of students to the university programs shall be regulated by the admission committee appointed by the Academic Council for this purpose.
- (2) The conditions for admission to the university's degree, postgraduate, and other programs shall be determined by the constitution and regulations.
- (3) If a student is admitted to the university based on false information provided during the admission process, and this is later proven, the admission shall be considered canceled.
- (4) If a student is convicted of moral misconduct by an appropriate court, their admission shall be subject to cancellation.

42.Examinations: -

- (1) Subject to the provisions of this law and the constitution, the Syndicate, based on the recommendations of the Academic Council, shall determine the examination procedures for the university's undergraduate, postgraduate, and other programs.
- (2) Under the general supervision of the Vice-Chancellor, the Controller of Examinations shall make all necessary arrangements for conducting the examinations.
- (3) The Academic Council shall form examination committees, and their structure, powers, and functions shall be determined by the regulations.
- (4) If an examiner is unable to perform their duties or expresses incapacity for any reason, the Vice-Chancellor shall appoint another examiner in their place.

43.Examination System: -

- (1) The university shall conduct examinations using a unified system for semesters and the specified number of courses.

- (2) The entire curriculum will be divided into several semesters, and the number of courses required for a degree or postgraduate diploma will be based on a single attainment criterion, with a maximum time limit for earning the degree. After the successful completion of each course and the corresponding examination, the candidate will be awarded grades or marks.
- (3) Both Bengali and English languages must be used as the medium of instruction.
- (4) The degree will be awarded to the candidate based on the total sum of grades or marks obtained in all semester examinations.

44. Terms of Employment: -

- (1) Every salaried teacher and employee of the university shall be appointed based on a written contract, and the contract will be kept in the custody of the university's registrar at his office. A copy of the contract will be provided to the concerned teacher or employee.
- (2) All teachers and employees of the university shall always perform their duties with integrity and fairness, and remain impartial in the performance of their responsibilities.
- (3) Unless specifically stated otherwise in the terms of appointment, every teacher and employee of the university shall be considered a full-time teacher or employee of the university.
- (4) No teacher or employee of the university shall involve themselves in any activities that are contrary to the interests of the university or the state.
- (5) The terms of employment for any teacher or employee shall be determined without infringing on their freedom to express political opinions. However, they shall not be allowed to promote their political views or associate themselves with any political organization.
- (6) Any salaried teacher or employee of the university must resign from their university position before contesting elections for a parliamentary seat or any local government election.
- (7) The terms of employment for the university's teachers and employees shall be determined by the constitution, ensuring that their citizenship and other rights are preserved and in alignment with the objectives and goals of the university.
- (8) Any salaried teacher or employee of the university may be dismissed, removed from office, or subjected to other disciplinary actions for neglect of duty, misconduct, moral lapse, or incompetence according to the procedures prescribed by the constitution. However, no such dismissal or removal will take place until an investigation committee has conducted an inquiry into the allegations, and the individual has been given an opportunity to defend themselves personally or through a representative.

45. Annual Report: -

The university's annual report must be prepared following the instructions of the Syndicate and submitted to the government through the Approval Commission within 30 (thirty) days or before the commencement of the next academic year.

46. Annual Accounts: -

- (1) The university's annual accounts and balance sheet report must be prepared following the instructions of the Syndicate and audited by the authority designated by the government.
- (2) The annual accounts, along with the audit report, must be submitted to the government through the University Grants Commission.

47. Disqualifications for Membership in the Authorities: -

A person shall not be eligible to hold any position in the university or be a member of any of its authorities, or continue to hold such a position or membership if they:

- (a) Are mentally unstable or otherwise incapable of performing their duties;
- (b) Have not been discharged from liabilities after being declared bankrupt;
- (c) Have been convicted by a court for an offense related to moral turpitude; or
- (d) Have any financial interest, either as a partner or in any other way, in the publication, collection, or supply of any book prescribed as part of the curriculum for a university exam, unless specifically permitted by the Syndicate:

Provided, however, that in case of doubt or dispute, the Chancellor shall determine whether a person is disqualified under this section, and their decision shall be final.

48. Filling of Vacancies Arising Suddenly: -

If a vacancy arises suddenly in the position of a member who is not a member by virtue of holding office in any authority or institute of the university, the person or authority who appointed or nominated the member shall, as soon as possible, fill the vacancy. The person appointed or nominated to the vacant position shall remain a member of the authority or institute for the unexpired term of the predecessor.

49. Validity of Actions and Procedures, etc.: -

The actions and procedures of any authority or institute of the university shall not be considered invalid, nor shall any question be raised regarding them, solely due to the vacancy of any position, failure or error in the appointment or nomination to that position, or any other kind of error in the formation of the said authority or institute.

50. Decision of the Chancellor on Disputed Matters

In the event of a dispute between the university and any of its teachers or employees on any matter not specifically prescribed in this law or constitution, the dispute shall be referred to the Chancellor for a decision, and the Chancellor's decision on this matter shall be considered final.

51.Pension and Retirement Fund: -

Subject to the procedures and conditions prescribed by the constitution and with the approval of the Syndicate, the university may establish pension benefits, group insurance, welfare funds, or retirement funds, and make provisions for gratuity or severance pay, in accordance with the prevailing rules and regulations of the country, for the welfare of its teachers and employees.

52.Removal of Difficulties: -

If, in the course of performing the functions of the university or in relation to the first meeting of any of its authorities, or in implementing the provisions of this law for the first time, any difficulty arises, the Chancellor, if it appears to him to be appropriate or necessary for removing such difficulty, may, by order, take any action, including appointments or other measures, in accordance with the provisions of this law and constitution as far as possible, and each such order will be deemed to have been made in accordance with the provisions of this law.