# VIDYASAGAR UNIVERSITY

FIRST STATUTES, 1983

(Amended up to 1997)

Vidyasagar University Statutes approved by the Chancellor as per State Government order numbers:

| | | |
|---|---|---|
| 1) | 1792 - Edn(U) | dated 07. 10.83 |
| 2) | 1143 -Edn(U) | dated 15.10. 84 |
| 3) | 273 - Edn(U) | dated 26.02. 85 |
| 4) | 807 - Edn(U) | dated 17.06.86 |
| 5) | 220 - Edn(U)/Vid(U) - 2/97 | dated 02.04.97 |

**Vidyasagar University**

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# VIDYASAGAR UNIVERSITY
# FIRST STATUTES, 1983

NOTIFICATION

In exercise of the power conferred by sub-sectjon (2) of Section 57 of the Vidyasagar University Act, 1981 (West Ben. Act XVIII of 1981) I, Bhupesh Chandra Mukherjee, the first Vice-Chancellor of the Vidyasagar University, appointed by the Chancellor under sub-section (1) of Section 57 of the said Act. hereby frame, with the approval of the Chancellor and with the assistance of the Committee nominated by the State Government under Notification No. 162-Edn (U). dated the 18th February 1982, the following First Statutes of the Vidyasagar University :

## CHAPTER I

## Preliminary

### Statute 1

These statutes may be called the Vidyasagar University First Statutes, 1983.

### Statute 2

1) In these Statutes, unless there is anything repugnant in the subject or the context,
   a) "Academic Year" means a period of twelve months commencing on the first day of June and ending on the last day of May of the following calendar year;
   b) "The Act" means the Vidyasagar University Act, 1981 (West Ben. Act XVIIIof 1981);
   c) "Chapter" means a chapter of these Statutes, unless otherwise specified;
   d) "Post-graduate Studies" means studies for admission to which the necessary qualification is a bachelor's degree or its equivalent;
   e) "recognised" means recognised by the Vidyasagar University ;
   f) "Section" means a Section of the Act;
   g) "Under-graduate Studies" means studies which lead to a certificate or diploma or bachelor's degree of the University and are not post-graduate studies.
2) Words and expressions used but not defined shall have the same meaning as in the Act.



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## CHAPTER II

## Officers of The University

**Statute 3**

The following posts in the University are hereby declared to be posts of officers of the University under clause (iv) of Section 7, subject to the approval of the State Government, namely :—

Posts of:—

1) Inspector of Colleges
2) Controller of Examinations
3) Deputy Registrar
4) Deputy Inspector of Colleges
5) Deputy Controller of Examinations
6) Development and Planning Officer
7) University Accounts Officer
8) University Audit Officer
9) Assistant Registrar
10) Assistant Controller of Examinations
11) Estate and Trust Officer
12) University Engineer
13) University Librarian
14) Dean of Students' Welfare
15) Security Officer
16) Superintendent of the University Press
17) University Medical Officer
18) University Law Officer
19) Secretary of the Faculty Council for Post-graduate Studies in Arts and Commerce
20) Secretary of the Faculty Council for Post-graduate Studies in Science
21) Secretary of the Council for Under-graduate Studies in Arts, Science and Commerce
22) Secretary of the Council for Under-graduate Studies in Law
23) University Sports Officer
24) Curator of University Museum

**Statute 4**

All officers of the University shall ordinarily be whole-time employees of the University. The University may also appoint officers on a part-time basis.

**Statute 5**

1) The Registrar, the Inspector of Colleges, the Controller of Examinations, the Finance Officer, the Development and Planning Officer, the University Engineer and the Secretaries of the Faculty



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Councils for Post-graduate Studies and the Councils for Under- graduate Studies shall be under the direct administrative control of the Vice-Chancellor.

2) Subject to the general authority of the Vice-Chancellor, the University Accounts Officer, the University Audit Officer and the Estate and Trust Officer shall be under the administrative control of the Finance Officer ; the Deputy Controller of Examinations and the Assistant Controller of Examinations shall be under the administrative control of the Controller of Examinations ; the Deputy Inspector of Colleges shall be under, the administrative control of the Inspector of Colleges; and all other officers, except those mentioned in paragraph (1) of Statute 5 shall be under the administrative control of the Registrar.
3) An officer may delegate any of his powers and duties to the officer next in rank under him or to any other officer with the written approval of the Vice-Chancellor.
4) Every officer shall be entitled to a copy of the order of the additional duties assigned to him by his superior officer or the Vice-Chancellor.

**Statute 6**

1) In addition to the powers and duties assigned to him in Section 10, it shall be the responsibility of the Vice-Chancellor to see that all properties and equipment of the University are effectively and efficiently maintained and used ; and that all available space of the University is effectively and efficiently assigned and utilised. He may issue all such instruction as he may, from time to time, consider necessary for the purpose.
2) The Vice-Chancellor shall determine and assign the functions and responsibilities, other than those stated in the Act or in the Statutes, Ordinances, and Regulations, of all the officers of the University.

**Statute 7**

1) The Registrar shall, in addition to the duties and responsibilities assigned to him by Section 12—
    a) be the custodian of the records and common seal of the University ;
    b) act as the Secretary to the Court, the Executive Council and to such other authorities or committees as may be specified by the Vice-Chancellor by written orders, convene the meetings of the above-mentioned bodies when directed to do so by the Vice-chancellor and keep the minutes thereof;
    c) assume responsibility for the conduct of elections of the Court, Executive Council and such other authorities, Boards, Committees, etc. as may be specified by the Vice-Chancellor;
    d) conduct the official correspondence on behalf of the University and of the authorities, Boards or committees as may be specified by the Vice-Chancellor;
    e) sign papers in connection with all legal proceedings for or against the University ;
    f) prepare under the direction of the Vice-Chancellor and in consultation with all departments of the University, administrative and academic, the Annual Report of the University for the consideration of the Executive Council and the Court;
    g) perform such other functions as may, from time to time, be assigned to him by the Vice-Chancellor and render such assistance to the Vice-Chancellor as he may require in the performance of his official duties.



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2) As the custodian of the records of the Court, the Executive Council, and such other authorities and committees, so appointed by the Vice-Chancellor, the Registrar shall keep such records confidential and may refuse access to them by any person other than the Vice- Chancellor except on written authorisation from the Vice-Chancellor.

**Statute 8**

The Finance Officer shall, in addition to the powers and functions assigned to him under sub-section (1) of Section 14 —

1)
   a) be the principal adviser to the Vice-Chancellor in all financial matters and assist him in the central administrative organisation of the University in such matters ;
   b) be in charge of the Accounts Department of the University including collection of funds, and of general supervision over the Audit Section also and be responsible for ensuring that all moneys are expended for the purpose for which they are sanctioned within the limits of budget allotments ;
   c) subject to the Ordinance and the Rules and Procedure laid down by the Finance Committee with the approval of the Executive Council, be responsible for:—
      I. all receipts and disbursements ;
      II. the settlement of all bills to avoid undue delay ;
      III. the purchase of all appliances, apparatus and other effects by or for various departments;
   d) arrange for the maintenance of a stock register and the regular keeping thereof up-to-date :
   e) sign all cheques on behalf of the University ;
2) sign and execute on behalf of the University all contracts and agreements relating to matters of which he is in charge after approval of the same by the Executive Council, if not otherwise specified ;
3) be the Secretary to the Finance Committee, convene its meetings under the direction of the Vice-Chancellor and keep minutes thereof;
4) prepare, in consultation with the relevant departments of the University, the Annual Budget and the Annual Statement of Accounts for consideration of the Finance Committee before the 31st October each year ;
5) exercise such other powers as may be delegated to him and perform such other duties as may be assigned to him by the Vice-Chancellor.

**Statute 9**

The Inspector of Colleges shall be responsible for ensuring the implementation of the terms and conditions for affiliation and disaffiliation of colleges and for recognition of and withdrawal of recognition from colleges as constituent or professional colleges and for reports on colleges applying for affiliation or for recognition as constituent or professional colleges, inspection of colleges, preparation of other reports and maintenance of records in relation thereto.



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**Statute 10**

The Controller of Examinations shall be in charge of the Examination office of the University and shall be responsible for the administrative arrangements for the preparation, scheduling, assessment and reporting of Examinations, both Post-graduate and Under-graduate, and publication of results of all such examinations and all other matters connected with such t examinations. He shall also perform such other duties as may be assigned to him by the Vice-Chancellor.

**Statute 11**

The Deputy Registrar shall assist the Registrar in the performance of his functions and shall also perform such other functions as may be assigned to him by the Registrar and the Vice-Chancellor.

**Statute 12**

The Deputy Inspector of Colleges shall assist the Inspector of colleges in the performance of his functions and shall also perform such other functions as may be assigned to him by the Inspector of Colleges and the Vice-Chancellor.

**Statute 13**

The Deputy Controller of Examinations shall assist the Controller of Examinations in the performance of his functions and shall also perform such other functions as may be assigned to him by the Controller of Examinations and the Vice-Chancellor.

**Statute 14**

The Development and Planning Officer shall —

a) be in charge of all development and planning projects of the University in consultation with the respective Heads of the Departments concerned with these projects ;
b) keep constant liaison with the Construction Board/Public Works Department to ensure satisfactory progress of all construction work ;
c) be specially in charge of all U.G.C. grants, including U. G. C. Scholarships/Fellowships to teachers and students of the University, and of supervision over their proper utilisation in consultation with the Finance Officer;
d) report to the Vice-Chancellor all developmental needs of the affiliated colleges under the University ;
e) perform any other duties that may be assigned to him by the Vice-Chancellor.



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**Statute 15**

The University Accounts Officer shall assist the Finance Officer in the work of the Accounts Section of his office and also perform such other functions as may be assigned to him by the Finance Officer and the Vice- Chancellor.

**Statute 16**

The University Audit Officer shall —

a) particularly be in charge of the Audit Section of the Finance Officer's department, carry on a continuous internal audit of the University Accounts and for that purpose have free and full access to all records relating to finance, income, expenditure, accounts, annual budget etc.;
b) assist the Finance Officer in the performance of his duties if so required;
c) perform such other duties as may be assigned to him by the Finance Officer with the approval of the Vice-Chancellor.

**Statute 17**

The Assistant Registrar shall be the principal assistant to the Registrar and the Deputy Registrar in the proper performance of their duties and also perform such other duties as may be assigned to him by the Registrar or the Deputy Registrar.

**Statute 18**

The Assistant Controller of Examinations shall be the principal assistant to the Controller of Examinations and Deputy Controller of Examinations in the proper performance of their duties and also perform such other duties as may be assigned to him by the Controller of Examinations or the Deputy Controller of Examinations.

**Statute 19**

The Estate and Trust Officer shall, under the supervision, directions and administrative control of the Finance Officer –

a) be in charge of all lands, buildings and other properties of the University and be responsible for the proper administration of the same ;
b) look after and attend to all matters relating to acquisition of lands, buildings or other properties for and on behalf of the University ;
c) assist the Finance Officer in the management of the Trust Office of the University and be responsible for the proper maintenance and administration of all assets held by the University in trust or as endowments including realisation of rents from tenants ;
d) perform such other duties as may be assigned to him by the Finance Officer or the Vice-Chancellor relating to his office.



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**Statute 20**

The University Engineer shall —

a) be in charge of the Engineering Department of the University ;
b) be responsible for all constructions, repairs, and maintenance of the roads, gardens, electric and water installations, buildings and all movable and immovable properties of the University and all personnel engaged for these purposes ;
c) be responsible for preparation of all drawings, master plans, detailed plans, survey reports, electrical, road and water layouts, and of estimates for the same, and of such other work as directed by the Vice-Chancellor;
d) verify all bills for labours, contracts and purchase of all kinds of building materials and pass the same for payment by the Finance Officer;
e) perform such other duties as may be assigned to him by the Vice-Chancellor.

**Statute 21**

The University Librarian shall —

a) be in charge of the University Libraries ;
b) be the Secretary of the Library Committee, convene the meetings of the same at the direction of the Vice-Chancellor and keep the minutes thereof;
c) be responsible, with the advice and approval of the Library Committee, for the selection and purchase within the budget estimates, cataloguing, proper maintenance, issue and return of books, periodicals, publications and manuscripts as well as for the purchase, maintenance and repair of library furniture ;
d) prepare the Annual Budget Estimates and Annual Report for the University Library or Libraries and submit the same through the Registrar to the Finance Officer after approval by the Library Committee;
e) verify and pass for payment by the Finance Officer the bills for the purchase of books and other Library materials ;
f) hold the annual and periodical stock-taking of the University Library/Libraries and submit a report on the same through the Registrar to the Finance Officer after being approved by the Library Committee;
g) perform any other work assigned by the Deans of the Faculties or the Vice-Chancellor relating to his office.

**Statute 22**

1) The Dean of Students' Welfare shall —
    a) be in charge of the Students' Welfare Office of the University ;
    b) be responsible for all matters relating to students' welfare, such as discipline, health, residence, recreation, educational tours and other amenities of the students, and carry on a continuous dialogue with the students for these purposes ;



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c) act as an information and guidance officer to students of the University in matters relating to vocational training and testing, employment opportunities, foreign scholarships and studies in foreign Universities and Institutions.

2) The Dean of Students' Welfare shall be the Secretary to the Board of Residence, Discipline and Students' Welfare, convene its meetings at the direction of the Vice-Chancellor and keep minutes thereof.
3) The Dean of Students' Welfare shall also perform any other duties as may be assigned to him by the Vice-Chancellor.

**Statute 23**

The Security Officer shall —

a) be in charge of all Security Guards of the University for day and night, allocation of their duties and supervision of their work;
b) be responsible for the safety of all persons and properties within the precincts of the University Campus ;
c) be responsible for security of the Vice-Chancellor whenever and wherever required, and of other officers, when requested ;
d) be responsible for the prevention of crimes and illegal activities and for apprehension of such offenders within the University Campus ;
e) be responsible for summoning police help for the University, if directed by the Vice-Chancellor or the Registrar;
f) perform any other duty assigned to him by the Vice-Chancellor or the Registrar.

**Statute 24**

The Superintendent of the University Press shall —

a) be in charge of the University Press, the printing machinery and all materials connected with printing and publications ;
b) be responsible for efficient printing of every matter required by the different departments of the University Office and proper maintenance of the printed matter until delivery of the same to proper personnel.

**Statute 25**

1) The University Medical Officer shall —
    a) be the Secretary to the Board of Health, convene its meetings at the direction of the Vice-Chancellor and keep the minutes thereof;
    b) be in charge of the University Medical Centre and Hospital and responsible for its efficient working and maintenance ;
    c) be responsible for the health examination of and medical prescription for all resident students on their first admission into the University ;



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d) be responsible for attendance on and medical prescription for all sick resident students during their stay in the University hostels, as well as of all teachers, officers and other staff of the University ;
e) be responsible for the health examination and clinical tests of any regular post-graduate student of the University, if requested, and at the University Hospital alone.

2) The Medical Officer shall perform any other medical duty assigned to him by the Vice-Chancellor or the Registrar.

**Statute 26**

1) The University Law Officer shall —
   a) be in charge of the Law Office of the University ;
   b) give legal advice to the Court, the Executive Council and the Registrar in respect of matters relating to the University ;
   c) make all arrangements on behalf of the University in all law suits for or against the University ;
   d) be responsible for proper maintenance of all legal documents concerning the affairs of the University and of its officers until delivery of the same under due receipts to the Registrar for safe custody at his written direction.
2) The Law Officer shall perform any other duty relating to matters of law assigned to him by the Vice-Chancellor or the Registrar.

**Statute 27**

A Secretary of a Faculty Council for Post-graduate Studies shall —

1) a) attend the meetings of the concerned Faculty Council but shall not vote thereat ;
   b) shall issue notices of meetings of the concerned Faculty Council, prepare agenda-notes and keep the minutes of the meeting;
2) a) be the executive officer in charge of the University College or Colleges concerned and all student activities connected thereat ;
   b) arrange for classrooms and accommodation, prepare schedules of work of the respective academic departments in consultation with the appropriate Heads of Department;
3) A Secretary of a Faculty Council for Post-graduate studies shall be entitled to attend and address the meeting of any Board of Studies attached to that Faculty Council but not vote thereat ;
4) A Secretary of a Council for Post-graduate Studies shall advise the Vice-Chancellor on all academic matters under his jurisdiction and perform any other duty assigned to him by the Vice-Chancellor.

**Statute 28**

A Secretary of a Council for Under-graduate Studies shall —

1) a) attend the meetings of the concerned Under-graduate Council but shall not vote thereat ;
   b) issue notices of meetings of the concerned Under-graduate Council, prepare agenda-notes and keep the minutes of the meeting;



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2) a) be in charge of all academic matters pertaining to undergraduate education in subjects under its jurisdiction and advise the Vice-Chancellor on the same ; •
   b) be responsible for all planning of changes and improvements in under-graduate studies in affiliated colleges and recognised institutions ;
   c) perform such other duties as may be assigned to him by the Vice-Chancellor;
3) A Secretary of a Council for Under-graduate Studies shall be entitled to attend and address meetings of any Board of Under-graduate Studies attached to it, but not to vote thereat, unless be is also a member of the same.

**Statute 29**

The University Sports Officer shall —

a) be in charge of all matters connected with the sports, games and physical training of the students of the University, including selection and training of players, athletes and gymnasts, organisation of teams of players in all kinds of games, entries in trophies in and outside Midnapore, the organisation and conduct of Annual Sports ;
b) perform such other functions and duties as are assigned to him by the Vice-Chancellor or the Registrar.

**Statute 30**

The Curator of the University Museum shall —

a) be in charge of the University Museum and be responsible for the efficient and useful administration of the same ;
b) collect, purchase within the University grants for the purpose, or accept donations of specimens of archaeological/historical interest approved by the Vice-Chancellor;
c) arrange lectures on museum topics by eminent scholars ;
d) purchase, repair and keep in proper condition all furniture and other accessories of the University Museum within the University grants for the purpose ;
e) certify and pass all bills connected with the University Museum (except staff salaries) for payment by the Finance Officer;
f) perform such other duties as may be assigned to him by the Vice-Chancellor.



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## CHAPTER III

### Authorities of the University

**Statute 31**

1) There shall be a Board of Studies in every subject of Post-graduate teaching and of Under-graduate teaching.
2) A Board of Studies shall be attached to its respective Faculty Council for Post-graduate Studies or Council for Under-graduate Studies.
3) A Board of Studies in a Post-graduate subject shall consist of the following members:
   i. the Head of Department of the relevant subject who shall be the Chairman of the Board ;
   ii. the Teachers of the University and of the Constituent College(s) participating in Post-graduate teaching in the subject in respect of which the Board is constituted ;
   iii. three experts in the relevant subject to be nominated by the Vice-Chancellor;
   iv. the Dean of the relevant Faculty Council to which the Board is attached if he is not also the Head of the Department in the subject concerned.
4)
   a) Every Board of Studies attached to a Council for Undergraduate Studies shall consist of the following members :
      i. the Head of the Post-graduate Department in that subject who shall be the Chairman of the Board ;
      ii. one Reader and one Lecturer of the same department nominated by the Vice-Chancellor;
      iii. four teachers in that subject belonging to colleges affiliated to the University to be elected by the Council of Under-graduate studies ;
      iv. three experts in that subject to be nominated by the Vice- Chancellor.
   b) If there is no post-graduate department in a subject of undergraduate studies, the Board in that subject shall elect its Chairman at its first meeting from among its own members.
5) The Faculty Councils may from time to time recommend to the Executive Council the constitution of such other Boards of Studies as they may think fit for post-graduate subjects and the Councils for Under-graduate Studies may do the same in regard to subjects of under-graduate teaching.
6) The Faculty Councils and the Under-graduate Councils may call upon two or more Boards of Studies under their jurisdiction to meet together and decide upon any question of common interest. Each joint meeting shall elect its own Chairman.

**Statute 32**

The Finance Committee, constituted under Section 28, shall consist of the following members —

a) the Vice-Chancellor who shall be the Chairman of the Committee;
b) the Finance Officer who shall be the Secretary to the Committee and convene the meetings of the Committee at the direction of the Vice-Chancellor and keep minutes thereof;
c) the two Deans of the Faculty Councils ;
d) one member with experience in financial matters nominated by the State Government;



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e) one member nominated by the Court from among its own members;
f) one member nominated by the Executive Council from among its own members other than the Deans.

**Statute 33**

1) The Finance Committee shall advise on any financial matter relating to the University that may be referred to it for opinion by the Vice-Chancellor, the Executive Council or any other authority or body of the University
2) The Finance Committee shall
    a) Before the 31st of October every year consider at a meeting convened for the purpose the Budget of the University showing the estimated receipts and expenditure of the University on different accounts for the ensuing financial year as prepared by the Finance Officer and make recommendations pertaining to them, which along with the budget shall be forwarded to the Executive Council for examination and approval. The budget, as approved by the Executive Council, shall then be submitted to the State Government for consideration and approval before the 30th November of the same year, as required under sub-section (1) of section 44;
    b) Before the 30th April every year, at a meeting convened for the purpose, consider the Annual Statement of Accounts for the previous financial year as prepared by the Finance Officer, along with the Internal Audit Report for the same year, as prepared by the University Audit Officer, and transmit the same with its own recommendations to the Executive Council for examination, approval and follow-up action as required under sub-section (1), (2), and (3) of section 6;
    c) Prepare financial, accounts and internal audit rules with the approval of the Executive Council;

**Statute 34**

The Finance Committee may call for any paper bearing on any financial proposal or ant item of accounts under its consideration or in making its recommendations on the Annual Budget or Annual Accounts and internal audit referred to in Statute 33.

**Statute 35**

The Finance Committee shall maintain watch over the progress of income and expenditure of the current year provided for in the Annual Budget, keeping in mind the provisions of sub-section (3) of section 44 and shall make such reports to the Executive Council from time to time, as it may think fit, on any matter affecting the finance of the University.

**Statute 36**

No expenditure, not covered by the approved budget grant or in excess of the budget provisions, may be incurred without prior consideration by the Finance Committee and prior approval of the State Government.



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## CHAPTER IV

## Affiliation of Colleges

### Statute 37

An application for affiliation shall be made before the 31st of October of the academic year preceding that from which the affiliation is sought, provided that the Vice-Chancellor may, in special cases, grant extension of time up to the 31st December for submission of application.

### Statute 38

Any affiliation, granted by the University after the 30th of April in a calendar year, shall take effect only from the academic session commencing in the next calendar year.

### Statute 39

Affiliation shall be granted for each separate subject and each separate standard in each separate faculty.

### Statute 40

An application for affiliation of a college to the University shall be made in writing by the promoter, or where there is a Governing Body, by the Governing Body, of the college concerned to the Registrar of the University:

a) in the case of a Government college or a college receiving grant from the State Government through the Director of Public Instruction of the State; and
b) in any other case, direct.

### Statute 41

1) Every application for affiliation
   a) shall state the subject or subjects and the standard or standards in which affiliation is sought;
   b) shall show that
      i. the college concerned shall be or is under the management of a Governing Body constituted by the State Government, in the case of a Government college or in accordance with the provisions, specified in the Statutes for the purpose, in case of other colleges;
      ii. adequate financial provisions have been made for the continued maintenance of the college;
      iii. the number and qualifications of the teaching staff and the condition of their service and strictly in accordance with the Statutes / Ordinances / Regulations of the University and



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are actually such as to ensure the imparting of adequate instruction to the students in the course of study to be undertaken by the college.

iv. the buildings in which the college is or shall be located are suitable in every respect for the purpose of the college and adequate provision has been made for the residence of the students in the manner laid down by the University;

v. provision has been made for a sufficiently equipped college library and for regular annual additions to the same;

vi. where affiliation is sought in any branch of experimental science adequate arrangement has been made or shall be made before the commencement of classes in that subject, in conformity with the requirements of the University, for imparting instruction in a properly equipped laboratory or museum, as the case may be ;

vii. affiliation of this college shall not be injurious to the interest of any other affiliated college in the neighborhood or of the students thereof by involving any unhealthy competition;

c) shall contain stipulations to the effect that -

i. save as otherwise provided in the Statutes / Ordinances, the college shall generally abide by the Statues, the Ordinances and the Regulations of the University in force for the time being;

ii. the working hours and holidays of the college shall be such as may be specified by the University from time to time ;

iii. all changes in the constitution and membership of the Governing Body and all appointments, dismissals, promotions and demotions of the principal and teachers of the college (with names, qualifications and salaries) shall forthwith be reported to the Inspector of Colleges who shall immediately report to the Executive Council through the Vice-Chancellor any irregularity in or breaches of the University directions by the same ;

iv. no member of the teaching staff of the college shall be allotted or allowed to lecture to a class or section of a class or to a combination of two or more classes or sections of classes having on the rolls thereof the total number of students exceeding 150 or such other number as may, from time to time, be fixed by the Executive Council on the advice of the Council for Under-graduate Studies ;

v. no student has been or shall be admitted to any course of instruction in the college in anticipation of affiliation ;

vi. no student has been or shall be admitted into the college in consideration of any other payment except the regular fees ;

vii. save as otherwise provided in Statutes/Ordinances any other condition that may be laid down by the Executive Council, from time to time, shall be complied with.

2) A breach of the provisions of sub-clauses (v) and (vi) of clause (c) of paragraph (1) may be grounds for refusal to grant affiliation or cancellation of existing affiliation.

**Statute 42**

On receipt of an application for affiliation of a college within the due date and *prima facie* complying with all the requirements of Statute 41, the Council for Under-graduate Studies concerned shall

i. direct an enquiry to be made by the Inspector of Colleges and such competent person or persons authorised by it in this behalf into the matters stated in the application ;



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ii. call for such further information from the applicant and make such further enquiry as it may consider necessary in the matter;
iii. satisfy themselves that there is in the college building adequate accommodation both as regards the number of class rooms and the space and cubic space of each class room.

**Statute 43**

If upon receipt of the report of the enquiry and of further enquiry and further information, if any, the Executive Council is satisfied that there are suitable buildings and provisions for all other requirements necessary to ensure the maintenance of the standard of the proposed educational programme, it may, after considering the views of the State Government in this respect, by order grant to the college, subject to the terms and conditions of affiliation laid down in these Statutes, affiliation sought for with effect from such academic year and for such period as may be specified in the order ;
Provided that an application for affiliation may be withdrawn by the applicant or applicants at any time before an order has been passed by the Executive Council in this regard.

**Statute 44**

When a college desires to add to the subjects or courses of study in respect of which it is affiliated; the procedure prescribed (laid down) in Statutes 41, 42 and 43 shall, so far as they may apply, be followed.

**Statute 45**
Every affiliated college shall furnish to the Council for Under-graduate Studies concerned through the Inspector of Colleges
i. immediately on the close of each academic year a statement showing subject wise the total number of lectures delivered and the total number of practical and tutorial classes held in the college during such year ;
ii. such returns, reports and other information in such form or forms as the Executive Council/Council for Under-graduate Studies may require.

**Statute 46**

An affiliated college, in the affairs on which an inspection or investigation has been carried out by an order of the Executive Council, shall take, within such period, such action in respect of any matter arising out of the report of the inspection or investigation as may be specified in an order made by the Council for Under-graduate Studies concerned in this behalf.



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**Statute 47**

As a condition of the grant, addition or continuance of affiliation, every college shall ordinarily be inspected at least once a year by the Inspector of Colleges or the Deputy Inspector of Colleges in accordance with the provisions of the University Ordinance relating to inspection of colleges.

**Statute 48**

If in any affiliated college the total number of lectures delivered, or of practical or tutorial classes held, in any subject fall, for three consecutive academic years, short of the minimum number of lectures or classes required under the Regulations to be delivered or held, as the case may be, or the percentage of passes, for three consecutive years, fall short in pass and honours courses separately in a subject, of 30 percent of the number of students sent up for examination, the Executive Council may refuse permission to the College on the recommendation of the Council for Undergraduate Studies concerned to send up students for the corresponding examination of the University in such subject.

**Statute 49**

If any affiliated college fails to fulfill any of the terms or conditions laid down in these statutes or in the order of affiliation, or to comply with any directive of the Council for Under-graduate Studies concerned, the Executive Council may pass such orders, including partial or total withdrawal of affiliation of that college, as it may consider necessary on the recommendation of the relevant Under-graduate Council;
Provided that no action, referred to in this Statute shall be taken without giving

i. in the case of a Government College the State Government, or
ii. in any other case, the Governing Body of the college concerned, an opportunity of making its representation, if any, in the matter within a time limit set by the Executive Council.

**Statute 50**

Nothing in this Chapter shall apply in the case of a college established or proposed to be established or maintained or managed by the University.



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## CHAPTER V

## PART I

## Permission to Affiliated Colleges to provide instruction in Post-graduate Courses of Study

### Statute 51

An affiliated college shall be eligible to apply for permission to provide instruction in the Post-graduate Course of Study in any subject, if :

a) it has provided for not less than three consecutive academic years instruction in the Honours Course of study in that subject, in accordance with the Regulations;
Provided that a Professional College shall be eligible to make such application if the instruction, mentioned above, has been in the Pass course of study in the subject concerned where no Honours course has been prescribed by the Regulations;

b) the students of the applicant college, sent up for University Examinations in the Honours or Pass course, as the case may be, have shown satisfactory result for at least three consecutive academic years immediately preceding the date of application.

### Statute 52

For the purpose of obtaining permission to provide instruction in the post-graduate course of any subject, an affiliated college shall satisfy the following conditions, namely:

a) that there are adequate financial resources for the continued maintenance and efficient working of the Post-graduate section or sections of the college;

b) that there is or shall be provided suitable and adequate accommodation for students, staff, library, laboratories, museums, scientific equipment and other technical appliances which may be necessary for the purpose of providing Post-graduate instruction and research in the subject in respect of which permission is sought for;

c) that the strength of the teaching staff is or shall be such as laid down in the First Regulations before the commencement of the Post-graduate classes;

d) that the teachers to provide Post-graduate instruction in the subject concerned possess qualifications suitable for appointment in the University Department in that subject;

e) that adequate provision has been or shall be made for a library properly equipped for the post-graduate courses of study sought to be undertaken by the college;

f) that, where permission is sought to provide instruction in the post-graduate course of any branch of experimental science, arrangement have been or shall be made in conformity with the Regulations for imparting such instruction in a properly equipped laboratory or museum;

g) that necessary arrangements have been or shall be made for the conduct of lectures, tutorials and practicals and other means of imparting instruction in the intended post-graduate courses of study;



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h) that such other conditions as the Executive Council may on the recommendation of the Faculty Council for the Post-graduate Studies concerned, from time to time lay down for the standard of post-graduate study shall be fulfilled.

**Statute 53**

1) An application for permission to provide instruction in the course of post-graduate study shall be made by the Principal of the affiliated college concerned, on the strength of a resolution of the Governing Body of that College to that effect, so as to reach the Registrar of the University not later than the 31st day of August preceding the academic year from which the affiliation sought for is to have effect;
   Provided that in the case of a government college or a college aided by the State Government, the application shall be submitted through the appropriate authority of the State Government. In case of other colleges, application shall be made direct.
2) Every application for permission to provide instruction in the postgraduate course shall state the subject or subjects in which, and the number of students for whom, post-graduate instruction is proposed to be provided, and shall on the face of the application show
   a) that the requirements of Statutes 51 and 52 are fulfilled or shall be so fulfilled before the commencement of post-graduate instruction in the subject(s) concerned ;
   b) that adequate arrangements have been or shall be made for the necessary accommodation and for defraying the capital and recurring expenses on buildings and equipment including libraries, laboratories, museums, scientific equipment and technical appliances and for the continued maintenance and efficient working of the post-graduate sections ;
   c) the strength of the teaching staff, specifying the names, qualifications, previous experience, research work and publications, if any, of the teachers, separately in respect of those who impart instruction in the Honours courses and those who are proposed to be appointed for instruction in the intended post-graduate courses ; and
   d) the fees proposed to be levied in respect of the intended post-graduate course of study.

**Statute 54**

1) On receipt of an application under Statute 53, for permission to provide instruction in the post-graduate course of study in one or more subject(s), the Executive Council shall direct an enquiry to be made by a Committee consisting of the Inspector of Colleges, the Dean of the Faculty Council for Post-graduate Studies concerned, the Chairman of the relevant Board of Studies attached to the Faculty Council for Post-graduate Studies concerned, and at least an expert for the subject concerned to be nominated by the Vice-Chancellor in this behalf, into the matters stated in the application and such other matters as may be specified by the Executive Council, particularly with a view to ascertaining whether the necessary requirements referred to in Statutes 51, 52, and 53 are fulfilled.
2) If, after considering the report of enquiry referred to in paragraph (1) and after making such further enquiry, if any as it may deem necessary, the Executive Council thinks fit so to do, it may by order grant, subject to the appropriate terms and conditions laid down in these Statutes, the



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application for such period, either wholly or in part in respect of such subject or subjects, as may be specified in the order ;

Provided that an order under this paragraph granting an application either wholly or in part may be made subject to compliance by the college concerned, before such date, not later than the 31st day of March preceding the academic year from which the order is to take effect of such directions as may be specified in the order.

**Statute 55**

1) When an affiliated college, already providing post-graduate instruction for at least three years and showing good results in postgraduate examinations in the same subject(s), desires to further add to the courses of post-graduate study, the provision of Statutes 51 - 54, as far as may be, shall apply.
2) An order granting permission to provide instruction in a course of post-graduate study made under paragraph (2) of Statute 54 may, if the Executive Council so thinks fit, be renewed, from time to time, subject to the same terms and conditions or to such other or further terms and conditions as the Executive Council may think fit to lay down.

**Statute 56**

1) Subject to the Ordinances and the Regulations, admission to the post-graduate classes and all teaching arrangements relating to the post-graduate instruction in a college, shall be organised by the college concerned ;

   Provided that the number of students to be admitted in such classes shall be determined by the Executive Council on the basis of reports of enquiry of such other information as the Executive Council may call for.
2) Rules for enrolment in different courses of the post-graduate studies in any affiliated college shall be framed by the college concerned in conformity with the Ordinances and shall be subject to approval by the Executive Council on the recommendation of the Faculty Council for Post-graduate Studies.

**Statute 57**

1) The Executive Council, may, on the advice of the relevant Board of Studies attached to the Faculty Council for Post-graduate Studies concerned, require
   a) an affiliated college, which has been granted permission to provide instruction in post-graduate courses of study,
      i. to make such arrangements for research, lectures, tutorials and similar other instructional activities in the college as it may from time to time think fit, and may cause inspection to be made of such arrangement as and when it thinks fit to do so ; and
      ii. to permit, if necessary, a teacher participating in postgraduate teaching appointed by it to give a course of lectures in a University College ;



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b) a University teacher to give a course of lectures in any other affiliated college providing instruction in the post-graduate courses of study whenever it is considered necessary.

2) To ensure the co-ordination and effective use of the facilities available in the college providing instruction in the post-graduate courses of study such as libraries, laboratories, museums, and the equipment for teaching and research, the Executive Council may, on the recommendation of the relevant Board of Studies attached to the Faculty Council for Post-graduate Studies concerned and in conformity with the Regulations, require the post-graduate students of any affiliated college to attend lectures, tutorials, seminars and parctical classes covering a part of their syllabus in any other affiliated college or in a University College, and such other affiliated college or University College, as the case may be, shall provide all facilities to such post-graduate students to attend their lectures, tutorials, seminars and practical classes and to use the libraries.

**Statute 58**

1) As soon as may be after the close of each academic year, every affiliated college providing instruction in the post-graduate courses of study shall furnish to the Executive Council such returns, reports and other information as the Executive Council may require.
2) The Executive Council shall arrange for a regular periodical inspection of the affiliated college providing instruction in post-graduate courses of study with a view to ensuring that the appropriate conditions referred to in Statutes 51 to 57 are being complied with. Such inspection shall have particular reference to the proper maintenance of libraries, laboratories, museums and other equipment and the qualifications of the teaching-staff, teaching load, teacher-student ratio and such other matters as the Executive Council may direct.

**Statute 59**

If the Executive Council so thinks fit on the report of inspection, referred to in paragraph (2) of Statute 58, of any affiliated college providing instruction in the post-graduate courses of study, it may call upon such college to take within such period such action as may appear to it to be necessary on the basis of such report and if the college concerned fails to take such action as directed, the Executive Council may, by order suspend for such period as may be specified in the order or withdraw from the college concerned permission to provide instruction in post-graduate courses of study ;
Provided that before making such order, the Executive Council shall inform the college concerned of its findings and shall afford it an opportunity of. making its representation, if any, within such period as the Executive Council may deem fit and shall record its opinion on any representation so made.



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**Statute 60**

1) No affiliated college providing instruction in the post-graduate courses of study shall, without the previous permission of the Executive Council in this behalf, close any post-graduate class or section of the college or discontinue instruction in any post-graduate course of study for which affiliation has previously been obtained.
2) When any such affiliated college desires to close a post-graduate class or section or to discontinue instruction in a post-graduate course of study, it shall make an application in writing in this behalf to the Registrar, giving reasons for the same. Such application shall be submitted at least one academic year in advance,
3) When an affiliated college desires to revive instruction in a course of post-graduate study which it has previously discontinued with the permission of the Executive Council, it shall make an application for permission to do so. Such application shall be submitted to the Registrar not later than the 31 st day of August preceding the academic year from which permission to do so is to have effect and thereupon the provisions of Statutes 51 to 54 shall, so far as may be, apply.

**Statute 61**

Any institution, engaged in specialised research and study in any branch of knowledge, which has applied for affiliation to the University and has been granted such affiliation by the Executive Council shall be deemed to be an affiliated college for the purpose of this part of Statutes.



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## PART II

### Recognition of Colleges as Constituent Colleges

**Statute 62**

An affiliated college, which has provided instruction in the post-graduate courses of study in at least three subjects for not less than three years continuously in conformity with the provisions of the University's Statutes, Ordinances and Regulations, shall be recognised as a Constituent College.
Provided that a Professional College, teaching only one subject may be recognised as a Constituent College if it has provided post-graduate instruction in that one professional subject for at least three years continuously with satisfactory results.

**Statute 63**

1) An application for recognition as a Constituent College shall be made by the Principal of an affiliated college on the strength of a resolution of the Governing Body of that college not later than 31 st August of a year preceding the academic year from which such status of the college is to come into effect ;
2) On receipt of such an application, the Executive Council, after satisfying itself of the merits of the case with or without an enquiry, may by order grant the college concerned the status sought for such period and on such terms and conditions as it may think fit.
3) The Executive Council may also by an order, withdraw the status of a Constituent College from an affiliated college to which such status had previously been granted;
   Provided that no such order for withdrawal of recognition as a Constituent College shall be passed without giving the college concerned an opportunity to defend itself within such period as the Executive Council may think fit to determine.



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## PART III

### Recognition of Colleges as Professional Colleges

**Statute 64**

An affiliated college shall be eligible for applying for recognition as a Professional College if it has provided for not less than three years instruction primarily for courses of study leading to a degree, diploma or certificate of the University in a professional subject and has the necessary facilities and arrangements for providing such instruction.

If the Executive Council thinks fit so to do, it may, by order recognise any University College, in which instruction is provided primarily for courses of study leading to any degree, diploma or certificate of the University in any professional subject, to be a Professional College, and may, by similar order, withdraw such recognition from any University College.

**Statute 65**

For the purpose ot recognition as a Professional College, an affiliated college shall satisfy the following conditions, namely ;

1) that there are adequate financial resources for the continued maintenance and efficient working of the college ;
2) that there is suitable and adequate accommodation for students, staff, libraries, laboratories, museums, scientific equipment, technical appliances and such other resources as may be necessary to ensure that teachers and students may accomplish the purposes to be achieved through professional instruction and that graduates are thoroughly trained and prepared, upon graduation, to serve the professional field in which they have been pursuing the courses of study ;
3) that members of the teaching staff, other than those appointed temporarily for a period not exceeding one year, are or shall be appointed on the recommendation as the case may be of the W. B. College Service Commission, or of a Selection Committee which shall include a nominee of the Vice-Chancellor, constituted by the Governing Body of the college for the purpose ;
   Provided that this clause shall not apply in the case of a Government College;
   Provided further that a temporary teacher shall not be re-appointed beyond the first one year without the recommendation of the West Bengal College Service Commission, or of the Selection Committee mentioned in this clause;
4) that the strength and qualifications of the teaching staff and the conditions governing the tenure of office are such as laid down in relevant chapters of these Statutes and the First Regulations ;
5) that the necessary teaching devices specialised equipment and related materials for use by teachers are available so as to ensure that students are fully grounded in the professional techniques and trained to use the appliances, instruments and other equipment which shall be employed in the satisfactory pursuance of the profession concerned ;
6) that adequate provision has been made for a properly equipped library;
7) that in every branch of science that is included as a part of a professional course of study, arrangements have been made for imparting instruction therein in a properly equipped laboratory or museum and for providing sound training in any branch of experimental science that may be involved ; and



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8) that such other conditions or directions as the Executive Council may, from time to time, lay down for the maintenance of the standard of professional instruction and training will be fulfilled.

**Statute 66**

The provisions of Statute 63 shall, so far as may be, apply to affiliated colleges in relation to application for recognition as a Professional College, grant, withdrawal and suspension of such recognition and closure, discontinuance and revival of professional courses respectively.



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## CHAPTER VI

## Election of Members of Authorities of the University

## PART 1A

*Election of members of: (i) the Court under clauses (xi) to (xiv) to (xxii) of Sub-section 1(b) of Section 17; (2) the Executive Council under clause (vii) of Sub-section 1(b) of Section 20 ; (3) the Faculty Councils for Post-graduate Studies under clause (v) of Sub-section (2) of Section 22 and clause (v) of Sub-section (2 A) of Section 22 and (4) the Councils for Under-graduate Studies under clauses (iii) and (v) of Sub-section (2) of Section 24 and clause (vi) of Sub-section (3) of Section 24, and clause (v) of Sub-section (3A) of Section 24*

### Statute 67

1) The Vice-Chancellor shall, in connection with any election referred to in this Part, by an order in writing fix a date or dates
   a) on or before which applications for enrolment as voters shall be submitted, which shall not be earlier than thirty days from the date of such order ;
   b) on or before which nominations for election shall be submitted which shall not be earlier than fourteen days from the date of publication of the Final Electoral Rolls for the constituencies concerned ;
   c) on which scrutiny of nominations shall be made which shall not be later than the third day after the last date for submission of nominations, as mentioned in clause (b);
   d) on or before which applications for withdrawal of candidature, if any, shall be submitted which shall not be later than the third day after the date fixed for scrutiny of nominations, as mentioned in clause (c);
   e) on which a poll shall, if necessary, be taken which shall not be earlier than thirty days after the last date for withdrawal of candidature mentioned in clause (d);
   f) on which counting of votes shall be commenced, which shall not be later than seven days from the date for taking the poll, as mentioned in clause (e).
2) Every order under paragraph (1) shall be duly notified by the Registrar in the press and in such other manner as may be determined by the Vice-Chancellor.

### Statute 68

1) As soon as possible after receiving the order of the Vice-Chancellor, referred to in clause (a) of paragraph (1) of Statute 67, the Registrar shall, in such manner as the Vice-Chancellor may direct, issue or cause to be issued a notification stating the substance of the order and calling for application in forms approved by the Vice-Chancellor to be available from the Registrar's office,



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for enrolment as voters in the respective constituencies from all persons entitled to vote at the election in such constituencies.

**Explanation**

a) i) A Principal or a teacher shall be entitled to have his name included in the relevant electoral roll, even though he is on authorised leave.
   ii) A temporary Principal or a temporary teacher of an affiliated college shall also be entitled to have his name included in the relevant electoral roll.
b) A Teacher-in-charge of an affiliated college may enroll himself as a voter either in the Principals' constituency, or be enrolled as a voter in the constituency of teachers of affiliated colleges.
c) Instructors, Tutors, Demonstrators and any other person who are certified by the Heads of the Institutions concerned as participating in teaching work shall be deemed to be teachers for the purpose of elections under these Statutes.

2) All applications for enrolment as voters, in respect of persons related to an affiliated college shall be submitted to the Principal/Teacher-in- charge of that college and all such applications in respect of persons related to the University shall be submitted directly to the Returning Officer or the officer appointed by the Returning Officer to receive such applications on his behalf.
3) Each Principal/Teacher-in-charge of an affiliated college, not later than fifteen days after the last date for submission of applications for enrolment as voters, fixed under clause (a) of paragraph (1) of this Statute, shall prepare lists of such applicants, separately for each constituency and arranged in alphabetical order according to surname, keeping in mind the provisions of Explanation under Section 17 (1) (b) (xvii) and of the Explanation in respect of paragraph (1) and forward the same lists along with the original applications for enrolment as voters in sealed cover(s) to the Returning Officer.
4) A person shall be entitled to have his name included in the electoral roll of one constituency only and from one institution only.
5) A person qualified to have his name included in the electoral rolls of more than one constituency or more than one institution shall indicate the constituency and/or the institution in the electoral roll of which he wishes his name to be included and the Returning Officer shall include his name accordingly. In case of failure so to indicate the constituency and the institution the application shall be rejected.

**Statute 69**

1) Not later than sixty days after the expiry of the last date for enrolment as voters, as fixed under clause (a) of paragraph (1) of Statute 67, the Registrar shall prepare and publish the Preliminary Electoral Rolls for all the constituencies by putting them upon the Notice Board of the office of the Registrar, and shall also send three copies of the relevant rolls to each Principal/Teacher-in-charge of each affiliated college, with instruction to put one copy upon the Notice Board of the college.
2) The Preliminary Electoral Rolls shall be arranged constituency-wise, and also college-wise in respect of the constituencies of teachers, students and non-teaching staff of affiliated colleges in alphabetical order of surname of voters and names of colleges.



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**Statute 70**

1) The publication of Preliminary Electoral Rolls shall be accompanied by a notice to the effect that the relevant parts of the said Electoral Rolls may be inspected at the office of the Registrar or of any Principal of an affiliated college and claims or objections in respect thereof may be filed within a given date which shall not be later than fourteen days from the date of the publication of the said Rolls.
2) Any claim or objection to the Preliminary Electoral Rolls, filed within the notified date, referred to in the previous paragraph shall be made in writing, signed by the person making it, stating specifically the grounds on which it is made, and shall be submitted to the Returning Officer either in person or by registered post.
3) The Returning Officer shall, within three days after the last date for filing such claims or objections, after summary enquiry dispose of all such claims or objections, submitted under paragraph (2) and amend the electoral Rolls where necessary. The decision of the Returning Officer on any claim or objection shall be final. The Electoral Rolls, so amended, shall be kept in the Returning Officer's office and shall be open to inspection by the persons filing the aforesaid claims or objections for a period of four more days.

**Statute 71**

1) Not later than twenty-one days after the last date for submitting claims or objections to Preliminary Electoral Rolls, the Returning Officer shall publish the Final Electoral Rolls, arranged in the same way as stated in paragraph (2) of Statute 69, by putting it upon the Notice Board of the office of the Registrar and in such other manner as may be determined by the Vice-Chancellor, and send two copies of the relevant rolls to the Principal/Teacher-in-charge of each affiliated college.
2) The Final Electoral Rolls, thus prepared and published, shall come into force forthwith upon such publication and shall remain in force until a fresh electoral roll is prepared for the next general elections, subject to such amendments, if any, as the Registrar may from time to time consider necessary, for the purpose of filling up any casual vacancy in any constituency in the intervening period between two general elections.
3) The Registrar shall have the custody of the Preliminary as well as the Final Electoral Rolls and shall have the power to correct any printing or clerical error in the Final Electoral Rolls.
4) Any person, before the publication of Final Electoral Rolls may withdraw his name from the relevant electoral rolls by applying in writing under personal signature to the Registrar, and upon its acceptance the electoral roll shall be amended accordingly.
5) The Final Electoral-Rolls, thus prepared and published with amendments or corrections as under paragraphs (2), (3) and (4), shall be used for elections to every Authority or Body of the University, as far as applicable up to the time when a fresh Final Electoral Roll comes into force.
6) Any voter of any constituency may obtain a copy of the relevant Preliminary as well as Final Electoral Rolls from the office of the Registrar on payment of such price as may be fixed by the Registrar in this behalf.



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**Statute 72**

a) Upon the publication of a Final Electoral Roll for an election, the Returning Officer shall, in terms of clauses (b) to (f) of paragraph (1) of Statute 67, give notice, in. such manner as the Vice-Chancellor may direct, of the intended elections, clearly indicating the different constituencies and the number of members to be elected from each constituency, inviting nominations of candidates for elections, and specifying the last date for making such nominations, the date for scrutiny of nominations and the last date for withdrawal of candidature, as well as the date or dates of poll, and the time and place at which and the person to whom the nomination papers are to be delivered;
Provided that, in respect of constituencies, referred to in Section 17 (1) (b) — (xvi) and (xvii), nominations shall be submitted only for members of electoral colleges as stated hereinafter.

b) The number of electoral members of the electoral colleges mentioned in Section 17(1) (b) (xvi) and (xvii), shall be calculated on the ratio of one member for every fifty students or part thereof up to twenty-five or more such students in case of students of each affiliated college, and one member for every twenty-five students or part thereof up to fifteen students or more in case of post-graduate students of each Department of the University,
Provided that in case of Post-graduate Departments where the number of students is less than fifteen, the students of all such Departments shall be grouped together by the Returning Officer, and number of electors to the electoral college shall be calculated from this group of students on the basis of one elector for every twenty-five such students or part thereof up to fifteen or more students.

**Statute 73**

1) Any person, whose name appears on the Final Electoral Rolls of any constituency, referred to in paragraphs (1) and (5) of Statute 71, and who is not disqualified to be elected as a member of the Authorities of the University under Section 36, may be nominated as a candidate for election from that constituency.
2) On or before the last date for submission of nominations of candidates for election, fixed under paragraph (a) of Statute 72. a candidate for election shall deliver or cause to be delivered to the Returning Officer between 11 A.M. and 4 P.M. on a working day of the University, a nomination paper in a form which shall be obtainable from the office of the Returning Officer.
3) No nomination paper shall be valid unless it is signed by the candidate as assenting to the nomination and by another person, qualified to vote in the constituency concerned, as proposer ;
Provided that this clause shall not apply in case of a constituency where the number of electors does not exceed five.
4) An elector may sign as proposer only one nomination paper and no more, and if an elector signs as proposer more than one nomination paper all the nomination papers so signed by such elector shall be invalid.



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**Statute 74**

On the day fixed under paragraph (a) of Statute 72 for the scrutiny of nominations, the Returning Officer shall scrutinise the nomination papers in the presence of candidates or their authorised agents, if they appear, and publish on the Notice Board of the Registrar's office, a list, arranged alphabetically according to surname, of the candidates whose nominations are found valid for each constituency separately.

**Statute 75**

Any candidate whose name appears in the list of valid candidates for election may withdraw his candidature by a notice in writing signed by him and delivered to the Returning Officer on or before the date fixed for the purpose under paragraph (a) of Statute 72.

**Statute 76**

Subject to the provisions of Statute 77,

a) if the number of candidates in any constituency, whose nominations are found valid and who have not withdrawn their candidature, is equal to the number of persons to be elected, the Returning Officer shall declare all such candidates duly elected ;
b) if the number of such candidates in any constituency is less than the number of persons to be elected, the Returning Officer shall declare all such candidates duly elected and seats remaining unfilled, if any, shall be deemed to be vacancies for the purpose of Section 39 ;
c) if the number of such candidates in any constituency exceeds the number of persons to be elected, a poll shall be taken on the date fixed for the purpose under paragraph (a) of Statute 72.

**Statute 77**

if at an election in a constituency the number of seats to be filled includes a number of seats reserved for a particular class, or category of persons, and

a) If the number of duly nominated candidates who are qualified to fill the reserved seats and who have not withdrawn their candidature is equal to the number of seats so reserved, all the candidates shall be declared duly elected, and a list of the remaining candidates shall be published and the procedure laid down in Statute 76 shall be followed for filling the remaining non-reserved seats ;
b) if the number of such candidates is less than reserved seats, the Returning Officer shall forthwith declare all those candidates duly elected to fill the reserved seats and follow the procedure laid down in paragraph (a) of Statute 76 for filling the unreserved seats and the reserved seats remaining unfilled shall be deemed to be vacancies for the purpose of Sections 39 and 40;



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**Explanation**

*In a constituency where the number of seats to be filled up includes a seat or seats reserved for a particular class, or category of persons, candidates belonging to such class or category shall be treated as candidates for election to such reserved seats irrespective of their choice in that respect ;*

c) if the number of such candidates exceeds the number of seats so reserved but the total number of duly nominated candidates is equal to the total number of seats to be filled, the Returning Officer shall declare all the candidates duly elected ;
d) if the number of such candidates exceeds the number of reserved seats and the total number of duly nominated candidates also exceeds the total number of seats to be filled, a poll shall be taken ; and after the poll s been taken, the Returning Officer shall first declare those who, being qualified to fill the reserved seats, have secured the largest number of votes, duly elected to fill the reserved seats, and then declare such of the remaining candidates as have secured the largest number of votes duly elected to fill the remaining seats.

**Statute 78**

a) In case of election of members from the constituencies of teachers, students and non-teaching staff of affiliated colleges, the Returning Officer shall appoint the Principal or the Teacher- in-charge (as appointed by the Governing Body) of each affiliated college as the Presiding Officer and shall send to him the necessary instruction, election papers and election materials in sufficient quantity, including a copy of the Vice-Chancellor's order as provided in clause (e) of paragraph (1) of Statute 67, relevant Final Electoral Rolls, lists of valid candidates for the constituencies concerned who have not withdrawn their names, relevant ballot papers, rules of election procedure, sufficient number of ballot boxes calculated separately for each constituency of each Authority concerned, and other requisite materials to hold the poll on the appointed date(s) in the manner prescribed ;
   Provided that, in case of the incapability of the said Principal/ Teacher-in-charge for any reason, which has been immediately intimated after the receipt of his appointment as the Presiding Officer, to and accepted by the Returning Officer, or in case of a legal dispute as to the true incumbent to the post of the Principal/Teacher-in-charge, the Returning Officer shall appoint any other senior teacher of the college or an officer of the University as the Presiding Officer and such person shall have the authority to conduct the elections as mentioned above and to requisition the services of any teacher or any member of the non-teaching staff of the college concerned for the purpose.
b) Subject to the provision of paragraph (a), election duty shall be binding on all Principals/Teachers-in-charge, teachers and non-teaching staff of affiliated colleges.
c) In the same contingency as mentioned in the provision to paragraph (a), the Presiding Officer shall have the power to exempt any person under his authority from polling duty and make suitable alternative appointment.



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**Statute 79**

a) The polling centres shall remain open from 10 A.M. to 4 P.M.
b) As soon as the clock strikes the end of the appointed hour for voting, the gates to the polling station shall be closed and the voters arriving after the said appointed hour shall not be allowed to vote, but the voters standing on the queue at the closing moment shall be allowed to enter inside the polling station and cast their votes.
c) After the polling is over, the Presiding Officer shall prepare a statement of the number of ballot papers of different constituencies used and the number of unused ballot papers. The ballot papers remaining unused shall be packed and sealed. The ballot boxes shall be sealed in the presence of the candidates or their authorised agents if they so appear.
d) The Presiding Officer shall send all the ballot boxes and other polling materials to the Returning Officer on the same day in case of polling centres situated within the jurisdiction of Midnapore city and ten miles around it. The Presiding Officers of polling centres situated beyond the above area may submit ballot boxes to the Returning Officer so as to reach him not later than the next day of the polling, but the full responsibility for the safe custody of the ballot boxes in the intervening period shall lie on them. In all cases, the Presiding Officers, and the Polling Officers on duty, must accompany the ballot boxes and hand over the same together with the necessary papers as stated in paragraph (a) of Statue 78 to the Returning Officer.

**Statute 80**

a) Except as provided in Statute 81 and 83 below, every voter shall cast his vote in person to exercise his voting right and only one ballot paper shall be given to a voter for a constituency in which he is entitled to vote.
b) A vote shall be recorded by putting a cross mark at the appropriate place or column on the ballot paper against the name of a candidate or the number of candidates for whom the voter is entitled to vote, but only one mark shall be put for one candidate and the voter shall not sign the ballot paper or write his name or anything else on it.
c) After recording his vote, the voter shall himself fold the ballot paper or papers in the manner directed by the Polling Officer and place it in the ballot box or boxes concerned provided for the purpose.

**Statute 81**

a) A person engaged in polling duty may exercise his voting right by postal ballot and in such circumstances he must apply to the Returning Officer immediately on receipt of his assignment for polling duty.
b) A person, who is under trial or a person who is in preventive ditention under any law, shall also be entitled to cast his vote by postal ballot, but in such circumstances he must apply to the Returning Officer at least two weeks before the polling date as fixed under clause (e) of paragraph (1) of Statute 67 or immediately after his being put under trial or in preventive detention, as the case may be.



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c) All ballot papers, as mentioned in paragraphs (a) and (b), after the recording of votes therein, shall be submitted to the Returning Officer in person or by registered post.
d) No person, convicted in a court and confined in a prison shall be entitled to vote.

**Statute 82**

a) In case of the constituencies of the Professors and other Teachers of the University, Post-graduate Students and Research Scholars, Research Fellows of the University and the Non-teaching staff and Officers of the University, as described in clauses (xi), (xii) (xvi), (xviii), (xx) and (xxii) of Section 17(1) (b), the Returning Officer shall appoint Presiding Officers from among the Officers and Teachers of the University and the polling assistants from among the other employees of the University.
b) Polling centres for the above-mentioned constituencies shall be in the premises of the University.
c) The procedure laid down in Statute 79 shall be followed in polling for the above constituencies also.

**Statute 83**

1) In case of election of candidates to the Court from the constituencies of the Principals of affiliated colleges and of the Librarians of the University and the affiliated colleges, as described in clauses (xiv) and (xix) of Section 17(1) (b), and for electing members of the Councils for Under-graduate Studies from the constituency of the Principals of colleges of Arts, Science and Commerce and of Teachers' Training colleges as described in clause (v) of Section 24 (2), election shall be held by postal ballot, subject to the provisions laid down in Statute 81.
2) Not less than fourteen days before the date of election, the Returning Officer shall send by registered post to each such voter a ballot paper prepared for the purpose by the Registrar and approved by the Vice-Chancellor together with a list of candidates whose nomination papers have been found valid and an envelope and an outer cover, addressed to the Returning Officer for the return of the ballot paper.
3) Every voter on receiving his ballot paper shall record his vote therein, in accordance with the instructions contained in the ballot paper. The voter shall then place the ballot paper inside the cover and close it and the closed cover containing the ballot paper shall again be placed inside the outer cover addressed to the Returning Officer received therewith and send the cover to the Returning Officer by registered post or in person so as to reach him not later than 5 P.M. on the date of election ;
   Provided that the election shall not be delayed or invalidated by reason of any failure on the part of a voter to deliver the ballot paper to the Returning Officer either in person or by registered post within the stipulated period mentioned above and it shall not affect the counting procedure and declaration of results for the purpose of election from these constituencies.



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**Statute 84**

The Returning Officer shall keep in safe custody all ballot boxes and sealed covers and other election papers received by him from the Presiding Officers after the polling is over until such time as the counting of votes begins.

**Statute 85**

a) On the date fixed under clause (f) of paragraph (1) of Statute 67, for the counting of votes, the Returning Officer at such time and place as may be determined by the Vice-Chancellor and notified on the notice board in the office of the Registrar in this behalf, proceed, in such manner as the Returning Officer may determine, and with the help of such persons as the Vice-Chancellor may appoint to assist the Returning Officer in the counting of votes—(i) to open all ballot boxes or sealed covers containing the ballot papers ; (ii) to separate the ballot papers which the Returning Officer considers valid from those which he considers invalid ; (iii) to count the valid votes given to each candidate ; and (iv) to record in a statement the total number of valid votes so given to each candidate ;
   Provided that no person who has been nominated as a candidate for election in any constituency or who has proposed the nomination of a candidate in any constituency shall be appointed^ a counting officer or polling assistant in that election ;
   Provided further that the Returning Officer may adjourn at any stage the proceedings referred to in this paragraph until such date and time as he may consider fit and proper, in which case and until such changed date and time the valid ballot papers and all other papers, related to polling and counting of votes, shall be immediately and separately sealed and kept in safe custody of the Returning Officer.
b) The Vice-Chancellor, the Returning Officer and the persons appointed to assist him in counting of votes, and the candidates or in their absence their authorised agents, if they so appear, shall have the right to be present at the counting of votes.

**Statute 86**

A ballot paper shall be invalid if
a) it is not duly marked, or
b) it contains no record of voting, or
c) more than one mark placed on it against any candidate's name, or
d) the identity of the voter is disclosed, or
e) the number of votes recorded therein exceeds the number of seats to be filled, or
f) the mark is so placed as to render it doubtful as to which candidate the vote has been given to, or
g) there is an erasure of voting mark of such a nature that the intention of the voter is not clear, or
h) in the case of the constituencies, where there are reserved seats, the principles of reservation are not fulfilled by the voting marks.



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**Statute 87**

1) When the counting of votes has been completed, the Returning Officer shall, subject to the provision of Statute 77, forthwith declare the candidate or candidates to whom the largest number of valid votes has been given duly elected. When two or more candidates received equal number of votes and they cannot be declared elected, the final selection shall be made by the Returning Officer by drawing lots.
2) The Returning Officer shall then seal up in separate packets the valid and invalid ballot papers, mark each packet with the description of its contents, the name of the constituency and the date of election and keep them in safe custody for a period of one month after the date of declaration of election results in each case, or if any dispute arises regarding an election, until the dispute is disposed of.

**Statute 88**

a) For purposes of election of members from constituencies, mentioned in clasuses (xvi) and (xvii) of section 17 (1) (b), within seven days after the declaration of the results of the poll, the Returning Officer shall compile two separate and consolidated lists of the elected members of the respective electoral colleges and forthwith notify the constitution of the electoral colleges.
b) At the same time, the Returning Officer shall issue a notice specifying dates for (i) submission of nomination papers for election as members to the Court from the above-mentioned constituencies within ten days of the constitution of the electoral colleges ; (ii) scrutiny of nomination papers within three days after the last day for submission of nomination papers ; (iii) withdrawal of nomination, within two days after the date of scrutiny; (iv) publication of lists of valid candidates for election form such constituencies within one day after the last date for withdrawal ; (v) holding of poll within seven days after such publication ; and (vi) counting of votes within three days after the date of poll.
c) For the purposes of constituency under clause (xvi) of Section 17 (1) (b) the Returning Officer shall appoint a Presiding Officer, as in paragraph (a) of Statute 82. and for the purposes of constituency under clause (xvii) of Section 17 (1) (b) shall appoint the Principal/Teacher-in-charge of each affiliated college a Presiding Officer, as provided in paragraph (a) of Statute 78.
d) The poll shall be held according to the same procedure as laid down under Statutes 79 and 80 wherever applicable.
e) Votes of these elections shall be counted on the notified date according to the procedure, prescribed under Statute 85 and the results shall be forthwith published after the conclusion of the counting of votes.

## PART IB

*Election of members to (I) the Executive Council under Section 20 (I) (b) — clauses (viii) to (xv) and (xvii) ; (2) the Faculty Councils for Post-graduate Studies under Section 22 (2) (vii) and Section 22 (2A) (vii) ; (3) the Councils for Under- graduate Studies under Section 24 (2) (iv) ; and (4) the Boards of Under-graduate Studies under Statute 32 (4) (iii)*



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**Statute 89**

For the purpose of an election in any of the constituencies referred to above, the Vice-Chancellor shall, as soon as may be after the constitution of the Court or the Faculty Councils for Post-graduate Studies or the Councils for Under-graduate studies, as the case may be, by order in writing fix a date or dates

a) on or before which nominations for election shall be submitted, which shall not be earlier than seven days from the date of the order;
b) on which scrutiny of nominations, shall be made, which shall not be later than the second day from the last date for submission of nominations fixed under clause (a);
c) on or before which applications for withdrawal of candidature, if any, shall be submitted, which shall not be later than the second day from the date fixed under clause (b) for scrutiny of nominations ;
d) on which a meeting of the members concerned of the Court or the Faculty Councils for Post-graduate Studies or the Councils for Under-graduate Studies, as the case may be, shall be held for the purpose of the election, such date not being earlier than ten days from the last date for withdrawal of candidature fixed under clause (c).

**Statute 90**

Forthwith upon the receipt of an order of the Vice-Chancellor under Statute 89, the Returning Officer shall issue a notice, in such manner as the Vice- Chancellor may direct, inviting nominations for election and specifying the last date fixed for making nominations, the date for scrutiny of nominations, and the last date for withdrawal of candidature, as well as the date or dates fixed for the meeting of members concerned of the Court, the Faculty Councils for Post-graduate Studies and the Councils for Under-graduate Studies, as the case may be, for the intended election and time and place at which, and the persons to whom nomination papers are to be delivered.

**Statute 91**

On the issue of the notice under Statute 90 by the Returning Officer, the provisions of Statute 74, 75 and 76 relating to nominations, scrutiny and withdrawal of candidature shall *mutatis mutandis* apply.

**Statute 92**

The Returning Officer shall not less than seven days before the date fixed under clause (d) of Statute 89 forward to each member concerned of the Court or the Faculty Councils for Post-graduate Studies or the Councils for Under-graduate Studies, as the case may be, a list of duly nominated candidates proposed for election, who have not withdrawn their candidature, and shall call for a meeting of the Court or the Faculty Councils or Post-graduate Studies or the Councils for Under-graduate Studies, as the case may be, for the election on the day fixed in this behalf under clause (d) of Statute 89.



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**Statute 93**

1) At the meeting of the member concerned of the Court or the Faculty Councils for Post-graduate Studies or the Councils for Undergraduate Studies, as the case may be, the Returning Officer shall supply or cause to be supplied to each member thereof present at the meeting a ballot paper in a form approved by the Vice-Chancellor.
2) The electors shall then, if they so wish, record their votes on the ballot paper so supplied, in accordance with the instruction set out in the ballot paper. The ballot papers shall then be collected by such person or persons as the Returning Officer may appoint for the purpose.

**Statute 94**

1) After the ballot papers are collected under paragraph (2) of Statute 93 the Returning Officer shall proceed to scrutinise the ballot papers or cause them to be scrutinised and to count or cause to be counted the votes recorded in favour of each candidate. The results of the election shall thereafter be declared by the Returning Officer.
2) In the matter of scrutinising the ballot papers, counting of votes and declaring the results, the procedures laid down in Statutes 85, 86 and 87 shall *mutatis mutandis* apply, subject, however to the condition that in the cases of equality of votes in the last seat to be filled, the decision shall be made by the casting vote of the Chairman at the meeting.

**Statute 95**

1) For the purpose of election of members of Boards of Studies attached to a Council for Under-graduate Studies, the Vice-Chancellor shall, by an order in writing, fix a date, which shall not be earlier than fifteen days from the date of the order, for a meeting of the members of the Council concerned (hereinafter in this Statute referred to as electors) and also the time and place for such meeting and the Registrar shall, on receiving such order, send to the electors, at least twelve days before the' date of the meeting, a notice intimating the date, time and place fixed for the meeting and calling for nomination of persons belonging to the category referred to in clause (iii) of paragraph (4) of Statute 32 for election to the different Boards attached to the Council. Together with such notice the Registrar shall forward to each elector a list of the Boards attached to the Council for which members are to be elected at the meeting, specifying in each the number of members to be elected to such Boards.
2) On receipt of the notice referred to in paragraph (1), electors who wish to nominate candidates for election shall make nomination, in a form prepared by the Registrar and approved by the Vice-Chancellor in this behalf; which shall be obtainable from the Registrar's office, and forward the same to the Registrar so as to reach him not later than five days before the date fixed for the meeting referred to in paragraph (1);
   Provided that no elector shall be entitled to nominate more than one person for election to a Board.
3) A candidate, nominated as aforesaid, may withdraw his candidature by a notice in writing delivered to the Registrar not less than three days before the date of meeting.



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4) The Registrar shall, after scrutiny, prepare a list of the duly nominated candidates for election to each Board, who have not withdrawn their candidature.
5) At the meeting of the electors referred to in paragraph (1), the Vice- Chancellor shall preside and the Registrar shall circulate one copy only of the list of the duly nominated candidates, as referred to in paragraph (4), to each elector present, and if the number of candidates so nominated be — (a) less than the number to be chosen, the Vice- Chancellor shall declare all the persons, whose names are so proposed, duly elected and the remaining seats shall be deemed to be vacant for the purpose of Section 39 ; (b) equal to the number of members to be so chosen, the Vice-Chancellor shall declare all the persons, whose names are so proposed, duly elected ; (c) greater than the number of members to be so chosen, a poll shall be taken by ballot, and the persons securing the largest number of valid votes shall, up to the number of members to be chosen for each Board, be declared by the Vice-Chancellor to be duly elected. In the event of an equality of votes in respect of the last seat to be filled in any Board, the choice between the candidates securing such equal number of votes shall be made by the Vice-Chancellor by giving his casting vote.
6) In case where a poll is necessary, the copy of the list of duly nominated candidates, circulated to each elector under paragraph (5), shall serve as the ballot paper, and an elector shall, if he so wishes, record his vote by putting a cross (x) mark on such ballot paper against the names of the candidates for whom he wishes to vote. The Registrar shall cause the ballot papers to be collected and after scrutiny shall count or cause to be counted the valid votes polled in favour of each candidate and the Vice-Chancellor shall declare the results forthwith.
7) For the purpose of election, every elector shall have as many votes as there are seats to be filled in each Board for which the election is held, but no elector shall cast more than one vote in favour of any one person. A ballot paper shall be invalid for any of the reasons enumerated in Statute 86.

## PART IC

### Statute 96

For the purpose of election of members to the Court by the members of the West Bengal Legislative Assembly, as referred to in Section 17 (1) (b) (xv), the Secretary to the West Bengal Legislative Assembly shall be the Returning Officer and the election shall be held in such manner as the Returning Officer may decide.



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## PART II

*Election of the Deans of the Faculty Councils for Post-graduate Studies under Sub-sections (I) and (2) of Section 26*

**Statute 97**

1) Within seven days after the constitution of the Faculty Council for Post-graduate Studies, the Vice-Chancellor shall order in writing and the Registrar shall convene accordingly a meeting separately of each Faculty Council for Post-graduate Studies, giving not later than seven days' notice and specifying the date, time and venue of such meeting for the purpose of electing the Dean of the Faculty Council concerned. Fifty percent of the total number of the members of each Faculty Council, to the nearest whole number, shall constitute a quorum.
2) In case there is no quorum at the meeting of the aforesaid members of the Faculty Councils for Post-graduate Studies for the purpose of the election of the Deans thereof, or if any such meeting is adjourned for any reason, a fresh meeting, or the adjourned meeting, as the case may be, shall be held on such date and at such time and place as may be fixed in this behalf by the Vice-Chancellor and notified by the Registrar.
3) At a meeting for the election of a Dean, nominations for election shall, in a form prepared by the Registrar in this behalf, be submitted to the Chairman, so, however, that no member shall submit such nomination in favour of more than one person. Nominations, submitted otherwise than in accordance with the provisions hereof, shall be rejected by the Chairman. A member, nominated for election, may decline to stand for election and in such a case his name shall be omitted from consideration.
4) When all nominations are submitted to the Chairman, the Chairman shall announce the names of duly nominated candidates. Thereupon, the members of the Faculty Council for Post-graduate Studies shall record their votes each by writing the name of one and not more than one of the duly nominated candidates on a voting paper to be distributed by the Chairman for the purpose, fold the voting paper -and himself deposit it in the box kept for the purpose.
   When the voting is complete, the Chairman shall cause the voting papers in the voting to be counted and shall declare the candidate securing the largest number of votes to be duly elected, provided that in the event of an equality of votes the choice between the candidates securing such equal number of votes shall be made by the Chairman by his casting vote.
   Any dispute with respect to nomination or eligibility of nomination, voting or counting of votes relating to the election of a Dean of a Faculty Council for Post-graduate Studies shall be referred to the Vice-Chancellor and his decision thereon, subject to Statute 104, shall be final.



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## PART III

### Election to fill a casual vacancy in any Authority

**Statute 98**

1) A casual vacancy in the office of an elected member of any Authority of the University shall be filled up by election according to the procedure prescribed by the Statute concerned for election of a member of that particular category of that particular Authority subject to the provisions of paragraph (2), on such date or dates as fixed by the Vice-Chancellor and notified by the Registrar on the notice board of his office and in such other manner as the Vice-Chancellor may determine;
   Provided that (a) where applicable, the election shall be held on the strength of the current Final Electoral Rolls in force, as mentioned in paragraph (5) of Statute 71 ; (b) the Vice-Chancellor according to his judgment may reduce the time limit for each or any stage of election, specified in the Statute(s) concerned ; and (c) the first stage in the election to fill up a casual vacancy, whatever that may be, shall start not later than three months from the date of that particular vacancy.
2) In the case of a casual vacancy to be filled up by election by the members of an Authority from among themselves, the Registrar, with the written approval of the Vice-Chancellor, shall convene a meeting of the particular Authority, for which notice shall be issued not later than three months from the date of that particular vacancy, giving at least seven days' notice for such meeting, on such date and at such time and place as determined by the Vice-Chancellor.
3) At the meeting of the Authority so convened, members thereof may propose names of persons representing the interest which the member whose seat has become vacant represented. Each such proposal shall be seconded by another member of the Authority concerned.
4) If the number of persons proposed for election to the Authority, in which the casual vacancy or vacancies have occurred, be less than or equal to the number of members to be elected, the Chairman shall declare all persons so proposed duly elected. If the number of persons so proposed for election exceeds the number of members to be elected, a poll shall be taken in such manner as the Chairman may decide and the person(s) securing the largest number of votes shall be declared by the Chairman duly elected. In the case of equality of votes in respect of the last seat to be filled, the Chairman shall decide the issue by his casting vote.
5) Any casual vacancy in the office of a nominated member of any Authority of the University shall be filled within a period of not later than three months from the occurrence of such vacancy.



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## PART IV

## Genera] provisions applicable to all the elections

### Statute 99

1) Subject to the provisions of Section 41, all questions of eligibility for inclusion of any name in an electoral roll or for nomination or election or whether any person has been duly nominated or elected, and all other questions relating to or arising in course of any election shall be decided for immediate purposes by the Registrar/Returning Officer, saving that if the election is held in a meeting of any Authority or Body of the University, all such questions shall be decided for immediate purposes by the Chairman of the meeting concerned, if necessary after consulting the Registrar/Returning Officer.
2) Not later than seven days after the declaration of the results of the elections to any Authority or Body of the University, all disputes or objections relating to any stage of the election may be brought in writing with *prima facie* proofs of the same shown, before the Election Tribunal, as provided in Section 41, and its decision in that particular case shall be final.

### Statute 100

1) The Registrar shall prepare, in conformity with these Statutes such forms and papers as may be necessary for inviting nominations of candidates for election, nomination papers, notices of withdrawal of candidature, ballot papers, letters of intimation and envelopes for the return of ballot papers and other necessary papers for the conduct of any election, and after the forms have been approved in writing by the Vice-Chancellor, they shall be used as approved forms for conducting elections.
2) The Registrar shall maintain a file of the forms referred to in paragraph (1) together with the orders of approval of the Vice-Chancellor.

### Statute 101

Notwithstanding anything to the contrary elsewhere contained in this Chapter the Vice-Chancellor may, at any time, cancel any date or dates fixed in connection with any election, and fix such later date or dates instead thereof as he may think fit.

### Statute 102

If on account of any lacuna or omission in the provisions of these Statutes or for any other reason whatsoever, any difficulty arises as to the holding of any election under these Statutes, or otherwise in giving effect to the provisions of these Statute, the Vice-Chancellor, as occasion may require, may, notwithstanding anything to the contrary contained elsewhere in these Statutes, give such directions, not inconsistent with the provisions of the Act, as he may think fit for the purpose of removing the difficulty.



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**Statute 103**

In this Chapter, unless the context otherwise requires,

1) "constituency" means a group or category of electors ;
2) "election day" with reference to any election, means the date fixed for a poll in connection with such election ;
3) "elector" with reference to any constituency, means a person entitled to vote at an election for the constituency;
4) "Returning Officer" means, except for the purpose of Section 17(1) (b) (xv), the Registrar and includes in case of the absence of the Registrar for any reason, any other person appointed by the Vice- Chancellor as the Returning Officer in connection with any election by a general or a special order ;
5) "Presiding Officer" means a person appointed by the Returning Officer for the purpose of conducting election of any Authority or academic Body of the University;
6) "authorised agent" means a person who has been authorised in writing by the candidate contesting the election, to be present inside the polling centre or at the place of counting of votes on behalf of the candidate with the prior permission of the Returning Officer/ Presiding Officer.
7) “the officer and the supervisory staff” mean a person declared to be an officer by the Statute and a person holding the post of a Superintendent in the University Office and shall include other employees belonging to the same scales of pay.



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## CHAPTER VII

## Election Tribunal

### Statute 104

The Chancellor shall constitute a one-man Election Tribunal under Section 41 of the Act with a person belonging to the West Bengal Higher Judicial Service of more than **10** years' standing or a retired Judge of the Calcutta High Court.



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## CHAPTER VIII

## Governing Bodies of Colleges

### Statute 105

1) Save as otherwise provided in Statute 112, the Governing Body of a college shall consist of the following members:
   a) A President to be elected in the manner prescribed in paragraph (2.);
   b) The Principal of the college who shall be the Secretary of the Governing Body, *ex officio ;*
   c) Four members to be elected on the basis of proportional representation by means of single transferable vote by secret ballot from amongst themselves by the whole-time teachers, whole-time librarians and whole-time physical instructors of the college holding appointment against posts approved by the State Government at a meeting to be convened for the purpose by the Principal of the College and presided over by him, or in his absence, by a teacher of the college authorised by the Principal as such ;
   ***Note** : The Principal shall not vote in this election.*
   d) Two representatives of the whole-time non-teaching employees of the college holding appointment against posts approved by the State Government/Competent Authority and elected on the basis of simple majority through vote by secret ballot from amongst themselves ; such election shall be conducted by the Principal of the college or, in his absence, by a teacher of the college authorised by the Principal;
   Provided the number of votes is ten or more — in case of a college where the number of votes is less than ten one representative is to be elected in the same manner ;
   ***Note** : In the case of a tie in an election referred to in clause (c) and clause (d), the Presiding Officer shall draw lots and declare the result in the same meeting.*
   e) Two members to be nominated by the State Government, at least one of whom shall be an educationist;
   f) Two members to be nominated by the Executive Council of whom at least one shall be a woman, in case of a women's college;
   g) One representative of the regular students of the college who shall be duly elected General Secretary of the Students' Union and who shall continue to be a member so long as he continues to be the General Secretary. In the absence of the Students' Union or a duly elected General Secretary of the Students' Union, the regular students of the college, as one unit, shall elect one representative from amongst themselves on the basis of simple majority through vote by secret ballot 'to be arranged by the Principal of the college or, in his absence, by a teacher of the college authorised by the Principal;
   h) Not more than two members to be nominated by the Vice- Chancellor from among the donors included in the list of donors of the college, and such members shall include persons required to be included in the Governing Body of the college under the terms and conditions of donation to the college. If the Vice- Chancellor fails to nominate such members within three months of the election of the Governing Body, the donors included in the said list of donors shall elect two members from among themselves ; .



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Provided that after the commencement of these Statutes no condition shall be attached to any donation to a college requiring representation of the don'or in the Governing Body of the college;

Provided further that no teacher, student, or other employee of the college who is a donor shall be nominated as such member;.

i) The Chairman of the Municipality/Sabhapati of the Panchayat Samiti within the jurisdistion of which the college is situated, provided he is neither a teacher nor an employee nor a student of the college concerned. If under any circumstances the person concerned, happens to be a teacher or an employee or a student of the college concerned the respective organisation shall send its nominee who shall in no case be a teacher or an employee or a student of that college.

2) The members of the Governing Body shall, at the first meeting to be convened by the Principal of the college concerned at least one month before the expiry of the tenure of the previous Governing Body (fifty per sent of such members forming quorum for such a meeting), elect a person as President of the Governing Body and such President may or may not be elected from amongst such members. In case an outsider is elected as President, he shall be a member of the Governing Body concerned ;

Provided that a teacher, employee or student of the college shall not be eligible for election as the President of the Governing Body of the college concerned.

**Statute 106**

1) The term of office of Governing Body of any college, constituted under Statute 105, shall be four years with effect from the date of expiry of the term of office of election of the President of the Governing Body or from the date of the previous Governing Body whichever is later ;

Provided that the first Governing Body as constituted under paragraph (3) shall commence functioning from the date of election of the President and shall have a life of four years from the date of such election ;

Provided further that if the formation and/or functioning of the first Governing Body in accordance with the provisions of these Statutes is not possible for any reason whatsoever, the University shall appoint an Administrator, who shall have all the powers and functions of the Governing Body, till the Governing Body is formed and/or starts functioning.

2) At least three months before the expiry or the term of office of the members of the Governing Body of a college, the Secretary of the Governing Body shall take necessary steps to ensure that the election/nomination of members of the Governing Body under paragraph (1) of Statute 105 is completed not later than one month before the expiry of the term of office of such outgoing members.

3) The Principal of every college affiliated to this University shall take. necessary steps to constitute the first Governing Body of that college including election of President under this Statute and Statute 105 within one year with effect from the date on which the Statutes come into force and the term of office of the Governing Body so constituted shall be four years from the date of election of the President.

4) After the expiry of four years' term and subject to the provisions of paragraph (1), a Governing Body of a college shall cease to function and if, in the meantime, the new Governing Body has not been formed in accordance with these Statutes or is unable to take over the management of



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the college, the University shall either extend the life of the erstwhile Governing Body for a period not exceeding eighteen months or appoint an Administrator for a period not exceeding eighteen months who shall have all the powers and functions of the Governing Body until a new Governing Body is constituted or until a Governing Body takes over the charge, as the case may be, in accordance with these Statutes. The Administrator shall take steps for the constitution of the new Governing Body within six months of his appointment, where such Governing Body has not yet been constituted.

**Statute 107**

1) Any casual vacancy in the office of a member of the Governing Body of a college other than an *ex officio* member shall be filled by the Body or the electorate which nominated or elected the member whose seat has become vacant and in the same manner as prescribed in Statute 105.
2) A member nominated or elected to fill a casual vacancy shall hold office for the remainder of the term of office of the member in whose seat the vacancy has occurred.
3) The office of an elected or nominated member of the Governing Body shall become vacant if
    a) he absents himself from six consecutive meetings of the Governing Body without having obtained leave of absence from the Governing Body ; or
    b) he is found to be of unsound mind or convicted of any offence involving moral turpitude ; or
    c) he ceases to be a member of the constituency from which he has been elected or nominated.

**Statute 108**

No action by the Governing Body shall be invalidated by reason of any vacancy in the office of any member thereof.

**Statute 109**

1) The Governing Body of every college shall be responsible for the proper management of the affairs of the college and may exercise all such powers and functions as may be necessary for the purpose, and shall ensure that review is made of the results of the college and the University examinations and measures are adopted for academic improvement and maintenance of academic standards ;
2) In particular, and without prejudice to the generality of the foregoing provisions, the Governing Body of a college shall be responsible for ensuring
    a) that posts are created and appointments are made of the Principal, teachers and other staff in accordance with the provisions of the Act and the rules and orders for the time being in force to provide the instructional and other services necessary for the efficient and effective operation of the college ;



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b) that the number and qualifications and the method of recruitment of the teachers and the conditions of their service are in accordance with the provisions of the Act and the rules and orders for the time being in force ;
c) that the laboratory and other instructional facilities available are adequate for the instructional programme ;
d) that the buildings in which the college is located are suitable for the purpose for which they are intended and are maintained at a satisfactory state of repair and sanitation ;
e) that the library is properly equipped ;
f) that the financial resources of the college are sufficient for efficient and effective operation of the college ;
g) that all information, returns, reports and other materials required by the University and the State Government are promptly collected, prepared and made available to the University and the State Government;
h) that all books, registers, records and accounts required to be maintained are kept up-to-date ;
i) that due provision is made for the well-being of students, management of their hostels and mess, health, recreation and sports ;
j) that students' discipline is maintained ;
k) that proper assistance and facilities are given to the Inspector of Colleges and other persons appointed by the University for inspection and report;
l) that directions issued by the University from time to time are carried out and compliance with them is reported speedily to the University ; and
m) that all properties and funds of the college are properly controlled and administered.

3) The Governing Body may appoint an Academic Sub-committee, a Finance Sub-committee and such other Sub-committees as it may think fit, to advise the Governing Body for the efficient administration of the college. Such Sub-committees, except the Finance Subcommittee, may include teachers of the college other than members of the Governing Body. The Principal shall be the Chairman of each such Sub-committee.

**Statute 110**

1) Meetings of the Governing Body of a college shall be held ordinarily in the college premises and shall be held at least four times in a year.
2) For a meeting of the Governing Body of a college the quorum shall be fifty percent of the total number of members of the Governing Body, or if such total number be an odd number, fifty percent of the total number reduced by one subject to a minimum of seven.
3) The Secretary shall send copies of minutes of the previous meeting along with the notice of the meeting ordinarily seven days before the date of the meeting. The President may reduce the period of notice in case of emergency.
4) The Secretary shall call a meeting if the President so directs him in writing or if at least fifty percent of the members of the Governing Body requisition a meeting.



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**Statute 111**

The Secretary of the Governing Body of every college shall —

a) convene the meeting of the Governing Body, maintain the records, conduct the official correspondence and keep the minutes of proceedings of meetings of the Governing Body ;
b) send to the Executive Council, when called upon by the Executive Council to do so, originals or certified copies of such records, correspondence or minutes referred to above, as may be required by the Executive Council; and
c) operate the college funds jointly with the President or any other member of the Governing Body (other than a teacher, employee or student of the college) as may be authorised by the Governing Body of the college.

**Statute 112**

1) Notwithstanding anything contained elsewhere in this Chapter, the special provisions regarding the composition of the Governing Body shall be such, and shall apply to such colleges, as are laid down in paragraph (2).
2)
    a) In the case of a college established and administered by a registered educational society or a trust body or under a scheme laid down by a competent court, which has already been granted affiliation on its being so established and administered, the Governing Body of such college shall be constituted in accordance with the terms of the Memorandum and Articles of Association or the Deed of Trust or such scheme, as the case may be ; Provided that the Governing Body of such college shall also include the members referred to in clauses (c), (d), (e), (f) and (i) of paragraph (1) of Statute 105
    b) Within three months from the date of coming into force of the Statutes under this Chapter, the Governing Body of the college referred to in clause (a) shall be reconstituted accordingly.
    c) Any notice in writing in this behalf shall be sent by the University to the Secretary or the President of the Governing Body of such college and in that case such notice shall be deemed to have been duly served on the Governing Body of the college.
    d) If the Governing Body of such college is not reconstituted within the period referred to in clause (b), the Executive Council may appoint an Administrator to take over the management of the college. The Administrator shall cause to be constituted a fresh Governing Body of the college within three months from the date of his appointment in accordance with the provisions of clause (a).



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**Statute 113**

Notwithstanding anything contained in clause (a) of paragraph (2) of Statute 112, in the case of a college established and administered by a minority based on religion or language and affiliated to the University under the stipulations contained in the Memorandum and Articles of Association or the Deed of Trust or under a scheme laid down by a competent court, the Governing Body of such college shall be constituted in accordance with the terms of the said Memorandum and Articels of Association or the Deed of Trust or the scheme laid down by a competent court, as the case may be.

**Statute 114**

In this Chapter, unless the context otherwise required,

a) "college" means an affiliated college, but does not include a Government college, and
b) "donor", in relation to any college, means a person who has made to such college a donation of a sum of five thousand rupees or more and has made full payment of such donation either in lump or by installment or who has made over the college property valued, in the opinion of the Executive Council, at not less than five thousand rupees, and includes a body or association which has made to such college the donation as aforesaid.



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## CHAPTER IX

*Appointment of Teachers and Principals of affiliated colleges, their hours of work, minimum emolument, outside activities and supplementary employment etc.*

### PART I: General

**Statute 115**

Appointment of teachers, whole-time or part-time, including Principals, of affiliated colleges other than Government colleges, having minimum qualifications shall be made in accordance with the provisions of the West Bengal College Service Commission Act, 1978 (West Bengal Act LXII of 1978) and the rules made thereunder.

**Statute 116**

Teachers including Principal and Vice-Principal, appointed in a college shall, except in the case of temporary appointment,, be on probation for the period referred to in the West Bengal College Teacher's (Security of Service) Act, 1975 (West Bengal Act of XXXVI of 1975).

**Statute 117**

In calculating the period of service of a teacher of a college in any post for any purpose including the operation of a time scale of pay, service shall be counted from the date of his joining the post on his first appointment as a probationer ;
Provided that if the teacher began his service as a temporary appointee and was afterwards appointed as a probationer of the same or any other post, service shall be counted from the date of his joining the appointment as a temporary appointee, if there is no break in service during the period preceding his permanent appointment.

**Explanation**

*The following shall be treated as break' in service:*

*a) unauthorised leave of absence*
*b) unauthorised absence in continuation of authorised leave of absence*

**Statute 118**

1) A teacher of a college shall ordinarily be required to take 24 periods of class work of 45 minutes each per week including seminars and theoretical, tutorial and practical classes ;
Provided that no teacher shall ordinarily be required to work for more than five periods of class work in a day.



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**Explanation**

*(a) For the purpose of this Statute one period of Honours theoretical class shall be considered equivalent to 1.5 period of pass theoretical class and*

*(b) two periods of practical/tutorial/seminar, classes, whether Honours or Pass, shall be treated as equivalent to 1. 5, period of Pass theoretical class, if one teacher takes the class, but if such practical/ tutorial/seminar, classes taken by two teachers jointly, two periods of such practical/tutorial/ seminar, classes shall be considered to be equivalent to one period of Pass theoretical class for each teacher.*

2) Teachers of a college may be required, from time to time, to cooperate and assist in carrying out the functions relating to the educational responsibilities of the college (such as assisting in appraising applications for admission, advising or counselling students and assisting in University and college examinations including supervision thereof.
3) Every teacher including the Principal of a college shall sign a daily attendance register maintained for the purpose and such daily attendance shall be countersigned by the Principal.
4) In particular and without prejudice to the foregoing provision, a teacher shall perform the following duties, viz.
    a) invigilation work in any examination for any course of study taught in the college ;
    b) drawing class of Routines ;
    c) carrying out of assignment for such field work as may be necessary for the courses taught in the college ;
    d) assisting the Principal with regard to admission of students ;
    e) participation in N.C.C., N.S.S. ; and sports and games for the well-being of the students;
    f) assisting the Principal in the management of hostels and mess attached to the college or administered by the college ;
    g) making of the internal assessment of students ; and
    h) evaluation of answer scripts of students for any examination conducted by the college.
5) The Principal of a college shall ordinarily take not less than four periods of class work in a week in a subject taught in the college.
6) A part-time teacher shall work for a period not exceeding four hours or six periods of 45 minutes each per week.

**Statute 119**

1) A whole-time teacher of a college enjoying the University Grants Commission scale of pay introduced since the 1st April, 1973 shall retire from service with effect from the afternoon of the last day or the month in which he attains the age of superanuation, i.e., 60 years ;
Provided that such teacher may be granted re-employment initially for a period of two years and subsequently for a period of one year or less subject to the terms and conditions as stipulated in orders issued by the State Government from time to time. In no case shall such re-employment be given if the teacher concerned has attained 65 years of age.



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2) A teacher who is in the pre-1973 University Grants Commission scale of pay shall retire at the end of the academic year in which he attains the age of 62. The Governing Body may, however, grant extension of service to such teacher, subject to the condition that no extension shall be granted for more than two years at a time and not beyond the date on which he completes the age of 65 years.
3) A part-time teacher in a college shall retire at the end of the academic year in which he attains the age of 65.

**Statute 120**

1) The salaries and scales of pay for whole-time teachers of a college (including the amounts contributed by the University Grants Commission or the Government of India or the State Government or the University or from any other source) shall, in no case, be lower than the minimum salaries and scales of pay prescribed by the State Government in respect of such teachers.
2) The salary of part-time teacher in a college shall, in no case, be lower than the minimum salary as may be prescribed by the State Government.

**Statute 121**

When a teacher joins a college after resigning his post in another college, the initial salary of such a teacher in the college which he so joins shall be fixed so as not to be less than what he was receiving in his previous college.

**Statute 122**

Increments of pay of all college teachers, including Principal and Vice- principal, shall be in accordance with rules made under the West Bengal College Service Commission Act, 1978 (West Bengal Act LXII of 1978).

**Statute 123**

A temporary teacher who has worked in a college for a period of not less than 10 months continuously shall be entitled to draw his vacation salary for the periods of vacation included within the period of such continuous work or immediately following it.

**Statute 124**

There shall be maintained for every teacher in a college, whether whole- time or part-time, a service book in such form as may be prescribed by the State Government.



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**Statute 125**

1) No teacher (including the Principal and the Vice-Principal) of a college shall be permitted to engage himself either in private tuition or in any other remunerative assignment not authorised by the University ; ,
   Provided that
   a) No whole-time teacher (including the Principal and Vice- Principal) of an affiliated college shall be permitted to do part- time teaching work without the approval of the Governing Body of the college ;
   b) The whole-time teachers of affiliated colleges who are offered part-time lectureship in any other University shall have to obtain prior permission from the Governing Body of their college before accepting such offer.
2) Any teacher contravening the provisions of this Statute shall be liable to disciplinary action.

**Statute 126**

1) Subject to the terms and conditions of any existing contract, no permanent teacher of a college shall be entitled to voluntary resignation without filing in writing with the Principal a notice of his intention to resign and such notice shall be so filed
   a) in the case of a resignation at the end of an academic year, at least one month in advance, or
   b) in the case of resignation at any other time, at least two months in advance.
2) Temporary or probationary teachers shall be entitled to voluntary resignation by filing with the Principal similar notice in writing at least one month in advance ;
   Provided that in special circumstances, the Governing Body, on the recommendation of the Principal, may accept a notice of intention to resign for a shorter period.
3) Any contravention of the provisions of paragraph (1) shall at the discretion of the Governing Body, entail forfeiture of salary for the period by which the notice falls short of the requirement of clause (a) or clause (b) of paragraph (1) in addition to such disciplinary action as may be taken for such contravention.

**Statute 127**

Teachers of a college shall be subject to such "Disciplinary Rules" as may be prescribed by the Statutes.

## PART II: Leave

**Statute 128**

1) Leave of absence from duty cannot be claimed as a matter of right and may, on application by a teacher of a college, be granted only when satisfactory grounds have been shown. When the exigencies of service so require, the authority competent to grant leave may refuse leave of any description or may, when such leave is granted, revoke such leave or part thereof.
2) No teacher who is under suspension shall be granted any leave.
3) Absence without leave shall render a teacher subject to such disciplinary action as may be provided in the "Disciplinary Rules" prescribed by the Statutes.



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**Statute 129**

All applications for leave or for extension of leave shall be made in writing and addressed to the Principal and sanction of the leave or extension of leave, as the case may be, shall be obtained before it is availed of;
Provided that if the authority competent to grant the leave is satisfied that it was not possible to apply for or obtain the sanction of leave of absence beforehand, leave may be granted with retrospective effect, but all applications for leave with retrospective effect shall be filed at the earliest possible opportunity.

**Statute 130**

1) Leave shall ordinarily commence on the date with effect from which it is actually availed of and terminate on the day preceding the date of resumption of duty;
   Provided that Sundays and other holidays may be prefixed or affixed to leave so, however, that for the purpose of prefixing or affixing to leave of holidays exceeding three days or a college vacation, previous sanction of the authority competent to grant the leave shall be obtained.
2) Except with the previous permission of the authority granting the leave, no teacher on leave may return to duty before the expiry of the period of leave granted to him.

**Statute 131**

If a teacher of a college is absent from duty on all the days of a week on which he has been assigned duties, whether such days are consecutive or not, he shall be deemed to be absent from duty for the whole of the week.

**Statute 132**

No teacher of a college shall be granted leave beyond the date on which his service terminates by retirement;
Provided that where for exigencies of service a teacher has been denied any leave, wholly or in part, leave, so denied, may be granted to him although it may extend beyond the date of such termination of his service subject to the condition that no leave so granted shall extend beyond three months after such termination of service.

**Explanation**

*For the purpose of this Statute, a teacher shall be deemed to have been denied leave only if sufficiently in advance of the date of termination of his service he has either formally applied for leave extending up to the date of such termination of his service and the same has been refused to him on the ground of exigencies of service, or ascertained in writing from the*



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*authority competent to grant the leave that such leave, if applied for, would be refused on the aforesaid ground.*

**Statute 133**

The Principal of a college may, in his discretion, recall to duty, at any time, any teacher of the college who may be on leave, except on medical grounds, or on vacation, and when a teacher is so recalled to duty he shall be granted such travelling allowances as the Principal may consider reasonable.

**Statute 134**

If a teacher of a college has been granted leave to which holidays or a vacation has been suffixed and such teacher absents himself from duty beyond the expiration of such holidays or vacation, the whole period of his absence from duty after the expiration of such holidays or vacation shall be treated as absence from duty without leave and he shall not be entitled to his salary or allowance for such period unless and until the Governing Body otherwise directs.

**Statute 135**

1) Casual leave on full pay may be allowed to a teacher of a college up to a maximum of fifteen days in any one academic year but not more than five days at a time.
2) Casual leave may be prefixed or affixed to Sundays but not to any other holidays or to a vacation or to any other kind of leave.
3) All casual leave to which any teacher of a college may be entitled during any academic year shall cease to be due to him at the end of such academic year and cannot be accumulated or taken over or brought forward to any other academic year.

**Explanation**

*For the purpose of this Statute "Casual Leave" means leave to which a teacher may be entitled in any academic year by virtue of his being a teacher and may be availed of by him for a short period on account of illness or urgent private affairs.*

**Statute 136**

1) Every teacher of a college shall be entitled to leave on full pay, hereinafter referred to as Earned Leave,
    a) during the first seven academic years of service to the extent of 15 days for every twelve months of active service, and
    b) from the eighth year of service onwards to the extent of thirty days for every additional twelve months of active service ;



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Provided that when the earned leave due amounts to one hundred and twenty days, the teacher shall cease to earn such leave.

2) Earned leave may be granted for such reasons as may be considered by the authority competent to grant such leave which may include:
   a) illness of the teacher concerned ;
   b) illness of a member of the family of such teacher;
   c) urgent private affair ; and
   d) rest preparatory to retirement;

   Provided that
   i. when earned leave is applied for on any of the grounds referred to in clause (a) or clause (b) the application shall be accompanied by a medical certificate signed by a registered medical practioner;
   ii. no teacher who has been granted earned leave under clause (a) on a medical certificate may return to duty without producing a medical certificate of fitness signed by a registered medical practitioner.

**Statute 137**

Earned leave for any period not exceeding fifteen days at a time and casual leave may be granted to teachers of a college by the Principal of the college. Earned leave for any longer period or any other kind of leave prescribed in these Statutes may be sanctioned by the Governing Body of the college.

**Statute 138**

Absence from duty of a teacher of a college on account of academic work elsewhere approved by the Governing Body of the college or on account of obligations in regard to the National Cadet Corps or the Social Service Camp or similar other obligations shall be deemed to be absence on duty and shall not be counted towards casual or earned leave.

**Statute 139**

Leave of absence from duty with full pay for a period not exceeding eight weeks may be granted to a teacher of a college by the Governing Body of the college for the purpose of enabling the teacher to acquire any qualification which, in the opinion of the Governing Body, will enhance his efficiency as a teacher in the college and such leave shall be called Study Leave.

**Statute 140**

A whole-time teacher of a college may be granted leave for pursuing studies in an institution, considered by the Governing Body of the college as suitable for the purpose, for such period, ordinarily not exceeding two years during the whole period of his service, and on such terms and conditions, including conditions requiring the teacher to return to the college for a specified period of further service there



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after the expiry of the leave, as the Governing Body may deem fit. Such leave shall be called Special Study Leave.

**Statute 141**

1) Maternity leave may be granted to a female teacher of a college on full pay for a period up to four weeks immediately preceding, and six weeks immediately following, the date of her confinement where the teacher has been in the service of the college for at least nine months immediately preceding the date of her confinement.
2) Maternity leave, combined with any other kind of leave, may be granted only if the application is supported by a medical certificate signed by a registered medical practitioner.
3) Maternity leave may be granted to a teacher of a college on full pay in cases of miscarriage, including abortion, subject to the condition that such leave shall not exceed six weeks and that the application for leave shall be supported by a medical certificate signed by a registered medical practitioner.

**Statute 142**

Leave of absence from duty may be granted to a teacher of a college on full pay when he is ordered by the Principal of the college not to attend his duties on account of the presence of any infectious disease in his family or household. Such leave may be granted, on a certificate signed by a registered medical Practitioner, for a period not exceeding twenty-one days, or in exceptional circumstances, thirty days. Such leave shall be called Quarantine Leave and may be combined with' any other kind of leave.

**Statute 143**

In case of illness, a teacher of a college may be granted leave on half pay for such period, not exceeding twenty days for each completed year of service as may be certified to be necessary by a registered medical practitoner, in addition to the earned leave to which he may be entitled. Such half pay medical leave may be commuted into full pay Medical Leave by debiting twice the period of half pay medical leave.

**Statute 144**

Extraordinary leave without pay may be granted to a teacher of a college on such circumstances involving hardship for such period and on such terms and conditions as the Governing Body of the college may think fit and proper.



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**Statute 145**

1) Any teacher of a college who may be required, in the interests of the college, to work during a vacation shall be entitled to leave of absence from duty for an equal number of days for which he is so required to work during a vacation.
2) Any leave granted under paragraph (1) shall be on full pay and shall be called Compensatory Leave.

**Statute 146**

1) At the request of a teacher of a college the Governing Body of the college may, by order, convert any kind of leave already granted into leave of a different kind, which may be admissible, with effect from such date as may be specified in the order ; but a teacher shall not be entitled to claim such conversion of leave as a matter of right.
2) If one kind of leave is converted into another, the amount of leave salary admissible shall be recalculated and the arrears of leave salary shall be paid to, or, as the case may be, amounts overdrawn shall be recovered from the teacher concerned.

**Statute 147**

Except as otherwise specifically provided in these Statutes any kind of leave may be granted in combination with or in continuation of any other kind of leave.

**Statute 148**

1) Save as hereinafter provided, the provisions of these Statutes relating to leave shall apply to all whole-time teachers of colleges whether appointed before or after the commencement of these Statutes.
2) If any teacher of a college is, on the date of the commencement of these Statutes, in actual enjoyment of more liberal terms regarding leave, such teacher shall not be deprived of such benefits but shall continue to enjoy the same ;
   Provided that in such case the teacher shall exercise, within a period of three months from the date of commencement of these Statutes, an option either to elect to come under these Statutes or to remain under the old rules. The option so exercised shall be final and shall not be changed thereafter.
3) Leave rules for part-time teachers of a college shall be framed by the Governing Body of the college with the approval of the Executive Council, but no rules so framed shall contain more liberal provisions than those contained in these Statutes.



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**Statute 149**

Leave salary shall be calculated on the basis of the rate of pay drawn by a teacher of a college on the day preceding that on which the leave commences unless otherwise determined by the Governing Body of the college.

**Statute 150**

A Leave Account shall be maintained by the college for every teacher thereof.

**Statute 151**

a) Every college shall abide by the pattern of holidays and recess as may be determined by the University from time to time. During the period of recess only classes shall remain suspended. The number of working days in a college shall be at least 200 in an academic year. Academic session of a college shall commence from the 1st day of July of every year and end on the 30th June of the following year. An academic session shall be divided into three different terms as following :

**1. First term**

The first term of a college shall commence from the first day of July of every year and shall close on the day from which the Puja holidays commence. Puja holidays shall be for 24 days commencing from Durga Shashthi and ending on the day of Kali Puja.

**2. Second term**

The second term shall commence from the date of reopening of the college after the Puja vacation and shall continue till the 24th day of December of each year. Winter recess shall be for a period of 8 days commencing on the 25th day of December of every year and ending on the first day of January of the year following.

**3. Third term**

The third term shall commence from 2 January and shall continue till May 15 of every year. The Summer recess shall commence on May 16 and shall end on the 30th day of June.



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b) Every affiliated college shall enjoy the holidays as mentioned below:

*Festival Holidays for Affiliated Colleges*

| ***SL No.*** | ***Occasion*** | ***No. of days*** |
|---|---|---|
| *1)* | *New Year's Day (English)* | *1* |
| *2)* | *Fateha-duaz-Daham* | *1* |
| *3)* | *Birthday of Netaji* | *1* |
| *4)* | *Republic Day* | *1* |
| *5)* | *Saraswati Puja* | *2* |
| *6)* | *Doljatra* | *1* |
| *7)* | *Good Friday* | *1* |
| *8)* | *Easter Saturday* | *1* |
| *9)* | *Chaitra Samkranti* | *1* |
| *10)* | *New year's day (Bengali)* | *1* |
| *11)* | *May Day* | *1* |
| *12)* | *Birthday of Rabindranath* | *1* |
| *13)* | *Buddha Purnima* | *1* |
| *14)* | *ld-ul-Fitr* | *1* |
| *15)* | *Janmashtami* | *1* |
| *16)* | *Independence Day* | *1* |
| *17)* | *Id-Uz-Zoha* | *1* |
| *18)* | *University Foundation day* | *1* |
| *19)* | *Birthday of Vidyasagar* | *1* |
| *20)* | *Birthday of Mahatma Gandhi* | *1* |
| *21)* | *Mahalaya* | *1* |
| *22)* | *Puja Holidays (from Durga Shashthi to Kali Puja)* | *24* |
| *23)* | *Bhratridwitiya* | *1* |
| *24)* | *Jagadhatri Puja* | *1* |
| *25)* | *Muharram* | *1* |
| *26)* | *Birthday of Guru Nanak* | *1* |
| *27)* | *Rathajatra* | *1* |
| *28)* | *College Foundation Day* | *1* |
| *29)* | *Christmas Day* | *1* |
| *30)* | *Principal's discretion* | *4* |
| | *Total Holidays* | *57* |



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## PART III: *Provident Fund*

### Statute 152

Every whole-time teacher of a college shall subscribe to the College Provident Fund, subject to such rules as may be framed by the State Government from time to time and the provisions of the West Bengal Non- Government Educational Institutions and Local Authorities (Control of Provident Fund of Employees) Act, 1983 (West Bengal Act XXXIX of 1983) and the Rules made thereunder.

## PART IV: Supplemental

### Statute 153

The provisions of this Chapter excluding those of Statutes 115, 118, paragraph (2) of Statute 119, and paragraph (2) of Statute 120, shall *mutatis mutandis* apply in the case of Principals of colleges, subject to the modification that for the word "Principal", wherever it occurs, the words "President of the Governing Body" shall be substituted.

### Statute 154

In this Chapter, unless the context otherwise requires, "college" means an affiliated college, including a Constituent or a Professional College, but does not include a Government College.



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## CHAPTER X

## Miscellaneous

### Statute 155

Save as otherwise specifically provided in these Statutes, for a meeting of any authority of the University other than the Court, the Executive Council and the Academic Council, or for a joint meeting of two or more such authorities, one-third of the total number of members of the authority or authorities taken together, as the case may be, calculated to the nearest whole number, subject to a minimum of three for any authority, shall be a quorum.

### Statute 156

The practice and procedure of the University of Calcutta as constituted under the Calcutta University Act, 1979 (West Bengal Act XXXVIII of 1979) shall, in so far as they are not repugnant to the provisions of the Act, these Statutes, the Ordinances and the Regulations, continue to be in force in respect of the University, until altered, repealed or amended.

### Statute 157

In the case of any doubt or difficulty as to the interpretation of these Statutes, the matter shall be referred to the Vice-Chancellor and his decision thereon shall, subject to the provisions of the Act, be final.



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## CHAPTER XI

*Statutes relating to the terms of employment and conditions of service of non-teaching employees of colleges other than Government Colleges affiliated to the University*

### Statute 158

These Statutes may be called the Statutes relating to the terms of employment and conditions of service of non-teaching employees of colleges, other than Government Colleges, affiliated to the University.

### Statute 159

The Statutes shall apply to the non-teaching employees of colleges other than Government Colleges affiliated to the University

### Statute 160

For the purposes of these Statutes, the employees concerned are classified as follows:

a) Ministerial staff comprising the posts of
   i. Office Superintendent, Cashier, Accountant, Head Clerk, Senior Assistant and Senior Clerk and such other posts as may be approved by the State Government
   ii. Assistant, Clerk, Library Assistant, Laboratory Assistant, Store Clerk, Store-Keeper, Caretaker, Stenographer, Record Keeper, Collection Clerk and such other posts as may be approved by the State Government

b) Lower Subordinate Staff comprising the posts of
   i. Driver, Laboratory Attendant, Skilled Bearer, Electrician, Mechanic and Carpenter ; and
   ii. Unskilled Bearer, Messenger Peon, Darwan, Night Guard Sweeper and such other posts as may be sanctioned by the State Government from time to time

### Statute 161

*i. In these Statutes, unless there is enything repugnant to the subject or context-*

a) Compensatory allowance' means an allowance granted to meet the personal expenditure necessitated by special circumstances in which duty is performed.

b) ' Duty' includes (i) service as a probationer provided that such service is followed by confirmation ; (ii) attendance in law courts in his official capacity as Juror or Assessor, or appearance before any court, tribunal, committee or commission as witness in connection with any case, dispute , or any other matter in which the college is a party ; (iii) duty in the Territorial Army ; (iv) periods of casual leave, quarantine and maternity leave and paid holidays, and (v) leave duly sanctioned by the authorities concerned.

c) 'Holiday' means a holiday declared as such by the college concerned and includes a Sunday ; Provided that in relation to the college or any particular office or branch of it "Holiday" shall include a day on which such college office or branch is ordered to be closed by the Principal of the college or in his absence by such person who performs the duties of the Principal.



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d) 'Lien' means the title of an employee to hold a permanent post substantively, either immediately or on the termination of a period or periods of authorised absence from the post.
e) 'Medical certificate' means a certificate from a registered medical practitioner, recognised by the State Government.
f) 'Month' means a calendar month unless otherwise specified or made clear by the context. In calculating a period expressed in months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.
g) 'Officiating in a post' means performing the duties of that post during a temporary vacancy of any period caused by the non-availability of the permanent incumbent due to some reason or other.
h) 'Pay' means the amount drawn monthly by an employee as pay including special pay and personal pay in terms of his employment and conditions of service.
i) 'Permanent post' means a post carrying a definite rate of pay sanctioned without limit of time and declared as such.
j) 'Personal pay' means additional pay granted to the employee either to save him from loss of substantive pay or on the basis of individual and personal consideration.
k) 'Probationer' means a person appointed on probation against substantive vacancy or in a post involving work of a permanent nature.
l) 'Special pay' means an addition to the nature of pay to the emoluments of an employee in consideration of (i) the specially arduous nature of duties, or (ii) a specific addition to the work of responsibility.
m) 'Subsistence grant' means a monthly grant made to an employee who is not in receipt of pay or leave salary during a period of suspension.
n) 'Substantive pay' means the pay other than special pay and personal pay which an employee is entitled to on account of a permanent post to which he has been appointed substantively.
o) 'Temporary post' means a post declared as such and sanctioned for a limited period.

*ii. Words and expressions used but not otherwise defined will have the same meaning as in the Act.*

**Statute 162**

Appointments to all the posts referred to in Statute 160 shall be made by the Governing Body in accordance with such rules as may be framed for the purpose by the State Government.



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## Recruitment and Promotion

### Statute 163

a) Whenever a permanent vacancy occurs in any of the posts referred to in sub-clause (i) of clause (a) of Statute 160, such vacancy shall in the first instance be filled up by promotion from amongst the employees holding any of the posts referred to in sub-clause (ii) of clause (a) of Statute 160. In the matter of such promotion, efficiency, seniority including academic qualifications, character rolls and attendance shall have to be taken into consideration. In case no suitable candidate for such promotion is available, such permanent vacancy shall be filled up by direct recruitment in accordance with the procedure laid down for the purpose ;
Provided that the provisions relating to recruitment of non- teaching employees of affiliated colleges as laid down in the foregoing Statutes shall not apply in cases where, on compassionate ground, a wife, son, daughter, or dependant of any employee — both teaching and non-teaching- dying in harness is to be offered a job consistent with his/her qualifications. He/she shall have precedence over others in the matter of appointment or placement, as the case may be;
Provided further that the provision mentioned above shall also be applied in case of a college employee who is disabled permanently or otherwise incapacitated rendering him unfit to continue in service, provided this fact of disablement is certified by a medical officer authorised by the Director of Health Services.
b) Wherever a permanent vacancy occurs in any of the posts referred to in sub-Clause (ii) of clause (a) of Statute 160, in the matter of filling up of such vacancy, the procedure as laid down in these Statutes for direct recruitment shall be followed.
c) In the case of filling up of vacancies in the posts referred to in sub-clause (ii) of clause (a) of Statute 160, efficient and experienced members of the lower subordinate staff having the requisite qualifications shall get preference over others.

#### Explanation

*A dependant of an employee shall mean husband, wife, son, unmarried or widowed daughter, unmarried or widowed sister, brother, parent provided such relation of the employee is solely dependent on him/her.*

### Statute 164

In observing the procedure of filling up of the posts mentioned in Statute 160, either by direct recruitment or by promotion, the principle of reservation of posts for Scheduled Caste and Scheduled Tribe candidates should be followed as per the orders issued by the State Government from time to time.



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**Statute 165**

*Pay an Allowance :*

a) An employee shall begin to draw the pay and allowance attached to a post to which he has been appointed with effect from the date he assumes the duties of that post and shall cease to draw the same when he ceases to discharge those duties.

b) Unless otherwise provided in a contract, on first appointment to a post, pay shall be fixed at the minimum of the time scale applicable to that post;
Provided that an employee of a college who, while having a lien on a permanent post, is appointed to officiate in a higher post in that college, shall be eligible to draw in that higher post as initial pay, the pay at the stage of the time scale of pay of the higher post next above his substantive pay in his substantive post ;
Provided further that, if he has on any previous occasion or occasions held substantively or officiated in the same post or a post in the same or identical time scale, his initial pay shall not be less than the pay, other than special pay or personal pay, which he drew on last such occasion.

c) The holder of a post, whether he holds it in a substantive or officiating capacity, shall be treated as if he was transferred to a new post on the new pay ;
Provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment in the old scale or until he vacates his post or ceases to draw pay on that time scale. The option once exercised shall be final.

d) An increment shall ordinarily be drawn unless withheld as a punishment. When an efficiency bar has been prescribed in a time scale, the increment next above shall not be allowed without the specific sanction of the appointing authority.

e) All duty in a post on a time scale shall count for increment in that time scale except in case of efficiency bar, if any.

f) Officiating or temporary service in another post and leave other than extraordinary leave shall count for increments in the time scale applicable to the post on which the person concerned holds a lien.

g) Earned leave will count towards increment in the time scale applicable to a post which an employee holds in an officiating or temporary capacity.

h) When an employee carries on, in addition to his own duties, the duties of a post belonging to a category higher than that on which he holds a substantive appointment, he will draw as additional pay one-fifth of the minimum of the scale of pay of that post, provided that he carries on such duties of a period not less than one month.

i) A building owned or taken on lease by the college or any portion thereof may, by general or special order of the Governing Body, be allowed to be used as a residence of any employee on such terms and conditions as it may fix.

j) An employee of a department or branch discharging the duties of another employee belonging to the same classification shall not be entitled to any remuneration for such duties.

k) The employees of a college shall be entitled to such allowances as may be sanctioned by the State Government.



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**Statute 166**

Lien:
An employee on substantive appointment to a permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

**Statute 167**

Leave and Leave Salary :

a) Leave cannot be claimed as of right. When the exigencies of service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.
b) Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which duty is resumed. Holidays may be prefixed or affixed or both prefixed and affixed to casual and quarantine leave.
c) Leave (except causal and quarantine leave) may either be prefixed or affixed to holidays, but cannot both be prefixed and affixed to holidays. When leave (except casual and quarantine leave) is combined with any holiday by both prefixing and affixing it to the holiday, the holidays shall be reckoned as leave in calculating the amount of leave on full pay that may be admissible at a time.
d) An employee on leave shall not return to duty before the expiry of leave granted to him without permission of the authority which sanctioned the leave.
e) No person who has been granted leave on medical certificate for infectious diseases or medical leave or hospital leave or quarantine leave, shall return to duty without producing a medical certificate of fitness.
f) Unless extension is granted, a person who remains absent after the end of his leave is entitled to no leave salary for the period of such absence. Willful absence from duty after the expiry of leave may be treated as misconduct calling for disciplinary action.
g) Subject to the foregoing provisions, the following kinds of leave may be granted to the employees :
    i. Casual leave
    ii. Earned leave
    iii. Half-pay leave
    iv. Commuted leave
    v. Medical leave
    vi. Leave in extraordinary circumstances
    vii. Maternity leave
    viii. Hospital leave
    ix. Quarantine leave
    x. Leave preparatory to retirement
    xi. Special disability leave
h) Casual leave for short periods, not exceeding five days at a time or twelve days in a calendar year, may be granted to an employee. Casual leave cannot be carried from one year to another. An employee on casual leave will be treated as on duty.
i) Employees of a college shall be treated as working in non- vacation institutions and all whole-time employees shall earn as earned leave one eleventh of the period spent on duty provided that a person shall cease to earn such leave when the earned leave due amounts to 180 days.



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j) All whole-time employees may be granted leave on half pay for twenty days for each completed year of service subject to a maximum period of 180 days during the entire period of service on medical grounds on production of medical certificate;
Provided that a permanent employee shall be entitled to commute the half-pay leave that he has earned to full-pay leave and such full-pay leave shall not exceed 90 days in the whole period of service;
Provided further that no commuted leave may be granted unless the authority competent to sanction the leave has reason to believe that the employee will return to duty on its expiry.

k) If no leave is due on any account, an employee may be granted leave for a period not exceeding 100 days as special leave during the whole period of service for medical treatment of the employee concerned. Such leave may be debited against the half-pay leave which the employee may earn subsequently. Before sanctioning such leave, the appointing authority should satisfy itself that the employee concerned is likely to return from leave and Continue in service for a Sufficient period to earn the leave granted.

l) When no other leave is by rule admissible, a permanent employee, in extraordinary circumstances, may be granted leave without pay for such period as may be determined by the college authorities, but an employee shall not be allowed to enjoy such leave for more than 90 days at a time.

m) An employee who is disabled by injury accidentally sustained in course of the due performance of his official duties or by illness resulting from the performance of any particular duty which has the effect of causing or aggravating his illness or causing injury beyond the ordinary risk attached to the post may be allowed special disability leave for a maximum period of twenty-four months.

n) Maternity leave may be granted to a female employee for a period up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement whichever is earlier.

o) An employee may, on production of a certificate from hospital, be allowed hospital leave for a period up to three months during any period of three years, while undergoing treatment in hospital for illness or injury caused or sustained in course of his official duties, if such illness or injury be caused or sustained because of the risks directly involved in the performance of such official duties.

p) Quarantine leave may be granted on the basis of a medical certificate for a period not exceeding 21 days, or, in exceptional circumstances, 30 days. Any leave necessary for quarantine excess of these limits will be treated as ordinary leave. Quarantine leave is not debitable to leave account and may be combined with other kinds of leave. An employee on quarantine leave is not treated as absent from duty and his pay is not affected.

q) i) Leave at the credit of an employee in his leave account shall laspe on the date he compulsorily retires. An employee, if hp applies at least six weeks before the date of proceeding on leave, may be granted leave preparatory to retirement for a maximum period of 120 days provided that he has at his credit in his leave account earned leave for such a period.

ii) An employee retained in service after the date of compulsory retirement shall earn earned leave during the extended period at the rate as admissible under clause (i).

r) i) An employee on earned leave is entitled to leave salary equal to the greater of the amounts specified below:



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The substantive pay on the day before the leave commences, or in respect of the first sixty days of the earned leave the average monthly pay earned during the 12 completed months preceding the month in which the leave commences; and thereafter the average monthly pay earned during the 36 complete months preceding the month in which the leave commences.

ii) An employee on half-pay leave will be entitled to leave salary equal to half the substantive pay as on the day immediately before the leave commences.

iii) An employee on medical leave is entitled to leave salary at the same rate as admissible on half-pay leave.

iv) An employee on leave in extraordinary circumstances is not entitled to any leave salary. Such leave shall not count towards increment.

v) A female employee on maternity leave is entitled to draw full pay at the rate she was drawing at the time of proceeding on such leave and the said leave is not debitable against the leave account.

vi) An employee on hospital leave shall be allowed to draw leave salary equal to the average monthly pay earned during the 12 complete months preceding the month in which the leave commences or half of such average monthly pay, as the authority granting the leave may consider proper.

vii) An employee on quarantine leave is not treated as absent from duty and his pay is not affected.

viii) If an employee applied for leave preparatory to retirement ordinarily six weeks before the date of proceeding on leave and such leave is refused by the college authority, he shall be granted, after the date of his retirement, leave salary for the period of leave applied for and refused.

ix) An employee on special disability leave shall be entitled to leave salary for the first four months at the rate of average monthly pay earned during the 12 completed months preceding the month in which the leave commences and for the remaining period at the rate of half of such average pay.

s) For each employee, a leave account in the prescribed form shall be maintained.

t) Generally, the Principal of a college is competent to sanction leave and leave salary to any non-teaching employee. An employee, not satisfied with the decision of the Principal in this regard, shall have a right to appeal to the Governing Body or its equivalent.

u) The Governing Body or its equivalent may, for manifest reasons which it may consider to be adequate, vary, revise or cancel any order pertaining to any kind of leave issued by itself or by the Principal.

v) Unless the Governing Body, in view of the special circumstances of a case, otherwise determines, a permanent employee, in the event of his continuous absence without leave, for a period of two years at a stretch shall be deemed to have resigned his post and shall accordingly cease to be in employment of the college after having been served due notices to that effect by the Principal, the last of such notices being in the form of a chargesheet.



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**Statute 168**

*Working Hours and Attendance :*

a) The normal working period will be of 7 hours' duration with a recess of half-an-hour on weekdays and on Saturdays it will be of 3.5 hours' duration without recess. The commencement of duty is to be based on fixed routine, but variation may occur if exigency arises.
b) Each employee, while reporting for duty, shall sign the attendance register.
c) Late attendance beyond 15 minutes, without previous permission, for five days within one month shall entail forfeiture of one day's leave. No one will be allowed to attend office if he is late by 1.5 hours or more in a day, except without prior permission of the Prnicipal or the superior officer concerned.
d) No employee shall leave the place of work during working hours without permission from the person in charge of the office or department concerned except on official business.
e) In special cases the stipulations under paragraphs (c) and (d) may be relaxed by the appropriate authority.
f) All absence from duty shall be covered by a prior application or intimation in writing. For absence under unavoidable circumstances, application for condonation of absence should be submitted as early as possible.
g) If an employee being present at the place of his duty, abstains from work without permission or refuses to work at any time during the prescribed hours of work on any day, he shall, in addition to being liable to such disciplinary action as may be taken against him for dereliction of duty, be deemed to be absent without leave for such day and shall not be entitled to draw any pay or allowance for such day.

**Statute 169**

**Compulsory Retirement:**

a) An employee shall retire on completing the age of 60 years ;
Provided that college employees who are already in service on the date of the commencement of these Statutes, may, if they so opt, continue in service for such period as was admissible to them under their respective college rules or practice already in existence, but shall not do so after attaining the age of 60 years subject to existing contractual obligations, if any.
b) The date on which an employee attains the age of compulsory retirement shall mean the last date of the month in which he attains such age.
c) A permanent employee must be given at least three months' notice or three months' pay in lieu thereof, before his appointment is terminated by abolition of his post. Similarly, a college employee in permanent service must give the college at least three months' notice if he wants to resign his appointment in the college. The period of notice may, however, be shortened at the discretion of the authorities.
d) A temporary employee shall be given at least one month's notice or one month's pay in lieu thereof, before termination of his appointment.



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**Statute 170**

**Discipline and Conduct:**

1) The following penalties may, for reasons of:
   a) neglect of duty,
   b) want of due diligence in the performance of duties,
   c) violation of orders regarding attendance and office discipline,
   d) misappropriation and defalcation,
   e) insubordination or disregard or violation of the orders of the superior authority,
   f) commission of any offence involving moral turpitude,
   g) conviction by a criminal court for an offence involving moral turpitude,
   h) taking of illegal gratification,
   i) tampering with official records,
   j) any other misconduct unbecoming of an employee of the college, and for other good and sufficient reasons, be imposed upon the employee by the appointing authority or by any authority to which the appointing authority is subordinate, namely,
      i. Censure ;
      ii. Withholding of increments or promotion ;
      iii. Recovery from pay of the whole or part of any pecuniary loss caused to the college by the employee ;
      iv. Reduction to a lower stage in the time scale of pay for a specified period with further direction as to whether or not the employee will earn increments or pay during the period of such reduction ;
      v. Reduction to a lower time scale of pay, grade, post or service which shall ordinarily be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he was reduced with or without further directions regarding conditions of restoration of the grade, post or service from which the employee was reduced and his seniority and pay upon such restoration to that grade, post or service ;
      vi. Compulsory retirement;
      vii. Removal or dismissal from service.

**Explanation**

*1 The termination of employment of*

*a) a person appointed on probation during or at the end of the period of probation in accordance with the terms of appointment, or*

*b) a temporary employee on the expiry of the period of his appointment, or*

*c) a person engaged on contract in accordance with the terms of his contract,*
*is not removal or dismissal from service.*

*I. Compulsory retirement means the retirement under compulsion as a measure of punishment before attaining the age of 60 years.*

*II. Stoppage of any increment of an employee next above the efficiency bar in the time scale of his pay on the ground of his unfitness to cross the bar does not amount to withholding of increments or promotion within the meaning of this Statute.*



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2) In all cases of imposition of penalties the grounds on which it is proposed to take action shall be reduced in the form of a definite charge or charges and communicated to the employee concerned together with a statement of facts on which the charges are based and other circumstances, if any, which it is proposed to take into consideration in passing orders on the cases. The employee so charged may put in a written statement of his defence for which he shall be given a minimum period of two weeks from the date of receipt of charge sheet by him along with documentary evidence, if any. Upon receipt of the statement of defence from the employee, or at the expiry of the period allowed for submission of his statement of defence, the authority concerned may, after examination of relevant facts and circumstances, either drop the case or decide to proceed further. If it is decided to proceed further, a formal enquiry shall be held informing the employee concerned of the penalty provisionally proposed to be imposed upon him and asking him to be present at the enquiry thereafter, if he so desires, to produce further evidence in support of his defence. The authority concerned shall thereafter take decision on the findings of the enquiry. If, however, it is decided to impose a penalty other than what was communicated to the employee at the state of the formal enquiry, another opportunity shall be given to him to submit a written statement against imposition of the other penalty within two weeks from the date of receipt of the above communication by him in this respect and if considered necessary, a fresh enquiry will be made and the evidence of such enquiry shall be taken into account before final orders are passed. In all cases principles of natural justice shall be followed and the employee shall be given an adequate opportunity to defend his case ;

   Provided that no pleader or agent shall be allowed to appear at the enquiry on behalf of the college or the employee concerned.

3) The Governing body of a college may place an employee under suspension where an enquiry against him under paragraph (2) is contemplated by the Governing Body or any such enquiry is pending, or where a case against him in respect of a criminal offence is under investigation or trial.

4) An employee who is removed or dismissed from service shall not draw any pay or allowances from the date such removal or dismissal is ordered to be effective.

5) The order of removal or dismissal from service shall not be given retrospective effect with reference to the date of the order.

6) An employee under suspension shall be entitled to get subsistence grant at the rate of one-half of the pay of the post held by him plus allowances in full.

7)

   a) When the suspension of an employee is held to have been unjustifiable or not wholly justifiable, or when an employee who had been removed or dismissed or suspended from service is reinstated, the authority shall grant to him for the period of his absence from duty :
      i. if he is honourably acquitted, the full pay and allowances to which he would have been entitled if he had not been dismissed, removed or suspended ;
      ii. if otherwise, such proportion of pay and allowances as the authority concerned may prescribe.
   b) In the case falling under clause (i) of sub-paragraph (a) the entire period of absence from duty shall be treated as a period spent on duty. In the case falling under clause (ii) of subparagraph (a) the period may be treated as duty or leave as the authority concerned may direct.



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c) The amount of subsistence grant, if any, already drawn shall be deducted from the pay and allowance or proportion thereof which may be granted under this Statute.
d) An employee aggrieved by an order imposing upon him any penalty or penalties specified in clauses (i) and (ii) of paragraph (1) may prefer an appeal to the Governing Body within thirty days from the date of the order imposing the penalty or penalties. The decision of the Governing Body on such appeal shall be final.
e) An employee aggrieved by an order imposing upon him any penalty or penalties specified in clauses (iii) to (vii) of paragraph (1) may prefer an appeal to the University within thirty days from the receipt of the said order imposing the penalty or penalties. The appeal shall be decided and disposed of by the University in such manner as it may consider just and its decision on such appeal shall be final.

**Statute 171**

**General:**

a) In any case not expressly provided for in these Statutes, the college authorities may obtain such directions from the University as may be necessary in the special circumstances of the case.
b) The power of interpreting these Statutes is reserved to the University whose decision shall be binding on all concerned.
c) No employee of a college shall seek election to the Central or the State legislature without previous sanction of the college authority concerned.
d) These Statutes when applied shall not adversely affect the terms of employment and conditions of service to the existing permanent employees of the colleges.



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## CHAPTER XII

## Convocation

### Statute 172

Degrees of the University including honorary degrees shall be conferred, and such medals and Post-graduate diplomas and certificates as may be specified in this behalf by the Executive Council shall be awarded, at a convocation of the University ;
Provided that degrees may be conferred, and medals, diplomas and certificates may be awarded, in absentia.

### Statute 173

1) Convocation of the University shall be held ordinarily once in every year for the purposes referred to in Statute 172 on such date and at such time and place as the Vice-Chancellor may fix in this behalf;
   Provided that the University may also hold special convocations for specific purposes with the prior approval of the Chancellor.
2) Not less than fourteen days' notice shall be given for the holding of a convocation ; but in the case of a convocation held for the purpose of conferring any honorary degree such shorter notice as the Vice- Chancellor may consider fit and proper may be given.

### Statute 174

Ordinarily the degrees shall be conferred, and the medals and Post-graduate diplomas and certificates shall be awarded, on presentation at a convocation in the following order, namely :

a) Honorary degrees in the order determined by the Vice- Chancellor,
b) Special medals in the order determined by the Vice-Chancellor,
c) Doctor's degree in the order of Faculty Councils for Postgraduate Studies as enumerated in Section 22(1),
d) Master's degree and Post-graduate diplomas and certificates in the order of Faculty Councils as enumerated in section 22( 1) and such other Post-graduate diplomas and certificates as may be decided by the Vice-Chancellor in this behalf.
e) Medals other than special medals as may be decided by the Vice-Chancellor in this behalf.

### Explanation

*In this chapter "special medal" means a medal specified by the Executive Council to be awarded at convocation, but does not include a medal to be awarded on the results of any examination or other competition.*



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**Statute 175**

1) For the purpose of the conferment of honorary degrees the recipients of such degrees shall be presented by the Vice-Chancellor to the Chancellor or, in the absence of the Chancellor, by the Registrar to the Vice-Chancellor.
2) The officer so presenting the recipient of an honorary degree shall address the Chair and say, *"Sir, I am privileged to present to you* ……for the conferment of the degree of ……*honoris causa which has been recommended by the Executive Council, and confirmed by the Chancellor"* and may, in his discretion, add such remarks as he may think fit regarding the achievements of the recipient which have led to his being chosen for the high honour.
3)……The Chancellor or the Vice-Chancellor, as the case may be, shall thereupon say, *"The Court of the Vidyasagar University of* Midnapore is pleased to confer upon you the degree of……*honoris causa"* and may, in his discretion, add such remarks as he may think fit regarding the achievements of the recipient which have led to his being chosen for the high honour.

**Statute 176**

1) Following the conferment of honorary degrees, special medals shall be awarded by the Vice-Chancellor, on presentation by the Registrar, to those to be thus honoured.
2) In presenting the recipient of a special medal, the Registrar shall identify him and briefly indicate the basis of the award using appropriate words of his own choice. The recipient of the special medal shall thereupon proceed to the Vice-Chancellor to receive the medal from him.

**Statute 177**

After the conferment of honorary degrees and the award of special medals the Vice-Chancellor shall say, *"Mr. Chancellor, distinguished guests, members of the University community, ladies and gentlemen,- we now come to the significant and impressive ceremony of conferring degrees and awarding post-graduate diplomas and certificates to those students who have been examined and found qualified to receive them. All of these degrees, diplomas and certificates have been recommended by the appropriate academic authority and by the Executive Council. The candidates for the Doctor's and Master's degrees and Post-graduate diplomas and certificates will be presented by the appropriate Deans."*

**Statute 178**

1) Candidates for the Doctor's degrees shall be presented Faculty Council-wise in the order laid down in clause (c) of Statute 174 by the Deans of the appropriate Faculty Councils for Post-graduate Studies.
2) The Dean of each Faculty Council for Post-graduate Studies shall say to the candidates for the Doctor's degree, " *Will the candidates for the conferment of the degree of* …… *please stand up and remain standing until I request them to resume their seats?*"



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3) The Dean shall then say to the Vice-Chancellor,. "*Sir, I present to you the candidates for the degree of Doctor of ……..* (here mention the appropriate degree) *and I pray that the degrees for which they have been recommended may be conferred on them*." Thereafter the Dean shall say to the candidates, "*Please be seated*."

4) When all the candidates for the Doctor's Degree have been so presented by the appropriate Deans the Vice-Chancellor shall say, " *Will all the candidates who have been presented for the Doctor's degree please stand up?* (pause). *The Court of the Vidyasagar University of Midnapore is pleased to confer upon you the degree for which you have been recommended and admit you to all the rights and privileges respectively pertaining thereto and I, by virtue of the authority vested in me as Vice-Chancellor of this University, charge you that ever in your life and conversation you show yourselves worthy of the same. Please be seated*."

**Statute 179**

(1) Candidates for the Master's Degrees and Post-graduate diplomas and certificates shall be presented Faculty Council-wise, in the order laid down in clause (d) of Statute 174, those from the University Colleges or Professional and Constituent Colleges by the Deans of the appropriate Faculty Councils for Post-graduate Studies.

(2) The Dean of each Faculty Council for Post-graduate Studies shall say to the candidates, " *Will the candidates who are to be presented for the degree of Master of …….. /Diploma in … /Certificate in …….. from the University Colleges / Professional Colleges / Constituent Colleges please stand up and remain standing until I request them to resume their seats*?"

(3) The Dean shall then say to the Vice-Chanceilor, *"Sir, I present to you the candidates for the degree of Master of …….. /Diploma in …….. /Certificate in …….. and I pray that the degree/diploma/certificate for which they have been recommended may be conferred/awarded onto them.*" He shall thereafter say to the candidates, "*Please be seated*."

(4) After the candidates for the Master's degrees and Post-graduate diplomas and certificates have been so presented, the Registrar shall say to the external candidates for Master's degrees," Will the external candidates who are to be presented for the Master's degrees please stand up and remain standing until 1 request them to resume their seats?"

(5) The Registrar shall then say to the Vice-Chancellor, *"Sir, I present to you the external candidates for the degree of Master of ……..* (here mention the appropriate degrees) *and I pray that the degrees for which they have been recommended may be conferred on them*." He shall then say to the External candidates, "*Please be seated*."

(6) When all the candidates for the Master's degrees and Post-graduate Diplomas and certificates have been so presented, the Vice-Chancellor shall say, " *Will all the candidates who have been presented for the Master's degrees and Post-graduate diplomas and certificates please stand up?* (pause) *The Court of the Vidyasagar University of Midnapore is pleased to confer upon you the degrees, diplomas and certificates for which you have been recommended and admit you to all the rights and privilesges respectively pertaining thereto and I, by virtue of the authority vested in me as Vice-Chancellor of this University, charge you that ever in your life and conversation you show yourselves worthy of the same. Please be seated."*



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**Statute 180**

After the conferment of the degrees and the award of the Post-graduate diplomas and certificates, the Registrar shall call the names of the recipients of medals to be awarded on the results of Examinations and other competitions, whereupon each candidate whose name is so called, shall proceed to the Vice-Chancellor to receive his medal from him.

**Statute 181**

In the absence of the Dean of a Faculty Council for Post-graduate Studies from a session of convocation, the function of such Dean at such session shall be performed by the Registrar.

**Statute 182**

1) There shall be an academic procession which shall include the following personnel, in order specified below :
   (a) The Registrar,
   (b) The Chancellor,
   (c) The Vice-Chancellor,
   (d) The Guest Speaker, if any.
   (e) The former Vice-Chancellors (in pairs),
   (f) Members of the Court (in pairs).
2) Members of the academic procession shall, at the commencement of a session of convocation, proceed to the dais in the order referred to in paragraph (1) and take seats reserved for them. At the end of a session of convocation, whether on adjournment or on conclusion, the members of the academic procession shall leave the dais in the same order.
3) When the academic procession enters or leaves the pandal, as the case may be, at the beginning or end of a session of convocation, all members of the audience shall rise in their seats and remain standing until the members of the academic procession have taken their seats on the dais or until the procession has left pandal, as the case may be.

**Statute 183**

1) The Chancellor or, in his **abse**nce, the Vice-Chancellor shall preside at a convocation. The Chancellor or the Vice-Chancellor, as the case may be, presiding at a convocation shall, for the purpose of opening the convocation, say, when all the participants of the convocation are properly seated, *"I declare the Convocation open*", and for the purpose of closing the convocation say, at the conclusion thereof, *"I declare the Convocation closed."*
2) If a convocation extends for more than one session, the Chancellor or the Vice-Chancellor, as the case may be, presiding thereat, shall say, at the end of each session other than the final session, *"I declare this Convocation adjourned until …….* **"**



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**Statute 184**

1) The Vice-Chancellor may invite a Guest Speaker at a convocation, if he so desires, to deliver a convocation address.
2) When a Guest Speaker is so invited at a convocation under paragraph (1) the Vice-Chancellor shall present the Guest Speaker and shall introduce him in appropriate words befitting the occasion.
3) The address at a convocation by the Guest-Speaker and by the Vice- Chancellor, if he so chooses, shall be at such stages as the Vice- chancellor may deem fit.
4) Save as the Chancellor may otherwise decide, the address or remarks of the Chancellor, if any, shall be made immediately before the conclusion of a convocation.

**Statute 185**

No person shall be admitted to a convocation unless he has an invitation card or an "Admit" card issued to him by the Registrar.



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## CHAPTER XIII

### Registration of Graduates and Maintenance of Register for Registered Graduates

**Statute 186**

The Registrar shall maintain and keep in his custody a register of graduates in which there shall be entered the names of all graduates of the University,

(a) registered under the Indian Universities Act, 1904 (8 of 1904) or the Vidyasagar University Act, 1981 (West Bengal Act XVIII of 1981) who compounded for all payments of the annual fees for retention of their names in the register by paying the requisite sums in that behalf, and

(b) registered under Statute 187, whose registration has not been discontinued under the provisions of Statute 189.

**Statute 187**

A graduate holding for not less than three years a degree of the University may, on application made in this behalf to the Registrar in such form as may be prepared by the Registrar and approved by the Vice-Chancellor for the purpose and on payment of Re. 1/- have his name registered as a Registered Graduate.

**Explanation**

*For the purpose of this Statute a person shall be deemed to hold a degree with effect from the date of publication of the results of the relevant University Examinations, except that in the case of a graduate in Medicine, it shall be the date on which he is admitted to the degree.*

**Statute 188**

The period of registration of a graduate registered under Statute 187 shall commence on the date on which the necessary fee for registration is paid by him and extend up to the 31st day of March next following.



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**Statute 189**

If any graduate registered under Statute 187 fails to pay within thirty days from the expiry of the period of his registration such annual fee for continuation of his registration from year to year, his registration shall be discontinued and his name shall be removed from the register of Registered Graduates referred to in statute 187 ;
Provided that,

i. if the 30th day from the expiry of the period of registration referred to above is a Sunday or any other holiday for the University, the payment of such annual fee for continuation of registration from year to year may be made on the following working day of the University ;
ii. if any graduate whose registration has been discontinued under the provisions herein before referred to subsequently intends to have his name registered as a registered graduate, he may apply under the provisions of Statute 187 for a fresh registration and such fresh registration shall commence on the date on which he makes payment of the necessary fee therefor.

**Statute 190**

The Register maintained for the purpose of registered graduates shall be corrected every year in the month of May and brought up-to-date.

## Provident Fund

In view of the fact that some provisions relating to the Contributory Provident Fund for non-teaching employees of affiliated colleges other than Government Colleges are being examined in consultation with the Finance Department, the Chancellor has been pleased to defer consideration of Statutes relating to the Provident Fund for the present.



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