## COMMON STATUTES FOR AGRICULTURAL UNIVERSITIES OF GUJARAT

(STATUTE No. S.121.0)

State Agricultural Universities of Gujarat

(Delegation of Powers) Rules, 2011

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Delegation of Powers

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In exercise of the powers conferred under Section-28 (iii) read with Section-6 (28) of the Gujarat Agricultural Universities Act, 2004 (Gujarat Act No. 5 of 2004), the Board of Management of the University hereby confirms the following as Statute No. S.121.0 laying down the rules governing the Delegation of administrative, financial and executive powers relating to academic, technical matters and works in the Gujarat Agricultural Universities.

Rule-1.0 Title & Commencement :

These rules may be called the "Gujarat Agricultural Universities (Delegation of Powers) Rules, 2011" and they shall come into force with effect from __________________.@

Rule-2.0 Right to Interpret :

If any question relating to the interpretation of this statute arises, it shall be referred to the State Government under Section-57 of the Act and its decision shall be final.

@ These Statutes were approved by the State Council of Agricultural Universities on 2-9-2011 vide Item No. 8.3 of the 8th meeting of the Council.
Rule-3.0 Exercise and delegation of powers:

3.1 The nature of powers specified in column-2 of Appendix, annexed to this Statute shall be exercised by the officer or teacher or other employee of the University as indicated in column-3 subject to the conditions specified in column-4 thereof.

3.2 The powers under these rules shall not be re-delegated.

Rule-4.0 Definitions:

Unless the context otherwise requires -


(2) "Class of an employee" means the Class of an employee as laid down under the recruitment rules for the post held by him.

(3) "Comptroller" means Accounts Officer-cum-Comptroller of the University.

(4) "Employee" means an officer referred to in section-8 (iii) to (ix) of the Act, teacher and other employee of the University.

(5) "Head of Office" means an employee declared as such by the University.

(6) "Head of Unit" means an officer or an employee declared as such by the University.

(7) "Officer" means Officer of the University referred to in Section-8 (iii) to (ix) of the Act.

(8) "Other employee" means an individual other than the officer and the Teacher of the University, appointed in the regular pay band with grade pay by the University as a whole time employee of the University.

(9) "Salary" means basic pay in the pay band plus grade pay and admissible allowances except transport allowance.
(10) "Selection Committee" means the Selection Committee constituted under the Statutes laying down the Recruitment Rules for the respective post.

(11) "Teacher" means a teacher of the University as defined in Section-2 (17) of the Act.

(12) "University" means Agricultural University constituted under Section-3 (1) of the Act.

(13) "University Fund" means fund established under Section-46 of the Act.

(14) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section-10 of the Act.

Note: Words & expressions used but not defined in this Statute shall have the meaning assigned to them in the Act or in other Statutes.

Rule-5.0 Residuary Financial Powers:

The financial powers, not specifically delegated to any employee of the University, shall vest in the Board of Management.

Rule-6.0 Power to amend:

Notwithstanding anything contained in this Statute, the Council of State Agricultural University may by general or special order, amend, withdraw, annul or relax any provision in this Statute.

Rule-7.0 General limitations:

7.1 An authority, to whom powers are delegated under this Statute, is competent to exercise those powers in respect of past cases also.

7.2 The employee may sanction expenditure in those cases only in which it is authorised to do so by :-

(a) the provisions of any law for the time being in force; or

(b) this Statute or any other rules issued by, or with the approval of the University; or

(c) any general or special order of University or other competent authority.
7.3 Nothing contained in rule-7.2 shall empower any subordinate to sanction without the previous consent of the University, any expenditure which involves the introduction of a new principle or practice likely to lead to increase in expenditure in future.

7.4 No expenditure shall be incurred against a sanction unless funds are made available to meet the expenditure or liability by valid appropriation or re-appropriation.

7.5 A sanction to recurring expenditure or liability becomes operative, when funds to meet the expenditure or liability of the first year, are made available by valid appropriation or re-appropriation and remains effective for each subsequent year subject to appropriation in such years and subject also to the terms of the sanction.

7.6 The powers delegated to an employee can be exercised by his superior officer.

Rule-8.0 Issue of sanctions:

Powers delegated should be exercised by the issue of formal sanction. The Officer / Teacher / Principal / Head of Office and Head of Unit may incur contingent expenditure as per delegation without issuing formal sanction. Where, however, the employee competent to draw contingent bill is different from the employee competent to sanction contingent expenditure, sanction may be accorded either by issue of a formal order or by countersigning the relevant contingent bill.

Rule-9.0 Principles of Financial Propriety

Every University employee incurring or authorising expenditure from University fund should be guided by high standards property. Every University employee shall also enforce financial order and strict economy at every step and see that all relevant Statutes, Regulations and Rules are
observed by his office and by subordinate disbursing authorities. Among the principles, on which emphasis is generally laid are as follows :-

(1) Every University employee is expected to exercise the same vigilance in respect of expenditure incurred from University fund as a person of ordinary prudence would exercise in respect of expenditure of his own money.

(2) The expenditure should not be prima facie more than the occasion demands.

(3) No University employee should exercise its powers of sanctioning expenditure to pass an order which will be directly or indirectly to its own advantage.

(4) Expenditure from University money should not be incurred for the benefit of a particular person or a section of the people, unless -

(a) a claim for the amount could be enforced in a court of law, or

(b) the expenditure is in pursuance of a recognised policy or custom.

Rule-10.0 Repeals & Savings

Appendix-A referred to in Statute-28 prescribed under Gujarat Agricultural University Act, 1969 as well as the corresponding Rules/Orders as in force immediately before the commencement of this Statute are hereby repealed.

Provided that anything done or any action taken under the said Appendix-A of the said Statute 28 and Rules/Orders so repealed shall be deemed to have been done or taken under the corresponding provisions of this Statute.