VIDYASAGAR UNIVERSITY ACT, 1981

(West Bengal Act XVIII of 1981)

(Amended up to 1997)

Passed by the West Bengal Legislature
Assent of the Governor was first published in
the Calcutta Gazette, Extraordinary,
of the 24th June, 1981

An Act to establish and incorporate a University
at Midnapore in West Bengal after the name of
Pandit Iswar Chandra Vidyasagar

Vidyasagar University
Midnapore 721 102
1999

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The Vidyasagar University Act, 1981

Whereas it is expedient to establish and incorporate a University at Midnapore in the State of West Bengal after the name of Pandit Iswar Chandra Vidyasagar for encouraging and providing for instruction, teaching, training and research in various branches of learning and courses of study, promoting advancement and dissemination of knowledge and learning, and extending higher education, and for meeting the growing needs of society;

It is hereby enacted in the Thirty-Second Year of the Republic of India, by the Legislature of West Bengal, as follows :

CHAPTER I

Preliminary

Short title and commencement

1. 1) This Act may be called the Vidyasagar University Act, 1981
2) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint and different dates may be appointed for different provisions of this Act.

Definitions

2. In this Act unless there is anything repugnant in the subject or context,
1) "affiliated" in relation to a college or an institution means affiliated to the Vidyasagar University under this Act ;
2) "appointed day" means the date referred to in subsection (5) of section 57 ;
3) "college" means a college established, maintained or recognised by, or affiliated to, the University and includes a college referred to in sub-section (3) of section 5 ;
4) "constituent college" means an affiliated college in which instruction is provided, under prescribed conditions, for honours as well as for post-graduate courses of study, and which is declared as such by the University ;

provided that if in any professional subject no honours courses of study have been prescribed, a professional college may be a constituent college although no instruction is provided in that college for honours courses of study in that subject ;
5) "convocation" means a meeting of the Court for the purpose of conferring degrees, titles, diplomas, certificates or other academic distinctions ;
6) "district" means the district of Midnapore or any district which may be created in future out of any part thereof;
7) "employee" in relation to the University means any person employed by the University ;
8) "financial year" means the year ending on the 31st day of March ;
9) "Government college" means a college maintained and managed by the State Government;
10) "Governor" means the Governor of the State of West Bengal;
11) "hostel" or "hall" means a unit of residence for students recognised by the

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University ;

12) "librarian" means,
    a. in relation to the University, a librarian or any other person holding a post of librarian, by whatever name called, appointed or recognised as such by the University, and
    b. in relation to an affiliated college, a librarian or anyother person holding a post of librarian, by whatever name called, appointed or recognised by the University or appointed by such college;
13) "Minister" means the Minister-in-Charge of Higher Education appointed as such by the Governor ;
14) "non-teaching staff means,
    a) in relation to the University, the non-teaching staff not holding any teaching post (including part-time teaching post), appointed or recognised as such by the University, and
    b) in relation to an affiliated college, the non-teaching staff, not holding any teaching post (including part-time teaching post), appointed or recognised by the University or appointed by such college, but does not include an officer or a librarian;
15) "prescribed" means prescribed by the Statutes, Ordinances, Regulations or Rules made under this Act;
16) "principal" means the head of a college or of an institution, by whatever name called ;
17) "professional subject" means any of the following subjects, namely, Law, Medicine, Engineering, Teachers' Training, Technology, Agriculture, Journalism, Management Studies or such other subject as may be prescribed by the Regulations ;
18) "Statutes", "Ordinances", "Regulations" and "Rules" mean, respectively, the Statutes, Ordinances, Regulations and Rules of the University made under this Act;
19) "students' union", in relation to the University or an affiliated college, means the students' union constituted in the manner prescribed ;
20) "teacher" means a Professor, Associate Professor, Assistant Professor, Reader, Principal, Lecturer, Demonstrator, Instructor, or any other person holding a teaching post including a part-time teaching post, appointed or recognised by the University or appointed by an affiliated college or institution ;
21) "teacher of the University" means a Professor, Reader, Lecturer or any other person appointed or recognised as such by the University, either whole- time or part-time for the purpose of imparting instruction or conducting research in the University ;
22) "University" means the Vidyasagar University of Midnapore as constituted under this Act ;
23) "University Laboratory", "University Library", "University Museum" or "University Institution" means a laboratory, a library, a museum or an institution, as the case may be, maintained and managed by the University, whether established by it or not;
24) "University Professor", "University Reader" or "University Lecturer" means a Professor, Reader or Lecturer appointed or recognised as such by the University.

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CHAPTER II

The University and its Officers

The University

3. 1) The first Chancellor and the first Vice-Chancellor of the University and the first members of the Court and the Executive Council, and all persons who may hereafter become the Chancellor or the Vice- Chancellor of the University or the members of the Court or the Executive Council so long as they continue to hold such office or membership shall constitute a body corporate by the name of the Vidyasagar University.

2) The University shall have perpetual succession and a common seal and shall sue and be sued in the name of the Vidyasagar University.

Powers of the University

4. The University shall have the following powers, namely:

1) to encourage and provide for instruction and training in such branches of learning as it may think fit, to make provisions for research and to promote the advancement and dissemination of knowledge ;

2) to establish and develop specialised research centres, inter-disciplinary centres or similar institutions for studies and to undertake research in tribal problems, rural development and marine biology ;

3) to organise specialised diploma, degree or post-graduate courses, as the case may be, in such subjects as tribal languages, habitat and customs, rural administration, coastal salinity, forestry, floriculture, pesticides, wild life management,pisciculture, marine fishery and also in subjects like rural and urban planning, manpower planning, regional resources planning and development, ecology and environmental studies, agricultural and rural industries and marine resource development;

4) to organise short courses at the post-Master of Arts or post-Master of Science stage for those who are otherwise suitable for teaching the non-traditional courses mentioned in clause (3);

5) to make such academic studies as may contribute to the improvement of economic conditions and welfare of the people in general and the tribal people in particular;

6) to establish, maintain or manage colleges, libraries, laboratories, museums and such other institutions as it may consider fit;

7) to recognise any college or institution as a constituent college or a professional college and to withdraw such recognition in respect of any such college or institution ;

8) to develop colleges imparting honours courses under the direct supervision of the University with the ultimate object of developing such colleges as exclusive honours colleges, i.e., colleges admitting honours students only and providing only pass teaching for the subsidiary subjects of honours students ;

provided that the provisions of this clause shall not debar other colleges from introducing both honours and pass courses ;

9) to affiliate to itself any college, institution or centre and to withdraw affiliation of such college, institution or centre ;

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10) to institute degrees, titles, diplomas, certificates and other academic distinctions ;
11) to hold examinations and to confer degrees, titles, diplomas, certificates and other academic distinctions on persons who—
    a) shall unless exempted therefrom in such manner as may be prescribed by the Statutes, have pursued in an affiliated or constituent college or in the University or in an institution or centre recognised by the University such courses of study and shall have passed such examination of the University as may be prescribed, or
    b) shall have carried on research under conditions as may be prescribed ;
12) to confer honorary degrees or other academic distinctions under such conditions as may be prescribed ;
13) to cooperate with other universities and educational authorities in such manner and for such purposes as the University may determine ;
14) to institute and to make appointment to professorships, readerships, lectureships and other teaching posts required by the University ;
15) to institute and award fellowships, scholarships, exhibitions, prizes, medals and other honours and distinctions ;
16) to prescribe, demand and receive fees, fines and other charges ;
17) to establish, maintain and manage hostels, halls and other places of residence for the students of the University and teachers, officers and other employees and to recognise such hostels, halls and other places of residence and to withdraw recognition therefrom;
18) to provide for the supervision and control of residence and discipline of students of the University and to make arrangements for promotion of their health and general welfare ;
19) to conduct, coordinate, regulate and control the post-graduate research work and teaching in the University, the constituent and affiliated colleges and the institutions recognised by the University ;
20) to prescribe the powers and duties of officers of the University;
21) to provide for the inspection, or investigation into the affairs of a college or an institution recognised by the University ;
22) to create and to make appointment to such administrative, clerical and other posts under the University as it may deem fit ;
23) to accept grants from the Central or any State Government or the University Grants Commission and with the approval of State Government from other sources ;
24) to raise loans or to accept loans from the Central or the State Government or the University Grants Commission and with the approval of State Government from other sources ;
25) to prescribe for colleges, other than the government colleges
    a) the constitution, powers and functions of their Governing Bodies;
    b) with the approval of the State Government the terms and conditions of service of teachers, librarians and the non-teaching Staff;
26) to make rules for the Provident Fund for colleges ;

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27) to prescribe for colleges other than the government colleges rules for the Teachers' Council;

28) to take over for a period of twelve months the management of any affiliated, constituent or professional college, institution or centre, other than a government college or institution, in order to ensure that a proper standard of teaching, training or instruction is maintained therein ;

provided that the University may, if it considers necessary to do so, extend such period so, however, that the aggregate period shall not exceed eighteen months ;

29) to dissolve the Governing Body of any affiliated, constituent or professional college or institution, other than a government college, and, pending reconstitution of Governing Body thereof in such manner as may be prescribed, to appoint an Administrator or an ad hoc Governing Body ;

provided that the reconstitution of the Governing Body shall be made within a period of twelve months from the date of dissolution ;

provided further that the University may, if it considers necessary to do so, extend such period so that the aggregate period shall not exceed eighteen months ;

30) to enter into contracts and agreements with the approval of the State Government;

31) to acquire, hold and dispose of properties, movable and immovable, for furthering any of the objects of the University ;

32) to make grants for the maintenance of the National Cadet Corps and the National Social Service ;

33) generally to do all such acts and things as may be necessary or desirable for, or incidental to, the advancement of the objects or purposes of the University.

Jurisdiction of the University

5. 1) Save as otherwise provided in this Act, the powers of the University conferred upon by or under this Act shall not extend beyond the limits of any district referred to in clause (6) of section 2.

2) Notwithstanding anything contained in sub-section (l), any college or institution situated beyond the limits of any district referred to in clause (6) of section 2 may, with the sanction of the State Government, apply to the University for affiliation and the University may, subject to such conditions and restrictions as it may, with the approval of the State Government, think fit to impose, admit the same to all the privileges of the University.

3) Notwithstanding anything contained in any other law for the time being in force with effect from such date as the State Government may, by notification in the official Gazette, appoint in this behalf (hereinafter in this section referred to as the said date)—

a) such colleges existing on the said date within the limits of the district referred to in clause (6) of section 2 as may be specified in the notification shall

i. be deemed to be affiliated to the University and continue to

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be so affiliated until the University otherwise directs ; and

ii. cease to be affiliated to the University of Calcutta or any other University to which they may have been affiliated before the said date ;

West Ben. Act XXXVII of 1979

b) any teacher, principal or member of the Governing Body of any such college holding, by virtue of his being such teacher, principal or member, any office in or under the University of Calcutta or any of the authorities of the said University shall cease to hold such office and the vacancy so caused shall be deemed to be a casual vacancy for the purposes of the Calcutta University Act, 1979;

c) no college or institution situated within the local limits of the jurisdiction of the University, but not admitted to its privileges, shall be associated with or be admitted to the privileges of any other university except with the previous approval of the State Government.

Delegation of powers to subordinate authorities

6. The University may delegate such of its powers as it may deem expedient to any of the authorities constituted under section 16 or to any of its officers, and may at any time, withdraw at its discretion any power so delegated.

Officers of the University

7. The following shall be the officers of the University:

i. The Vice- Chancellor
ii. The Registrar
iii. The Finance Officer, and
iv. Such other persons in the service of the University as the University may declare to be officers of the University.

The Chancellor

8. 1) The Governor shall, by virtue of his office, be the Chancellor of the University. He shall be the Head of the University and the President of the Court and shall, when present, preside at the meetings of the Court.

2) The Chancellor shall exercise such powers as may be conferred on him by or under the provisions of this Act.

3) Where power is conferred upon the Chancellor to make nominations to any authority or body of the University, the Chancellor shall, to the extent necessary, nominate persons to represent interests not otherwise adequately represented.

4) Every proposal to confer any honorary degree shall be subject to confirmation by the Chancellor.

The Vice-Chancellor

9. 1) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister from a panel of three persons recommended by a committee consisting of three members nominated by the Court.

2) (a) The Vice-Chancellor shall hold office for a term of four years or till he attains the age of 65 years, whichever is earlier, and shall, subject to the provisions of this section, be eligible for reappointment for another term of four years or till he attains the age of 65 years,

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whichever is earlier.

(b) The Chancellor may, notwithstanding the expiration of the term of office of the Vice-Chancellor or his attaining the age of 65 years, allow hitn to continue in office till a successor assumes office, provided that he shall not continue as such for any period exceeding six months.

3) The Vice-Chancellor shall be a whole-time officer of the University and shall be paid from the University fund such salary and allowances as the Chancellor may decide in consultation with the State Government.

4) The Vice-Chancellor may resign his office by writing under his hand addressed to the Chancellor.

5) If

a) the Vice-Chancellor is, by reason of leave, illness or any other cause, temporarily unable to exercise the powers and perform the duties of his office, or

b) a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation or expiry of the term of his office or otherwise,

then, during the period of such temporary inability or pending the appointment of a Vice-Chancellor, as the case may be, the Chancellor may, in consultation with the Minister, appoint any person to exercise the powers and perform the duties of the Vice-Chancellor.

6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy.

Power and duties of the Vice-Chancellor

10. 1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at the meetings of the Court. He shall, by virtue of his office, be a member and the Chairman of the Executive Council and the Faculty Councils for Postgraduate Studies and also the Chairman of any other authority or body of the University of which he may be a member. He shall also be entitled to be present at and to address any meeting of any other authority or body of the University of which he may not be a member, but shall not be entitled to vote thereat.

2) The Vice-Chancellor shall have the power to convene meetings of the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate Studies and of any other authority or body of the University.

3) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the Statutes, the Ordinances and the Regulations are faithfully observed, and to take such action as may be necessary for this purpose.

4) The Vice-Chancellor shall have the power to exercise general control and supervision over all other officers of the University and over all teachers and employees of the University and generally over all the affairs of the University.

5) The Vice-Chancellor shall exercise such other powers and discharge such

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other duties as may be delegated to him by any authority or body of the University or as may be prescribed by the Statutes, Ordinances or Regulations.

6) The Vice-Chancellor may take on behalf of the University such action as he may deem expedient in any matter which, in his opinion, is either urgent or of an emergent nature and shall report the same for confirmation at the next meeting of the authority or body which; in the ordinary course, would have dealt with the matter;
provided that if the action taken by the Vice- Chancellor is not approved by the authority or body concerned, or if there is no such authority or body constituted under this Act, the matter shall immediately be referred to the Chancellor whose decision thereon shall be final.

7) The Vice-Chancellor may, with the approval of the Executive Council, at any time delegate any of his powers other than the powers referred to in sub section (6) to any other officer subordinate to him.

The Registrar

11. 1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a committee consisting of the Vice-Chancellor as Chairman, two nominees the Executive Council, a nominee of the Chancellor and *a* nominee of the State Government. He shall be appointed for such period and on such terms and conditions as may be prescribed.

2) The Registrar may resign his office by writing under his hand addressed to the Vice-Chancellor.

3) If the Registrar is for any reason temporarily unable to exercise the powers or perform the duties of his office, the Vice-Chancellor may, with the approval of the Executive Council, appoint a teacher of the University or an officer of the University temporarily for a total period not exceeding six months to exercise the powers and perform the duties of the Registrar.

Power and duties of the Registrar

12. Subject to the supervision, direction and general control of the Vice-Chancellor, the Registrar shall act as the Secretary of the Court as also of the Executive Council and shall exercise such powers and perform such duties as may be prescribed or delegated to him by or under the provisions of this Act and the Statutes, the Ordinances or the Regulations, as the case may be.

The Finance Officer

13. 1) The Finance Officer shall be a whole-time officer of the University and shall be appointed by the Executive Council on the recommendation of a committee consisting of the Vice-Chancellor as Chairman, two nominess of the Executive Council, a nominee of the Chancellor and a nominee of the State Government. He shall be appointed for such period and on such terms and conditions as may be prescribed.

2) The Finance Officer may resign his office by writing under his hand addressed to the Vice-Chancellor.

3) If the Finance Officer is for any reason temporarily unable to exercise the powers or perform the duties of his office, the Vice-Chancellor may, with the approval of the Executive Council, appoint a person temporarily for a total period not exceeding six months to exercise the powers and perform the duties of the Finance Officer.

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Power and duties of the Finance Officer

14. 1) Subject to the supervision, direction and general control of the Vice-Chancellor, the Finance Officer shall be in charge of the administration of the funds, the finances and the properties and assets of the University and of all trusts and endowments; and he shall take special interest in activities that aim at raising funds for the purposes of the University and augmenting the resources of the University.

2) The Finance Officer shall exercise such other powers and perform such other duties as may be prescribed or delegated to him by or under the provisions of this Act and the Statues, the Ordinances or the Regulations, as the case may be.

Supervisory powers of the Registrar and the Finance Officer

15. In their respective spheres of duties the Registrar and the Finance Officer shall, subject to the provisions of this Act, have the power of supervision and control over all officers and employees serving in departments under their charge and shall exercise such disciplinary power as may be conferred on them by or under this Act or by the Statutes or Ordinances.

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CHAPTER III

Authorities of the University

Authorities

16. The following shall be the authorities of the University:

(1) the Court

(2) the Executive Council

(3) the Faculty Councils for Post-graduate Studies

(4) the Councils for Under-graduate Studies

(5) the Boards of Studies

(6) the Finance Committee

(7) such other authorities as may be established under the Statutes.

The Court

17. 1) The Court shall consist of the following members :

a) members ex officio

i. the Chancellor;
ii. the Vice-Chancellor;
iii. the Deans of the Faculty Councils for Post-graduate Studies ;
iv. the Heads of the Post-graduate Departments ;
v. the Secretary, Education Department, Government of West Bengal or his nominee not below the rank of Deputy Secretary to the Government of West Bengal;
vi. the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Deputy Secretary to the Government of West Bengal;
vii. the President, West Bengal Council of Higher Secondary Education;
viii. the President, West Bengal Board of Secondary Education ;
ix. the Director, Indian Institute of Technology, Kharagpur;
x. the Principals of constituent colleges ;

b) elected members

xi. not more than three Professors of the University (other than Heads of Departments) belonging to Departments under separate Faculty Councils for Post-graduate Studies, elected jointly by the Professors of the University (other than Heads of Departments);
xii. not more than six teachers of the University other than Professors elected by such teachers from amongst themselves of whom at least one shall belong to any Department under each of the Faculty Councils for Postgraduate Studies ;
xiii. seven teachers other than Principals of whom at least one shall be a woman and one shall be from an engineering college in which instruction is provided for courses of study in engineering and technological subjects elected by the teachers of affiliated colleges

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from amongst themselves ;

xiv. four Principals of affiliated colleges other than constituent colleges, of whom one shall be from an engineering or technological college elected by the Principals of such affiliated colleges;

xv. three members of the West Bengal Legislative Assembly, of whom at least two shall be from the territorial jurisdiction of the University, elected by the members of the West Bengal Legislative Assembly;

xvi. three regular post-graduate students of the University, of whom one shall be a lady student, elected by an electoral college of such students constituted in the manner prescribed ;

Explanation I:

"Regular post-graduate student" shall mean a student who has been prosecuting his studies in a post-graduate Department of the University under any Faculty Council for Post-graduate Studies and who is not in default of payment of the prescribed tuition fees and other dues of the University till such date as may be notified by the University in this behalf.

Explanation II:

Notwithstanding anything contained elsewhere in this Act, a member elected under this clause shall hold office for a period of two years from the date of his election or till he ceases to be a regular post-graduate student of the University, whichever is earlier

xvii. two regular students prosecuting their studies in under-graduate or postgraduate degree classes of affiliated colleges elected by an electoral college of such students constituted in the manner prescribed ;

Explanation I:

"Regular student" shall mean a student who has been prosecuting his studies in any stream in an under-graduate or post-graduate degree class of an affiliated college and who is not in default of payment of prescribed tuition fees and other dues of such college till such date as may be notified by the State Government in this behalf.

***Explanation II*:**

Notwithstanding anything contained elsewhere in this Act, a member elected under this clause shall hold office for a period of three years from the date of his election or till he ceases to be a regular student, whichever is earlier.

xviii. one Research Scholar or Research Fellow of the University elected by such Research Scholars and Research Fellows in the manner prescribed.

Explanation I:

"Research Scholar" or "Research Fellow" shall mean a whole-time Research Scholar or Research Fellow of the University who receives a stipend from the

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University.

Explanation II :

Notwithstanding anything contained elsewhere in this Act, a Research Scholar or Research Fellow elected under this clause shall hold office for a period of two years from the date of his election or till he ceases to be a Research Scholar or Research Fellow of the University.

xix. one member elected by the Librarians of the University and of the colleges affiliated to the University from amongst themselves ;

xx. three members elected by the members of the non-teaching staff of the University from amongst themselves ;

xxi. two members elected by the member; of the non-teaching staff of colleges affiliated to the University from amongst themselves ;

xxii. one member elected by the officers of the University from amongst themselves ;

c) nominated members

xxiii. four persons to be nominated by the State Government of whom-

a) one shall be from the members of the registered trade unions within the territorial jurisdiction of the University,

b) one shall be from the members of the peasants' associations within the territorial jurisdiction of the University,

c) one shall be a primary school teacher within the territorial jurisdiction of the University,

d) one shall be a secondary school teacher within the territorial jurisdiction of the University ;

xxiv. three persons having special interest in the University, of whom two shall be persons representing the professions of banking, industry, agriculture, and scientific and technical societies and one shall be a person having interest in the welfare of the scheduled castes and scheduled tribes community, nominated by the Chancellor.

2) All elections to the Court shall be held in the manner prescribed by the Statutes.

Powers and functions of the Court

18. 1) Subject to such conditions as may be provided by or under the provisions of this Act, the Court shall exercise the following powers and perform the following functions:

I. to initiate proposals for the establishment of Faculty Councils for Post-graduate Studies and Council Under-graduate Studies and establish University departments, institutions, centres, libraries, laboratories, and museums for study and research ;

II. to create and institute, with the approval of the State Government, Professorships, Readerships, Lectureships and such posts including posts of officers as may be necessary for the establishment of the University departments, institutions, centres, libraries, laboratories,

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workshops and museums referred to in clause (i);

III. to institute degrees, titles, diplomas, certificates and other academic distinctions ;

IV. to institute fellowships, travelling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes to be awarded out of the University Fund ;

V. to confer degrees, titles, diplomas, certificates and other academic distinctions on persons who

a) have pursued the prescribed courses of studies or have been exempted therefrom in the manner prescribed, and have passed such examinations as may be prescribed, or

b) have carried on research in accordance with such conditions as prescribed ;

VI. to withdraw or to cancel degrees, titles, diplomas, certificates or other academic distinctions under such conditions as may be prescribed by the Statutes and after giving the person affected a reasonable opportunity to present his case ;

VII. to confer honorary degrees or other academic distinctions ;

VIII. to consider the Annual Statement of Accounts and the Annual Financial Estimates approved by the Executive Council and to pass such resolutions relating thereto as may be considered necessary ;

provided that for the purpose of passing a resolution modifying or rejecting any such Annual Financial Estimates it shall be necessary to have a majority of the total number of members of the Court existing at the time to vote in favour of the resolution ;

IX. to consider the Annual Report as prepared by the Executive Council and to pass such resolutions relating thereto as may be considered necessary ;

X. to consider, and advise on, proposals from the Executive Council for entering into an agreement with the Government or with the approval of the State Government, with any person, body or authority for the taking over by the University of the management of any college, institution or centre, including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act;

XI. to consider, and advise on, proposals from the Executive Council for cooperation with other universities, institutions and educational authorities in matters that relate to or further the educational objectives of the University ;

XII. to consider and suggest measures for the improvement of the administration and finance of the University and generally for the furtherance of its objectives ;

XIII. to make rules for the transaction of its own business ;

XIV. to exercise all other powers and perform all other duties conferred and imposed on the Court by or under this Act.

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2) The Court shall not exercise the powers referred to ii clauses (i) to (vii) of sub-section (1) except on the recommendation of the Executive Council, but may send proposals in respect thereof to the Executive Council for its recommendation.

3) The Court shall have the power to review the action of the Executive Council, save where the Executive Council has acted in accordance with the power conferred on it by or under this Act;

provided that if any question arises as to whether the Executive Council has acted in accordance with powers conferred on it by or under this Act, the question shall be decided by reference to the Chancellor whose decision shall be final.

Meeting of the Court

19. 1) The Court shall meet at least thrice in a financial year, other than for convocation, on dates to be fixed by the Vice-Chancellor. One of such meetings shall be held before March and shall be called the Annual Meeting. The Court may also meet at such other times as it may, from time to time, decide.

2) One-third of the total number of members of the Court plus one shall be a quorum for a meeting of the Court;

provided that such quorum shall not be required at a convocation.

3) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing by not less than one-third of the total number of members of the Court, convene a meeting of the Court. A meeting on such requisition shall be held within fifteen days of the receipt of the requisition by the Vice-Chancellor.

The Executive Council

20. 1) The Executive Council shall consist of the following members:

a) members ex officio

I. the Vice-Chancellor;
II. the Deans of the Faculty Councils for Post-graduate Studies ;
III. the Secretary, Education Department, Government of West Bengal or his nominee not below the rank of Deputy Secretary to the Government of West Bengal;
IV. the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Deputy Secretary to the Government of West Bengal;
V. the President, West Bengal Council of Higher Secondary Education ;
VI. the Director, Indian Institute of Technology, Kharagpur.
VII. the Principal, Haldia Institute of Technology ;

b) elected members

VIII. one Professor of the University elected by such Professors ;

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IX. two Readers or Lecturers of the University elected by such Readers and Lecturers of the University as are members of the Faculty Councils for Post-graduate Studies from amongst themselves ;

X. one Professor of the University elected by such Professors as are members of the Court from amongst themselves ;

XI. two Readers or Lecturers of the University elected by such Readers and Lecturers of the University as are members of the Court from amongst themselves ;

XII. one teacher of Under-graduate colleges elected by such teachers of under-graduate colleges as are members of the Court from amongst themselves ;

XIII. one Principal elected by the members of the Council for Under-graduate Studies in Arts, Science and Commerce from amongst such Principals of colleges as are members of the Council;

XIV. one member of the non-teaching staff of the University elected by such members of the non-teaching staff of the University as are members of the Court from amongst themselves ;

XV. one student elected by such students as are members of the Court from amongst themselves ;

XVI. one member of the West Bengal Legislative Assembly elected by such members of the West Bengal Legislative Assembly as are members of the Court from amongst themselves ;

XVII. the member elected to the Court under clause (xxii) of sub-section (1b) of section 17;

XVIII. seven teachers of affiliated colleges, of whom one shall be from an engineering or technological college, elected jointly by the teacher-members of the Councils for Under-graduate Studies from amongst themselves ;

c) nominated members

XIX. two persons nominated by the Chancellor;

XX. one Principal of a constituent college nominated by the Chancellor in order of seniority by rotation.

2) All elections to the Executive Council shall be held in the manner prescribed by the Statutes.

3) One third of the total number of members of the Executive Council shall be a quorum for a meeting of the Executive Council.

Powers and functions of the Executive Councils

21. Subject to the provisions of this Act, the Executive Council shall exercise the following powers and perform the following functions :

I. to initiate proposals for the making of Statutes and Ordinances including proposals for amendment or repeal thereof, in the manner hereinafter provided ;

II. to recommend to the Court the initiation of action for the establishment of Faculty Councils for Post-graduate Studies and

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Councils for Under-graduate Studies and, after consulting the respective Faculty Councils for Post-graduate Studies, the establishment of University departments, institutions, centres, libraries, laboratories, workshops and museums for study and research ;

III. to maintain University Departments, University Institutions, University Libraries, University Laboratories, University Workshops and University Museums ;

IV. to establish, maintain and manage hostels and halls ;

V. to direct the inspection of University Libraries, University Laboratories, University Workshops, University Museums, Hostels and Halls ;

VI. to recommend to the Court, after consulting the respective Faculty Council for Postgraduate Studies, the institution of fellowships, travelling fellowships, studentships, stipends, bursaries, exhibitions, medals and prizes, the expenses of which shall be met from the University Fund, and to award the same after institution thereof by the University ;

VII. to recommend to the Court, after consulting the respective Faculty Council for Postgraduate Studies, the creation and institution of Professorships, Readerships, Lectureships and such posts as may be necessary for the establishment of the University departments, institutions, colleges, libraries, laboratories, workshops, and museums referred to in clause (i) of sub-section (1) of section 18 ;

VIII. to create, with the approval of the State Government, posts of officers, teachers and other employees of the University or to recommend to the Court the creation of posts of officers and teachers of the University ;

IX. to appoint teachers and employees of the University and to fix their emoluments and define their duties and other terms and conditions of service in accordance with the Statutes and the Ordinances and to suspend, discharge or otherwise punish in accordance with the Ordinances such teachers, officers and employees ;

X. to pass appropriate orders on the basis of the recommendation of the respective Council for Under-graduate Studies regarding affiliation of a college or an institution or a centre in one or more subjects or withdrawal of affiliation or recognition of a college or an institution or a centre or temporary take-over of the management of an affiliated or a recognized college or institution or a centre ;

XI. to make draft of Statutes, on the recommendation of the respective Council for Under-graduate Studies, for colleges, other than the Government colleges, prescribing the constitution, powers and functions of their Governing Bodies ;

XII. to determine, with the approval of the State Government, the terms and conditions of the service of teachers, Librarians and non-

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teaching staff of colleges other than those of the Government colleges ;

XIII. to make rules for Teachers' Council for all colleges and, with the approval of the State Government, rules for the Provident Fund of colleges other than that of the Government colleges;

XIV. to prescribe and collect fees or charges for the registration of students and their admission to courses of studies organized by the University, for holding examinations, for the grant of degrees, diplomas and certificates, and for other like purposes ;

XV. to recommend to the Court, after consulting the respective Faculty Council for Postgraduate Studies, the institution of degrees, titles, diplomas, certificates and other academic distinctions ;

XVI. to recommend to the Court, on the advice of the appropriate body, the conferment of degrees, titles, diplomas, certificates and other academic distinctions on persons who have pursued the prescribed courses of study or have been exempted therefrom in the prescribed manner, and have passed such examinations, or have carried on research under such conditions as may be prescribed ;

XVII. to recommend to the Court the conferment of honorary degrees and other academic distinctions ;

XVIII. to approve the constitution or reconstitution of the respective teaching department in the University on the recommendation of the respective Faculty Council for Post-graduate Studies ;

XIX. to make regulations regarding the courses of study and the division of subjects after obtaining and considering the recommendation of the Faculty Councils for Postgraduate Studies and Councils for Under-graduate Studies in this regard ;

XX. to make regulations regarding the examinations which shall be recognized as the equivalent examinations held by the University ;

XXI. to make regulations regarding the conduct of examinations held by the University and the condition under which students may be admitted to the different courses of study of and to the examinations held by the University ;

XXII. to make regulations regarding all other matters which may be or are required to be prescribed or provided by the Regulations;

XXIII. to provide for cooperation and reciprocity between the colleges, institutions and laboratories and the University so as to foster development of the academic life and to ensure the fullest utilisation of the teaching resources available, on the recommendation of the respective Faculty Council for Post-graduate Studies or Council for Under-graduate Studies ;

XXIV. to give directions regarding the form, custody and use of the common seal of the University;

XXV. to acquire, hold and dispose of property, movable and immovable, and to administer all assets, properties and funds of the University and to undertake all measures necessary or desirable for the conservation or augmentation of the resources of the University ;

provided that for the purpose of disposing of any property valued at

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not less than one lakh of rupees, previous approval of the Court shall be necessary ;

XXVI. to accept and administer gifts, endowments and benefactions for the furtherance of the purposes of this Act ;

XXVII. to accept grants and, with the approval of the State Government, to raise or accept loans on behalf of the University and to make grants or advances from the University Fund or other special funds maintained by the University ;

XXVIII. to enter into an agreement with the State Government or with the approval of the State Government with any person, body or authority for the taking over by the University of the management of any college or institution including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act, on the recommendation of the Faculty Council for Post-graduate Studies or the Council for Under-graduate Studies concerned ;

XXIX. to manage the press establishment, the publication bureau and the employment Bureau of the University and to exercise general supervision over the Students' Unions, University Extension Board and University Sports Board, if any, and other bodies instituted by the University ;

XXX. to approve the Annual Statement of Accounts and the Annual Financial Estimates of the University and submit the same to the Court for consideration ;

XXXI. to prepare the Annual Report and submit the same to the Court for consideration ;

XXXII. to make due provision for the health, welfare, residence and discipline of students and their relationship with the University and to provide for such other training of students as may be considered desirable;

XXXIII. to cooperate with other universities, institutions, associations, societies or bodies on such terms and for such purposes, not inconsistent with the purposes of this Act, as it may determine ;

XXXIV. to make rules for the transaction of its own business ;

XXXV. to prescribe on the recommendation of the Faculty Council for Post-graduate Studies and the Council for Under-graduate Studies concerned the minimum qualifications for the posts of Principal, teachers of colleges and teachers of the University ;

XXXVI. to hold and conduct University examinations leading to degrees, diplomas and certificates and to approve and publish the results thereof in accordance with the regulations made in this behalf;

XXXVII. to exercise all other powers and perform all other functions conferred and imposed on the Executive Council by or under this Act;

(XXXVIII. to exercise general supervision over the Faculty Councils for Post-graduate Studies and the Councils for Under-graduate Studies and give such directions to these Councils for the due discharge of their respective duties as it may consider necessary.

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The Faculty Councils for Post-graduate Studies

22. 1) There shall be the following Faculty Councils for Post-graduate Studies :
   a) the Faculty Council for Post-graduate Studies in Arts and Commerce ;
   b) the Faculty Council for Post-graduate Studies in Science;
   c) the Faculty Council for Post-graduate Studies in Engineering and Technology.

2) Each Faculty Council for Post-graduate Studies other than the Faculty Council for Post-graduate Studies in Engineering and Technology shall consist of the following members:

I. Vice-Chancellor (Chairman);
II. the Head or Heads of the Department or Departments concerned, if any ;
III. the Professor or Professors of the Department or Departments concerned, if any ;
IV. two teachers (participating in post-graduate teaching in the subject or subjects concerned) from the constituent colleges or professional colleges, nominated by the Vice-Chancellor;
V. four teachers other than Professors not more than one from any Department under the Faculty Council for Post-graduate Studies concerned, elected jointly by such teachers ;
VI. one person having special knowledge in the subject or subjects concerned nominated by the Vice-Chancellor;
VII. three teachers participating in under-graduate teaching in the subject or subjects concerned, elected by the teacher-members of the Council for Under-graduate Studies concerned from amongst themselves.

2A) The Faculty Council for Post-graduate Studies in Engineering and Technology shall consist of the following members:

I. the Vice-Chancellor (Chairman);
II. the Principal, Haldia Institute of Technology;
III. the Head or Heads of the Department or Departments of the constituent colleges of engineering and technology ;
IV. the Professor or Professors of the Department or Departments of the constituent colleges of engineering and technology ;
V. two teachers, other than Professors, participating in post-graduate teaching in the subject concerned, from the constituent colleges of engineering and technology, elected jointly by the teachers of such colleges ;
VI. one person having special knowledge in the subject or subjects concerned nominated by the Vice-Chancellor;
VII. three teachers participating in under-graduate teaching in the subject or subjects concerned, elected by the teacher-members of the Council for Under-graduate Studies in Engineering and Technology.

3) Each Faculty Council for Post-graduate Studies shall have a Secretary to be appointed by the Executive Council.

4) One-third of the total number of members of a Faculty Council for Post-

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graduate Studies shall be a quorum for a meeting of the Faculty Council.

Powers and functions of the Faculty Councils for Post-graduate Studies

23. Subject to the provisions of this Act, and the Statutes, the Ordinances and the Regulations, a Faculty Council for Post-graduate Studies shall exercise the following powers and perform the following functions :

I. to make proposals to the Executive Council for the establishment of University departments, institutions, centres, libraries, laboratories, workshops and museums for study and research to be maintained by the University ;

II. to recommend to the Executive Council the creation and institution of Professorships, Readerships, Lectureships and other teaching posts and the duties and emoluments thereof;

III. to make proposals to the Executive Council for the promotion of research and through special committees, if any, constituted for the purpose, to call for reports on such research work from persons engaged therein, and to make recommendations to the Executive Council thereon ;

IV. to recommend to the Executive Council the minimum qualifications for the posts of teachers of the University ;

V. to make proposals to the Executive Council regarding provisions to be made for enabling the University to undertake specialisation of studies and for organisation of common laboratories, workshops, libraries, museums, institutes of research and other institutions, maintained by the University ;

VI. to constitute or reconstitute the teaching departments with the approval of the Executive Council;

VII. to make provisions for lectures and instruction for students of constituent and University colleges and University laboratories and also for other persons who are not such students ;

VIII. to advise the Executive Council on the institution of degrees, titles, diplomas, certificates and other academic distinctions ;

IX. to provide for the inspection or the investigation in the affairs of any University department or any institution established, maintained or managed by the University and submit report to the Executive Council;

X. to have general supervision over the Boards of Studies attached to the Faculty Council;

XI. to frame rules relating to the courses of postgraduate study and division of subjects in regard thereto and to recommend to the Executive Council the making of regulations in this behalf;

XII. to appoint, if required by the Executive Council, after considering the views of the Boards of Studies attached to the Faculty Council, Boards of Examiners in the subject or subjects relating to post-graduate studies, including the subjects for doctoral theses and prizes and medals ;

XIII. to call for such reports or information as the Faculty Council may consider necessary for efficient discharge of its duties from the teaching departments, research units or Boards of Studies ;

XIV. to consider any educational matter relating to the Faculty Council and

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to arrive at decisions or make recommendations pertaining thereto to the appropriate authority or officer;

XV. to maintain contact with the corresponding Council for Under-graduate Studies for the purpose of sharing ideas and ensuring co-ordination ;

XVI. to submit each year its annual report to the Executive Council;

XVII. to make rules for the transaction of its own business ;

XVIII. to exercise all other powers and perform all other functions conferred and imposed on it by or under this Act;

XIX. to delegate to the teaching departments, research units and Boards of Studies attached to it the responsibility for such academic matters as respectively concern such departments, units and Boards ;

XX. to recommend to the Executive Council the conferment of post-graduate degrees, diplomas and certificates.

The Councils for Under-graduate Studies

24. 1) There shall be the following Councils for Undergraduate Studies:

I. the Council for Under-graduate Studies in Arts, Science and Commerce;

II. the Council for Under-graduate Studies in Law;

III. the Council for Under-graduate Studies in Engineering and Technology.

2) The Council for Under-graduate Studies in Arts, Science and Commerce shall consist of the following members:

I. the Vice-Chancellor (Chairman);

II. the Deans of the Faculty Councils for Postgraduate Studies in Arts and Commerce, and Science;

III. ten teachers of affiliated colleges imparting teaching in Arts, Science and Commerce, of whom one shall belong to a teachers' training college or other professional college, if any, elected by the teachers of such colleges ;

IV. two teachers participating in post-graduate teaching in the subject or subjects concerned elected by the members of the Faculty Councils for Post-graduate Studies from amongst themselves ;

V. four Principals-three from the undergraduate colleges of Arts, Science and Commerce and one from a teachers' training college—elected jointly by the Principals of such colleges ;

VI. two persons having special knowledge in the subject or subjects concerned nominated by the Vice-Chancellor.

3) The Council for Undergraduate Studies in Law shall consist of the following members :

I. the Vice-Chancellor (Chairman);

II. the Principal, or Principals of Law College/s;

III. Heads of Departments ;

IV. not more than six teachers participating in teaching in the subject concerned elected by such teachers from amongst themselves;

V. two persons having special knowledge in the subject concerned

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nominated by the Vice-Chancellor.

3A) The Council for Undergraduate Studies in Engineering and Technology shall consist of the following members:

I. the Vice-Chancellors (Chairman);
II. the Dean of the Faculty Council for Postgraduate Studies in Engineering and
III. Technology ;
IV. the Principal, Haldia Institute of Technology ;
V. the Heads of the teaching Departments of Haldia Institute of Technology ;
VI. three teachers, not belonging to the same Department, elected jointly by the teachers of affiliated colleges providing instruction for courses of study in engineering and technology ;
VII. one person nominated by the Director of Technical Education, West Bengal;
VIII. two persons having knowledge in the subject concerned nominated by the Vice- Chancellor.

4) Each Council for Under-graduate Studies shall have a Secretary to be appointed by the University.

5) All elections to the Councils for Under-graduate Studies shall be held in the manner prescribed by the Statutes.

6) One-third of the total number of members of a Council for Under-graduate Studies shall be a quorum for a meeting of the Council.

Power and functions of the Councils for Under-graduate Studies

25. Subject to the provisions of this Act, and the Statutes, the Ordinances and Regulations, a Council for Undergraduate Studies shall exercise the following powers and perform the following functions :

I. to recommend to the Executive Council the affiliation of a college or an institution in one or more subjects ;
II. to ensure the annual inspection of colleges;
III. to exercise general supervision over the colleges to ensure that the conditions of affiliation are properly fulfilled, the standard of teaching is uniformly maintained and the syllabi as prescribed are properly completed within the academic year;
IV. to fix the last date of admission of students to different courses of study and the date of commencement of examinations in consultation with the other Councils for Under-graduate Studies ;
V. to appoint Head Examiners, Examiners, Paper- setters, Scrutineers, Coordinators, Convenors, Tabulators and other persons under the general supervision of the Executive Council;
VI. to recommend to the Executive Council the disaffiliation or withdrawal of affiliation of any college in respect of any subject or subjects, if, on receipt of a written report from a team of inspectors appointed by the University, the Council is of the opinion that proper standard of teaching is not maintained or conditions of affiliation are not properly fulfilled or the results of the candidates sent up by the college for any examination are unsatisfactory or the college has failed to comply with the directives of the Council;

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VII. to establish, maintain and manage halls and hostels of under-graduate colleges ;

VIII. to recommend to the Executive Council the temporary take-over of the management of an affiliated or a recognised college or institution, other than a Government college, in consultation with the Executive Council in order to ensure that proper standards of teaching, training or instruction are maintained therein ;

IX. to provide for the inspection or investigation into the affairs of under-graduate colleges or institutions, recognised by the Council or affiliated to the University, and to exercise general supervision and control over them ;

X. to make due provision of health, welfare, residence and discipline of students and their relationship with colleges and the University and to provide for such training of students as may be considered desirable ;

XI. to recommend to the Executive Council the dissolution of the Governing Body of an affiliated college or institution, other than a Government college, and pending reconstitution of the Governing Body, the appointment of an Administrator or an *ad hoc* Governing Body;

XII. to collect fees for examination, condonation of short percentage for appearing at an examination as non-collegiate students, mark sheet, late admission, change of examination centre, scrutiny of answer-scripts, and change of name or surname, and any other charge for registration and migration of students and grant of diplomas, certificates or any other documents at such rate as may be prescribed by the Executive Council;

XIII. to exercise supervision to ensure that all properties and funds of the Council are properly controlled and administered;

XIV. to supply promptly such information, returns, reports and other materials as may be required by the University ;

XV. to extend facilities and other assistance including exhibits of records, books of accounts, ledgers and any other documents to officers deputed by the University for inspection ;

XVI. to approve the annual report of the activities of the Council during the previous academic year and submit the same to the Executive Council on or before such date as may be fixed by the Executive Council;

XVII. to abide by, and implement promptly, the decisions that nay be arrived at by the University from time to time in regard to the Council;

XVIII. to follow the guidelines and the rules framed by the University from time to time;

XIX. to have general responsibility for academic affairs in relation to the under-graduate studies with which the Council is concerned ;

XX. to have general supervision over the Boards of Studies attached to the Council in accordance with the rules framed for the purpose ;

XXI. to maintain contact with the corresponding Council for Post-graduate Studies for the purpose of sharing ideas and ensuring coordination;

XXII. to frame rules relating to the courses of undergraduate study and the division of subjects in regard thereto and to recommend to the Executive

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Council the making of regulations in this behalf.

Dean

26. 1) There shall be a Dean for each Faculty Council for Post-graduate Studies who shall be a Professor of the University.
2) The Dean shall be elected by the members of the Faculty Council and act as Vice-Chairman of the Faculty Council.
3) The Dean or the seniormost Dean, as the case may be, shall act as Vice-Chairman of a Council for the Under-graduate Studies.
4) The Dean shall hold office for such term as may be prescribed by the Statutes.

The Board of Studies

27. There shall be Boards of Studies attached to every The Boards Faculty Council for Post-graduate Studies or Under- graduate Studies. The constitution of the Boards of Studies shall be prescribed by the Statutes and the powers and functions of the Board shall be prescribed by the Regulations.

The Finance Committee

28. There shall be a Finance Committee with the Vice- Chancellor as the Chairman. The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes and its procedure in financial matters, including the delegation of its powers, shall be prescribed by the Ordinanes.

Selection Committee for teaching posts

29. 1) A University Professor shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of
I. the Vice-Chancellor as Chairman;
II. the Dean of the Faculty Council concerned ;
III. a person, not holding any office of profit under the University and having special knowledge of the subject which the Professor will teach, nominated by the Chancellor ;
IV. two persons, not holding any office of profit under the University and having special knowledge of the subject which the Professor will teach, nominated by the Executive Council;

2) A University Reader or a University Lecturer shall be appointed by the Executive Council on the recommendation of a Selection Committee consisting of
I. the Vice-Chancellor as Chairman;
II. the Dean of the Faculty Council concerned ;
III. the Head of the Department concerned, if any ;
IV. a person not holding any office of profit under the University and having special knowledge of the subject which the Reader or the Lecturer will teach, nominated by the Chancellor;
V. two persons, not holding any office of profit under the University and having special knowledge of the subject which the Reader or the Lecturer will teach, nominated by the Executive Council.

Procedure for holding meetings of Selection

30. 1) Three members, of whom at least two shall be persons having special knowledge of the subject concerned, shall be a quorum for a meeting of a Selection Committee.

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Committees

2) If the Executive Council does not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee with reasons for reconsideration and if the Executive Council does not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reasons and the decision of the Chancellor shall be final.

Special provision for selection of candidates for teaching posts

31. 1) Notwithstanding anything contained in section 29 or section 30, until the constitution of a Selection Committee referred to therein, a University Lecturer shall be appointed by the Vidyasagar University Council, referred to in sub-section (1) of section 58 on the recommendation of a Selection Committee, constituted by the said Council in such manner as it thinks fit, which shall include as its member at least one person, not holding any office of profit under the University and having special knowledge of the subject which the Professor or the Reader or the Lecturer, as the case may be, will teach, nominated by the Chancellor.

2) If the Vidyasagar University Council does not accept the recommendations of the Selection Committee the provision of sub-section (2) of section 30 shall apply *mutatis mutandis.*

Letter of appointment of teachers, officers and employees

32. 1) Every teacher, every officer and every employee of the University shall, on appointment as such, be provided with a letter of appointment containing such terms and conditions of appointment as may be prescribed by the Ordinances.

2) A teacher or an officer or an employee appointed against a permanent vacancy shall be on probation ordinarily for a period of one year from the date of such appointment and such period of probation may, at the discretion of the appropriate authority of the University, be extended for a further period not exceeding one year.

3) If, at any time during the period of probation, the probationer's work is not considered satisfactory, the probationer shall be discharged by the authority concerned.

4) On satisfactory completion of the period of probation, a teacher or an officer or an employee, as the case may be, shall be confirmed with effect from the date of his appointment on probation by an order in writing made by the University in this behalf and the fact of such confirmation shall be communicated to the person concerned ;

provided that if, on completion of the period of probation, no such order of confirmation is made and communicated to the person concerned within a period of two months of the completion of the period of probation, the person concerned shall be deemed to have been confirmed with effect from the date of his appointment on probation.

Termination of service of temporary teacher, officer or employee

33. The services of a temporary teacher or employee shall not be terminated before expiration of the period for which he is appointed except after serving one month's notice or paying him one month's salary in lieu thereof.

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Standing Committee for selection of officers and non – teaching employees

34. The Executive Council may, subject to the provisions of this Act, prescribe by Ordinances the constitution of a standing committee or standing committees for selection of persons for appointment to the posts of officers and to the other non-teaching posts of the University and the procedure and the method of such selection.

Tribunal

35. 1) If in the case of any dispute between the University and any teacher, officer or employee of the University no final order has been passed by the University within a period of one year from the date on which the dispute was referred to the University by such teacher, officer or employee, such dispute shall, on the request of such teacher, officer or employee, be referred to a Tribunal consisting of the following members, namely:

I. a Chairman to be nominated by the Chancellor in consultation with the Minister ;

II. one person to be nominated by the Executive Council;

III. one person to be nominated by the teacher, officer or employee concerned.

2) Any appeal from an employee of the University in a disciplinary matter shall be referred to the Tribunal and shall be decided and disposed of by the Tribunal.

3) The Tribunal may call for any record, report or other information from the University if, in its opinion, such record, report or the information is necessary for efficient discharge of its functions, and the University shall furnish such record, report or other information to the Tribunal.

4) The decision of the Tribunal shall be final and no suit or proceeding shall lie in any civil court in respect of the matters decided by the Tribunal.

5) Every request under sub-section (1) shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Arbitration Act, 1940, and all the provisions of that Act with the exception of section 2 thereof shall apply accordingly.

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CHAPTER IV.

General provisions governing all authorities or other bodies of the University

Disqualifications

36. 1) No person shall be qualified for election or nomination as a member of any authority or body of the University or shall continue as such member if he
   I. is of unsound mind or a deaf-mute, or
   II. is an undischarged insolvent, or
   III. has been convicted by a court of law for an offence involving moral turpitude.

2) In case of any doubt or dispute, the Chancellor's decision whether a person is disqualified under the provisions of sub-section (1) shall be final.

3) No person shall be entitled to stand as a candidate for election to any authority or body of the University from more than one constituency.

4) No person shall be entitled to be enrolled as a voter for, or to cast his vote at an election to any authority or body of the University from, more than one constituency ;

Provided that this sub-section shall not apply in the case of an election of members of the Court to the Executive Council, the faculty Councils for Postgraduate Studies, and the Councils for Under- graduate Studies.

Part – time teacher or part – time non teaching staff not to be entitled to be enrolled as voters or to be nominated

36A. Notwithstanding anything contained elsewhere in this Act, no person shall

a) if he is a teacher, not holding any whole-time teaching post, or appointed for a specified period,

b) if he is a member of the non-teaching staff, not appointed on a regular scale of pay, or not holding any whole-time non-teaching post,

be entitled to be enrolled as a voter for, or to cast his vote at, an election to any college or institution affiliated to the University or to be nominated to any such authority or body.

Explanation

"Regular scale of pay" shall mean pay which, subject to any conditions prescribed by the University, rises by periodical increments from a minimum to a maximum ".

Term of office of members

37. 1) Save as otherwise provided in sub-section (4) an elected or nominated member of any authority or body of the University shall hold office for a period of four years from the date of his election or nomination, as the case may be ;

provided that in respect of the first elections and nominations under this Act, the said period of four years shall commence from the date of the first meeting of the authority or body held after such elections and nominations.

2) The term of office of members other than members *ex officio* of any authority or body of the University shall be held to include any period

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which may elapse between the expiry of the said term and the date of election of new members to such authority or body to fill vacancies arising by efflux of time.

3) When elections are held on more than one date, the last of such dates shall be taken to be the date of election for the purposes of this section.

4) Any member elected or nominated to fill a casual vacancy shall hold office for the unexpired portion of the term of office of the member in whose seat he is so elected or nominated.

Cessation of membership in certain cases

38. 1) When a person is qualified to be a member of any authority or body of the University by virtue of his membership of any other authority or body, he shall cease to be a member of the authority or body of the University when he ceases to be a member of the other.

2) When a person is elected or nominated a member of any authority or body of the University from any constituency, he shall cease to be such a member when he ceases to belong to that constituency.

Filling of vacancies

39. 1) Any casual vacancy among the elected members of any authority or body of the University shall be filled, in such manner and within such time as may be prescribed, by election by such authority or body of a person representing the interest which the member, whose seat has become vacant, represented.

2) Any vacancy among the nominated members of any authority or body of the University shall be filled, within such time as may be prescribed, by nomination by the person or authority that nominated the member whose seat has become vacant.

3) Vacancies arising by efflux of time in the seats of elected members of any authority or body of the University shall be filled by election to be held on such date or dates, not later than six months or such extended period as the Chancellor may, by order made in this behalf, specify so, however, that the aggregate period shall not exceed one year, from the date on which the vacancies arise, as the Vice-Chancellor may fix.

Proceedings of the University or the authorities or bodies of the University not invalidated by vacancies

40. No act or proceedings of the University or of any authority or body of the University shall be deemed to be invalid merely by reason of the existence of a vacancy or vacancies among its members or the invalidity of the election of any of the members.

Explanation

For the avoidance of doubt it is hereby declared that when the office of any member of any authority or body of the University cannot be filled up, when such authority or body is constituted for the first time, on account of any election or appointment not being for any reason feasible, there shall be deemed to be a vacancy in the office of such member until such election takes place or such appointment is made.

Election Tribunal

41. 1) There shall be an Election Tribunal to which shall be referred any question as to whether any person is eligible under this Act for election or nomination or has been duly elected or nominated, or is entitled to be, a

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member of any authority or body of the University, and the decision of the Election Tribunal on such question shall be final.

2) The constitution of the Election Tribunal shall be prescribed by the Statutes.

3) If during the progress of any election of members to any authority or body of the University, the Election Tribunal is satisfied that such election is vitiated by fraud or corrupt practice, the Election Tribunal may make an order annulling the proceedings in respect of such election or any part thereof and directing fresh proceedings to be started, in accordance with the provisions of this Act and the Statutes, the Ordinances and the Regulations, from such stage as may be specified in the order and such order of the Election Tribunal shall be final.

4) No suit or proceeding shall lie in any civil court against a decision or order of the Election Tribunal under sub-section (1) or sub-section (3), as the case may be.

Casting vote by the Chairman

42. At a meeting of the Court, the Executive Council, the Faculty council for Post-graduate Studies, the Councils for Under-graduate Studies or any other authority or body of the University, the person presiding at the meeting shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

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CHAPTER V.

Funds of the University, Accounts, Audit and Inspection

The University Fund

43. The University shall have a fund to be known as the University Fund to which shall be credited all its income from fees**,** fines, contributions**,** donations, loans and advances and from any other source whatsoever. The University may also create, by Ordinances made in this behalf, separate special funds for the administration of endowments, trusts or specific grant or grants for other special purposes.

General limitation of financial powers of the University

44. 1) The budget of the University showing the receipt and expenditure of the University on different accounts for a financial year shall be submitted to the State Government for approval at least four months before the beginning of such financial year in such form as may be specified by the State Government.

2) The State Government shall, within fifteen days of commencement of the financial year to which the budget relates, communicate its approval Or otherwise of the budget to the University ;

Provided that the State Government shall, from time to time, release grants to the University to incur expenditure till the budget is approved.

3) Notwithstanding anything to the contrary contained in this Act, the University shall not, except with the prior approval of the State Government, incur any expenditure on any account in excess of the amount specified in the budget on that account.

Provident Fund

45. Any Provident Fund instituted by the University for the benefit of its employees shall be governed by the provisions of the Provident Funds Act, 1925 as if such fund were a Government Provident Fund and the Executive Council shall have the power to frame Ordinances, not inconsistent with the provisions of that Act, for the administration of the fund.

Annual Accounts and Audit

46 1) The Annual Statement of Accounts of the University shall, after examination by the Executive Council, be subjected to such audit as the State Government may direct.

2) Such Annual Statement of Accounts shall, together with copies of the audit report thereon, be submitted to the Court and to the State Government and shall thereupon be published by the Court. The Court shall consider the audited annual accounts at a meeting and may take such action thereon as it thinks fit.

3) The University shall have a continuous internal audit, and the report of such audit shall be submitted to the State Government as soon as possible after the end of every financial year.

4) The State Government may require the University to supply to it any information in regard to the accounts and the budget and the University shall comply with such requisition

Inspection

47. 1) (i) The State Government shall have the right

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1. *to cause inspection to be made, by such person or persons as it may direct,*

a) of the University, its buildings laboratories, libraries, museums, press establishment, workshops and equipment,
b) of any college or institution maintained by or affiliated to the University, and
c) into all affairs of the University and of such college or institution including examination and other work conducted or done by the University or such college or institution, and

2. *to cause an enquiry to be made into the income, expenditure, properties, assets and liabilities of the University and of any college or institution maintained by or affiliated to the University.*

(ii) The State Government shall, in every such case of inspection or enquiry, give previous notice to the University, and, if the inspection or enquiry relates to such college or institution, both to the University and the college or the institution, as the case may be, of its intention to cause such inspection or enquiry.

2) The State Government shall communicate to the Court and the Executive Council or to such college or institution, as the case may be, its views on the results of such inspection or enquiry and may, after considering the opinion of the Court and the Executive council or of such college or institution, regarding the action which the State Government considers fit to be taken by the University or by such college or institution in the matters concerned and the University or such college or institution shall report to the State Government, within such time as the State Government may direct, the action which is proposed to be taken or has been taken by the University or by such college or institution to give effect to such advice of the State Government.
3) The State Government may, after considering the report referred to in sub-section (2), advise the University or such college or institution, as the case may be, to take such further action in the matter concerned as may, in the opinion of the State Government, be necessary, and the University or such college or institution shall take or cause to be taken such further action within such time as may be specified in that behalf by the State Government.

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CHAPTER VI.

Statutes, Ordinances, Regulations and Rules

Statutes

48. Subject to the provisions of this Act, Statutes may be made to provide for all or any of the following matters:

a) the declaration of posts as posts of officers of the University referred to in clause (iv) of section 7 ;

b) the establishment of authorities of the University referred to in clause (7) of section 16 ;

c) the powers, duties, and terms and conditions of service of the officers of the University in so far as these have not been specifically provided for in the Act;

d) the constitution, powers and duties of the authorities of the University in so far as these have not been specifically provided for in this Act;

e) the rules and procedure for holding elections to the Court, the Executive Council and other authorities and bodies of the University ;

f) the terms and conditions of affiliation or recognition of colleges or institutions, including terms and conditions for continuance of such affiliation or recognition and rules for disaffiliation or withdrawal of recognition of such colleges or institutions ;

g) the terms and conditions of recognition of colleges as constituent colleges or professional colleges ;

h) the constitution, powers and functions of the Governing Bodies of colleges other than Government colleges ;

i) the terms and conditions of service and the minimum emoluments for posts of Principals, teachers and such other employees as the University may deem fit of all affiliated colleges other than Government colleges ;

j) the rules for Provident Fund for teachers of colleges other than Government colleges ;

k) the holding of convocations to confer degrees, titles, diplomas, certificates and other academic distinctions, including honorary degrees and distinctions ;

l) the conditions for the registration of graduates of the University and for the maintenance of a register for registered graduates ;

m) the minimum qualifications for the posts of teachers of the University;

n) all other matters which under this Act are required to be or may be prescribed by the Statues.

How to make Statutes

49. 1) The Executive Council may of its own motion, and shall, when required by the Court, make a draft of any Statute and submit the same to the Court. The draft so submitted shall be considered by the Court at a meeting or meetings to be held within a period of six weeks from the date of such submission (hereinafter referred to as the said period), and the draft so submitted shall, unless rejected or amended by the Court before the expiry of the said period by a majority of the total number of its members existing at the time, be deemed to have been passed by the Court. If the Court so rejects or amends the draft of any Statute, it shall be sent back to the Executive Council with the views of the Court for

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reconsideration. Thereupon, the Executive Council shall reconsider the draft and resubmit it to the Court with such changes as it may deem necessary. On such resubmission of the draft, it shall again be considered by the Court at a meeting or meetings to be held within a period of six weeks from the date of such submission (hereinafter referred to as the latter period) and the draft so resubmitted shall, unless rejected by the Court before the expiry of the latter period by a majority of the total number of its members existing at the time, be deemed to have been passed by the Court without any amendment, or been passed by the Court with such amendments as it may deem fit to make therein within the latter period and by the same majority as aforesaid.

2) A Statute, passed in the manner provided in subsection (1), shall be presented to the Chancellor for assent and shall come into force on being assented to by the Chancellor in consultation with the Minister.

3) A Statute shall remain in force until repealed or amended by a new Statute similarly passed and assented to by the Chancellor.

Ordinances

50. Subject to the provisions of this Act and the Statutes, Ordinances may be made to provide for all or any of the following matters:

a) the admission of students to the University and the colleges affiliated to or recognised by it and their enrolment as such ;

b) the levy of fees in University Laboratories ;

c) the conditions of residence and rules of discipline of the students of the University, including students of colleges affiliated to or recognised by it, and the levy of fees for residence in halls ;

d) the appointment of teachers, officers and employees of the University, their emoluments, their duties and other terms and conditions of their service, in so far as these have not been specifically provided for in this Act or in the Statutes ;

e) rules for the institution of Provident Fund or other funds for the benefit of the employees of the University;

f) rules for the establishment, maintenance and management of University Libraries, University Museums, Halls and other University Institutions for study, research and residence ;

g) rules for the recognition of libraries, laboratories, museums, hostels and institutions for study, research and residence, other than those established, maintained and managed by the University ;

h) rules for the taking over of the management of an affiliated or a recognised college or institution, other than a Government college or institution, in order to ensure that proper standards of teaching and instruction are maintained therein ;

i) rules for the exercise of general supervision and control over affiliated or recognised colleges or institutions and for the giving of financial aid to them;

j) rules for the inspection or investigation into the affairs of colleges or other institutions, affiliated to or recognised by the University, to ensure that proper standards of teaching, training and research are maintained therein;

k) rules for the imposition and collection of fees, fines and other dues

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payable to the University ;

l) the duties and functions of the teachers of the University including the Heads of Departments ;

m) rules for the registration of students ;

n) the appointment, duties and remuneration of examiners;

o) rules for the administration of gifts, endowments and benefactions, and for the institution and award of fellowships, travelling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes;

p) rules and procedure for accepting grants and for raising or accepting loans other than loans from the Central or any State Government or the University Grants Commission;

q) all other matters which under this Act or the Statutes are required to be or may be prescribed by the Ordinances.

How to make Ordinances

51. 1) The Executive Council shall take into consideration drafts of Ordinances proposed to be passed after notice thereof has been given to the members of the Executive Council at least three weeks in advance of the date fixed for consideration of the same by the Executive Council. The Vice-Chancellor may direct a shorter notice in a matter which in his opinion is of an emergency nature.

2) An Ordinance shall be deemed to be passed by the Executive Council if it is agreed to by a majority of the total number of members of the Executive Council existing at the time.

3) An Ordinance passed by the Executive Council in the manner provided hereinbefore in this section shall be submitted to the Chancellor for assent and come into force on being assented to by the Chancellor and shall be reported to the Court at its next meeting.

4) The Chancellor may direct that the operation of any Ordinance shall be suspended until such time as the Court has had an opportunity of considering the same.

5) An Ordinance shall, unless cancelled or modified by the Chancellor, remain in force until repealed or amended by a new Ordinance similarly passed and brought into force.

Regulations

52. 1) Subject to the provisions of this Act and the Statutes and the Ordinances, Regulations may be made to provide for all or any of the following matters:

a) the powers and functions of the Boards of Studies ;

b) the functions and duties of the Teachers' Council in colleges and institutions other than Government colleges and institutions ;

c) the conditions for admission to the different courses of study and examinations of students ;

d) the rules for the conduct of University examinations ;

e) the courses of study and the division of subjects upon the recommendation of the Faculty Council for Post-graduate Studies or the Council for Under-graduate Studies concerned ;

f) all other matters which under this Act or the Statutes or the

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Ordinances are required to be or may be prescribed by the Regulations.

How to make Regulations

53. 1) The Executive Council or a committee appointed by it shall take into consideration drafts of Regulations, consistent with this Act and the Ordinances after notice of the proposed Regulations has been given to the members of the Executive Council at least three weeks in advance of the date fixed for consideration of the same by the Executive Council or the committee appointed by it. The Vice- Chancellor may direct a shorter notice in a matter which in his opinion is of an emergency nature.

2) A Regulation shall be deemed to be passed by the Executive Council if it is agreed to at a meeting of the Executive Council by a majority of the total number of members of the Executive Council existing at the time. A Regulation shall come into force immediately on being passed unless otherwise directed by the Chancellor.

3) The Court shall have the power, by a resolution passed by a majority of its total number of members existing at the time, to cancel or modify any Regulation.

4) A Regulation shall, unless cancelled or modified by the Court under sub-section (3), remain in force until repealed or amended by a new Regulation similarly passed and brought into force.

Rules

54. Subject to the provisions of this Act and the Statutes, the Ordinances and the Regulations, Rules may be made for the purpose of duly carrying out the provisions of, or exercising the powers conferred by, this Act or to provide for matters which, by the Statutes, the Ordinances or the Regulations, are required to be prescribed by Rules.

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CHAPTER VII

Miscellaneous and Transitory Provisions

Delegation

55. 1) The Vice-Chancellor or, with the approval of the Vice-Chancellor, the Registrar may, subject to the provisions of this Act, delegate such of his powers or duties conferred on or imposed by or under this Act as may be prescribed by the Statutes to an officer of the University under his direct administrative control.

2) Subject to the provisions of this Act,

a) the Court may delegate any of its powers or duties, conferred on or imposed by or under this Act, to
   i. the Vice-Chancellor,
   ii. the Executive Council,
   iii. a committee constituted from among its own members, or
   iv. a committee appointed in accordance with the Statutes ;

b) the Executive Council may delegate any its powers or duties, conferred on or imposed by on or under this Act, to
   i. the Vice-Chancellor,
   ii. a committee constituted from among it own members,
   iii. a committee constituted in accordance with the Statutes or the Ordinances,
   iv. any of the Faculty Councils for Postgraduate Studies or Councils for Under-graduate Studies, or
   v. the Finance Committee;

c) the Faculty Council for Post-graduate Studies or the Council for Under-graduate Studies may delegate any of its powers or duties, conferred on or imposed by or under this Act, to
   i. the Vice-Chancellor,
   ii. a committee constituted from among its own members,
   iii. a committee constituted in accordance with the Regulations, or
   iv. any of the Boards of Studies ;

d) the Finance Committee may delegate any of its powers or duties, conferred or imposed by on or under this Act, to
   i. the Vice-Chancellor, or
   ii. to a committee constituted from among its own members.

Completion of courses of study in colleges formerly affiliated to any other university

56. Notwithstanding anything contained in this Act, the Statutes, the Ordinances and the Regulations, any student of a college affiliated formerly to any other university, who was studying for any examination of such other University shall upon admission of such college to the privileges of the University, be permitted to complete his course in preparation thereof and the University shall hold, for such students, examinations in accordance with the curricula of study in force in

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such other university for such period as may be prescribed.

Transitory provisions

57. 1) The Chancellor shall, within three months from the date of publication of this Act in the Official Gazette, appoint, in consultation with the Minister, on such terms and conditions as he thinks fit, a person to be the Vice-Chancellor and he shall be the first Vice- Chancellor of the University and shall hold office for a period of three years. The first Vice-Chancellor shall exercise all the powers and perform all the duties of the Vice-Chancellor under this Act.

2) The first Vice-Chancellor shall, with the approval of the Chancellor and with the assistance of a committee consisting of not less than nine members, nominated by the State Government, cause the first Statutes, the first Ordinances and the first Regulations of the University to be framed.

3) The first Vice-Chancellor shall, within one year from the date of his appointment or within such longer period, not exceeding two years from the date of his appointment, as the State Government may, by notification in the official Gazette, direct, cause arrangements to be made for constituting the Court, the Executive Council, the Faculty Councils for Postgraduate Studies, the Councils for Under-graduate Studies and the Boards of Studies in accordance with the provisions of the first Statutes, the first Ordinances and the First Regulations as framed under sub-section (2), as if they had already come into force.

4) If, for any reason,

a) the constitution of the Court, the Executive Council and other bodies referred to in subsection (3) cannot be completed within the period of office of the first Vice-Chancellor appointed under sub-section (1), then, on the expiry of such period, the Chancellor may, in consultation with the Minister, on such terms and conditions as he thinks fit, appoint the first Vice-Chancellor whose period of office has expired or another person to be the Vice- Chancellor for the purposes of this section for such period not exceeding three years as the Chancellor thinks fit, or

b) a vacancy occurs in the office of the first Vice- Chancellor before the expiry of his office, then, the Chancellor may, in consultation with the Minister, on such terms and conditions as he thinks fit, appoint another person to be the Vice- Chancellor for the purposes of section for the unexpired portion of such period or such further period not exceeding three years as the Chancellor thinks fit, and references in this Act to the first Vice-Chancellor shall be deemed to include references to the Vice-Chancellor appointed under this sub-section.

5) The State Government shall, by notification in the official Gazette, appoint a date and on and from such date the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate Studies and the Boards of Studies shall commence to exercise their respective functions, and the first Statutes, the first Ordinances and the first Regulations as framed under sub-section (2) shall come into force and be the first Statutes, the first Ordinances and the first Regulations of the University.

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6) The first Statutes, the first Ordinances and the first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act.

7) The first Vice-Chancellor may, subject to the approval of the State Government, appoint such administrative, clerical and other staff (including technical staff) as he deems necessary for giving effect to the provisions of this section.

8) On and from the appointed day
   a) section 58 shall stand repealed and thereupon the Vidyasagar University Council, referred to in sub-section (1) of the said section, and all bodies and committees constituted by the said Council, if any, shall stand dissolved ;
   b) all colleges or institutions of whatever kind established, maintained or managed by any other university and affiliated to the University prior to the appointed day shall be deemed to be colleges or institutions established, maintained or managed by the University under this Act;
   c) all studies and examinations in relation to any college or institution referred to in clause (b), commenced and in progress before the appointed day, shall be deemed to be in progress as if they had been commenced by the University under this Act;
   d) all things done or deemed to have been done, and all actions taken or deemed to have been taken and all appointments made in relation to any college or institution referred to in clause (b) under any law in force for the time being shall be deemed to be things done or actions taken or appointments made by the University under this Act as if this Act had been in force when such things were done or such actions were taken or such appointments were made ;

   provided that until the appointed day references to the Vice-Chancellor under any such law shall be deemed to be references to the first Vice- Chancellor under this Act.

9) In construing the provisions of section 17, section 20, section 22 and section 24 and in construing the provisions of the Statutes, the Ordinances and the Regulations of the University in relation to the constitution, under this section, of the Court, the Executive Council, the Faculty Councils for Postgraduate Studies, the Councils for Under-graduate Studies and the Boards of Studies, references to the Heads of teaching Departments of the University, the University Professors, University Readers. University Lecturers, and teachers of the University shall be deemed to be references to the persons holding office respectively as the Heads of teaching Departments, Professors, Readers, Lecturers, and teachers of the University, if any, immediately before the date of appointment of the first Vice-Chancellor.

10) The provisions of this section shall have effect notwithstanding anything to-the contrary contained elsewhere in this Act or in any other law.

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The Vidyasagar University Council

58.

1) With effect from such date as the Government may, by notification in the official Gazette, appoint, and until the appointed day, all the powers and functions of the University, the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate studies, the Boards of Studies, the Finance Committee and all other authorities to be constituted under this Act or the Statutes or the Ordinances shall, respectively, be exercised and performed by a Council to be known as the Vidyasagar University Council.
2) The following shall be the members of the Council:
   i. the Chancellor;
   ii. the Vice-Chancellor;
   iii. the Secretary, Education Department, Government of West Bengal or his nominee not below the rank of Deputy Secretary to the Government of West Bengal;
   iv. the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Deputy Secretary to the Government of West Bengal;
   v. the President, West Bengal Council of Higher Secondary Education ;
   vi. the Director, Indian Institute of Technology, Kharagpur; ,
   vii. not less than fifteen and not more than twenty persons nominated by the Chancellor in consultation with the Minister from amongst the persons interested in university education, Principals and teachers of affiliated colleges and teachers of the University.
3) The Registrar of the University shall act as the Secretary of the Council.
4) The first Registrar, the first Finance Officer and such other officers of the University (including technical personnel) as may be required to be appointed from time to time shall be appointed by the Council on the recommendation of a committee consisting of the Vice-Chancellor as Chairman, a nominee of the Council, a nominee of the Chancellor and a nominee of the State Government, and, subject to the supervision, direction and general control of the Vice-Chancellor, they shall exercise all the powers and perform all the duties conferred and imposed on them by or under this Act, or delegated to them by the Vice-Chancellor.
5) The Council may, subject to the approval of the State Government, appoint such administrative, clerical and other staff (including technical staff) as it deems necessary for giving effect to the provisions of this section.
6) The Council may, with the approval of the Chancellor, delegate any of its powers and functions to such body or bodies as may be constituted by it to carry on the functions of the Court, the Executive Council, the Faculty Councils for Post-graduate studies, the Councils for Under-graduate Studies, the Boards of Studies, the Finance Committee and all other authorities to be constituted under this Act or the Statutes or the Ordinances ;

   Provided that such delegation shall not prevent the exercise of any such power or discharge of any such functions by the Council.

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7) (a) (i) The Chancellor or, in his absence the Vice-Chancellor shall preside at the meetings of the Council.

(ii) Twenty-five per cent of the Council shall be a quorum for a meeting of the Council.

(b) Twenty-five per cent of the members of any body constituted by the Council shall be a quorum for a meeting of such body.

8) No act or proceeding of the Council or of any body consitituted by it shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Council or in any body constituted by the Council, as the case may be.

9) The other provisions of this Act shall, if in conflict with the provisions of this section, stand modified to the extent provided in this section ;

Provided that nothing in this sub-section shall affect the power of the Chancellor or the Vice-Chancellor under this Act.

10) If a vacancy occurs in the office of the Vice- Chancellor by reason of death, resignation or expiry of the term of his office or otherwise, the same shall be filled up by the Chancellor in consultation with the Minister.

11) Any vacancy in the Council occurring by reason of death, resignation or otherwise shall Be filled up by the Chancellor in consultation with the Minister and the Vice-Chancellor, in so far as such filling up is not inconsistent with the provisions of this section.

12) If, by reason of the other provisions of this Act, any difficulty arises in giving effect to the provisions of this section, the Council shall refer such difficulty to the State Government which may make such order or do such thing, not inconsistent with the provision of this section, as appears to it to be necessary of expedient for removing the difficulty.

Removal of difficulties

59. If on account of any lacuna or omission in the provisions of this Act, or for any other reason whatsoever, any difficulty arises as to the first constitution of any authority of the University under this Act, or otherwise in giving effect to the provisions of this Act, the State Government, as occasion may require, may by order do anything which appears to it to be necessary for the purpose of removing the difficulty notwithstanding anything to the contrary contained elsewhere in this Act or in any other law.

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