

West Bengal Act II of 1966

THE CALCUTTA UNIVERSITY ACT, 1966.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 1st February, 1966.]

[1st February, 1966.]

An Act to provide for the re-organization of the University of Calcutta and for certain matters incidental thereto and connected therewith.

WHEREAS it is expedient to reconstitute the University of Calcutta to enable it to function more efficiently as a University encouraging, extending, co-ordinating, controlling, regulating and imparting higher education and promoting research;

It is hereby enacted in the Sixteenth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

CHAPTER I.

Preliminary.

1. (1) This Act may be called the Calcutta University Act, 1966.

Short
title
and
commence-
ment.

(2) This section shall come into force at once; and the remaining provisions of this Act shall come into force on such date or dates as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

2. In this Act, unless there is anything repugnant in the subject or context,—

Defini-
tions.

(1) "Affiliated" in relation to a College or an Institution means affiliated to the University of Calcutta as constituted prior to the appointed day and continuing as such immediately before such day or affiliated to the University under this Act;

(2) "appointed day" means the date referred to in sub-section (4) of section 58;

(3) "Calcutta" means Calcutta as defined in the Calcutta Municipal Act, 1951, excluding the area referred to in clause (2) of section 5 of the Jadavpur University Act, 1955;

(4) "Constituent College" means an Affiliated College in which instruction is provided, under prescribed conditions, for honours as well as for post-graduate courses of study, and which is recognized under this Act as a Constituent College:

Provided that, if in any professional subject no honours courses of study have been prescribed, a Professional College may be a Constituent College although no instruction is provided in that College for honours courses of study in that subject;

(Chapter I.—Preliminary.—Section 2.)

- (5) "convocation" means a meeting of the Senate for the purpose of conferring degrees, titles, diplomas, certificates or other academic distinctions;
- (6) "employee" in relation to the University means a person, other than a teacher or an officer, employed by the University;
- (7) "financial year" means the year ending on the 31st day of March;
- (8) "Government College" means a College maintained and managed by the State Government;
- (9) "Government Sponsored College" means a College declared by the State Government as such;
- (10) "Hall" means a unit of residence for students, maintained by the University;
- (11) "Hostel" means a unit of residence for students, not maintained by the University but recognized under this Act as a Hostel;
- (12) "Minister" means the Minister-in-charge of the Department of Education of the Government of West Bengal;
- (13) "prescribed" means prescribed by Statutes, Ordinances or Regulations;
- (14) "Principal" means the head of a College or of an Institution, by whatever name called;
- (15) "Professional College" means a University College or an Affiliated 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 and which is recognized under this Act as a Professional College;

Explanation.—In this Act, "professional subject" means any of the following subjects, namely, law, medicine, engineering, education, technology, agriculture, veterinary science, journalism, commerce or any other subject prescribed by Regulations;

- (16) "registered graduate" means a graduate registered under this Act and includes a graduate registered under the Indian Universities Act, 1904, or under the Calcutta University Act, 1951, who compounded for all payments of the annual fee for retention of his name in the register by paying the sums prescribed in that behalf;
- (17) "Statutes", "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulations of the University made under this Act, and they shall be deemed to be rules within the meaning of clause (36) of section 3 of the Bengal General Clauses Act, 1899;

8 of 1904,
West
Ben. Act
XVIII
of 1951.

Ben.
Act I of
1899.

[1 of 1966.]

(Chapter II.—The University and its powers.—Sections 3, 4.)

- (18) "Teacher" means a Professor, Reader, Lecturer or any other person, holding a teaching post, appointed or recognized by the University or appointed by an affiliated college or institution;
- (19) "Teacher of the University" means a Professor, Reader, Lecturer or any other person, holding a teaching post, appointed or recognized as such by the University;
- (20) "the University" means the University of Calcutta as constituted under this Act;
- (21) "University College" means a College, or an institute, or a College combined with an institute, maintained by the University, whether established by it or not;
- (22) "University Laboratory", "University Library", "University Museum" or "University Institution" means a laboratory, a library, a museum or an institution, as the case may be, maintained by the University, whether established by it or not;
- (23) "University Professor", "University Reader" or "University Lecturer" means a Professor, Reader or Lecturer appointed or recognized as such by the University.

CHAPTER II.

The University and its powers.

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

The University.

(2) The University shall have perpetual succession and a common seal and shall sue and be sued by the name of the University of Calcutta.

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

Powers of the University.

- (1) to encourage and provide for instruction, teaching, training and research in such branches of learning and courses of study as it may think fit, and generally to promote the advancement and dissemination of knowledge and learning, and the extension of education of University standard;
- (2) to establish, maintain and manage colleges, libraries, laboratories, museums and such other institutions for study and research as it may deem necessary;

(Chapter II.—The University and its powers.—Section 4.)

- (3) to provide for specialization of studies in colleges and for organization by colleges of common laboratories, libraries, museums and other institutions for research work;
- (4) to affiliate to itself or to recognize colleges or institutions;
- (5) to recognize affiliated colleges as Constituent Colleges or Professional Colleges and to withdraw such recognition from any such college;
- (6) to prescribe for Colleges, other than Government Colleges and Government Sponsored Colleges,—
 - (a) the constitution, powers and functions of their Governing Bodies,
 - (b) the terms and conditions of service and emoluments for posts of Principals, Teachers and such other employees as it may deem fit, and
 - (c) the rules for Teachers' Councils and Provident Funds;
- (7) to allow Colleges affiliated to the University of Calcutta as constituted prior to the appointed day and continuing as Colleges affiliated to the University to exercise the rights and privileges previously conferred on them and any further or other privileges conferred by or under this Act;
- (8) to provide for the inspection, or investigation into the affairs, of Colleges or institutions recognised by it or affiliated to it and to exercise general supervision and control over them;
- (9) to disaffiliate a College or an institution in any subject or subjects, or to withdraw affiliation or recognition from Colleges or institutions, if necessary;
- (10) to take over temporarily the management of any College or institution, affiliated to, or recognised by, the University, other than a Government College or a Government Sponsored College or institution, in order to ensure that proper standards of teaching, training or instruction are maintained therein;
- (11) to dissolve the Governing Body of any Affiliated, Constituent or Professional College or Institution, other than a Government College or a Government Sponsored College, and, pending the reconstitution of the Governing Body thereof in such manner as may be prescribed, to appoint an Administrator or an *ad hoc* Governing Body;

II of 1966.]

(Chapter 11.—The University and its powers.—Section 4.)

- (12) to institute Professorships, Readerships, Lectureships and other teaching posts required by the University and to appoint persons to such Professorships, Readerships, Lectureships or other teaching posts, or to recognize persons as Professors, Readers or Lecturers of the University, or as holders of other teaching posts of the University;
- (13) to create posts, as and when required, of officers and employees of the University besides those provided for in this Act;
- (14) to prescribe, subject to the provisions of this Act, the constitution, powers and duties of Councils, Committees, Faculties, Boards, and other bodies, and also the time and manner of holding elections to these bodies and making nominations thereto;
- (15) to prescribe the powers and duties of officers of the University other than the Chancellor;
- (16) to prescribe, subject to the provisions of this Act, the terms and conditions of service, including rules of conduct and discipline, and the emoluments for all posts of Teachers and employees of the University and for all posts of officers other than the Chancellor;
- (17) to make provisions for provident and other funds for the Teachers and for officers and employees of the University, other than the Chancellor;
- (18) to institute degrees, titles, diplomas, certificates, and other academic distinctions;
- (19) to hold examinations and to confer degrees, titles, diplomas, certificates and other academic distinctions on persons who
 - (a) shall have pursued an approved course of study in an Affiliated, Constituent, Professional or University College or a University Laboratory, unless exempted therefrom in the manner prescribed, and shall have passed the prescribed examinations of the University, or
 - (b) shall have carried on research under conditions prescribed;
- (20) to confer honorary degrees or other academic distinctions under conditions prescribed;
- (21) to prescribe fees or other charges, for examinations and other purposes, and to demand and receive the fees or other charges so prescribed.

The Calcutta University Act, 1966.

[West Ben. Act

(Chapter II.—The University and its powers.—Section 5.)

- (22) to establish, maintain and manage Halls, to recognize Hostels, and to withdraw such recognition;
- (23) to provide for the promotion of the health and welfare of students and of discipline among them;
- (24) to co-ordinate the activities of, and give financial aid to, affiliated or recognized colleges and institutions;
- (25) to make grants to the National Cadet Corps from the University Fund;
- (26) to enter into an agreement with the Government or with any person, body or authority for the taking over by the University of the management of any college or institution, including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act;
- (27) to acquire, hold and dispose of property, movable and immovable and to make grants and advances for furthering any of its objects;
- (28) to accept and administer gifts, endowments and benefactions, for the furtherance of any of its objects for the University or for or on behalf of any college or institution established by, affiliated to, or recognized by, the University, and to institute awards, fellowships, travelling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes;
- (29) to accept grants and to raise loans or to accept loans from the Central or any State Government or the University Grants Commission, and with the approval of the State Government also from other sources;
- (30) to co-operate with other Universities, Institutions and educational authorities in matters that relate to and further the educational objectives of the University;
- (31) generally to do all such acts and things as may be necessary or desirable for, or incidental to, the advancement of the objects or purposes of the University.

Juris-
diction

5. (1) Save as hereinafter otherwise provided, the local limits of jurisdiction of the University (hereinafter referred to as the territorial limits of the University) shall extend to the whole of West Bengal, but nothing in this Act shall affect the powers exercised or exercisable by the University known as Rabindra Bharati under the Rabindra Bharati Act, 1961.

West Ben.
Act XXIX
of 1961.

II of 1966.]

(Chapter III.—Officers of the University.—Sections 6—8.)

(2) Notwithstanding anything in sub-section (1), the territorial limits of the University shall not include any area which, for the time being, is included within the local limits of jurisdiction of any other University, not being the University known as Rabindra Bharati referred to in sub-section (1), established by law within West Bengal.

(3) The University shall, in respect of every College or Institution already affiliated to the University on the appointed day but situated outside the territorial limits of the University, continue to exercise the powers conferred by or under this Act until such College or Institution is dis-affiliated in accordance with the provisions of this Act.

(4) Any College or Institution situated outside the territorial limits of the University may, with the sanction of the State Government, apply to the University for admission to the privileges of the University, and such College or Institution may, subject to such conditions and restrictions as the University may, with the approval of the State Government, think fit to impose, be admitted to the privileges of the University.

CHAPTER III.

Officers of the University.

6. The following shall be the officers of the University:—

- (1) the Chancellor;
- (2) the Vice-Chancellor;
- (3) the Pro-Vice-Chancellor for Academic Affairs;
- (4) the Pro-Vice-Chancellor for Business Affairs and Finance;
- (5) the Registrar;
- (6) persons holding such other posts as may be declared by Statutes to be posts of officers of the University.

Officers
of the
Univers-
sity.

7. (1) The Governor of West Bengal shall, by virtue of his office, be the Chancellor of the University. He shall be the head of the University and the President of the Senate and shall, when present, preside at meetings of the Senate.

Chanc-
ellor.

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

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

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

8. (1) The Vice-Chancellor shall be appointed by the Chancellor, in consultation with the Minister, from among three persons recommended by the Syndicate, of whom not more than one shall be a member of the Syndicate. He shall hold office for a term of four years and shall be eligible for re-appointment.

The
Vice-
Chan-
cellor.

(Chapter III.—Officers of the University.—Section 9.)

(2) The Vice-Chancellor shall be a whole-time officer of the University and shall be paid from the University Fund a salary of three thousand rupees per month inclusive of all allowances.

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

(4) If—

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

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

then, during the period of such temporary inability or pending the appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) to fill such vacancy, as the case may be, the senior Pro-Vice-Chancellor shall exercise the powers and perform the duties of the Vice-Chancellor, seniority in such a case being determined by the date and order of first substantive appointment.

Powers
and
duties
of the
Vice-
Chan-
cellor.

9. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside at meetings of the Senate. He shall, by virtue of his office, be a member and the Chairman of the Syndicate and of the Academic Council, and also the Chairman of any other authority or body of the University of which he may be a member. He shall also be entitled to be present at and to address any meeting of any other authority or body of the University of which he may not be a member, but shall not be entitled to vote thereat.

(2) The Vice-Chancellor shall have the power to convene meetings of the Senate, the Syndicate, the Academic Council, and of any other authority or body of the University.

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

(4) The Vice-Chancellor shall have the power to exercise general control and supervision over all other officers of the University except the Chancellor and over all Teachers and employees of the University and generally over all the affairs of the University and shall decide and dispose of all appeals in disciplinary matters, not provided for in section 35.

(5) The Vice-Chancellor shall exercise such other powers and discharge such other duties as may be delegated to him by any authority or body of the University or as may be prescribed by Statutes, Ordinances or Regulations.

(6) The Vice-Chancellor may take on behalf of the University such action as he may deem expedient in any matter which, in his opinion, is either urgent or of an emergent nature, and such action shall at the earliest opportunity be reported to the appropriate authority or body.

[1 of 1966.]

(Chapter III.—Officers of the University.—Sections 10—13.)

10. The Pro-Vice-Chancellor for Business Affairs and Finance shall be appointed by the Chancellor in consultation with the Minister. He shall hold office for a term of four years and shall be eligible for re-appointment. He shall be a whole-time officer of the University and shall be paid from the University Fund a salary of two thousand two hundred and fifty rupees per month inclusive of all allowances.

Pro-Vice-Chancellor for Business Affairs and Finance.

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

Powers and duties of the Pro-Vice-Chancellor for Business Affairs and Finance.

(2) The Pro-Vice-Chancellor for Business Affairs and Finance shall be in charge of the work of the Accounts Department of the University, including collection of funds, and shall, subject to the provisions of section 9, be responsible for ensuring that all monies are expended for the purpose for which they are sanctioned within the limits of budget allotments.

(3) The Pro-Vice-Chancellor for Business Affairs and Finance shall, in consultation with the relevant departments of the University, prepare the Annual Financial Estimates and the Annual Statement of Accounts.

(4) Save as may be otherwise prescribed, all contracts and agreements, relating to matters of which he is in charge, shall, on approval by the Syndicate, be signed and executed by the Pro-Vice-Chancellor for Business Affairs and Finance on behalf of the University.

(5) The Pro-Vice-Chancellor for Business Affairs and Finance shall exercise such other powers and perform such other duties as may be prescribed or delegated to him by or under the provisions of this Act.

12. The Pro-Vice-Chancellor for Academic Affairs shall be appointed by the Chancellor in consultation with the Minister. He shall hold office for a term of four years and shall be eligible for re-appointment. He shall be a whole-time officer of the University and shall be paid from the University Fund a salary of two thousand two hundred and fifty rupees per month inclusive of all allowances.

Pro-Vice-Chancellor for Academic Affairs.

13. (1) Subject to the supervision, direction and general control of the Vice-Chancellor, the Pro-Vice-Chancellor for Academic Affairs shall be the chief academic and administrative officer in matters concerning post-graduate studies and research, and also undergraduate studies.

Powers and duties of the Pro-Vice-Chancellor for Academic Affairs.

(2) The Pro-Vice-Chancellor for Academic Affairs shall exercise such other powers and perform such other duties as may be prescribed or delegated to him by or under the provisions of this Act.

(Chapter III.—Officers of the University.—Sections 14—17.
—Chapter IV.—Authorities of the University.—Section 18.)

Vacancies
or resig-
nations in
office of
Pro-Vice-
Chan-
cellors.

14. (1) A Pro-Vice-Chancellor may resign his office by writing under his hand addressed to the Chancellor through the Vice-Chancellor.

(2) If a Pro-Vice-Chancellor is by reason of leave, illness, or other cause temporarily unable to exercise the powers and perform the duties of his office, the Chancellor may appoint a person temporarily to exercise the powers and perform the duties of such Pro-Vice-Chancellor.

The
Registrar.

15. (1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Syndicate, with the approval of the Chancellor, for such period and on such terms and conditions as may be prescribed.

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

(3) If the Registrar is for any reason temporarily unable to exercise the powers or perform the duties of his office, the Vice-Chancellor may appoint a person, temporarily for a period not exceeding six months, to exercise the powers and perform the duties of the Registrar.

Powers
and
duties
of the
Registrar.

16. Subject to the supervision, direction and general control of the Vice-Chancellor, the Registrar shall act as the Secretary of the Senate, of the Syndicate and of the Academic Council and shall exercise such powers and perform such duties as may be prescribed, or delegated to him by or under the provisions of this Act.

Super-
visory
powers
of the
Pro-Vice-
Chancellors
and the
Registrar.

17. In their respective spheres of duties, the Pro-Vice-Chancellors and the Registrar shall, subject to the provisions of sub-section (4) of section 9, have the power of supervision and control over all officers and employees serving in departments under their charge and shall exercise such disciplinary power as may be conferred on them by or under this Act.

CHAPTER IV.

Authorities of the University.

Authori-
ties.

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

- (1) the Senate;
- (2) the Syndicate;
- (3) the Academic Council;
- (4) the Faculties;
- (5) the Councils for Post-Graduate Studies;
- (6) the Councils for Under-Graduate Studies;
- (7) the Boards of Studies;
- (8) the Finance Committee;
- (9) such other authorities as may be established under the Statutes.

II of 1966.]

(Chapter IV.—Authorities of the University.—Section 19)

19. (1) The Senate shall consist of the following members, namely:—

The
Senate.

(a) *Ex-officio members*

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) former Vice-Chancellors of the University;
- (iv) the Pro-Vice-Chancellor for Business Affairs and Finance;
- (v) the Pro-Vice-Chancellor for Academic Affairs;
- (vi) the Director of Public Instruction, West Bengal;
- (vii) the President, West Bengal Board of Secondary Education;
- (viii) all University Professors;
- (ix) University Readers and Lecturers who are Heads of Departments of Teaching;
- (x) Emeritus Professors of the University;
- (xi) National Professors associated with the University;
- (xii) the Director, Bose Institute, Calcutta;
- (xiii) the President, Indian Association for the Cultivation of Science, Calcutta;
- (xiv) the President, National Council of Education;
- (xv) the President, Asiatic Society;
- (xvi) the President, Bangiya Sahitya Parishad;
- (xvii) the President, Bangiya Bijnan Parishad;
- (xviii) the President, Vangiya Sanskrita Siksha Parishat;
- (xix) the Chairman, West Bengal Board of Madrasa Education;

(b) *Other members*

- (xx) three persons elected by the Principals of Constituent Colleges, not being Professional Colleges, from among themselves;
- (xxi) ten persons of whom at least two shall be women, elected by the Principals of Affiliated Colleges, not being Constituent Colleges or Professional Colleges, from among themselves;
- (xxii) seven persons elected by the Principals of Professional Colleges, not being Constituent Colleges, from among themselves;
- (xxiii) fifteen persons, not being Heads of Departments of teaching, of whom at least five shall be University Readers, elected by the University Readers and University Lecturers from among themselves;

(Chapter IV.—Authorities of the University.—Section 20.)

- (xiv) three persons elected by the Teachers of the Constituent Colleges, not being Professional Colleges, from among themselves;
 - (xv) twelve persons, of whom at least two shall be women, elected by the Teachers of Affiliated Colleges, not being Constituent Colleges or Professional Colleges, from among themselves;
 - (xvi) ten persons, of whom at least two shall be teachers of Medical Colleges, one shall be a teacher of a Law College and two shall be teachers of Engineering Colleges, elected by the Teachers of Professional Colleges, not being Constituent Colleges, from among themselves;
 - (xvii) six persons, not being Principals or Teachers, elected by the members of the Governing Bodies of Affiliated Colleges from among themselves, of whom three shall be from colleges situated within Calcutta and three from colleges situated outside Calcutta, not more than one being elected from any one college;
 - (xviii) two persons elected by the members of the Legislative Assembly of West Bengal from among themselves;
 - (xix) one person elected by the members of the Legislative Council of West Bengal from among themselves;
 - (xx) twenty-five persons elected from among themselves by registered graduates whose names have been borne on the register for not less than two consecutive years including the year in which the election is held;
 - (xxi) twenty persons nominated by the Chancellor to secure the representation of the professions, industry, agriculture, banking, commerce, scientific or technical societies, including persons eminent in literature, science, fine arts and music, and persons who have rendered eminent service to the cause of education.
- (2) All elections of the Senate shall be held in the manner prescribed by Statutes.

Powers
and
duties
of the
Senate.

20. (1) Subject to such conditions as may be provided by or under the provisions of this Act, the Senate shall exercise the following powers and perform the following duties, namely:—

- (i) to establish colleges, institutions, libraries, laboratories and museums for study and research;
- (ii) to create and institute Professorships, Readerships, Lectureships, and other posts necessary for the establishment of the colleges, institutions, libraries, laboratories and museums referred to in clause (i);

II of 1966.]

*(Chapter IV.—Authorities of the University.—
Section 20.)*

- (iii) to institute degrees, titles, diplomas, certificates and other academic distinctions;
- (iv) to institute fellowships, travelling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes to be awarded out of the University Fund;
- (v) to confer degrees, titles, diplomas, certificates and other academic distinctions on persons who—
 - (a) have pursued prescribed courses of studies or have been exempted therefrom in the manner prescribed, and have passed such examinations as may be prescribed, or
 - (b) have carried on research in accordance with such conditions as may be prescribed;
- (vi) to confer honorary degrees or other academic distinctions;
- (vii) to consider the Annual Statement of Accounts and the Annual Financial Estimates approved by the Syndicate and to pass such resolutions relating thereto as may be considered necessary:

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

- (viii) to consider the Annual Report as prepared by the Syndicate and to pass such resolutions relating thereto as may be considered necessary;
- (ix) to consider and advise on such other reports from the Syndicate or any other body as may be made to it;
- (x) to consider, and advise on, proposals from the Syndicate for entering into an agreement with the Government or with any person, body or authority for the taking over by the University of the management of any college or institution, including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act;
- (xi) to consider, and advise on, proposals from the Syndicate for co-operation with other Universities, Institutions and educational authorities in matters that relate to or further the educational objectives of the University;

[West Ben. Act

(Chapter IV.—Authorities of the University.—Sections 21, 22.)

(xii) to consider and suggest measures for the improvement of the administration and finances of the University, and generally for the furtherance of its objectives;

(xiii) to make rules for the transaction of its own business;

(xiv) to exercise all other powers and to perform all other duties conferred and imposed by or under this Act on the Senate.

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

(3) The Senate shall have the power to review the action of the Syndicate, save where the Syndicate has acted in accordance with powers conferred on it by or under this Act:

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

Meetings
of the
Senate.

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

(2) Forty members shall be a quorum for a meeting of the Senate:

Provided that such quorum shall not be required at a Convocation of the University.

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

The
Syndicate.

22. (1) The Syndicate shall consist of the following members, namely:—

(a) *Ex-officio members*

(i) the Vice-Chancellor;

(ii) the Pro-Vice-Chancellor for Business Affairs and Finance;

(iii) the Pro-Vice-Chancellor for Academic Affairs;

(iv) the Director of Public Instruction, West Bengal;

(v) the Deans of the Faculties of Arts, Science, Law, Medicine and Engineering;

(vi) the President of the West Bengal Board of Secondary Education;

II of 1966.]

(Chapter IV.—Authorities of the University.—Section 23.)

(b) Other members

- (vii) five persons elected, in the manner prescribed by Statutes, by the Academic Council from among its members of whom at least one shall be the Principal of an Affiliated College, not being a Constituent or a Professional College, one the Principal of a Professional College not being a Constituent College and one the Principal of a Constituent College, not being a Professional College;
 - (viii) eight persons, of whom at least six shall be persons other than Teachers, elected, in the manner prescribed by Statutes, by the Senate from among its members;
 - (ix) one Dean, other than those mentioned in clause (v), appointed by rotation in the manner prescribed by Statutes;
 - (x) two persons nominated by the Chancellor.
- (2) Fourteen members shall be a quorum for a meeting of the Syndicate.

23. (1) Subject to the provisions of this Act, the Syndicate shall have the following powers and perform the following duties, namely:—

Powers
and
duties
of the
Syndicate.

- (i) to initiate proposals for the making of Statutes and Ordinances, including proposals for amendment or repeal thereof, in the manner hereinafter provided;
- (ii) to recommend to the Senate, after consulting the Academic Council, the establishment of colleges, libraries, laboratories, museums or other institutions for study and research;
- (iii) to maintain University Colleges, University institutions, University libraries, University laboratories and University museums;
- (iv) to establish, maintain and manage Halls and recognize Hostels;
- (v) to direct the inspection of University libraries, University laboratories, University museums, Halls and Hostels;

(Chapter IV.—Authorities of the University.—Section 23.)

- (vi) to recommend to the Senate, after consulting the Academic Council, the institution of fellowships, travelling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes, the expenses of which are to be met from the University Fund, and to award the same after institution thereof by the Senate;
- (vii) to recommend to the Senate, after consulting the Academic Council, the institution and creation of Professorships, Readerships, Lectureships and other teaching posts necessary for the establishment of the colleges, institutions, libraries, laboratories and museums referred to in clause (i) of sub-section (1) of section 20;
- (viii) to create posts of officers, Teachers and employees of the University other than those provided for in clause (ii) of sub-section (1) of section 20;
- (ix) to appoint Teachers, officers and employees of the University, to fix their emoluments and define their duties and other terms and conditions of service in accordance with the Statutes and the Ordinances;

Explanation.—In this clause “officer” means an officer referred to in clause (6) of section 6;

- (x) to suspend, discharge or otherwise punish in accordance with the Statutes and the Ordinances such among the teachers, officers and employees, of the University as are appointed by the Syndicate;
- (xi) to grant, after considering the views of the State Government, affiliation or recognition to a college or an institution in accordance with the terms and conditions of such affiliation or recognition prescribed by the Statutes;
- (xii) to allow colleges and institutions affiliated to the University of Calcutta as constituted prior to the appointed day and continuing as colleges or institutions affiliated to the University to exercise the rights and privileges previously conferred on them and any further or other privileges conferred by or under this Act;
- (xiii) to disaffiliate a college or institution in one subject or more subjects and withdraw affiliation or recognition from colleges or institutions, if necessary:

Provided that a decision of the Syndicate under this clause may be modified or reversed by the Senate by a resolution carried by a majority of the total number of members of the Senate existing at the time;

II of 1966:]

(Chapter IV.—Authorities of the University.—Section 23.)

(xiv) to take over temporarily the management of an Affiliated or a recognised college or institution, other than a Government College or a Government Sponsored College, in order to ensure that proper standards of teaching, training or instruction are maintained therein;

(xv) to co-ordinate the activities of, and give financial aid to, affiliated or recognised colleges and institutions;

(xvi) to provide for the inspection, or investigation into the affairs, of colleges or institutions recognised by the University or affiliated to it and to exercise general supervision and control over them;

(xvii) to make, after considering the proposals of the Academic Council, such provision as will enable Affiliated Colleges and University Colleges to undertake specialisation of studies and to organize common laboratories, libraries, and museums for research;

(xviii) to provide, after consulting the Academic Council, for such lectures and instruction to students of Affiliated, Professional, Constituent or University Colleges or University laboratories as may be deemed necessary;

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

(xx) to recommend to the Senate, after consulting the Academic Council, the institution of degrees, titles, diplomas, certificates and other academic distinctions;

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

(xxii) to exercise general supervision over the holding and conducting of University examinations and publication of the results thereof in accordance with the Regulations;

[West Ben. Act

(Chapter IV.—Authorities of the University.—Section 23.)

- (xxiii) to recommend to the Senate the conferment of honorary degrees and other academic distinctions;
 - (xxiv) to give directions regarding the form, custody and use of the common seal of the University;
 - (xxv) to acquire, hold and dispose of property, movable and immovable, and to administer all assets, properties and funds of the University, and to undertake all measures necessary or desirable for the conservation or augmentation of the resources of the University;
- Provided that for the purpose of disposing of any property valued at not less than one lakh of rupees previous approval of the Senate shall be necessary;
- (xxvi) to accept and administer gifts, endowments and benefactions for the furtherance of the purposes of this Act;
 - (xxvii) to accept grants and to raise or accept loans on behalf of the University and to make grants or advances from the University Fund or other Special Funds maintained by the University;
 - (xxviii) to enter into an agreement with the Government or with any person, body or authority for the taking over by the University of the management of any college or institution, including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act;
 - (xxix) to manage the Press Establishment, the Publication Bureau and the Employment Bureau of the University and to exercise general supervision over Students' Unions, University Extension Boards, University Sports Board and other bodies instituted by the University;
 - (xxx) to approve the Annual Statement of Accounts and the Annual Financial Estimates of the University and to submit the same to the Senate for consideration;
 - (xxxi) to prepare the Annual Report and submit the same to the Senate for consideration;
 - (xxxii) to make due provision for the health, welfare, residence and discipline of students and their relationship with the University and to provide for such other training of students, as may be considered desirable;
 - (xxxiii) to co-operate with other Universities, Institutions, Associations, Societies or Bodies on such terms and for such purposes, not inconsistent with the purposes of this Act, as it may determine;

II of 1966.]

(Chapter IV.—Authorities of the University.—Section 24.)

- (xxiv) to make rules for the transaction of its own business;
- (xxv) to exercise all other powers and perform all other functions conferred and imposed on the Syndicate by, or under this Act.

(2) The Syndicate shall exercise all powers of the University not otherwise specifically provided for and all other powers which may be necessary to give effect to the provisions of this Act.

(3) The Syndicate shall, on being satisfied as a result of enquiries initiated by it, or otherwise, that the affairs of any Affiliated, Constituent or Professional College or Institution are being mismanaged to the detriment of the College or Institution as an effective educational institution, have the power to dissolve the Governing Body of such College or Institution and, pending the reconstitution of the Governing Body thereof in such manner as the Syndicate may prescribe, to appoint an Administrator or an *ad hoc* Governing Body consisting of such members as it may deem fit:

Provided that the provisions of this sub-section shall not apply to any Government College or a Government Sponsored College.

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

The
Academic
Council.

(a) *Ex-officio members*

- (i) the Vice-Chancellor;
- (ii) the two Pro-Vice-Chancellors;
- (iii) the Director of Public Instruction, West Bengal;
- (iv) the President, West Bengal Board of Secondary Education;
- (v) the Deans of the Faculties;
- (vi) all University Professors;
- (vii) Readers and Lecturers of the University who are Heads of Departments of Teaching;
- (viii) all Principals of Constituent Colleges;
- (ix) Emeritus Professors of the University;
- (x) National Professors associated with the University;

(Chapter IV.—Authorities of the University.—Section 25.)

(b) Other members

- (xi) four persons elected by the Principals of Affiliated Colleges, not being Constituent or Professional Colleges, from among themselves, of whom two shall be graduates in Humanities and two shall be graduates in Science;
 - (xii) two persons elected by the Principals of Professional Colleges, not being Constituent Colleges, from among themselves;
 - (xiii) ten persons, not being Principals, elected by the Teachers of Affiliated Colleges, not being Constituent or Professional Colleges, from among themselves, of whom at least two shall be teachers of Humanities and two teachers of Science and at least one shall be a woman;
 - (xiv) three persons, not being Principals, elected by the Teachers of Professional Colleges, not being Constituent Colleges, from among themselves;
 - (xv) three persons, not being Principals, elected by the Teachers of Constituent Colleges, not being Professional Colleges, from among themselves;
 - (xvi) eight persons, of whom at least four shall be persons other than Principals or Teachers, elected by the Senate from among its members.
- (2) Thirty-five members shall be a quorum for a meeting of the Academic Council.

**Powers
and
duties
of the
Academic
Council.**

25. (1) Subject to the provisions of this Act, and the Statutes, the Ordinances and the Regulations, the Academic Council shall be responsible for all academic affairs of the University and it shall be the duty of the Academic Council continuously to study and appraise the educational needs and problems of the University and advise the Syndicate with respect to them including the co-ordination of the activities of the Affiliated, Professional, Constituent and University Colleges.

(2) Subject to the provisions of this Act and the Statutes and the Ordinances, the Academic Council shall have the following powers and perform the following duties, namely:—

- (i) to make proposals to the Syndicate for the establishment of colleges, libraries, laboratories, museums and other institutions for study and research to be maintained by the University;
- (ii) to make proposals to the Syndicate for the institution of Professorships, Readerships, Lectureships and other teaching posts and for the laying down of the duties and emoluments thereof;

II of 1966.]

(Chapter IV.—Authorities of the University.—Section 25.)

- (iii) to make proposals to the Syndicate for the promotion of research and, through special committees constituted for the purpose, to call for reports on such research work from persons engaged therein, and to make recommendations to the Syndicate thereon;
- (iv) to prescribe, after consulting the Syndicate, the minimum qualifications for Principals, Teachers and Teachers of the University;
- (v) to make proposals to the Syndicate regarding provisions to be made for enabling the University and Colleges to undertake specialization of studies and for organization of common laboratories, libraries, museums, institutes of research and other institutions maintained by the University;
- (vi) to recommend to the Syndicate, after considering the proposals of the Councils for Post-Graduate Studies, measures for the constitution or reconstitution of Departments of Teaching;
- (vii) to advise the Syndicate on provisions to be made for lectures and instructions for students of Affiliated, Constituent, Professional and University Colleges and the University laboratories, and also for other persons who are not such students;
- (viii) to advise the Syndicate on the institution of degrees, titles, diplomas, certificates and other academic distinctions;
- (ix) to make Regulations regarding the courses of study and the division of subjects after obtaining and considering the recommendations of the Councils for Post-Graduate and Under-Graduate Studies in this regard;
- (x) to make Regulations prescribing examinations which are to be recognized as equivalent to examinations held by the University;
- (xi) to make Regulations regarding the conduct of examinations held by the University and the conditions under which students may be admitted to the different courses of studies and examinations held by the University;
- (xii) to make Regulations in respect of all other matters required by or under this Act to be prescribed or provided for by Regulations;
- (xiii) to provide for co-operation and reciprocity among colleges, institutions and laboratories and the University so as to foster the development of academic life and to ensure the fullest utilization of the teaching resources available;

(Chapter IV.—Authorities of the University.—
Sections 26—28.)

- (xiv) to make rules for the transaction of its own business;
- (xv) to exercise and perform all other powers and functions conferred and imposed on the Academic Council by or under this Act.

Faculties.

26. The University shall include Faculties of Arts, Science, Law, Medicine, Engineering, Technology, Education, Fine Arts and Music, Agriculture, Commerce, Veterinary Science, and such other Faculties as may be prescribed. Each Faculty may comprise such subject or subjects as may be prescribed by the Regulations. The constitution of the Faculties shall be prescribed by Statutes and the powers and the functions of the Faculties shall be prescribed by Regulations.

**Deans of
Faculties.**

27. (1) There shall be a Dean of each Faculty who shall be elected by the Faculty in such manner and subject to such conditions as may be prescribed by Statutes.

(2) The Dean shall hold office as a Dean for such term as may be prescribed by Statutes.

**Councils
for Post-
Graduate
Studies.**

28. (1) There shall be such Councils for Post-Graduate studies as may be prescribed by Regulations. The Vice-Chancellor shall be the Chairman and the Pro-Vice-Chancellor for Academic Affairs shall be the Vice-Chairman of every such Council. The Councils shall be constituted in the manner prescribed by Statutes.

(2) Every Council for Post-Graduate Studies shall have general responsibility for such academic affairs of the departments concerned as entrance requirements, curricula, instructions, examinations, discipline, student activities, athletics, college libraries, and similar other matters which affect only the Council.

(3) Every Council for Post-Graduate Studies shall report to the Academic Council on academic matters relating to the departments concerned and shall also have the following powers and perform the following duties, namely:—

(i) to delegate to teaching departments, separate research units, and Post-Graduate Boards of Studies, responsibility for such academic matters as respectively concern such departments, units and Boards;

(ii) to consider and approve results of examinations leading to Post-Graduate degrees, diplomas and certificates;

[11 of 1966.]

(Chapter IV.—*Authorities of the University.*—Sections 29—32.)

(iii) to recommend to the Syndicate the granting of Post-Graduate degrees, diplomas and certificates; and

(iv) to exercise and perform all other powers and functions conferred and imposed on it by or under this Act.

(4) Academic matters involving more than one Council for Post-Graduate Studies which cannot otherwise be resolved shall be referred to the Academic Council for resolution.

29. There shall be Councils for Under-Graduate studies in Arts, Science, Commerce, Medicine, Engineering, Technology and in such other branches of learning as may be prescribed by Regulations. The Vice-Chancellor shall be the Chairman and the Pro-Vice-Chancellor for Academic Affairs shall be the Vice-Chairman of each of such Council. The constitution of such Councils shall, in all other respects, be prescribed by Statutes and the powers and functions thereof shall be prescribed by Regulations. Councils for Under-Graduate Studies.

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

31. There shall be a Finance Committee with the Vice-Chancellor as the Chairman and the Pro-Vice-Chancellor for Business Affairs and Finance as the Vice-Chairman. The constitution, powers and functions of the Finance Committee shall be prescribed by Statutes and its procedure in financial matters, including the delegation of its powers, shall be prescribed by Ordinances. Finance Committee.

32. (1) (a) A University Professor shall be appointed by the Syndicate on the recommendation of a Selection Committee consisting of— Selection Committee for Teaching Posts.

(i) the Vice-Chancellor as Chairman;

(ii) the Pro-Vice-Chancellor for Academic Affairs;

(iii) the Dean of the Faculty concerned;

(iv) a person, not holding a post of profit under the University and having special knowledge of the subject which the Professor will teach, nominated by the Chancellor;

(v) two persons, not holding posts of profit under the University and having special knowledge of the subject which the Professor will teach, of whom one shall be nominated by the Syndicate and another shall be nominated by the appropriate Council for Post-Graduate Studies.

(Chapter IV.—Authorities of the University.—
Section 33.)

(b) A University Reader or a University Lecturer shall be appointed by the Syndicate on the recommendation of a Selection Committee consisting of—

- (i) the Vice-Chancellor as **Chairman**;
- (ii) the Pro-Vice-Chancellor for Academic Affairs;
- (iii) the Head of the Department concerned or, if such Head of the Department is himself a candidate for the post, a person nominated by the Council for Post-Graduate Studies concerned in the manner prescribed;
- (iv) a person, not holding a post of profit under the University and having special knowledge of the subject which the Reader or Lecturer will teach, nominated by the Chancellor;
- (v) two persons, not holding posts of profit under the University and having special knowledge of the subject which the Reader or Lecturer will teach, of whom one shall be nominated by the Syndicate and another shall be nominated by the appropriate Council for Post-Graduate Studies.

(2) The provisions of sub-section (1) shall not apply in the case of any temporary, part-time or honorary appointment tenable for a period of not more than one year.

(3) Four members shall be a quorum for a meeting of a Selection Committee.

(4) If any member of a Selection Committee is unable to attend, he may send his opinion in writing to the Vice-Chancellor and such opinion shall be taken into consideration by the Committee.

(5) If the Syndicate does not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee for reconsideration and if the Syndicate does not accept the reconsidered views of the Selection Committee the matter shall be referred to the Chancellor whose decision shall be final.

33. Save as otherwise provided by or under this Act, every salaried officer other than those mentioned in clauses (2) to (5) of section 6, every Teacher of the University and every employee of the University holding a post carrying a salary not below one hundred rupees per month, shall be appointed under a written contract containing such terms and conditions as the Syndicate may determine. One copy of the contract shall be lodged with the University and a second copy thereof shall be furnished to the Officer, Teacher or employee concerned.

Appoint-
ment of
Officers,
Teachers
and
employees
to be on
contract
in certain
cases.

11 of 1966.]

(Chapter IV.—Authorities of the University.—Sections 34, 35.—Chapter V.—General provisions governing all authorities or other bodies of the University.—Section 36.)

34. The Syndicate may constitute a Standing Committee or Standing Committees for selection of persons for appointment to non-teaching posts and may prescribe by Ordinances the procedure and method of such selection, subject to the provisions of this Act.

Selection Committee for non-teaching posts.

35. (1) Any dispute between the University and any Teacher, Officer or employee of the University holding a post carrying a salary not below one hundred rupees per month shall, on the request of the Teacher, Officer or employee concerned, be referred to a Tribunal consisting of one member appointed by the Syndicate, one member nominated by the Teacher, Officer or employee concerned and a President appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit or proceeding shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Arbitration Act, 1940, and all provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

Arbitration Tribunal.

(2) Any dispute between a Principal or Teacher of a College other than a Government College or a Government Sponsored College, not being a Teacher of the University, and the Governing Body of the College concerned shall, on the request of such Principal or Teacher, be referred to a Tribunal consisting of one member nominated by the Principal or Teacher concerned, one member nominated by the Governing Body of the College concerned and a President appointed by the Vice-Chancellor. The decision of the Tribunal shall be final and no suit or proceeding shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Arbitration Act, 1940, and all provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

CHAPTER V.

General provisions governing all authorities or other bodies of the University.

36. (1) No person shall be qualified for election or nomination as a member of any authority or body of the University or continue as such member if he—

Disqualifications.

- (i) is of unsound mind or a deaf-mute, or
- (ii) is an undischarged insolvent, or

(iii) has been convicted by a court of law for an offence involving moral turpitude.

(Chapter V.—General provisions governing all authorities or other bodies of the University.—Sections 37, 38.)

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

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

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

Provided that this sub-section shall not apply in the case of an election of members of the Senate to the Syndicate and the Academic Council.

Term of
office of
members.

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

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

(2) The term of office of members other than *ex-officio* members of any authority or body of the University shall be held to include any period which may elapse between the expiry of the said term and the date of election of new members to such authority or body to fill vacancies arising by efflux of time.

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

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

Cessation
of mem-
bership
in certain
cases.

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

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

[11 of 1966.]

(Chapter V.—General provisions governing all authorities or other bodies of the University.—Sections 39—41.)

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

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

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

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

Proceedings of the University Authorities and Bodies not invalidated by vacancies.

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

41. (1) If any question arises whether any person is eligible for election or nomination or has been duly elected or nominated as, or is entitled to be, a member of any authority or body of the University, the question shall be referred to the Chancellor, whose decision thereon shall be final.

Chancellor's power to decide questions as to eligibility for being chosen as or for being members and to annul election proceedings in certain cases.

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

(Chapter V.—General provisions governing all authorities or other bodies of the University.—Section 42.—Chapter VI.—Funds of the University, Accounts, Audit and Inspection.—Sections 43—47.)

(3) No suit or proceeding shall lie in any civil court against a decision or an order of the Chancellor under sub-section (1) or sub-section (2), as the case may be.

Extra vote
for the
Chairman.

42. At a meeting of the Senate, Syndicate, Academic Council or any other authority or body of the University, the person presiding at the meeting shall, in the event of an equality of votes, have a casting vote whether or not he otherwise has a vote.

CHAPTER VI.

Funds of the University, Accounts, Audit and Inspection.

The Uni-
versity
Fund.

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

Annual
contri-
bution by
State
Govern-
ment.

44. The State Government shall in every financial year after considering the report submitted under sub-section (3) of section 47 relating to the year preceding the previous financial year, contribute to the University Fund an amount which shall not be less than rupees sixteen lakhs.

Annual
grant by
State
Govern-
ment to
meet loss
due to
disconti-
nuance
of Matri-
culation
Exami-
nation.

45. Notwithstanding the repeal of the West Bengal Secondary Education Act, 1950, the State Government shall, in addition to any sum that may be paid by it under any other provisions of this Act, continue to pay to the University every financial year, the annual grant determined by the Tribunal referred to in sub-section (2) of section 43 of that Act to meet the financial loss incurred by the University on account of its ceasing to hold the Matriculation Examination and the sum paid as such annual grant shall be credited to the University Fund.

West
Ben. Act
XXXVII
of 1950.

Provident
Fund.

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

19 of 1925.

Annual
Accounts
and Audit.

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

11 of 1966.]

(Chapter VI.—Funds of the University, Accounts, Audit and Inspection.—Section 48.—Chapter VII.—Statutes, Ordinances and Regulations.—Section 49.)

(2) Such Annual Statement of Accounts shall, together with copies of the audit report thereon, be submitted to the Senate and to the State Government and thereupon the State Government may publish the same in the *Official Gazette*.

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

48. (1)(i) The State Government shall have the right Inspection to cause an inspection to be made, by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museums, press establishment, workshops and equipments and of any college or institution maintained by the University and into all affairs of the University other than those of a purely academic character and to cause an enquiry to be made into the income, expenditure, properties, assets and liabilities of the University.

(ii) The State Government shall, in every such case of inspection or enquiry, give previous notice to the University of its intention to cause such inspection or enquiry.

(2) The State Government shall communicate to the Senate and the Syndicate its views on the results of such inspection or enquiry and may, after considering the opinion of the Senate and the Syndicate thereon, advise the University regarding the action which the State Government considers fit to be taken by the University in the matters concerned and the University shall report to the State Government, within such time as the State Government may direct, the action which is proposed to be taken or has been taken by the University to give effect to such advice of the State Government.

(3) The State Government may, after considering the report referred to in sub-section (2), advise the University to take such further action in the matters concerned, as may, in the opinion of the State Government, be necessary, and the University shall take or cause to be taken such further action within such time as may be specified in that behalf by the State Government.

CHAPTER VII.

Statutes, Ordinances and Regulations.

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

- (a) the declaration of posts as posts of officers of the University referred to in clause (6) of section 6;
- (b) the establishment of authorities of the University referred to in clause (9) of section 18;

*(Chapter VII.—Statutes, Ordinances and Regulations.—
Section 50.)*

- (c) the powers, duties, and terms and conditions of service of the officers of the University, other than the Chancellor, in so far as these have not been specifically provided for in this Act;
- (d) the constitution, powers and duties of the authorities of the University in so far as these have not been specifically provided for in this Act;
- (e) the rules and procedure for holding elections to the Senate, the Syndicate, the Academic Council and other authorities and bodies of the University;
- (f) the terms and conditions of affiliation or recognition of colleges or institutions, including terms and conditions for continuance of such affiliation or recognition and rules for disaffiliation of, or withdrawal of recognition from, such colleges or institutions;
- (g) the terms and conditions of recognition of colleges as Constituent Colleges or Professional Colleges;
- (h) the constitution, powers and functions of the Governing Bodies of colleges, other than Government Colleges and Government Sponsored Colleges;
- (i) the terms and conditions of service and the minimum emoluments for posts of Principals, Teachers and such other employees as the University may deem fit, of all Affiliated Colleges, other than Government Colleges or Government Sponsored Colleges;
- (j) the rules for Provident Funds for Teachers of colleges, other than Government Colleges and Government Sponsored Colleges;
- (k) the holding of Convocations to confer degrees, titles, diplomas, certificates and other academic distinctions, including honorary degrees and distinctions;
- (l) the conditions for the registration of graduates of the University and for the maintenance of a Register for registered graduates;
- (m) all other matters which under this Act are required to be or may be prescribed by Statutes.

How to
make
Statutes.

50. (1) The Syndicate may of its own motion, and shall, when required by the Senate, make a draft of any Statute and submit the same to the Senate. The draft so submitted shall be considered by the Senate at a meeting or meetings to be held within a period of six weeks from the date of such submission (hereinafter referred to as the said period), and the draft so submitted shall, unless rejected or amended by the Senate before the expiry of the said period by a majority of the total number of its members existing at the time, be

11 of 1966.]

*(Chapter VII.—Statutes, Ordinances and Regulations.—
Section 51.)*

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

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

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

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

- (a) the admission of students to the University and the colleges affiliated to or recognized by it and their enrolment as such;
- (b) the levy of fees in University Colleges and in University laboratories;
- (c) the conditions of residence and rules of discipline of the students of the University, including students of the colleges affiliated to or recognized by it, and the levy of fees for residence in Halls;
- (d) the appointment of Teachers, officers other than the Chancellor and employees of the University, their emoluments, their duties and other terms and conditions of their service, in so far as these have not been specifically provided for by this Act or by the Statutes;
- (e) rules for the institution of provident fund or other funds for the benefit of the Teachers, officers other than the Chancellor and employees of the University;

(Chapter VII.—Statutes, Ordinances and Regulations.—
Section 51.)

- (f) rules for the establishment, maintenance and management of University Colleges, University libraries, University laboratories, University museums, Halls, and other University Institutions for study, research and residence;
- (g) rules for the recognition of libraries, laboratories, museums, Hostels and institutions for study, research and residence, other than those established, maintained and managed by the University;
- (h) rules for the taking over of the management of an affiliated or a recognized college or institution, other than a Government College or a Government Sponsored College or Institution, in order to ensure that proper standards of teaching, training and instruction are maintained therein;
- (i) rules for the exercise of general supervision and control over affiliated or recognized colleges or institutions and for the giving of financial aid to them;
- (j) rules for the inspection, or investigation into the affairs, of colleges or other institutions, affiliated to or recognized by the University, to ensure that proper standards of teaching, training and research are maintained therein;
- (k) rules for the imposition and collection of fees, fines and other dues payable to the University;
- (l) the duties and functions of the Teachers of the University including the Heads of Departments;
- (m) rules for the registration of students;
- (n) the appointment, duties and remuneration of examiners;
- (o) rules for the administration of gifts, endowments and benefactions, and for the institution and award of fellowships, travelling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes;
- (p) rules and procedure for accepting grants and for raising or accepting loans other than loans from the Central or any State Government or the University Grants Commission;
- (q) all other matters which under this Act or the Statutes are required to be or may be prescribed by Ordinances.

II of 1966.]

(Chapter VII.—Statutes, Ordinances and Regulations.—
Sections 52, 53.)

52. (1) The Syndicate shall take into consideration drafts of Ordinances proposed to be passed, after notice thereof has been given to the members of the Syndicate at least three weeks in advance of the date fixed for consideration of the same by the Syndicate, provided that in a matter which, in the opinion of the Vice-Chancellor, is of an emergent nature, the Vice-Chancellor may direct a shorter notice.

How
to make
Ordinances.

(2) An Ordinance shall be deemed to be passed by the Syndicate if it is agreed to by a majority of the total number of members of the Syndicate existing at the time and shall, subject to any direction of the Chancellor hereinafter provided, come into force from such date as the Syndicate may determine.

(3) Every Ordinance shall be submitted by the Syndicate, as soon as may be after it is passed, to the Chancellor and the Senate and shall be considered by the Senate at its next succeeding meeting. The Senate shall have the power, by a resolution passed by a majority of its total number of members existing at the time, to cancel or modify any such Ordinance.

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

(5) An Ordinance shall unless cancelled or modified by the Senate under sub-section (3) remain in force until repealed or amended by a new Ordinance similarly passed and brought into force.

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

Regulations.

- (a) the composition, functions and duties of the Faculties, Councils for Post-Graduate and Under-Graduate Studies and the Boards of Studies;
- (b) the functions and duties of Teachers' Councils in Colleges, and Institutions other than Government Colleges or Government Sponsored Colleges and Institutions;
- (c) the conditions for admission to the different courses of study and examinations of students;
- (d) the rules for the conduct of University examinations;
- (e) the courses of study and the division of subjects upon the recommendation of the Council for Post-Graduate or Under-Graduate Studies concerned;

[West Ben. Act

(Chapter VII.—Statutes, Ordinances and Regulations.—
Section 54.—Chapter VIII.—Miscellaneous and Transi-
tory Provisions.—Section 55.)

(f) the minimum qualifications for Principals, Teachers and Teachers of the University;

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

How
to make
Regula-
tions.

54. (1) The Academic Council shall take into consideration drafts of Regulations, consistent with this Act and the Statutes and the Ordinances to carry out the purposes thereof after notice of the proposed Regulations has been given to the members of the Academic Council at least three weeks in advance of the date fixed for consideration of the same by the Academic Council, provided that in a matter which, in the opinion of the Vice-Chancellor, is of an emergent nature, the Vice-Chancellor may direct a shorter notice.

(2) A Regulation shall be deemed to be passed by the Academic Council if it is agreed to at a meeting of the Council by a majority, of at least two-thirds of the members present or, of the total number of members of the Academic Council existing at the time, whichever is less. A Regulation shall come into force immediately on being passed unless otherwise directed by the Academic Council.

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

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

CHAPTER VIII.

Miscellaneous and Transitory Provisions.

Delega-
tion.

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

(2) Subject to the provisions of this Act,—

(a) the Senate may delegate any of its powers or duties conferred or imposed by or under this Act, to—

(i) the Vice-Chancellor,

(ii) the Syndicate,

(iii) a committee constituted from among its own members, or

(iv) a committee appointed in accordance with the Statutes;

11 of 1966.]

*(Chapter VIII.—Miscellaneous and Transitory Provisions.—
Section 56.)*

(b) the Syndicate may delegate any of its powers or duties conferred or imposed by or under this Act, to—

(i) the Vice-Chancellor,

(ii) a Pro-Vice-Chancellor,

(iii) a committee constituted from among its own members,

(iv) a committee constituted in accordance with the Statutes or the Ordinances,

(v) any of the Councils for Post-Graduate or Under-Graduate Studies, or

(vi) the Finance Committee;

(c) the Academic Council may delegate any of its powers or duties conferred or imposed by or under this Act, to—

(i) the Vice-Chancellor,

(ii) the Pro-Vice-Chancellor for Academic Affairs,

(iii) a committee constituted from among its own members,

(iv) a committee constituted in accordance with the Regulations,

(v) any of the Faculties,

(vi) any of the Councils for Post-Graduate or Under-Graduate Studies, or

(vii) any of the Boards of Studies;

(d) the Finance Committee may delegate any of its powers or duties conferred or imposed by or under this Act, to—

(i) the Vice-Chancellor, or

(ii) the Pro-Vice-Chancellor for Business Affairs and Finance.

56. All properties, all rights of whatever kind used, enjoyed or possessed by and all interests of whatever kind owned by, or vested in, or held in trust by, or for the University of Calcutta as constituted prior to the appointed day as well as all liabilities legally subsisting against the said University shall pass to the University as constituted under this Act.

Passing of
properties
and
rights, etc.

(Chapter VIII.—Miscellaneous and Transitory Provisions.—
Sections 57, 58.)

Completion
of courses
for
students in
colleges
affiliated
to the
Univer-
sity of
Calcutta
constitu-
ted under
the
previous
Act.

Transitory
provision
and repeal.

57. Notwithstanding anything contained in this Act, the Statutes, the Ordinances and the Regulations, any student of a college affiliated to the University of Calcutta as constituted prior to the appointed day, who was studying for any examination of the said University shall be permitted to complete his course in preparation therefor and the University shall hold for such students examinations in accordance with the curricula of study in force in that University for such period as may be prescribed.

58. (1) The Chancellor shall within three months from the date of the publication of this Act in the *Official Gazette* appoint, in consultation with the Minister, on such terms and conditions as he thinks fit, a person to be the Vice-Chancellor. Such Vice-Chancellor (in this Act referred to as "the first Vice-Chancellor") shall hold office for a period of two years and upon his appointment, the person holding office as the Vice-Chancellor of the University of Calcutta immediately before the date of such appointment, shall vacate his office.

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

(3) The first Vice-Chancellor shall within six months from the date of his appointment or within such longer period, not exceeding one year from the date of his appointment, as the State Government may, by notification, direct, cause arrangements to be made for constituting the Senate, the Syndicate, the Academic Council, the Faculties, the Councils for Post-Graduate and Under-Graduate Studies and the Boards of Studies in accordance with the provisions of the first Statutes, the first Ordinances and the first Regulations as framed under sub-section (2), as if they had already come into force.

(4) The State Government shall, by notification in the *Official Gazette*, appoint a date and on and from such date the Senate, the Syndicate, the Academic Council, the Faculties, the Councils for Post-Graduate and Under-Graduate Studies and the Boards of Studies shall commence to exercise their respective functions and the first Statutes, the first Ordinances and the first Regulations as framed under sub-section (2) shall come into force and be the first Statutes, the first Ordinances and the first Regulations of the University.

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

(6) The first Vice-Chancellor may, subject to the sanction of the Chancellor, appoint such administrative, clerical and other staff as he deems necessary for giving effect to the provisions of this section.

11 of 1966.]

*(Chapter VIII.—Miscellaneous and Transitory Provisions.—
Section 58.)*

West
Ben. Act
XVIII
of 1951.

(7) On and from the appointed day the Calcutta University Act, 1951, shall stand repealed and thereupon—

- (a) the Statutes, Ordinances and Regulations of the University of Calcutta as constituted prior to the appointed day (hereinafter referred to as the former University) shall stand repealed and all authorities or bodies of the former University shall cease to function;
- (b) all colleges and institutions affiliated to or recognised by the former University and continuing as such immediately before the appointed day shall be deemed, as the case may be, to be affiliated to, or recognised by, the University;
- (c) all colleges or institutions of whatever kind established, maintained or managed by the former University prior to the appointed day shall be deemed to be colleges or institutions established, maintained or managed by the University under this Act;
- (d) all affairs, functions or activities of the former University, including studies and examinations, commenced and in progress before the appointed day shall be deemed to be in progress as if they had been commenced by the University under this Act;
- (e) all things done or deemed to have been done and all actions taken or deemed to have been taken by the former University under the Calcutta University Act, 1951, shall, in so far as they are not inconsistent with the provisions of this Act, be deemed to be things done or actions taken by the University under this Act as if this Act had been in force when such things were done or such actions were taken:

Provided that until such repeal references to the Vice-Chancellor under the said Act shall be deemed to be references to the first Vice-Chancellor:

Provided further that such repeal shall not affect the affiliation of colleges or institutions situated outside West Bengal which are already affiliated to the University of Calcutta under the provisions of the Calcutta University Act, 1951.

(8) In construing the provisions of section 19, section 22 and section 24, and in construing the provisions of the first Statutes, the first Ordinances and the first Regulations as framed under sub-section (2) in relation to the constitution under this section, of the Senate, the Syndicate, the Academic

*(Chapter VIII.—Miscellaneous and Transitory Provisions.—
Section 59.)*

Council, the Faculties, the Councils for Post-Graduate and Under-Graduate Studies and the Boards of Studies, references to the heads of departments of teaching of the University, the University Professors, University Readers and University, Lecturers and Teachers of the University shall be deemed to be references to the persons holding offices respectively as the heads of departments of teaching, Professors, Readers, Lecturers and Teachers of the University of Calcutta, immediately before the date of the appointment of the first Vice-Chancellor.

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

Removal
of difficul-
ties.

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