

## THE UNIVERSITY OF BURDWAN

### Statutes relating to election procedure to the Court, the Executive Council, the Faculty Councils for Post-Graduate Studies, the Councils for Under-Graduate Studies and other Authorities of the University

WHEREAS I, the first Vice-Chancellor, with the approval of the Chancellor and with the assistance of the Committee appointed under sub-section (2) of the section 57 of the Burdwan University Act, 1981 have reviewed the “Statutes relating to the Constitution of the University and Elections to the University and the Subordinate Authorities” of the former University and consider it necessary to amend the said Statutes ;

NOW, THEREFORE, in exercise of the power conferred upon me by sub-section (2) of section 57 of the Burdwan University Act, 1981 (West Ben. Act XXIII of 1981), I, the first Vice-Chancellor with the approval of the Chancellor cause the said Statutes to be amended and to make the following Statutes :

These Statutes may be called the Statutes relating to the election procedure to the Court, the Executive Council, the Faculty Councils for post-Graduate Studies, the Councils for Under-Graduate Studies and other Authorities of the University.

### CHAPTER I

#### PRELIMINARY

**St. 1.** (Const.) (1) These Statutes may be called the Statutes relating to the election procedure to the Court, the Executive Council, the Faculty Councils for Post-Graduate Studies, the Councils for Under-Graduate Studies and other Authorities of the University.

Short title  
and  
commencement

(2) They shall come into force from such date as the State Government, in terms of sub-section (5) of section 57 of the Act, may appoint.

**St. 2** (Const.) (1) In these Statutes unless the context otherwise requires—

- Definition
- (a) “The Act” shall mean the Burdwan University Act, 1981 (West Ben. Act XXIII of 1981); and
- (b) words and expressions used shall be interpreted to have the same meaning as they have in the Act and as defined in these Statutes;
- (2) “Form” shall mean a form as may be prescribed by the Vice-Chancellor for realising the objects of these Statutes.

### CHAPTER II

#### GENERAL PROVISIONS RELATING TO ELECTIONS

**St. 3.** (Const.) (1) Except as may be specifically prescribed otherwise, all elections to the Court and other Authorities shall be held in accordance with the provisions of and the procedure prescribed by these Statutes.

Elections to the Court and other Authorities of the University

(2) In these Statutes, unless the context otherwise requires—

- (i) “Constituency” in relation to any election of a member or members of any Authority means the body of electors who are required by the Act, the Statutes, the Ordinances, the Regulations or the Rules to elect such member or members to the Authority;
- (ii) “Contesting Candidate” at any election means a candidate whose nomination paper has been found valid on scrutiny by the Returning Officer and who has not withdrawn his candidature in accordance with the provisions of these Statutes;
- (iii) “Election” means an election held under the Act, the Statutes, the Ordinances, the Regulations or the Rules;
- (iv) “Elector” of a constituency means a person whose name has been included in the electoral roll of the constituency;

- (v) “Electoral College” means the body of the electors constituted in the prescribed manner with the representatives of students of the Under-Graduate and the Post-Graduate degree classes of affiliated Colleges and Institutions for the purpose of electing two members on the Court in terms of sub-clause (xxi) of clause (b) of sub-section (1) of section 17 of the Act;
- (vi) “Electoral roll” of a constituency means the Register of electors of the Constituency, prepared and authenticated in accordance with the provisions of the Statutes, the Ordinances, the Regulations or the Rules;
- (vii) “Polling day” in relation to a polling station means the date fixed under these Statutes for taking the poll at that polling station; and
- (viii) “Polling hours” in relation to a polling station means the period of time intervening between the hours fixed by the Returning Officer for the commencement and the closing of the poll on the polling day at that polling station under these Statutes or otherwise.

### CHAPTER III

#### STATUTORY REGISTERS

- St. 4. (Const.)** (1) The University shall, subject to the provisions of these Statutes, maintain or cause to be maintained the following Registers separately :
- Statutory Registers
- (i) Register of Professors of the University Departments of Studies belonging to—
    - (a) the Faculty Council for Post-Graduate Studies in Arts, Commerce, Law, Fine Arts and Music;
    - (b) the Faculty Council for Post-Graduate Studies in Science; and
    - (c) such other Faculty Councils for Post-Graduate Studies as may be constituted by the University;
  - (ii) Register of Teachers other than Professors of the University Departments of Studies belonging to—
    - (a) the Faculty Council for Post-Graduate Studies in Arts, Commerce, Law, Fine Arts and Music;

- (b) the Faculty Council for Post-Graduate Studies in Science; and
- (c) such other Faculty Councils for Post-Graduate Studies as may be constituted by the University;
- (iii) Register of Teachers including Professors imparting instruction in the Post-Graduate Courses of studies in Engineering and Technology, indicating therein the names of those who are Professors and/or the Heads of Departments;
- (iv) Register of Teachers of the Constituent Colleges indicating therein the names of those who are participating in the teaching of Post-Graduate Courses of Studies;
- (v) Register of Teachers of Affiliated Colleges (not being Teachers' Training, Engineering and Medical Colleges) other than the Principals of Such Colleges, indicating separately the names of women teachers of these affiliated Colleges;
- (vi) Register of Teachers of the Teachers' Training Colleges;
- (vii) Register of Teachers of Professional Colleges (Other than Teachers' Training, Engineering and Medical Colleges);
- (viii) Register of Teachers of Engineering Colleges imparting instruction in Under-Graduate Courses of Studies indicating therein the names of those who are the Heads of Departments;
- (ix) Register of Teachers of Medical Colleges indicating therein the names of those who are Professors;
- (x) Register of Principals of Affiliated Colleges (other than those of Engineering and Medical Colleges), indicating therein the names of those who are Principals of Teachers' Training Colleges;
- (xi) Register of Registered Graduates of the University;
- (xii) Register of Regular Post-Graduate Students of the University indicating therein the names of those who are lady students;
- (xiii) Register of Regular Under-Graduate and Post-Graduate Students of Affiliated Colleges;
- (xiv) Register of Research Scholars and Research Fellows of the University;
- (xv) Register of Librarians of the University and the Affiliated Colleges;
- (xvi) Register of Non-Teaching Staff of the University;
- (xvii) Register of Non-Teaching Staff of the Affiliated Colleges;
- (xviii) Register of the Officers of the University; and
- (xix) Such other Registers as may be required to be maintained for the purpose of carrying out the provisions of the Act.

(2) For the purpose of maintaining the Registers referred to in paragraph (1) the Registering Authority shall, in the first instance, prepare or cause to be prepared a draft Register relating to every constituency in such manner as he may deem necessary;

Preparation of a draft Register

Provided that in the case of the Register of Regular Under-Graduate and Post-Graduate Students of Affiliated Colleges, the Principal of the College or the Head of the Institution concerned shall prepare and authenticate that portion of the Register which relates to the students of his College or Institution and forward an authenticated copy thereof to the Registering Authority.

*Explanation I* : A graduate holding a Bachelor's Degree or any other higher Degree of this University at least three years prior to the date declared for election to the Court from the constituency concerned, may, on application made in this behalf to the Registering Authority in such form as may be prescribed and on payment of a fee of Re. 1/-, have his name registered as a Registered Graduate;

Provided that for the purpose of these Statutes a person shall be deemed to hold a Degree with effect from the date of publication of the results of the relevant examination of this University except that, in the case of a graduate in Medicine, the said date shall be the date on which he qualifies for the MBBS Degree after passing the Professional Examination M.B.B.S. and undergoing the prescribed compulsory rotating Internship training;

Provided that the period of registration of a graduate registered under these Statutes shall commence on the date on which the application for such registration in the prescribed form with necessary fees has been submitted to the University which shall be at least three months prior to the date of election declared for the purpose of holding election to the Court from the constituency concerned;

Provided that a graduate so registered shall remain a registered graduate of the University till such time as the Registering Authority by a notification calls upon the graduates of the University to register themselves anew, in the manner laid down in St. 4 (Const.) and St. 5 (Const.) of these Statutes for the purpose of holding fresh election of the representatives of Registered Graduates to the Court, Excepting in the case of filling up of a casual vacancy;

Provided that every time the constituency of the Registered Graduates is called upon to elect three members to the Court, except in the case of a

casual vacancy, a fresh Register of Registered Graduates shall be prepared by the Registering Authority in the prescribed manner;

Provided further that in the case of a casual vacancy, the Register existing at the material time shall prevail.

*Explanation II* : Till such time the Executive Council declares the University Departments of Studies in Law, Library Science or the Institute of Science Education or the Section of the Commerce Department imparting instruction in Management Studies as Professional Colleges, these Departments, Institute or Section shall be deemed to be the University Departments under the concerned Faculty Council for Post-Graduate Studies for the purpose of election to the Authorities of the University.

\* (3) 'Officers of the University' for the purpose of election to the Authorities of the University, shall include the following Officers to include in addition in addition to the Officers mentioned as such under Section 7 of the Act :

1. The Inspector of Colleges
2. The Controller of Examinations
3. The Administrative Officer
4. The Audit & Accounts Officer
5. The University Engineer
6. The Medical Officer
7. The Placement & Student's Welfare Officer
8. The Secretary, College Councils
9. The Deputy Controller of Examinations
10. The Deputy Registrar
11. The Deputy Inspector of Colleges
12. The Deputy Librarian
13. The Assistant Registrars
14. The Assistant Controllers of Examinations
15. The Accounts Officers
16. The Publications Officer
17. The Estate Officer

\* indicates the provisions of St. 4 (Const) (3) amended. [Amendment assented by the Chancellor on 08.11.2003]

18. The Trust Officer
19. The Assistant Librarians
20. The Sports Officer
21. The Curator
22. The Assistant Engineers
23. The Junior Medical Officer
24. The Superintendent, University Press
25. The Programmer, Research Service Centre  
and
26. Part-time Medical Officers holding such part-time appointments for at least one year.

**St. 5 (Const.)** (1) As soon as any of the draft Registers other than that relating to Regular Under Graduate and Post-Graduate Students of the affiliated Colleges has been prepared under paragraph (2) of St. 4 (Const.), the Registering Authority shall notify the matter in the University Notice Board and in such manner as he may deem necessary and send a copy of the relevant draft Register along with the notice to the Principals of the Colleges or the Heads of the Institutions or of the Departments concerned indicating the constituency to which it relates, excepting that in the case of 'Registered Graduates' constituency the draft Register so prepared shall be made available for inspection in the office of the Registering Authority as may be notified by him.

- (2) While doing so, the Registering Authority shall specify the last date by which every objection which may be preferred under paragraph (3) shall reach him within the specified period.
- (3) Any person belonging to the category to which the relevant draft Register relates, may prefer an objection addressed to the Registering Authority challenging.
- (i) The correctness of any particular entry in the draft Register, or
  - (ii) the non-inclusion of his name in the draft Register,  
or
  - (iii) the inclusion of the name of any other person not entitled to be included in the draft Register.

(4) Every such objection, which shall be in duplicate, shall set forth the grounds upon which the objector relies and shall reach the Registering Authority within 15(fifteen) days from the date on which the draft Register was notified by the Registering Authority under paragraph (1).

(5) An objection which fails to comply with any of the requirements prescribed under paragraphs (3) and (4) shall be dismissed by the Vice-Chancellor.

(6) Whenever an objection has not been dismissed under paragraph (5), a copy thereof shall forthwith be forwarded by the Registering Authority to the person to whom the objection relates, unless he himself is the objector.

While doing so, the Registering Authority shall specify the last date by which such person may send his reply to the objection if he wishes to do so. Any reply that such person may send shall be addressed to the Registering Authority in duplicate and shall reach him within 10 (ten) days from the date on which the copy of the objection was forwarded to him by the Registering Authority. A copy of such reply shall be sent by the Registering Authority to the objector.

(7) The Registering Authority shall make such enquiry as he considers necessary in respect of any objection which has not been dismissed under paragraph (5) and shall place before the Vice-Chancellor, for his decision, the objection, the reply thereto, if any, and the report on the enquiry made by him. Before giving his decision, the Vice-Chancellor may call for any additional information if he so requires.

The Vice-Chancellor shall then give his decision on each such objection after taking into consideration—

- (a) the grounds on which the objector relies;
- (b) the reply, if any, submitted by the person objected against; and
- (c) the report on the enquiry made by the Registering Authority.

The decision given by the Vice-Chancellor shall be final.

(8) Every such decision or orders shall forthwith be communicated to the objector and the person objected against, if any.

(9) The Registering Authority shall finally prepare the Registers after incorporating in the draft Registers the decision of the Vice-Chancellor as may have been given under paragraph (7).

(10) Such Registers as prepared under paragraph (9) shall be authenticated by the Vice-Chancellor. The Registers shall be kept up-to-date by endorsing thereon, from time to time, all amendments or corrections thereto made in accordance with any of the relevant provisions of these Statutes. Every such amendment or correction shall be duly authenticated by the Vice-Chancellor.

(11) The Registers as authenticated under paragraph (10) shall be the Electoral Roll in respect of those elections to the Authorities of the University for which notifications for holding elections had already been issued.

(12) The Vice-Chancellor may at any time direct the Registering Authority to amend or correct an entry in any Register authenticated under paragraph (10) in order to rectify any clerical or formal error or defect therein.

(13) The Heads of Departments or Institutions managed by or affiliated to the University shall report from time to time the fact of any fresh appointment, death, resignation, transfer, retirement or termination of service and such other facts as may require an amendment or correction in respect of entries to be made in the Registers. The Registering Authority shall, on receipt of any such information, make necessary amendment or correction in the entries in the Registers to ensure a constant process of keeping the Registers up-to-date;

Provided that in the event of any fresh appointment, for the purpose of inclusion in the relevant Register of the name of the elector concerned, the procedure laid down in paragraphs (1) to (10) shall be observed *mutatis mutandis*; whereas in other events the Registering Authority shall make necessary amendment or correction *moto perpetuo*.

(14) The Vice-Chancellor may at any time direct the revision of any Register referred to in these Statutes if he considers such revision necessary. For the purpose of such revision, the Registering Authority shall notify to the members of the relevant category that the existing Register would be revised and that the same would be treated as the Draft Register for the purpose of such revision; and the provisions under paragraphs (1) to (10) shall *mutatis mutandis* apply. As soon as the Vice-Chancellor authenticates the Register as revised, the former Register which was in force prior to such revision shall be deemed to have been superseded and such modified Register shall constitute the Electoral Roll of the relevant constituency for subsequent elections to the Authorities of the University.

(15) For the purpose of filling up a casual vacancy, the Register as existing on the date of the notification calling upon the relevant Authority to fill up the casual vacancy, shall be the Electoral Roll.

**St. 6 (Const.)** (1) For the purpose of election to the Court of two regular students of affiliated colleges in terms of sub-clause (xxi) of clause (b) of sub-section (1) of Section 17 of the Act, the Registrar shall issue necessary directions to the Principal of the College or to the Head of the Institution concerned for preparing separately a Draft Register in respect of all such students of his college or Institution.

(2) Notwithstanding anything contained elsewhere in these Statutes relating to the preparation and maintenance of Registers of the various categories of electors other than the regular Under-Graduate and Post-Graduate students of affiliated colleges, the respective Principal of the College or the Head of the Institution shall exercise the powers and perform the duties and functions of the Registering Authority in respect of such students of the College or Institution concerned.

(3) Notwithstanding anything contained elsewhere in these Statutes, the Register of regular students of every affiliated College or Institution shall be the Electoral Roll for the purpose of election of representatives of regular students of the College or Institution concerned for constituting an Electoral College in order to elect two regular students to the Court.

(4) While preparing and maintaining the Registers of regular students of every affiliated College or Institution, the Principal of the College or the Head of the Institution concerned shall *mutatis mutandis* follow the procedure prescribed in St. 5 (Const.)

(5) An election held in pursuance of the provisions of these Statutes shall not be challenged on the ground that any amendment, revision, objection or appeal in respect of the Register or of any entry therein, was pending at the time such election was held.

CHAPTER IV

ELECTIONS TO THE COURT

**St. 7. (Const.)** (1) Whenever an election is required to be held for the purpose of constituting the Court, the Returning Officer shall call upon the appropriate constituencies to elect a member or members as the case may be.

(2) When calling upon a constituency to elect a member or members, the Returning Officer shall give notice, in such manner as he deems fit, of the intended election, inviting nominations of candidates for election and specifying the last date(s) fixed for filing nominations, the date, time and place for scrutiny of nomination papers, the last date for withdrawal of candidature, the date of poll and the time and place at which, and the person to whom, the nomination papers are to be delivered and also the date(s) on which the votes shall be counted, if necessary.

(3) Unless the Vice-Chancellor or the Executive Council directs otherwise, the Registrar shall be the Registering Authority in respect of the electoral roll of every constituency other than the constituency comprising the Under Graduate and Post-Graduate students of affiliated Colleges and Institutions.

(4) For the purpose of election to a particular Authority of the University, no person shall be entitled to have his name included in the electoral rolls of more constituencies than one in respect of that Authority. If a person is qualified to have his name included in the electoral rolls of more than one constituency, he shall have the option to have his name enrolled in one only of such constituencies, at his choice;

Provided that every elector who is eligible for having his name included in the electoral rolls of more constituencies than one, shall give a declaration indicating such choice during the preparation of the draft electoral rolls.

(5) An elector may obtain a copy of the electoral roll on payment of such price as may be fixed by the Registering Authority in this behalf;

Provided that in the case of the constituency comprising the Under-Graduate and Post-Graduate students of affiliated Colleges and Institutions, the respective portion of the Electoral Roll concerning a particular College or Institution shall be available for inspection by such students of that College or Institution in the office of the Principal of the College or of the Head of the Institution concerned for such period as may be notified by him and no such Electoral Rolls shall be made available to any individual elector or to anybody else either as a priced copy or otherwise.

(6) For the purpose of an election, the Registering Authority or such other person as the Vice-Chancellor may appoint in this behalf, shall be the Returning Officer. He shall be responsible for the proper conduct of the election and shall perform the duties assigned to him under these Statutes.

(7) Any person may be nominated as a candidate at an election if his name is included in the electoral roll of the constituency concerned;

Provided that he is not subject to any of the disqualifications enumerated in sub-section(1) of Section 35 of the Act.

(8) On or before the date fixed for filing nominations, every candidate for election shall deliver or cause to be delivered to the Returning Officer in his office a nomination paper in the prescribed form between such hours as may be specified by the Returning Officer. The Returning Officer shall give a serial number to every nomination paper delivered to him and hand over to the person delivering the nomination paper a certificate of such delivery;

Provided that no nomination paper sent by post shall be accepted.

(9) Every nomination paper shall be duly filled in and proposed by a person qualified to vote in the constituency concerned.

(10) A nomination paper shall not be valid unless it is signed by the candidate signifying his assent to the nomination.

(11) (a) On the day fixed and duly notified for the scrutiny of nomination papers, the Returning Officer shall, in the presence of such candidates or their authorised agents as may be present, scrutinise all nomination papers which have been delivered to him under paragraph(8).

A candidate who is absent at the scrutiny may authorise only one agent to represent him at the scrutiny. After such scrutiny, the Returning Officer shall display in his Notice Board a list of all the candidates whose nomination papers have been accepted by him as valid, specifying therein the last date for withdrawal as may have been fixed.

(b) At the scrutiny, the Returning Officer shall declare a nomination paper to be invalid and reject it if—

- (i) it has been delivered in a manner which contravenes any of the provisions of paragraphs (8) to (10) or;
- (ii) it has not been duly filled in and signed; or
- (iii) the candidate's and the proposer's names are not included in the relevant electoral roll; or
- (iv) the candidate is subject to any of the disqualifications referred to in paragraph (7).

(c) The Returning Officer shall declare every nomination paper to be valid and shall accept it if it has not been rejected under clause (b).

(12) Any candidate whose name appears in the list of candidates referred to in clause (a) of paragraph (11) may withdraw his candidature by a notice in writing in the prescribed form. Every such notice shall be signed by the candidate and delivered personally by him to the Returning Officer in his office between such hours as may be specified by the latter for the purpose, on or before the date fixed. The Returning Officer shall hand over to the person delivering a notice of withdrawal a certificate of such delivery.

(13) In an election—

- (a) if the number of contesting candidates is equal to the number of seats to be filled at the election, the Returning Officer shall, on expiry of the time limit fixed for withdrawal of candidature, declare all such candidates to have been duly elected; or
- (b) (i) if the number of contesting candidates is less than the number of seats to be filled at the election, the Returning Officer shall, on expiry of the time limit fixed for withdrawal of candidature, declare all such candidates to have been duly elected;
- (ii) the Returning Officer shall, as soon as possible thereafter, call upon the constituency concerned to elect a person or persons to fill the remaining seat or seats in the manner prescribed; or
- (c) if the number of contesting candidates exceeds the number of seats to be filled at the election, the Returning Officer shall display in his Notice Board a list of the contesting candidates in alphabetical order of their first names in English spelling and a poll shall be taken on the date or dates fixed.

(14) At an election, the poll shall be taken (by Secret personal ballot) at such polling station or stations as may be specified by the Returning Officer;

Provided that in the cases of the following constituencies, the poll shall be taken by secret Postal ballot—

- (i) 'Principals of Colleges' Constituency,
- (ii) 'Registered Graduates' Constituency,
- (iii) 'Librarians' Constituency, and
- (iv) such other Constituencies as may be determined from time to time by the Vice-Chancellor.

(15) Ballot papers to be used at every election shall be serially numbered and the names of the contesting candidates shall be printed on each ballot paper in English and/or in Bengali as the Returning Officer may decide;

Provided that while determining the serial order of the names to be printed on the ballot paper, the alphabetical order of the first names of the contesting candidates in English spelling shall be maintained.

(16) A person whose name is not included in the electoral roll of a constituency shall not be entitled to vote in that constituency.

(17) Every person whose name is included in the electoral roll of a constituency shall be entitled to vote in that constituency only.

(18) At an election, an elector shall have as many votes as there are persons to be elected but shall not have the right to record more than one vote in favour of any one candidate.

(19) At every election excepting in the case of an election by postal ballot, the Returning Officer shall, by an order in writing, allot one or more polling stations as he may consider necessary. Where more polling stations than one have been allotted by the Returning Officer, he shall, by an order, specify which of the electors are assigned by him to each such polling station. Every elector shall be given notice of the date and hours fixed for taking the poll and the polling station to which the elector has been assigned, in such manner as may be decided by the Returning Officer. An

elector whose name appears in the list of voters assigned to a particular polling station shall be entitled to vote at that polling station only.

(20) For every polling station the Returning Officer shall appoint a Presiding Officer who shall make all necessary arrangements for taking the poll at that polling station and shall conduct the poll there on the polling day. The Returning Officer shall provide the Presiding Officer of every polling station with—

- (a) a copy of that part of the electoral roll which includes the names of the electors who have been assigned to that polling station,
- (b) all necessary forms,
- (c) ballot papers,
- (d) envelopes,
- (e) a brass seal, and
- (f) an amount as may be determined by the Returning Officer to enable the Presiding Officer to meet contingent expenses as may be necessary for conducting the poll.

(21) The Returning Officer may appoint such persons as he may decide to assist the Presiding Officer in taking the poll at the polling station, from among the employees of the University or of the affiliated Colleges or Institutions or of the establishment to which the Presiding Officer belongs.

(22) The poll shall be taken at each polling station on the polling day between such hours as the Returning Officer may have fixed in this behalf for that polling station.

(23) Excepting in the case of an election by postal ballot, every elector who desires to exercise his vote at the election shall personally appear on the polling day within the polling hours at the polling station to which he has been assigned and shall request the Presiding Officer to issue to him a ballot paper after giving his name and other particulars to the Presiding Officer. The Presiding Officer shall then satisfy himself—

- (a) that the name of the person who makes the request for the issue of a ballot paper is included in the copy of that part of the electoral roll which relates to the polling station;
- (b) about the identity of the person who claims to be the elector concerned.

(24) When the Presiding Officer is so satisfied, he shall issue a ballot paper and an envelope to the elector. While doing so, he shall place a mark on his copy of the electoral roll against the name of the elector to indicate that a ballot paper has been issued to the latter. The serial number of the ballot paper issued to an elector shall not be recorded on the electoral roll or anywhere else by any person;

Provided that in the cases of elections from constituencies in which Ballot Boxes are provided, no envelope shall be issued to an elector along with the ballot paper;

Provided further that in case an elector is physically handicapped or incapacitated to the extent that he cannot record his vote or votes on the ballot paper himself, he may request the Presiding Officer to record his vote or votes in his presence and on his behalf.

(25) On receiving the ballot paper, the elector shall proceed to one of the places set apart for voting and shall secretly record his vote or votes on the ballot paper by placing a cross (X) mark against the name or names of contesting candidates, as the case may be, in whose favour he desires to vote. The Presiding Officer shall make such arrangements as may be necessary to ensure that the elector is enabled to record his vote or votes secretly. An elector shall not sign or initial his ballot paper or make any other mark thereon which may disclose his identity. After he has recorded his vote or votes, the elector shall fold the ballot paper so as to conceal his vote or votes and shall place it inside the envelope supplied to him. He shall then deliver the envelope to the Presiding Officer. The envelope shall forthwith be closed and sealed by the Presiding Officer;

Provided that at elections from such other constituencies as the Returning Officer may determine, an elector shall, after recording his vote or votes on the ballot paper, drop the same into a Ballot Box kept for the purpose.

(26) An elector shall have no right to vote after the hour fixed for the close of the poll;

Provided that all electors who are present at the polling station at that hour shall be allowed to vote subject to the provisions of paragraphs (23) and (24).



(27) All the envelopes received from the electors and sealed in accordance with the provisions of paragraph(25) shall be kept in a packet by the Presiding Officer, excepting in the cases where Ballot Boxes are provided.

(28) The Presiding Officer shall keep an account in the prescribed form of all ballot papers supplied to him by the Returning Officer. He shall complete and sign the account after the close of the poll.

(29) (a) If an elector has inadvertently torn, defaced or otherwise spoiled his ballot paper in such a way that it cannot be used as a ballot paper, he shall instantly report the fact and return the spoiled ballot paper to the Presiding Officer who shall thereupon issue another ballot paper to the elector;

Provided that no other ballot paper shall be issued to an elector who has also spoiled the second ballot paper so issued to him.

(b) All spoiled ballot papers returned to the Presiding Officer under clause(a) shall be endorsed by him as 'Cancelled' and kept in a separate packet.

(30) (a) Immediately after the close of the poll, the packets or the ballot boxes, as the case may be, referred to in items (i) and (iii) of sub-paragraph (c) of this paragraph shall be sealed and the papers and other materials referred to in items (ii), (iv), (v) and (vii) of the said sub-paragraph (c) shall be placed in separate covers or packets which shall also be sealed.

(b) On each cover or packet containing the papers and other materials referred to in items (i) to (vii) of sub-paragraph (c), the Presiding Officer shall clearly indicate—

- (i) the particulars of the election,
- (ii) the name of the polling station,
- (iii) the date of the poll, and
- (iv) the nature of the contents of the cover or packet.

(c) The Presiding Officer shall then forward to the Returning Officer the following by special messenger, so as to reach him before the date fixed for counting of votes—

- (i) the packet of used ballot papers or the ballot box used, as the case may be;
- (ii) the unused ballot papers and the unused ballot box, if any;

- (iii) the packet of spoiled ballot papers;
- (iv) the Ballot Paper Account;
- (v) the copy of the electoral roll marked in accordance with the provisions of these Statutes;
- (vi) the Brass Seal; and
- (vii) any other papers, or statements relating to the election as the Returning Officer may direct.

(31) At an election when the Returning Officer counts the votes immediately after the close of the poll, it may not be necessary to seal any of the covers or packets referred to in paragraph (30) except after the counting of votes has been completed.

(32) During the poll at any polling station, if it becomes impossible to complete such poll by reason of any disturbance or natural calamity or for any other reason, the Presiding Officer shall adjourn the poll and shall immediately report to the Returning Officer the full facts of the case and the reasons for such adjournment. As soon as he adjourns the poll, he shall close and seal the covers and packets referred to in items (i) to (v) & (vii) of paragraph (30) as if the poll had been completed and shall retain them for disposal in accordance with the provisions of clause(b) or clause (c) of paragraph (33) hereafter.

(33) (a) On receipt of such report, the Returning Officer shall forthwith place the matter before the Vice-Chancellor who may give such directions, as he considers fit, to the effect that—

- (i) the poll which was adjourned under the provisions of paragraph (32) be cancelled in respect of the polling station and a fresh poll be taken at the polling station on another date; or
- (ii) the adjourned poll be resumed and completed at the polling station on another date.

In either case, the Returning Officer shall fix a date and the polling hours for taking such fresh poll or for resuming such adjourned poll at the polling station, as the case may be, and shall give notice to the electors in such manner as he may deem fit of such date and the polling hours.

(b) When the Vice-Chancellor has directed a fresh poll at a polling station under item (i) of sub-paragraph (a) of this paragraph, the procedure prescribed in paragraphs (20) to (32) shall be followed for such poll.

All sealed covers and packets relating to the adjourned poll in terms of paragraph (32) shall, be forwarded by the Presiding Officer to the Returning Officer for safe custody and shall not be opened.

(c) When the Vice-Chancellor has directed the resumption and completion of a poll which was adjourned, such adjourned poll shall be resumed and completed on the date fixed for the purpose by the Returning Officer. The Presiding Officer shall, at the commencement of such resumed poll, open the covers or packets which relate to the poll that had been adjourned and which contain the papers mentioned in items (ii), (v), (vi) and (vii) of sub-paragraph (c) of paragraph (30) and shall use the contents of such covers or packets for the purpose of completing the poll. He shall not open any of the other covers or packets which relate to the poll that was adjourned and which contain the papers mentioned in items (i), (iii) and (iv) of sub-paragraph (c) of paragraph (30). Except as otherwise provided in this paragraph, the procedure prescribed in paragraphs (20) to (32) shall be followed in such resumed poll. A fresh form of ballot paper account shall be used by the Presiding Officer at such resumed poll. Only such electors who did not vote on the day the poll was adjourned shall be entitled to vote during such resumed poll. At the close of the resumed poll, the Presiding Officer shall forward to the Returning Officer, along with the covers and packets relating to the resumed poll, the unopened sealed covers and packets which related to the poll that had been adjourned and which contained the papers mentioned in items (i), (iii) and (iv) of sub-paragraph (c) of paragraph (30).

(34) For the purposes of elections from the 'Principals of Colleges' constituency, the 'Registered Graduates' constituency, the 'Librarians' constituency, and such other constituencies as may be determined from time to time by the Vice-Chancellor, the poll shall be taken by secret postal ballot.

(35) In every case of an election where the poll shall be taken by secret postal ballot, the Returning Officer shall, within twenty days from the date of publication of the list of contesting candidates, send by Registered Post, to each elector of the constituency concerned, a ballot paper along with an envelope and an outer cover addressed to the Returning Officer for the return of the ballot paper.

Every voter on receipt of the ballot paper shall record his vote or votes thereon in the manner indicated on the ballot paper. The voter shall then place the ballot paper inside the envelope, close it and the closed cover containing the ballot paper shall be placed inside the outer cover addressed to the Returning Officer. The voter shall thereafter send the cover to the Returning Officer by Registered Post or deliver the same to him in person or through messenger, at his own cost, but in either event the cover containing the ballot paper shall reach the Returning Officer within 5 p.m. of the last date as may be fixed by the Returning Officer in this behalf.

(36) In every case of election by postal ballot, the last date fixed under paragraph (35) shall be treated as the date of poll in respect of the constituency concerned and no cover containing the ballot paper received thereafter shall be taken into account for the purpose of the election.

(37) The Returning Officer shall be responsible for the safe custody of the covers containing ballot papers delivered to him daily either by post or in person in pursuance of paragraph (35).

(38) (a) On the date and at the time and place fixed for the counting of votes, the Returning Officer shall open the sealed packets referred to in items (i) and (iv) of sub-paragraph (c) of paragraph (30) and the envelopes contained therein or the sealed ballot boxes, as the case may be, and then proceed to count the votes in the manner prescribed in this paragraph. He may also open the covers or packets referred to in any of the items (ii), (iii), (v), (vi) and (vii) of paragraph (30), but shall do so only if he considers it to be necessary for enabling him to count the votes or to dispose of any objections relating to the election satisfactorily.

(b) As the envelopes or the sealed ballot boxes are opened under sub-paragraph (a) of this paragraph the ballot papers contained therein shall be arranged in a bundle or bundles. The Returning Officer shall thereafter proceed to scrutinise the ballot papers one by one and shall reject every ballot paper or vote which he finds to be invalid. He shall record in a statement the total number of valid votes given to each contesting candidate.

(c) A ballot paper or a particular vote, as the case may be, shall be invalid if—

- (i) the ballot paper is spurious; or
- (ii) the ballot paper contains no record of voting; or

- (iii) the ballot paper has been marked in such a manner that it cannot be ascertained in favour of which candidate the vote has been recorded; or
- (iv) any mark has been made upon the ballot paper which discloses the identity of the elector; or
- (v) the number of votes recorded thereon exceeds the number of seats to be filled at the relevant election; or
- (vi) there is an erasing of voting mark on the ballot paper; or
- (vii) if a ballot paper contains any mark other than a cross (X), or if the markings is made at a place other than the place indicated in the ballot paper.

(d) If more cross (X) marks than one have been made on a ballot paper against any candidate's name, they shall be counted as one vote only, provided the total number of markings thus made does not exceed the total number of seats to be filled at the election.

(e) When a cross (X) mark has been so made on a ballot paper as to render it doubtful to which candidate the vote has been cast, the ballot paper shall be rejected as invalid if one member only is to be elected; and if more members than one are to be elected, only the vote or votes recorded by such mark(s) shall be rejected as invalid while every other validity marked vote on the ballot paper shall be counted.

(f) The decision of the Returning Officer as to the validity of a ballot paper or a vote shall be final.

(39) In case the poll could not be completed before the date fixed for counting of votes, or in the event the papers referred to in paragraph (30) or paragraph (33) were not received by the Returning Officer from all the polling stations before the commencement of counting of votes, the Returning Officer shall forthwith defer the counting to another date and time. He shall give notice to every contesting candidate of the date, time and place which have been appointed by him for the counting of votes.

(40) When the counting of votes has been completed—

(a) In a case where the number of seat to be filled is one, the Returning Officer shall declare forthwith the candidate, in whose favour the highest number of valid votes have been cast, to be duly elected. When two or more candidates secure an equal number of votes, the question as to which of them shall be declared to have been elected shall be decided by the Returning Officer by the drawing of lots in such manner as he deems fit;

Deferment of counting of votes

in paragraph (30) or paragraph (33) were not received by the Returning Officer from all the polling stations

Declaration of results by the Returning Officer

in whose favour the highest number of valid votes have been cast, to be duly elected. When two or more

(b) In a case where the number of seats to be filled exceeds one, the Returning Officer shall prepare a list of candidates arranged in the descending order of the number of valid votes secured by each, mentioning the number of votes against each. He shall declare such number of candidates from the top of the said list as the number of seats are to be filled, to have been duly elected;

Provided that when two or more candidates secure an equal number of votes and when both or all of them cannot be declared elected, the question as to which of them shall be declared to have been elected shall be decided by the Returning Officer by the drawing of lots in such manner as he deems fit.

(c) After the result of the election is declared, the Returning Officer shall seal up in separate packets the valid and the invalid ballot papers. He shall mark each such packet with a description of its contents, the particulars of the election, the name of the constituency and the date of the counting. He shall also replace in sealed covers or packets the contents of such covers or packets, if any, referred to in items (ii), (iii), (iv), (v) and (vii) of sub-paragraph (c) of paragraph (30) as he may have opened under sub-paragraph (a) of paragraph (38). He shall keep all such sealed covers and packets in his safe custody for a period of three months after the date of the counting, or if any dispute arises regarding the election, until such disputes are finally disposed of. All such covers and packets shall be destroyed after the expiry of such period.

(41) The following persons, and no others, shall be allowed by the

Persons to be allowed in the polling station during the poll

Presiding Officer to stay inside polling station during the poll—

- (i) the Vice-Chancellor;
- (ii) any person authorised in writing in this behalf by the Vice-Chancellor;
- (iii) any person or persons appointed by the Returning Officer to assist the Presiding Officer in taking the poll; and
- (iv) every contesting candidate and/or an agent of such contesting candidate authorised by him in writing in this behalf.

(42) The following persons, and no others, shall be allowed by the

Persons to be allowed at the Counting of votes

Returning Officer to be present at the counting of votes—

- (i) the Vice-Chancellor;

- (ii) any person authorised in writing in this behalf by the Vice-Chancellor;
- (iii) any person or persons appointed by the Returning Officer to assist him in counting the votes; and
- (iv) every contesting candidate and/or an agent of such contesting candidate authorised by him in writing in this behalf.

(43) Except as otherwise provided in these Statutes, the Vice-Chancellor shall have the power to prescribe and determine the forms of notice, letters of intimation, ballot paper and all other forms and papers necessary for holding an election.

(44) The Vice-Chancellor shall have the power to direct the holding of an election in anticipation of any vacancy that is due to occur within three months.

(45) (a) The membership of an elected person to fill a vacancy, shall take effect—  
In the case of an anticipatory election, from the date of occurrence of the vacancy, and in every other case, from the date of declaration of the result of the election.

- (b) (i) A casual vacancy in the office of an elected member of any authority of the University shall be filled by that Authority by election at a meeting to be convened for the purpose by the Registrar on such date (being not later than three months from the date of occurrence of the vacancy) and at such time and place as may be appointed by the Vice-Chancellor in this behalf;

Provided that at least seven days' notice of such meeting shall be given to the members of the Authority concerned.

- (ii) At the meeting of the Authority so convened, the members thereof may propose names of persons representing the interest which the member whose seat has become vacant represented. Each such proposal must be seconded by another member of the Authority concerned.
- (iii) If the number of persons proposed for election to the Authority be less than or equal to the number of the 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 the members to be elected, a poll shall be taken in such manner as the Chairman may decide. The Chairman shall then prepare a list of the candidates arranged in the descending order of the number of valid votes secured by each, mentioning the number of votes against each. He shall declare forthwith such number of candidates from the top of the said list as the number of seats are to be filled, to have been duly elected;

Provided that when two or more candidates secure an equal number of votes and when both or all of them cannot be declared elected, the Chairman shall decide the issue by exercising his casting vote under Section 41 of the Act.

- (iv) 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 date of occurrence of such vacancy.

(46) An election shall not be invalidated by reason merely of any vacancy existing among the persons entitled to vote at such election.

(47) An election otherwise valid shall not be invalidated merely by reason of loss or delay during transmission or non-receipt of any notice or information meant for electors or a candidate which was duly sent by the Returning Officer.

(48) Any notice, intimation or information which is required to be given or sent or notified to any person under these Statutes shall be sent or notified in such manner as the Registering Authority or the Returning Officer, as the case may be, may consider expeditious or appropriate, unless otherwise specified under these Statutes in any particular case.

(49) In an election, in respect of matters not expressly provided for in these Statutes, the Vice-Chancellor may give such directions not inconsistent with the Act, these Statutes or any law for the time being in force as he may consider

necessary for the proper holding of the election and subject to the decision given by the Election Tribunal on a reference made to it, if any, under Section 40 of the Act, such directions shall be given effect to.

(50) An election shall not be set aside merely on grounds of non-compliance, irregularities or defects. or any non-compliance of provisions of the Act or these Statutes unless such defect, irregularity or non-compliance materially affects the results of the election.

**St. 8 (Const.)\*** (i) Notwithstanding anything contained in these Electoral College Statutes, for the purpose of constituting the Electoral College which shall elect two regular students of affiliated colleges to the Court, in pursuance of sub-clause (xxi) of clause (b) of Sub-section (1) of Section 17 of the Act read with paragraph (3) of St. 6 (Const.), each College or Institution shall be a Unit which shall elect the proportionate number of electors on the basis of one elector for every one hundred regular students or part thereof exceeding fifty registered on the electoral roll of the Unit concerned.

(ii) The Principal of the College or the Head of the Institution concerned shall exercise the powers and perform the duties and functions of the Returning Officer in respect of that College or Institution, except as provided under following clause (viii), whereunder, he shall exercise the powers and perform the duties and functions of the Presiding Officer.

(iii) The Registrar shall, in consultation with the Vice-Chancellor, issue a notification fixing the date and time for holding the election and the counting of votes in the affiliated Colleges and Institutions.

(iv) The Principal of the College or the Head of the Institution concerned shall thereupon issue a notice inviting nominations and fixing the dates for the filing of nominations, scrutiny of nomination papers, withdrawal of candidature and indicating the date, time and place for taking the poll, if necessary. He should make all necessary arrangements for holding the election according to the schedule.

(v) Immediately after declaring the results of the election in respect of the Electoral College, the Principal of the College or the Head of the Institution concerned shall send an authenticated copy of the declaration of result to the Registrar, who shall be the Returning Officer for the purpose of election of

\* indicates the provisions of St. 8 (Const.) (i) amended, [Vide Chancellor's secretariat Letter No. 1726-Edn. (U) dt. 5/6.8.83]

two regular students of affiliated Colleges and Institutions on the Court by the electors constituting the Electoral Colleges.

(vi) The Returning Officer shall thereupon prepare a consolidated list of such electors with such particulars relating to them as he may consider necessary, which shall constitute the Electoral Roll for the purpose of electing two regular students of affiliated Colleges to the Court.

(vii) Forthwith upon compilation of the list under clause (vi), the Returning Officer shall issue notification inviting nominations and fixing the date of filing nominations, scrutiny of nomination papers, withdrawal of candidature and the date, time and place for taking the poll, if necessary. For the purpose of filing nominations for election to the Court from this constituency, only the electors constituting the Electoral College shall be entitled to be nominated as candidates.

(viii) The Returning Officer shall make necessary arrangement for the printing of ballot papers. He shall send them to the Principals of the Colleges and the Heads of the Institutions concerned, who shall exercise the powers and perform the duties and functions of the Presiding Officer for the purpose of election of two members to the Court by the Electoral College.

(ix) In holding the elections for constituting the Electoral College and in the process of election of two members to the Court by the Electoral College, the procedure laid down in St. 7 (Const.) shall be followed.

(x) The University shall defray the expenses incidental to the holding of elections in the affiliated Colleges and Institutions concerned subject to such ceiling as may be prescribed.

## CHAPTER V

### ELECTIONS TO THE EXECUTIVE COUNCIL

**St. 9 (Const.)** For the purpose of elections to the Executive Council in terms of Section 20 of the Act, the Registrar shall convene meetings of the members concerned of the relevant Authorities, namely—

- (i) The Court as referred to in clauses (ix) (a) & (b), (x), (xi), (xii) (a), (b) & (c) of sub-section (1);
- (ii) The Faculty Councils for Post-graduate Studies as referred to in clauses (viii) (a) and (b) of sub-section (1);

- (iii) The Council for Under-graduate Studies in Arts, Science, Commerce, Law, Fine Arts and Music as referred to in clauses (xiii) (a) and (xiv) of sub-section (1);
- (iv) The Council for Under-graduate Studies in Engineering and Technology as referred to in clause (xiii) (b) of sub-section (1);  
and
- (v) The Council for Under-graduate Studies in Medicine as referred to in clause (xiii) (c) of sub-section (1).

**St. 10** (Const.) (a) Before convening meetings, the Registrar shall secure the concurrence of the Vice-Chancellor in writing and the dates for such meetings shall be fixed in consultation with him.

(b) No other business shall be transacted in such meetings and the election of members from the respective bodies to the Executive Council shall constitute the single item for the said meetings.

(c) A notice of not less than ten days shall be given for such meetings and all such notices shall be sent to the members by Registered Post or through messenger.

**St. 11** (Const.) Elections to the Executive Council shall be completed within three months, excluding intervening vacations, if any, from the date on which (i) the Court, (ii) the Faculty Councils for Post-graduate Studies and (iii) the Councils for Under-graduate Studies have been finally constituted by elections and nominations.

**St. 12** (Const.) (a) The Vice-Chancellor shall be the Chairman at the meetings referred to in St. 9 (Const.), but he shall have no right to vote.

(b) At such meetings a member from the appropriate constituency may propose, as candidates, the names of as many members or less including himself as there are seats to be filled at the election. A member who is absent at the meeting shall be entitled to propose in writing the names of candidates for election provided that every such proposal has been sent so as to reach the Registrar before the commencement of the meeting.

(c) A list of the names of all the candidates who have been so proposed and who are eligible to seek election shall be prepared at the meeting by the Chairman and read out to the members present. The Chairman of the meeting shall determine whether a candidate is eligible for being elected or not. Any

candidate whose name has been included in the list may withdraw his candidature orally or in writing at any time before the commencement of voting.

(d) If the number of candidates remaining after such withdrawal is equal to or less than the number of seats to be filled at the election, all such candidates shall be declared elected by the Chairman and a fresh election shall be held on a subsequent date for filling the remaining seats, if any.

(e) If the number of such candidates exceeds the number of seats to be filled at the election, a list of such candidates shall be prepared and a serial number shall be given to each candidate. This list shall be read out to the members present who shall then proceed to vote by secret ballot. Each member present at the meeting shall have as many votes as there are seats to be filled at the election and shall record his vote or votes secretly by entering on a slip of paper, to be supplied to him for the purpose, the serial numbers of the candidates in whose favour he wishes to vote. He shall fold the slip of paper so as to conceal his vote or votes and deliver the same to the Chairman of the meeting.

(f) The Chairman shall determine whether the votes are valid or not and shall count all valid votes after the completion of the voting.

(g) When the counting of votes has been completed—

(i) in a case where the number of seat to be filled is one, the Chairman shall forthwith declare the candidate to whom the highest number of valid votes has been cast, to be duly elected. When two or more candidates receive an equal number of votes and they cannot all be declared elected, the question as to which of them shall be declared to have been elected shall be decided by the Chairman by the drawing of lots in such manner as he deems fit;

(ii) in a case where more than one seat is to be filled, the Chairman shall prepare a list of candidates arranged in the descending order of the number of valid votes secured by each, mentioning the number of votes against each, mentioning the number of votes against each. He shall declare such number of candidates from the top of the said list as the number of seats is to be filled, to have been duly elected;

Provided that when two or more candidates secure an equal number of votes and they cannot all be declared elected, the question as to which of them shall be declared to have been elected, shall be decided by the Chairman by the drawing of lots in such manner as he deems fit.

- (h) Any objection relating to the election shall be raised at the meeting and decided by the Chairman whose decision shall be final.

## CHAPTER VI

### ELECTIONS TO THE FACULTY COUNCILS FOR POST-GRADUATE STUDIES

Faculty Councils in Arts and Science to comprise the Departments as specified

**St. 13 (Const.)** (1) For the purposes of constitution of and elections to the Faculty Councils for Post-graduate Studies in—

- (i) Arts, Commerce, Law, Fine Arts and Music and
- (ii) Science;

the respective Faculty Council shall comprise, in terms of sub-section (1) & (2) of Section 22 of the Act, the Departments as specified hereunder :

- (a) *The Faculty Council for Post-graduate Studies in Arts, Commerce, Law, Fine Arts and Music*
- (i) Bengali (ii) English (iii) Economics (iv) History (v) Philosophy (vi) Political Science (vii) Sanskrit (viii) Commerce including Industrial Relations & Personnel Management (ix) Law (x) Library Science and (xi) such other subjects or Courses of Studies as may be brought under the Purview of the Faculty Council by the Executive Council.
- (b) *The Faculty Council for Post-graduate Studies in Science*
- (i) Botany (ii) Chemistry (iii) Geography (iv) Mathematics (v) Physics (vi) Zoology (vii) Instrumentation Science (viii) Science Education and (ix) Such other subjects or Courses of Studies as may be brought under the Purview of the Faculty Council by the Executive Council.

(2) For the purposes of elections to the Faculty Councils for Post-graduate Studies in (i) Arts, Commerce, Law, Fine Arts and Music and (ii) Science in terms of clause (iv) (b) of sub-section (2) of Section 22 of the Act, the Registrar shall convene a meeting of the Teachers, not being Heads of the Departments or Professors, belonging to the Faculty concerned on an appointed date with the concurrence of the Vice-Chancellor.

**St. 14 (Const.)** (1) For the purposes of elections to the Faculty Councils for Post-graduate Studies as envisaged in clause (vi) of sub-section (2) of section 22 of the Act, the Registrar shall convene a meeting of the Council for Under-graduate Studies pertaining to the subject or subjects concerned.

(2) Notwithstanding anything contained in these Statutes, the Procedure of Election to Executive Council (Const.) shall *mutatis mutandis* apply to every such election;

Provided that all objections relating thereto shall be raised at the meeting and decided by the Vice-Chancellor, who shall be the Chairman at such meetings.

**St. 15 (Const.)** For the purposes of constitution of and elections to the Faculty Council for Post-graduate Studies in Engineering and Technology in terms of sub-sections (1) and (3) of Section 22 of the Act, the procedure laid down in St. 13 (Const.) and St. 14 (Const.), read with St. 10 (Const.) and St. 12 (Const.) shall be followed.

## CHAPTER VII

### ELECTIONS TO THE COUNCILS FOR UNDER-GRADUATE STUDIES

**St. 16 (Const.)** (1) For the purposes of constitution of and elections to the Council for Under-graduate Studies in Arts, Science, Commerce, Law, Fine Arts and Music the said Council shall comprise in terms of sub-sections (1) & (2) of Section 24 of the Act, the subjects or courses of Studies as specified hereunder :

Bengali; English; French; Hindi; Nepali; Sanskrit; Urdu; Economics; History; Philosophy; Political Science; Statistics; Commerce; Law; Music; Botany; Chemistry; Geography; Mathematics; Physics; Physiology; Zoology; Geology; Courses leading to B. Ed. Degree; Diploma/ Degree in Physical Education and such other subjects or Courses of Studies in which instructions are imparted in affiliated Colleges or Institutions and as may be brought under the purview of the Council for Under-graduate Studies.

(2) For the purposes of elections to the Council for Under-graduate Studies in Arts, Science, Commerce, Law, Fine Arts and Music in terms of clauses (v) and (vii) of sub-section (2) of Section 24 of the Act, the Registrar or such other person as may be appointed by the Vice-Chancellor in this behalf shall be the Returning Officer and the procedure laid down in St. 7 (Const.) shall be followed.

(3) For the purposes of election to the Council in terms of clause (v) of sub-section (2) of Section 24 of the Act, the Returning Officer shall appoint a Presiding Officer for every polling station. The Presiding Officer shall make all necessary arrangements for taking the poll at the polling station and shall conduct the poll there on the polling day.

(4) For the purposes of election to the Council in terms of clause (vii) of Sub-section (2) of Section 24 of the Act, the poll shall be conducted by the Returning Officer by postal ballot and the procedure laid down in paragraphs (34), (35), (36) and (37) of St. 7 (Const.) shall be followed.

(5) For the purposes of elections to the Council in terms of clause (vi) of Sub-section (2) of Section 24 of the Act, the Registrar or such other person as may be authorised by the Vice-Chancellor in this behalf shall convene a meeting of the concerned members of the Faculty Councils for Post-graduate Studies in Arts, Commerce, Law, Fine Arts & Music and Science on such date and time as may be fixed in consultation with the Vice-Chancellor.

(6) Notwithstanding anything contained in these Statutes, the procedure laid down in St. 13 (Const.) and St. 14 (Const.) read with St. 10 (Const.) and St. 12 (Const.) shall be followed in every election envisaged in these Statutes.

**St. 17 (Const.)** (1) For the purposes of constitution of and elections to the Council for Under-graduate Studies in Engineering and Technology, the following shall be deemed to be the Departments of teaching of Regional Engineering College, Durgapur within the meaning of sub-section (3) of Section 24 of the Act :—

Civil; Electrical; Mechanical; Metallurgical; Chemical and such other Departments in other branches of Engineering as may be established by the College with the approval of the Executive Council;

Provided that the Departments of Studies in such subjects as Humanities, Mathematics, Physics and Chemistry which are common subjects of study pertaining to the Departments as enumerated in these Statutes, shall be deemed to be separate Departments within the meaning of the aforesaid provision of the Act.

(2) For the purposes of election to the Council for Under-graduate Studies in Engineering & Technology in terms of clause (v) of sub-section (3) of Section 24 of the Act, the Registrar or such other person as may be appointed by the Vice-Chancellor in this behalf shall be the Returning Officer and the procedure laid down in St. 7 (Const.) shall be followed.

**St. 18 (Const.)** (1) For the purposes of constitution of and election to the Council for Under-graduate Studies in Medicine, the following shall be deemed to be the Departments of teaching of Burdwan Medical College within the meaning of sub-section (4) of Section 24 of the Act :—

Anatomy; Physiology; Bio-Chemistry; Pathology; Micro-Biology; Pharmacology; Preventive & Social Medicine; Forensic & State Medicine; Medicine; Surgery; Gynaecology; Radiology; Physical Medicine; Anaesthesiology; Dentistry; E.N.T.; Ophthalmology; Orthopedics and such other Departments as may be established by the college with the approval of the Executive Council.

(2) For the purposes of election to the Council for Under-graduate Studies in Medicine in terms of clause (iv) of sub-section (4) of Section 24 of the Act, the Registrar or such other person as may be appointed by the Vice-Chancellor in this behalf shall be the Returning Officer and the procedure laid down in St. 7 (Const.) shall be followed.



## CHAPTER VIII

## ANCILLARY MATTERS

**St. 19** (Const.) (1) For the purpose of election of the Dean for each Faculty Council for Post-graduate Studies in terms of sub-section (2) of Section 26 of the Act, the Secretary of the Faculty Council concerned shall convene a meeting of that Faculty Council;

Provided that till such time a Secretary to the Council concerned is appointed, the Registrar shall perform the functions and duties of the Secretary in this behalf.

(2) In convening and holding a meeting of the Faculty Council concerned for the purpose of election of the Dean, the procedure laid down in St. 10 (Const.) and St. 12 (Const.) shall be followed.

(3) For the purpose of determination of seniority of a Dean within the meaning of sub-section (3) of Section 26 of the Act, the length of service rendered as Professor in the University shall be the criterion.

**\* (4)** The term of office of the Dean of a Faculty Council for Post-graduate Studies shall be two years from the date of his election as Dean;

Provided that, till a new Dean is elected, the outgoing Dean shall continue to function as such.

(5) A Dean shall take initiative in promoting academic activities and shall serve as the liaison between the Faculty Council concerned and the Councils for Under-graduate Studies. He shall also discharge such other duties as he may be required to do by any of the Authorities of the University or the Vice-Chancellor.

**St. 20** (Const.) The Chancellor shall constitute a one-man Election Tribunal under Section 40 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.

\* *indicates the provisions of St. 19 (Const.) (4) amended [vide Chancellor's Secretariat Letter No. 1078-Edn.(U) dt. 25.6.85]*

**St. 21** (Const.) (1) The Vice-Chancellor shall, for the first constitution of the Court, appoint one of the two principals referred to in clause (xxx) of sub-section (1) of Section 17 as a member of the Court. The member so appointed shall hold office till the expiry of his term as a member of the Court :

Provided that where such member ceases to be the Principal of the College by way of transfer or otherwise, fresh appointment from that college shall be made by the Vice-Chancellor for the unexpired term of office of the member.

(2) Such appointment under paragraph (1) shall thereafter be made by rotation from among the two Principals of the Colleges referred to in clause (xxx) of sub-section (1) of Section 17.

## THE UNIVERSITY OF BURDWAN

WHEREAS I, the first Vice-Chancellor, with the approval of the Chancellor and with the assistance of the Committee appointed under sub-section (2) of the section 57 of the Burdwan University Act, 1981 have reviewed the different Statutes of the former University and consider it necessary to amend the said Statutes;

NOW, THEREFORE, in exercise of the power conferred by sub-section (2) of Section 57 of the Burdwan University Act, 1981 (West Bengal Act XXIII of 1981), I, the first Vice-Chancellor with the approval of the Chancellor, cause the said Statutes to be amended and to make the following Statutes :

### THE STATUTES OF THE UNIVERSITY OF BURDWAN

#### CHAPTER I

##### THE STATUTES RELATING TO CONSTITUTION OF THE BOARDS OF RESEARCH STUDIES, THE BOARDS OF POST-GRADUATE STUDIES AND THE BOARDS OF UNDER -GRADUATE STUDIES

**St. 1** (B. S.) (1) These Statutes may be called the Statutes relating to  
Short title and Commencement Constitution of the Boards of Research Studies, the  
Boards of Post-graduate Studies and the Boards of  
Under-graduate Studies.

(2) They shall come into effect from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

**St. 2** (B. S.) (1) In these Statutes, unless the context otherwise  
Interpretation requires, words and expressions used shall be interpreted  
to have the same meaning as they have in the Act.

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified in the light of these Statutes by the Statutes under this Chapter.

**St. 3** (B. S.) (1) There shall be a Board of Research Studies for every subject coming under the purview of the concerned Faculty Council for Post-graduate Studies or the Council for Under-graduate Studies and as enumerated in Statute 13 (Const.), Statute 16 (Const.), Statute 17 (Const.) or Statute 18 (Const.) of the Statutes relating to the election procedure to the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate Studies and other Authorities of the University, as the case may be :

Provided that notwithstanding anything contained in this Chapter or elsewhere, for the purpose of constituting the Boards of Research Studies in subjects pertaining to the Faculty Council for Post-graduate Studies in Engineering and Technology or the Council for Under-graduate Studies in Engineering and Technology, the Science and Humanities subjects in their applied aspect having bearing on Engineering and Technology, viz., Applied Mechanics, Chemistry, Geology, Mathematics, Physics and the Humanities, shall be deemed to be separate subjects of study :

Provided further that for purpose of constituting the Boards of Research Studies in Science and Humanities subjects in their applied aspect having bearing on Engineering and Technology, there shall be a separate Board of Research Studies in Applied Mechanics, whereas for the subjects—Chemistry, Geology, Mathematics, Physics, the Humanities and such other subjects(s) as may be introduced from time to time, the respective Board of Research Studies attached to the concerned Faculty Council shall deal with the cases pertaining to Engineering and Technology :

Provided also that in such cases the Head of the concerned Department of Regional Engineering College, Durgapur or his nominee or if there be no separate Department for the subject at Regional Engineering College, Durgapur, the Principal of the said college or his nominee shall be invited to the meetings of the Board for the purpose of disposal of matters related to fields of study/research in the said subject(s).

Members of Board  
of Research Studies

(2) The Board of Research Studies for every such subject shall be constituted in the manner as hereafter provided :

- (A) In respect of a subject in which there is a University Department of Studies :
- (1) The Dean of the Faculty concerned, who shall be the Chairman (ex-officio);
  - (2) The Head of the relevant University Department of Studies;
  - (3) All Professors of the University Department concerned;
  - (4) Two teachers other than Professor, imparting instruction in the subject at the Post-graduate level nominated by the Vice-Chancellor ordinarily on the basis of seniority as defined in the University Statutes relating to the constitution, function and management of the University Departments of Studies;
  - (5) One Professor and one teacher, other than Professor, imparting instruction at the Post-graduate level in the subject concerned at affiliated/constituent college(s), if any, nominated by the Vice-Chancellor; and
  - (6) Three external experts in the subject or subjects concerned to be appointed by the Vice-Chancellor on the basis of the recommendation of the Committee for the relevant University Department of Studies :
- Provided that in respect of a subject in which teaching is imparted at the Post-graduate level both at the University and at affiliated/constituent college(s), the three external expert members shall be appointed by the Vice-Chancellor on the basis of the recommendation of the relevant Board of Post-graduate Studies.
- (B) In respect of a subject (not pertaining to Engineering and Technological Studies) in which there is no University Department of Studies but in which Post-graduate instruction is imparted at affiliated/constituent college(s) :
- (1) The Dean of the Faculty concerned, who shall be the Chairman (ex-officio);
  - (2) Four teachers in the subject imparting instruction at the Post-graduate level at the college(s) concerned nominated by the Vice-Chancellor; and

- (3) Three external experts in the subject or subjects concerned to be appointed by the Vice-Chancellor on the basis of the recommendation of the relevant Board of Post-graduate Studies.
- (C) In respect of a subject in which there is no post-graduate teaching either at the University Department of Studies or at any of the constituent or affiliated colleges :
- (1) The Dean of the Faculty concerned, who shall be the Chairman (ex-officio); and
  - (2) Five external experts in the subject or subjects concerned to be nominated by the Vice-Chancellor.
- (D) In respect of the subjects of studies pertaining to Engineering and Technology as enumerated in St. 17 (Const.) of the Statutes relating to the election procedure to the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate Studies and other Authorities of the University, read with the second proviso to St. 3 (B. S.) but excluding the subjects Chemistry, Geology, Mathematics, Physics and the Humanities :
- (1) The Dean of the Faculty concerned, who shall be the Chairman (ex-officio);
  - (2) The Head of the relevant Department at Regional Engineering College, Durgapur;
  - (3) All Professors of the relevant Department at Regional Engineering College, Durgapur;
  - (4) Two teachers, other than Professors, of the subject concerned nominated by the Vice-Chancellor in consultation with the Dean; and
  - (5) Three external experts in the subject or subjects concerned appointed by the Vice-Chancellor on the recommendation of the relevant Board of Post-graduate Studies/Under-graduate Studies.

**St. 4 (B.S)** (1) There shall be a Board of Post-graduate Studies for every subject attached to the concerned Faculty Council for Post-graduate Studies as specified below :

Board of Post-graduate Studies

- (A) THE FACULTY COUNCIL FOR POST-GRADUATE STUDIES IN ARTS, COMMERCE, LAW, FINE ARTS AND MUSIC :
- (i) Bengali (ii) Economics (iii) English (iv) History (v) Library & Information Science (vi) Philosophy (vii) Political Science (viii) Sanskrit (ix) Commerce (x) Business Administration (xi) Industrial Relation & Personnel Management (xii) Law (xiii) Fine Arts (xiv) Music and (xv) Such other subjects or courses of studies as may be brought under the purview of the Faculty Council by the Executive Council;
- (B) THE FACULTY COUNCIL FOR POST-GRADUATE STUDIES IN SCIENCE :
- (i) Botany (ii) Chemistry (iii) Geography (iv) Geology (v) Mathematics (vi) Physics (vii) Zoology and (viii) such other subjects or courses of studies as may be brought under the purview of the Faculty Council by the Executive Council; and
- (C) THE FACULTY COUNCIL FOR POST-GRADUATE STUDIES IN ENGINEERING AND TECHNOLOGY :
- (i) Chemical Engineering (ii) Civil Engineering (iii) Electrical Engineering (iv) Mechanical Engineering (v) Metallurgical Engineering and (vi) such other subjects in other branches of Engineering as may be introduced under the authority of the Executive Council.

(2) The Board of Post-graduate Studies for every such subject shall consist of the following members :

Members of Board of Post-graduate Studies

- (A) In respect of a subject belonging to the Faculty Councils for Post-graduate Studies in :
- (i) Arts, Commerce, Law, Fine Arts and Music; and
- (ii) Science :
- (1) The Head of the relevant University Department of Studies, who shall be the Chairman (ex-officio);
  - (2) All whole-time teachers of the relevant University Department of Studies as well as those of the constituent/affiliated college(s) participating in the teaching of the subject or subjects concerned at the Post-graduate level;

- (3) Two part-time teachers to be co-opted by the members as specified in sub-paragraphs (1) and (2) at a meeting convened for the purpose; and
  - (4) Three external experts in the subject or subjects concerned to be co-opted by the members as specified in sub-paragraphs : (1), (2) & (3) above. Provided that such a Board of Studies shall not be deemed to have been constituted until the co-option of external expert members is completed.
- (B) In respect of a subject belonging to the Faculty Council for Post-graduate Studies in Engineering and Technology :
- (1) The Principal, Regional Engineering College, Durgapur, who shall be the Chairman (ex-officio);
  - (2) The Head of the Relevant Department(s) of Studies at Regional Engineering College, Durgapur;
  - (3) All whole-time teachers, not below the rank of Lecturer, of the relevant Department(s) of Studies at Regional Engineering College, Durgapur; and
  - (4) Three external experts in the subject or subjects concerned to be co-opted at a meeting convened for the purpose, by the members as specified in sub-paragraphs (1), (2) and (3):
- Provided that such a Board of Studies shall not be deemed to have been constituted until the co-option of external expert members is completed.

**St. 5 (B. S.) 1.** There shall also be a Board of Post-graduate Studies for every subject for which there is no concerned University Department of Studies but in which instruction is imparted at the Post-graduate level at a constituent or affiliated college. Such a Board of Post-graduate Studies shall come under the purview of the concerned Faculty Council for Post-graduate Studies.

2. A Board of Post-graduate Studies in a subject as envisaged in paragraph 1 shall consist of the following members :

- (1) All whole-time teachers in the subject at the constituent or affiliated college(s) concerned participating in such Post-graduate teaching;
- (2) Two part-time teachers to be co-opted, by the members as specified in sub-paragraph (1) at a meeting convened for the purpose; and

- (3) Three external experts in the subject or subjects concerned to be co-opted in the same manner as indicated in sub-paragraph (2) :

Provided that such a Board of Studies shall not be deemed to have been constituted until the co-option of external expert members is completed.

3. The Chairman of such a Board shall be nominated by the Vice-Chancellor from among the members as specified in sub-paragraph (1).

**St. 6 (B. S.)** There shall be a Board of Under-graduate Studies for every subject attached to the concerned Council for Under-graduate Studies as specified below :

(1) THE COUNCIL FOR UNDER-GRADUATE STUDIES IN ARTS, SCIENCE, COMMERCE, LAW, FINE ARTS AND MUSIC :

(i) Bengali (ii) Economics (iii) English (iv) History (v) Library & Information Science (vi) Philosophy (vii) Political Science (viii) Sanskrit (ix) Commerce (x) Law (xi) Fine Arts (xii) Music (xiii) Physical Education (xiv) Science Education (xv) Teacher's Training (xvi) Botany (xvii) Chemistry (xviii) Geography (xix) Geology (xx) Mathematics (xxi) Physics (xxii) Physiology (xxiii) Zoology and (xxiv) such other subjects or courses of Studies as may be brought under the purview of such Council for Under-graduate Studies by the Executive Council;

(2) THE COUNCIL FOR UNDER-GRADUATE STUDIES IN ENGINEERING AND TECHNOLOGY :

(i) Chemical Engineering (ii) Civil Engineering (iii) Electrical Engineering (iv) Mechanical Engineering (v) Metallurgical Engineering and (vi) such other subjects in other branches of Engineering as may be brought under the purview of such Council for Under-graduate Studies by the Executive Council :

Provided that the subjects, viz., the Humanities, Applied Mechanics, Chemistry, Geology, Mathematics, Physics, Workshop Practice and such other subjects as may be declared by the Executive Council as the supporting subjects of study pertaining to Engineering and Technology as enumerated in St. 17 (Const.) of the Statutes relating to election procedure to the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate Studies and the Authorities of the University, shall be deemed to be separate subjects of study for the purpose of this Statute; and

(3) THE COUNCIL FOR UNDER-GRADUATE STUDIES IN MEDICINE :

- |       |                     |  |
|-------|---------------------|--|
| (i)   | Pre-clinical Group  | (a) Anatomy<br>(b) Bio-Chemistry<br>(c) Physiology   |
| (ii)  | Para-clinical Group | (a) Forensic & State Medicine<br>(b) Micro-Biology<br>(c) Pathology<br>(d) Pharmacology<br>(e) Preventive & Social Medicine  |
| (iii) | Clinical Group      | (a) Anaesthesiology<br>(b) Dentistry<br>(c) Oto-rhino-laryngology (ENT)<br>(d) Gynaecology & Obstetrics<br>(e) Medicine<br>(f) Ophthalmology<br>(g) Orthopaedics<br>(h) Physical Medicine<br>(i) Radiology<br>(j) Surgery<br>and |

(iv) such other subjects as may be introduced under the authority of the Executive Council

**St. 7 (B. S.)** 1. The Board of Under-graduate Studies in every such subject or group of subjects, as the case may be, shall consist of the following members :

- (A) In respect of a subject belonging to the Council for Under-graduate Studies in Arts, Science, Commerce, Law, Fine Arts and Music in which there is a University Department of Studies :
- (1) The Head of the relevant University Department of Studies, who shall be the Chairman (ex-officio);
  - (2) Two teachers of the relevant University Department of Studies nominated by the Committee for the concerned University Department of Studies as defined in the University Statutes relating to the constitution, function and management of the University Departments of Studies ;

- (3) One Principal of an affiliated or a constituent college belonging to the concerned subject, nominated by the Vice-Chancellor :
- Provided that if such a Principal is not available, the position shall be filled up from amongst the teachers belonging to the subject from affiliated or constituent colleges in the same manner as in the case of teachers of the affiliated colleges belonging to the subjects as shown in sub-paragraph (4);
- (4) Four teachers of the affiliated colleges belonging to the subject nominated by the council for under-graduate studies; and
- (5) Three external experts in the subject or subjects concerned co-opted by the members as specified in sub-paragraphs (1), (2), (3) and (4) at a meeting convened for the purpose:  
Provided that a Board of Studies shall not be deemed to have been constituted until the co-option of external expert members is completed.
- (B) 1. In respect of a subject belonging to the Council for Under-graduate Studies in Arts, Science, Commerce, Law, Fine Arts and Music in which there is no University Department of Studies but in which Post-graduate instruction is imparted in the concerned subject at an affiliated or constituent college :
- (1) Three teachers of the subject participating in Post-graduate teaching at the College(s) concerned nominated by the Vice-Chancellor;
- (2) One Principal of an affiliated or a constituent college belonging to the concerned subject nominated by the Vice-Chancellor :
- Provided that if such a Principal is not available, the post shall be filled up from amongst the teachers belonging to the subject from affiliated or constituent colleges in the same manner as in the case of teachers of the affiliated colleges belonging to the subject as shown in sub-paragraph (3);
- (3) Four teachers of the subject in affiliated colleges nominated by the Council for Under-graduate Studies; and
- (4) Three external experts in the subject or subjects concerned co-opted by the members as specified in sub-

- paragraphs (1), (2) and (3) at a meeting convened for the purpose :
- Provided that such a Board of Studies shall not be deemed to have been constituted until the co-option of external expert members is completed.
2. The Chairman of such a Board shall be nominated by the Vice-Chancellor from among the members as specified in sub-paragraph (1), (2) and (3).
- (C) 1. In respect of a subject in which there is no Post-graduate teaching either at the University Departments of Studies or at any of the constituent or affiliated Colleges :
- (1) One Principal belonging to the subject concerned nominated by the Vice-Chancellor :
- Provided that if such a Principal is not available the post shall be filled up from amongst the teachers belonging to the subject from affiliated or constituent colleges in the same manner as in the case of teachers of the affiliated colleges belonging to the subject as shown in sub-paragraph (2);
- (2) Five teachers of the affiliated colleges belonging to the subject nominated by the Council for Under-graduate Studies; and
- (3) Three external experts in the subject or subjects concerned co-opted by the members as specified in sub-paragraphs (1) and (2) at a meeting convened for the purpose :
- Provided that such a Board of Studies shall not be deemed to have been constituted until the co-option of external expert members is completed.
2. The Chairman of such a Board shall be nominated by the Vice-Chancellor from among the members as specified in sub-paragraphs (1) and (2).
- (D) 1. In respect of a subject, other than a Science and Humanities subject in its applied aspect, and belonging to the Council for Under-graduate Studies in Engineering and Technology :
- (1) The Principal, Regional Engineering College, Durgapur, who shall be the Chairman (ex-officio);
- (2) The Head of the relevant Department of Studies at Regional Engineering College, Durgapur;

- (3) All whole-time teachers, not below the rank of Lecturer of the relevant Department of Studies at Regional Engineering College, Durgapur; and
- (4) Three external experts in the subject or subjects concerned, to be co-opted at a meeting convened for the purpose, by the members as specified in sub-paragraphs (1), (2) and (3);

Provided that such a Board of Studies shall not be deemed to have been constituted until the co-option of external expert members is completed.

2. In respect of a Science or Humanities subject in its applied aspect belonging to the Council for Under-graduate Studies in Engineering and Technology as enumerated in the proviso under sub-paragraph (2) of St. 6 (B. S.) :

- (a)
  - (1) The Principal, Regional Engineering College, Durgapur, who shall be the Chairman (ex-officio);
  - (2) All whole-time teachers, not below the rank of Lecturer or Foreman, of the relevant subject at Regional Engineering College, Durgapur; and
  - (3) Three external experts in the subject or subjects concerned to be co-opted by the members as specified in sub-paragraphs (1) and (2) at a meeting convened for the purpose.

(b) In the absence of the Principal at any meeting of the Board, the members present shall elect the Chairman, for the purpose of transacting the business of the particular meeting, from amongst themselves.

(E) For every group of subjects belonging to the Council for Under-graduate Studies in Medicine :

(a) *For Pre-Clinical Group :*

- (1) The Principal, Burdwan Medical College, who shall be the Chairman (ex-officio);
- (2) The Heads of the relevant Departments of Studies of Burdwan Medical College;
- (3) Two teachers from each of the concerned Department to be nominated by the teachers of the respective Department at a meeting convened for the purpose; and
- (4) Three external experts belonging to the Pre-clinical group of subjects to be nominated by the Vice-Chancellor.

(b) *For Para-clinical Group :*

- (1) The Principal, Burdwan Medical College, who shall be the Chairman (ex-officio);
- (2) The Heads of the relevant Departments of Studies of Burdwan Medical College;
- (3) Two teachers from each of the concerned Department to be nominated by the teachers of the respective Department at a meeting convened for the purpose; and
- (4) Three external experts belonging to the Para-clinical group of subjects to be nominated by the Vice-Chancellor.

(c) *For Clinical Group :*

- (1) The Principal, Burdwan Medical College, who shall be the Chairman (ex-officio);
- (2) The Heads of the relevant Departments of Studies of Burdwan Medical College;
- (3) One teacher from each of the concerned Department to be nominated by the teachers of the respective Department at a meeting convened for the purpose; and
- (4) Three external experts belonging to the clinical Group of subjects to be nominated by the Vice-Chancellor.

**St. 8 (B.S.)** (1) The term of office of the members, other than ex-officio members, shall be as specified in section 36 of the Act.

**Quorum** (2) Half of the total number of members plus one shall form the quorum for meetings of the different Boards of Studies provided for in the Statutes under this Chapter :

Provided that no quorum shall be required for an adjourned meeting.

## CHAPTER II

### THE STATUTES RELATING TO CONSTITUTION, POWERS AND FUNCTIONS OF THE FINANCE COMMITTEE

**St. 1 (F. C.)** (1) These Statutes may be called the Statutes relating to Constitution, Powers and Functions of the Finance Committee.

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

**St. 2** (F. C.) (1) In these Statutes, unless the context otherwise requires, words and expressions used shall be interpreted to have the same meaning as they have in the Act.

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

**St.3** (F.C.) The Finance Committee shall consist of the following members :  
Constitution of the Finance Committee

(1) The Vice-Chancellor, who shall be the Chairman (ex-officio) ;

(2) The Secretary, Finance Department, Government of *West* Bengal or his nominee not below the rank of a Deputy Secretary ;

(3) The Secretary, Education Department, Government of West Bengal or his nominee not below the rank of a Deputy Secretary ;

(4) Two members to be nominated by the members of the Court from amongst themselves;

(5) Two members to be nominated by the members of the Executive Council from amongst themselves;

(6) Two experts in financial management, not being a member of the Court or the Executive Council, to be nominated by the Chancellor in consultation with the Vice-Chancellor ;

(7) The Registrar of the University; and

(8) The Finance Officer of the University, who shall be the Secretary of the Committee (ex-officio).

**St. 4** (F. C.) (I) The term of office of the members, other than ex-officio members, shall be as specified in section 36 of the Act.  
Term of office of members

(2) Half of the total number of members plus one shall form the quorum for a meeting of the Committee :

Provided that no quorum shall be required for an adjourned meeting.

(3) The Finance Committee shall meet at least thrice in a financial year, preferably once in every three months.  
Minimum number of meetings

**St. 5** (F. C.) (1) Subject to the Provisions of the Act, the Statutes, the Ordinances, the Regulations and the Rules made thereunder, the Finance Committee shall exercise the following powers and perform the following functions and duties :  
Powers and functions of the Finance Committee

(i) advise the Court, the Executive Council and other Authorities of the University on any financial matter that may appropriately be referred to it for opinion by any Authority or body of the University ;  
Advice on financial matters

(ii) maintain a watch over the progress of income and expenditure provided for in the budget and make, from time to time, such reports to the Executive Council as it may think fit on any matter affecting the finances of the University;  
Watch over income and expenditure and reports to the Executive Council

(iii) consider, as soon as may be and in no case later than six months after the close of every financial year, the Annual Statement of Accounts of the University as prepared by the Finance Officer and submit the same to the Executive Council with its observations;  
Annual Statement of Accounts

(iv) consider at a meeting convened for the purpose within the 30th of *November* every year the Budget of the University showing the estimated receipt and expenditure under different heads of *accounts* for the ensuing financial year, as prepared by the Finance Officer and submit the proposals for the Annual Budget along with its recommendations thereon, to the Executive Council for examination and approval and the decision taken by the Executive Council shall be final;  
Annual Budget

(v) consider the proposals and suggestions, if any, which may have been made by the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate Studies, the Committees for the University Departments of Studies and the Heads of the Administrative Departments of the University for the purpose of preparing the Annual Budget;

(vi) prepare financial and accounts rules with the approval of the Executive Council.  
Financial and Accounts Rules

(2) For the purpose of preparing the Annual Statement of Accounts or of making proposals for the Annual Budget or of discharging any other duty assigned to it by the Act, the Statutes or the Ordinances, the Finance Committee may request any Authority or Body or any Officer of the University to furnish it with such papers or information, as it may consider necessary, in respect of any financial proposals or any item of accounts; and such Authority or Body or Officer shall furnish the relevant papers or information as expeditiously as possible.  
The Finance Committee may call for papers or information



CHAPTER III

THE STATUTES RELATING TO THE MANAGEMENT OF THE  
UNIVERSITY LIBRARY AND THE CONSTITUTION,  
POWERS AND FUNCTIONS OF THE LIBRARY COMMITTEE

**St. 1** (L. C.) (1) These Statutes may be called the Statutes relating to the Management of the University Library and the Constitution, Powers and Functions of the Library Committee.

(2) They shall come into effect from such date as the State Government may, under sub-section (5) of Section 57 of the Act, appoint.

**St. 2** (L.C.) (1) In these Statutes unless the context otherwise requires, words and expressions used shall be interpreted to have the same meaning as they have in the Act.

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

**St. 3** (L. C.) (1) There shall be a Library Committee which shall be constituted with the following members, namely—

- (i) the Vice-Chancellor, who shall be the Chairman (ex-officio);
- (ii) the Deans of the Faculty Councils for Post-graduate Studies in Arts and Science (ex-officio);
- (iii) the Dean of Students or the Students' Welfare Officer, if any, (ex-officio);
- (iv) the Registrar of the University (ex-officio);
- (v) the Finance Officer of the University (ex-officio);
- (vi) Four teachers of the University of whom two shall be from each of the Faculty Councils for Post-graduate Studies in Arts and Science, to be nominated by the Vice-Chancellor;
- (vii) one member to be elected by the Executive Council from amongst its members;
- (viii) one member of the Court elected in terms of clause (xx) of sub-section (1) of section 17 of the Act, to be nominated by the Vice-Chancellor; and

(ix) the Librarian of the University, who shall be the Secretary to the Committee (ex-officio).

**St. 4** (L. C) (1) The term of office of the members, other than ex-officio members, shall be as specified in section 36 of the Act.

(2) Half of the total number of members plus one shall form the Quorum quorum for a meeting of the Committee :

Provided that no quorum shall be required for an adjourned meeting.

(3) The Library Committee shall meet at least thrice in a year, preferably once in every three months.

(4) The Secretary to the Library Committee shall keep a record of the proceedings of the meetings of the Committee.

**St. 5** (L.C.) Subject to the provisions of the Act, the Statutes, the Ordinances, the Regulations and the Rules, the Library Committee shall exercise the following powers and perform the following duties, namely—

- (a) to manage and control the University Library including the Departmental Libraries and such other Libraries as may be maintained by the University;
- (b) to advise the Executive Council on general policies in terms of which the University library may be used and to make recommendations in regard to such use;
- (c) to make recommendations for general policies guiding and governing the purchase of books and manuscripts and other related library materials within the budgetary provisions and also for the receipt of gifts of books, manuscripts and other library materials;
- (d) to advise on plans and procedure for the purchase, management and cataloguing of books and the manuscripts and other library materials;
- (e) to advise the University Librarian on such matters as may be referred to it by him regarding the functioning of the library;

- (f) to consider reports from the University Librarian concerning the needs of the library for more effective use and development of the resources thereof;
- (g) to frame rules from time to time in respect of—
- (i) the use of the library by the members of the Court, the Executive Council and other Authorities of the University, the University teachers and students, the teachers of affiliated and constituent colleges, the officers and the non-teaching staff of the University,
  - (ii) the payment of fees for the use of the library,
  - (iii) the conditions of borrowing and returning books,
  - (iv) the suspension of privileges and the realisation of penalties for the loss, mutilation or disfigurement of books or for any breach of the Library Rules,
  - (v) the re-binding of books,
  - (vi) the repairs of library materials,
  - (vii) the provision of information service and pre-servation of Archival records including University records of archival value, and
  - (viii) the periodical inspection of the library;
- (h) to consider the proposals and suggestions, if any, which may be made by the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Finance Committee or the Committees for the University Departments of Studies and make recommendations thereon; and
- (i) to exercise general supervision over the management of the library and the working of the library staff and to do all that is in their opinion desirable for the maintenance of the library in an efficient condition within the limits of the annual grant to the library.

**St. 6 (L.C.)** All decisions of the Library Committee shall be submitted to the Executive Council for confirmation. The Confirmation of decisions Executive Council may approve or modify any decision of the committee or direct the Committee to review its decision.

**St. 7 (L. C.)** The Library Committee shall prepare the Annual Budget Budget Estimates Estimates for the library and forward the same to the Finance Committee.

## CHAPTER IV

## THE STATUTES RELATING TO CONSTITUTION, POWERS AND FUNCTIONS OF THE BOARD OF RESIDENCE AND DISCIPLINE

**St. 1 (B. R. D.)** (1) These Statutes may be called the Statutes relating to Constitution, Powers and Functions of the Board of Residence and Discipline.

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

**St. 2 (B. R. D.)** (1) In these Statutes, unless the context requires otherwise—

- (i) words and expressions used shall be interpreted to have the same meaning as they have in the Act;
- (ii) ‘Board’ means the Board of Residence and Discipline constituted under these Statutes;
- (iii) ‘Collegiate Hostel’ means a hostel for students of an affiliated college which is under the direct and exclusive control of the college;
- (iv) ‘Hall’ means a residence for students of a University Department of Studies which is under the direct and exclusive control of the University;
- (v) ‘Hostel’ means a residence recognised by the Board for the students of an affiliated college or the University; and
- (vi) ‘Non-collegiate Hostel’ means a hostel for students which is not under the direct control of any affiliated college or the University but is managed by some other authority, provided that, such an accommodation is within the knowledge of the college or of the University, as the case may be.

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

**St. 3** (B. R. D.) (1) The Board of Residence and Discipline shall be constituted with the following members, namely—

- (i) the Vice-Chancellor, who shall be the Chairman (ex-officio);
- (ii) the Inspector of Colleges, who shall be the Secretary (ex-officio);
- (iii) the Dean of the Faculty Council for Post-graduate Studies in Arts, Commerce, Law, Fine Arts and Music or Science, as may be the Vice-Chairman of the Council for Under-graduate Studies in Arts, Science, Commerce, Law, Fine Arts and Music (ex-officio);
- (iv) the Medical Officer of the University (ex-officio);
- (v) three teachers of affiliated colleges of whom one shall be from each of the Councils for Under-graduate Studies in (a) Arts, Science, Commerce, Law, Fine Arts and Music, (b) Engineering and Technology and (c) Medicine, to be nominated by the Executive Council;
- (vi) one representative of the Executive Council not being a teacher, to be nominated by that Council;
- (vii) one teacher-member of the Faculty Council for Post-graduate Studies in Arts, Commerce, Law, Fine Arts and Music, to be nominated by the Executive Council;
- (viii) one teacher-member of the Faculty Council for Post-graduate Studies in Science, to be nominated by the Executive Council;
- (ix) two Principals of affiliated colleges of whom one shall be the Principal of a Women's College, to be nominated by the Executive Council; and
- (x) the students' representative on the Executive Council (ex-officio).

**St. 4** (B. R. D.) (1) The term of office of the members, other than ex-officio members, shall be as specified in section 36 of the Act.

(2) Half of the total number of members of the Board plus one shall be the quorum for a meeting of the Board :

Provided that no quorum shall be required for an adjourned meeting.

(3) The Board shall meet at least thrice a year, preferably once in every three months or at shorter intervals if the Vice-Chancellor deems it necessary.

(4) The Secretary to the Board shall keep a record of the proceedings of the meetings of the Board.

**St. 5** (B. R. D.) Subject to the provisions of the Act, the Statutes, the Ordinances, the Regulations and the Rules, the Board shall exercise the following powers and perform the following duties, namely—

- (a) to recognise or withdraw recognition from halls or hostels in accordance with the provisions of the University Ordinances relating to Residence and Discipline of Students;
- (b) to recognise temporarily, in a case of emergency, as a hostel any residence for students other than the halls and the hostels referred to in clauses (iv) and (v) of St. 2 (B. R. D.) subject to such terms and conditions as the Board may, in each case, impose;
- (c) to supervise and control all halls, hostels and other places of residence for students referred to in clauses (iv) and (v) of St. 2 (B. R. D.) and to enforce the observance therein of the rules of discipline that may be made by the authorities of the University;
- (d) to arrange for the periodical inspection of halls, hostels and other places of residence referred to in clauses (iv) and (v) of St. 2 (B. R. D.);
- (e) to deal with cases of breach of discipline in any hall, hostel or such other place of residence in accordance with the provisions of the University Ordinances relating to Residence and Discipline of Statutes; and
- (f) to advise the Court and the Executive Council on the matters referred to in clauses (f), (g) and (h) of section 49 of the Act, in so far as they relate to the matters of residence and discipline of the students of the University and the affiliated colleges.

**St. 6** (B.R.D.) If any question arises in respect of any interpretation of the provisions envisaged in the Statutes under this Chapter or if any difficulty is experienced in the application thereof, the Vice-Chancellor shall give such directions as he may consider necessary in the matter and such directions shall be final and binding.

## CHAPTER V

### THE STATUTES RELATING TO THE CONSTITUTION, FUNCTION AND MANAGEMENT OF THE UNIVERSITY DEPARTMENTS OF STUDIES

**St. 1** (U.D.S.) (1) These statutes may be called the Statutes relating to the Constitution, Function and Management of the University Departments of Studies.

(2) They shall come into force from such date as the State Government may, under sub-section (5) of the Section 57 of the Act, appoint.

(3) With the coming into force of these Statutes the 'University Ordinances relating to University Colleges' shall stand repealed.

**St. 2** (U.D.S.) (1) In these Statutes, unless the context otherwise requires, words and expressions used shall be interpreted to have the same meaning as they have in the Act.

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

**St. 3** (U. D. S.) The University shall, in terms of clause (i) of sub-section (1) of section 18, clause (ii) of section 21 and other relevant provisions of the Act, establish and constitute University Departments of Studies and other institutions and centres for study and research.

**Explanation :** For the purpose of this Chapter, a University Department of Studies shall mean not merely the departments so established and constituted but also the institutions and centres for study and research directly managed and administered by the University.

**St. 4** (U. D. S.) (1) For every University Department of Studies, there shall be a Committee consisting of all the whole-time teachers of the Department, of which the Head of the Department as mentioned hereafter in St. 5 (U. D. S.) shall be the ex-officio Chairman :

Provided that if deemed necessary by the Head of the Department, part-time teachers of the department may be invited to attend and participate at the meetings of the Committee, but they shall have no right to vote.

(2) The Committee for a University Department of Studies shall perform the following duties and functions, namely—

- (a) maintain close liaison with the appropriate Board of Post-graduate Studies, Board of Research Studies and Faculty Council for Post-graduate Studies as also with other University Departments of Studies;
- (b) Supervise the day-to day administration of the Department; determine the allocation of teaching duties and arrangement of the time-table for classes, tutorials and seminars and take up other academic programmes in the department; and supervise and manage the libraries, laboratories, workshops and such other units or offices as may be placed under the direct control of the departments;
- (c) exercise due supervision over all expenditure in the department and ensure—
  - (i) that all moneys are expended on the objects for which they have been respectively allotted;
  - (ii) that no expenditure is incurred without competent sanction or in contravention of the procedure laid down in that regard in the accounts rules;
  - (iii) that a proper account is kept of all receipts and disbursements;
  - (iv) that no undue delay occurs in the settlement of bills;
  - (v) that all appliances, apparatuses and other effects purchased by or allocated to the department are maintained in proper conditions;
  - (vi) that a stock-register is maintained in the department and kept up-to date; and

(d) discharge such other duties and perform such other functions as may be assigned to it by the Faculty Council for Post-graduate Studies or by the Executive Council.

(3) A meeting of the Committee for a University Department of Studies shall normally be convened once a month (excluding vacation periods) by the Head of the Department.

(4) Half of the total number of members plus one of the Committee for a University Department of Studies shall form the quorum for a meeting of the Committee :

Provided that no quorum shall be required for an adjourned meeting.

(5) The Committee for a University Department of Studies will not normally take any formal vote on a matter and shall always endeavour to arrive at a decision on the basis of consensus.

(6) The Head of a University Department of Studies, as referred to in St. 5 (U.D.S.), shall act according to the decisions arrived at in the meetings of the Committee for that University Department of Studies; in case, he is unable to-concur with a decision taken by the Committee, he may formally request the Committee to re-consider the said decision, and if on re-consideration the Committee is unable to modify or change the decision, the matter may be referred to the Vice-Chancellor, whose ruling in this regard shall be final and binding.

St. 5 (U. D. S.) (1) There shall be a Head for every University Department of Studies, who shall be appointed by the Vice-Chancellor for a period of two years subject to the provisions of the Statutes in this Chapter on the basis of rotation from amongst the whole-time teachers of that Department of Studies ordinarily not below the rank of a Reader.

(2) The process of rotation shall be followed according to the principles enunciated hereunder :

In the first instance, the office of the Head of a Department of Studies shall rotate among the Professors. The seniormost of the teachers belonging to the cadre of Professor in the department who has not so far served as Head of the Department on regular basis, shall be appointed as the Head of the Department followed by the other Professors of the department in order of seniority ;

In the second instance, after all the Professors have completed their terms of office of the Head of the Department, the said office shall rotate among the teachers belonging to the cadre of Reader in order of seniority and in the same manner as in the case of Professors.

**Explanation :** (i) 'Cadre' means the category of teachers holding the post of Professor, Reader or Lecturer, as the case may be.

(ii) 'Seniority' of a teacher in a particular cadre shall be determined by the length of service rendered in the particular cadre at the University of Burdwan. When the length of service as such in respect of two or more teachers is the same, the seniority shall be determined on the basis of the total length of service rendered at the University of Burdwan in the capacity of a teacher. If seniority cannot be determined even then, it shall be determined on the basis of seniority in age.

(iii) In determining the aforementioned two-year period for the purpose of rotation, the period served by a teacher as the Head of a University Department of Studies on a regular basis under the provisions of the Statutes relating to the Management of the University Departments of Studies (which are now substituted by these Statutes) shall count.

(3) A teacher who has already held the office of the Head of the appropriate University Department of Studies for two years or more on the day or before the date of coming into force of the Statutes under this Chapter shall make over charge to the incumbent to be appointed by the Vice-Chancellor in accordance with the provisions of paragraphs (1) and (2). A teacher who has been holding or who has held the office of the Head of the appropriate University Department of Studies for a period of less than two years shall continue to hold such office till he completes the period of two years.

(4) A teacher who has already served as the Head of the appropriate University Department of Studies may be re-appointed to that office when everyone among the other eligible teachers of the department has already served in that office in the manner prescribed in paragraphs (1) and (2).

Every whole-time teacher shall normally be required to serve as the Head of the Concerned Department of Studies

(5) Every teacher holding-a whole-time appointment in the University shall normally be required to Serve as the Head of the appropriate University Department of Studies when so required in accordance with the provisions of this Chapter :

Provided that the Vice-Chancellor may, if he thinks fit, exempt a teacher from accepting the office of the Head of the Department on receipt of an application from him in this behalf.

(6) If the Head of a Department of Studies is on leave for a period not exceeding 180 days at a stretch or absent from duty for such period under the permission of the appropriate authority, the next senior teacher of the Department belonging to the appropriate cadre shall be appointed Head of the Department for the period of such absence on leave or otherwise :

Provided that if the former who thus enjoys leave.or is absent does not resume his duty on the expiry of the said period, he shall be deemed to have vacated the office of the Head of the Department and the latter who was appointed Head of the Department in his place would continue as such automatically, and shall hold the said office for two years including the period he served in place of the former Head of the Department :

Provided further that if the former resumes duty on the expiry of the period of 180 days or less, the period for which the latter served as Head of the Department shall not count towards his two years' tenure when appointed Head of the Department on his regular turn.

(7) The Principle of rotation as embodied in the foregoing paragraphs shall apply equally in the case of a vacancy in the office of the Head of a University Department of Studies caused by the resignation or death or release from the services of the University of an incumbent or by the grant of leave in his favour for a period exceeding 180 days.

Appointment of a Head of the Department in case of absence of the original incumbent

(5) Every teacher holding-a whole-time appointment in the University shall normally be required to Serve as the Head of the appropriate University Department of Studies when so required in accordance with the provisions of this Chapter :

Provided that the Vice-Chancellor may, if he thinks fit, exempt a teacher from accepting the office of the Head of the Department on receipt of an application from him in this behalf.

(6) If the Head of a Department of Studies is on leave for a period not exceeding 180 days at a stretch or absent from duty for such period under the permission of the appropriate authority, the next senior teacher of the Department belonging to the appropriate cadre shall be appointed Head of the Department for the period of such absence on leave or otherwise :

Provided that if the former who thus enjoys leave.or is absent does not resume his duty on the expiry of the said period, he shall be deemed to have vacated the office of the Head of the Department and the latter who was appointed Head of the Department in his place would continue as such automatically, and shall hold the said office for two years including the period he served in place of the former Head of the Department :

Provided further that if the former resumes duty on the expiry of the period of 180 days or less, the period for which the latter served as Head of the Department shall not count towards his two years' tenure when appointed Head of the Department on his regular turn.

(7) The Principle of rotation as embodied in the foregoing paragraphs shall apply equally in the case of a vacancy in the office of the Head of a University Department of Studies caused by the resignation or death or release from the services of the University of an incumbent or by the grant of leave in his favour for a period exceeding 180 days.

(8) In order that no difficulty arises in the handing over of the charges of the office of the Head of a Department of Studies to his successor, appropriate steps in this regard shall be taken well in advance of the date of expiry of the tenure of the outgoing incumbent.

**St. 6** (U. D. S.) The Head.of a University Department of Studies, so appointed, shall in accordance with the provisions of the Statutes under this Chapter act under the general guidance and advice of the Committee for that University Department of Studies and shall—

- (i) convene the meetings of the Committee for that University Department of Studies and maintain the records and proceedings of such meetings;
- (ii) implement the decisions of the said Committee for the University Department of Studies with the assistance, if necessary, of the other members of that Committee whose services he may draw upon in this regard ;
- (iii) report to the said Committee for the University Department of Studies the actions taken in implementing its decisions ;
- (iv) supervise, in accordance with the principles as may be laid down and the resolutions as may be adopted by the said Committee for the University Department of Studies, the day-to-day administration and other routine-matters of the department;
- (v) act as the ex-officio Chairman of the appropriate Board of Post-graduate Studies and Board of Under-graduate Studies and discharge such other ex-officio functions as may-be assigned to him by the Act, the Statutes, the Ordinances or the Regulations ; and
- (vi) discharge, in addition to his normal functions, such other duties, not inconsistent with the Act and the Statutes under this Chapter, as may be entrusted to him by the Executive Council, the appropriate Faculty Council for Post-graduate Studies or the Vice-Chancellor.

Steps for appointment of a new Head to be taken well ahead of time

(8) In order that no difficulty arises in the handing over of the charges of the office of the Head of a Department of Studies to his successor, appropriate steps in this regard shall be taken well in advance of the date of expiry of the tenure of the outgoing incumbent.

**St. 6** (U. D. S.) The Head.of a University Department of Studies, so appointed, shall in accordance with the provisions of the Statutes under this Chapter act under the general guidance and advice of the Committee for that University Department of Studies and shall—

- (i) convene the meetings of the Committee for that University Department of Studies and maintain the records and proceedings of such meetings;
- (ii) implement the decisions of the said Committee for the University Department of Studies with the assistance, if necessary, of the other members of that Committee whose services he may draw upon in this regard ;
- (iii) report to the said Committee for the University Department of Studies the actions taken in implementing its decisions ;
- (iv) supervise, in accordance with the principles as may be laid down and the resolutions as may be adopted by the said Committee for the University Department of Studies, the day-to-day administration and other routine-matters of the department;
- (v) act as the ex-officio Chairman of the appropriate Board of Post-graduate Studies and Board of Under-graduate Studies and discharge such other ex-officio functions as may-be assigned to him by the Act, the Statutes, the Ordinances or the Regulations ; and
- (vi) discharge, in addition to his normal functions, such other duties, not inconsistent with the Act and the Statutes under this Chapter, as may be entrusted to him by the Executive Council, the appropriate Faculty Council for Post-graduate Studies or the Vice-Chancellor.

Duties and functions of the Head of a University Department of Studies

(8) In order that no difficulty arises in the handing over of the charges of the office of the Head of a Department of Studies to his successor, appropriate steps in this regard shall be taken well in advance of the date of expiry of the tenure of the outgoing incumbent.

**St. 6** (U. D. S.) The Head.of a University Department of Studies, so appointed, shall in accordance with the provisions of the Statutes under this Chapter act under the general guidance and advice of the Committee for that University Department of Studies and shall—

- (i) convene the meetings of the Committee for that University Department of Studies and maintain the records and proceedings of such meetings;
- (ii) implement the decisions of the said Committee for the University Department of Studies with the assistance, if necessary, of the other members of that Committee whose services he may draw upon in this regard ;
- (iii) report to the said Committee for the University Department of Studies the actions taken in implementing its decisions ;
- (iv) supervise, in accordance with the principles as may be laid down and the resolutions as may be adopted by the said Committee for the University Department of Studies, the day-to-day administration and other routine-matters of the department;
- (v) act as the ex-officio Chairman of the appropriate Board of Post-graduate Studies and Board of Under-graduate Studies and discharge such other ex-officio functions as may-be assigned to him by the Act, the Statutes, the Ordinances or the Regulations ; and
- (vi) discharge, in addition to his normal functions, such other duties, not inconsistent with the Act and the Statutes under this Chapter, as may be entrusted to him by the Executive Council, the appropriate Faculty Council for Post-graduate Studies or the Vice-Chancellor.

**St. 7** (U. D. S.) (1) Save as otherwise provided, in case a doubt or difficulty arises in connection with a matter related to the interpretation or application of the Statutes under this Chapter or in respect of a matter not expressly provided for therein, the Vice-Chancellor may, give such interpretation or direction not inconsistent with the Act and the said Statutes as he may consider necessary and proper.

(2) Notwithstanding anything contained in the Statutes under this Chapter, if in the opinion of the Vice-Chancellor, a particular Departmental Committee and/or the Head of the Department has failed to discharge the functions enumerated in the Statutes under this Chapter, the Vice-Chancellor, with the approval of the Executive Council, shall have the power to appoint another teacher as Head of the Department in accordance with the provisions of the said Statutes and in such an event, the Head of the Department existing at the material point of time shall be deemed to have vacated the office of the Head of the Department.

## CHAPTER VI

### THE STATUTES RELATING TO OFFICERS OF THE UNIVERSITY

**St. 1** (O. U.) (I) These Statutes may be called the Statutes relating to Officers of the University.

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

**St. 2** (O. U.) (1) In these Statutes, unless the context requires otherwise, words and expressions used shall be interpreted to have the same meaning as they have in the Act.

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

**\* St. 3** (O. U.) The following posts in the University are declared to be the posts of Officers of the University under clause (iv) of section 7 of the Act, namely—

- (i) Inspector of Colleges,
- (ii) Controller of Examinations,
- (iii) Administrative Officer/Development Officer,
- (iv) University Librarian,
- (v) Deputy Registrar,
- (vi) Deputy Inspector of Colleges,
- (vii) Deputy Controller of Examinations,
- (viii) Deputy Librarian,
- (ix) Placement & Students' Welfare Officer,
- (x) Audit & Accounts Officer,
- (xi) Secretary, Faculty Council for Post-graduate Studies,
- (xii) Secretary, Council for Under-graduate Studies,
- (xiii) University Engineer,
- (xiv) Medical Officer,
- (xv) Assistant Registrar,
- (xvi) Assistant Controller of Examinations,
- (xvii) Accounts Officer,
- (xviii) Estate Officer,
- (xix) Assistant Librarian,
- (xx) Sports Officer,
- (xxi) Publications Officer,
- (xxii) Assistant Engineer,
- (xxiii) Junior Medical Officer,
- (xxiv) Trust Officer,
- (xxv) Curator, and
- (xxvi) Superintendent, University Press.

\* indicates the provisions of St. 3 (O. U.) amended. [Amendment assented by the Cancellor on 08.11.2003]

**St. 4** (O. U.) Save as otherwise provided in the Act, the Registrar shall be under the direct control of the Vice-Chancellor and the Executive Council and shall—

- (i) be the Secretary to such Authorities, Bodies or Committees of the University as may be specifically prescribed by the Statutes or the Ordinances;
- (ii) be the Member-Secretary of any Committee constituted by the Court or the Executive Council, except as may be specifically provided otherwise ;
- (iii) maintain the minutes of the meetings of the Court, the Executive Council and such other Authorities or Bodies of the University as may be specifically prescribed by the Statutes or the Ordinances ;
- (iv) be the custodian of general records and Common Seal of the University;
- (v) conduct official correspondence on behalf of the University and of the Court, the Executive Council and such other Authorities, Bodies or Committees as may be directed by the Vice-Chancellor, except as may be provided otherwise by the Statutes or the Ordinances ;
- (vi) conduct elections to all Authorities or Bodies of the University as may be prescribed by the Statutes or the Ordinances and shall act as the Returning Officer for conducting such elections, unless otherwise provided for in the relevant Statutes relating to holding of such elections;
- (vii) be responsible for maintenance of service records of the Officers, Teachers and other employees of all the departments of the University ;
- (viii) take necessary steps in respect of appointment to all categories of posts of Offices, Teachers and Non-teaching Staff of the University and conduct all correspondence pertaining thereto on behalf of the University;
- (ix) take necessary steps under the direction of the Vice-Chancellor and the Executive Council, for execution of plans for development and improvement of higher education as may be recommended by the State Government or the University Grants Commission from time to time ;

- (x) represent the University and sign papers in connection with all legal proceedings for or against the University, unless otherwise empowered by the Vice-Chancellor ;
- (xi) act as the Convener of the meetings of the Boards of Research Studies and such other Bodies as may be determined from time to time;
- (xii) maintain a list of duties, other than those provided for in this Chapter, as may be assigned to any Officer of the University as enumerated in St. 3 (O.U.); and
- (xiii) perform such other duties and functions as may be assigned to him by the Vice-Chancellor and the Executive Council, from time to time.

**St. 5** (O. U.) Save as otherwise provided in the Act, the Finance Officer shall be under the direct control of the Vice-Chancellor and the Executive Council and shall—

- (i) administer the funds, the finances, the properties and assets and all endowments and trusts of the University ;
- (ii) be responsible for all receipts and disbursements ;
- (iii) ensure regular maintenance of Stock Registers and other relevant records of the Finance Department ;
- (iv) ensure annual physical verification of all the items of equipments and apparatuses of the University entered into the Stock Registers;
- (v) prepare and present the annual Statement of Accounts, the Audit Report in respect of the Annual Statement of Accounts, the Internal Audit Report and the Annual Budget to the Court; and submit the Audit Report to the State Government in terms of the provisions of the Act, the Statutes and the Ordinances;
- (vi) be responsible for the purchase of all articles including stationery, laboratory apparatuses and equipments, and other machinery as may be required by the University subject to such orders as may be passed by the Vice-Chancellor ;
- (vii) maintain a list of duties, other than those provided for in this Chapter as may be assigned to every Officer under his direct control;
- (viii) act as the Convener of the meetings of the Finance Committee and Such other Bodies as may be determined from time to time; and



- (ix) perform such other duties and functions as may be assigned to him by the Vice-Chancellor and the Executive Council, from time to time.

**St. 6** (O. U.) The Inspector of Colleges shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Vice-Chancellor and shall—

- (i) ensure the implementation of the prescribed terms and conditions of affiliation and dis-affiliation of colleges ;
- (ii) examine and submit reports in respect of recognition and withdrawal of recognition from colleges, as Constituent or Professional colleges;
- (iii) report on colleges and other institutions as have applied for affiliation or recognition ;
- (iv) inspect colleges and other recognised institutions, prepare reports and maintain records in relation thereto ;
- (v) maintain a list of duties, other than those provided for in this Chapter, as may be assigned to every Officer under his direct control; and
- (vi) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 7** (O. U.) The Controller of Examinations shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Vice-Chancellor and shall—

- (i) be in-charge of the Examination Department of the University;
- (ii) be responsible for all administrative arrangements in connection with the conduct of examinations and the publication of results thereof;
- (iii) maintain a list of duties other than those provided for in this Chapter, as may be assigned to every Officer under his direct control;
- (iv) act as the Convener of meetings of such Committees and Boards as may be determined from time to time; and
- (v) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 8** (O. U.) The Administrative Officer/Development Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall—

- (i) look after the developmental needs of the University and move the University Grants Commission and other Funding/Sponsoring Agencies for implementation of the plans, programmes and schemes as may be submitted by the University;
- (ii) assist the Registrar in the matter of preparation and execution of different developmental schemes of the University;
- (iii) assist the Registrar in preparing plans and estimates of buildings and the like and to render such assistance as may be required by him for undertaking such projects ;
- (iv) assist the Finance Officer in dealing with matters relating to financial assistance from the University Grants Commission;
- (v) assist the Registrar in the matter of holding Conferences, Symposia and the like;
- (vi) prepare statistical reports concerning development proposals, undertake evaluation of plans, programmes and technical reports for consideration by the Vice-Chancellor and the appropriate authorities of the University ; and
- (vii) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 9** (O.U.) The University Librarian shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Vice-Chancellor and shall—

- (i) be in-charge of the University Libraries;
- (ii) be responsible, subject to the advice and counsel of the Library Committee, for the selection, requisition and cataloguing of books, manuscripts and other publications;
- (iii) be responsible for developing the procedure to ensure the effective use of Library facilities and materials ;
- (iv) act as the Convener of the meetings of the Library Committee and such other Bodies as may be determined from time to time; and
- (v) perform such other duties and functions as the Library Committee and the Vice-Chancellor may require him to do.

**St. 10** (O. U) The Deputy Registrar shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall perform such duties and functions as may be assigned to him by the Registrar, from time to time.

**St. 11** (O. U.) The Deputy Inspector of Colleges shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Inspector of Colleges and shall perform such duties and functions as may be assigned to him by the Inspector of Colleges, from time to time.

**St. 12** (O. U.) The Deputy Controller of Examinations shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Controller of Examinations and shall perform such duties and functions as may be assigned to him by the Controller of Examinations, from time to time.

**St. 13** (O. U.) The Deputy Librarian shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the University Librarian and shall perform duties and functions as may be assigned to him by the University Librarian, from time to time.

**St. 14** (O.U.) The Placement and Students' Welfare Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall remain in-charge of the University Employment, Information and Guidance Bureau ; and shall assist the Registrar in preparing plans and in the matter of implementation of programmes relating to welfare activities of the students. He shall also perform such other duties and functions as may be assigned to him by the Registrar, from time to time.

**St. 15** (O.U.) The Audit and Accounts Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Finance Officer and shall ensure continuous internal audit of the University accounts and shall perform such other duties and functions as may be assigned to him by the Finance Officer, from time to time.

**St. 16** (O.U.) The Secretary of a Faculty Council for Post-graduate Studies shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Vice-Chancellor and shall—

- (i) be responsible for the management of all academic activities including teaching, research and conduct of examinations of the University Departments of Studies;
- (ii) deal with matters relating to purchase of laboratory equipments and fittings and the like of the University Departments of Studies;
- (iii) act as the convener of the meetings of the Boards of Post-graduate Studies and other Bodies or Committees as may be determined from time to time; and
- (iv) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 17** (O.U.) The Secretary of a Council for Under-graduate Studies shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Vice-Chancellor and shall—

- (i) ensure efficient management of Under-graduate Studies and draw up specific schemes in this behalf in consultation with the Inspector of Colleges and the Administrative Officer/ Development Officer;
- (ii) act as the convener of the meetings of the Boards of Under-graduate Studies and such other Bodies as may be determined from time to time; and
- (iii) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 18** (O.U.) The University Engineer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Finance Officer and shall—

- (i) be responsible for the construction, repair and maintenance of the buildings, preparation of estimates, drawings, verification of all bills for labour and contracts;
- (ii) ensure the proper maintenance of the measurement books, log books and other records of the department; and

- (iii) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 19** (O.U.) The Medical Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall—

- (i) give medical advice and aid to the members of the University Health Centre;
- (ii) ensure the proper maintenance and up keep of the instruments and apparatuses of the University Health Centre.
- (iii) be responsible for the overall working of the University Health Centre; and
- (iv) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 20** (O.U.) The Assistant Registrar shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall assist him and the Deputy Registrar in the performance of their functions and shall perform such other duties and functions as may be assigned to him by the Registrar.

**St. 21** (O.U.) The Assistant Controller of Examinations shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the controller of Examinations and shall assist him and the Deputy Controller of Examinations in the performance of their functions and shall perform such other duties and functions as may be assigned to him by the Controller of Examinations.

**St. 22** (O.U.) The Accounts Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Finance Officer and shall assist him and the Audit and Accounts Officer in the performance of their functions and shall perform such other duties and functions as may be assigned to him by the Finance Officer.

**St. 23** (O.U.) The Estate Officer shall be a whole time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall—

- (i) assist the Registrar and the Finance Officer in their respective spheres of duties in the management of the University properties including the University Guest House, the Calcutta Camp Office of the University and the University vehicles;
- (ii) ensure security of the University campuses; and
- (iii) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 24** (O.U.) The Assistant Librarian shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Librarian and shall assist him and the Deputy Librarian in the performance of their functions and shall perform such other duties and functions as may be assigned to him by the Librarian.

**St. 25** (O.U.) The Sports Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall—

- (i) initiate plans and programmes for raising the standards of Sports and Games in the University;
- (ii) ensure the proper maintenance of University play grounds, stadium, gymnasium and the like; and
- (iii) perform such other duties and functions as the Sports Board and the Registrar may require him to do.

**St. 26** (O.U.) The Publications Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall—

- (i) be responsible, subject to the decisions of the Publications Committee, for publication of books, journals and other literature and the like by the University;
- (ii) promote sales of the University publications;
- (iii) arrange for participation in different Book Fairs, from time to time, as may be considered necessary;
- (iv) ensure proper management, maintenance and effective use of the University Sales Counter; and
- (v) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 27** (O.U.) The Assistant Engineer shall be a whole-time officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the University engineer and shall perform such duties and functions as may be assigned to him by the University Engineer.

**St. 28** (O.U.) The Junior Medical Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the medical Officer and shall perform such duties and functions as may be assigned to him by the Medical Officer.

**St. 29** (O.U.) The Trust Officer shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Finance Officer and shall—

- (i) assist the Finance Officer in the management of affairs relating to Trust and Endowments;
- (ii) ensure observance of the terms and conditions of the acceptance of such Trust and Endowments; and
- (iii) perform such other duties and functions as may be assigned to him by the Finance Officer.

**St. 30** (O.U.) The Curator shall be a whole time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall—

- (i) be responsible for the proper maintenance and development of Museum & Art Gallery;
- (ii) be responsible for the proper maintenance of the Stock Register which shall contain entries of all materials in possession of the Museum & Art Gallery and in getting the entries duly authenticated by such person or persons as may be authorised in this behalf by the Executive Council;
- (iii) maintain, under advice of the Head of the Department of History of the University, the Library attached to the Museum & Art Gallery in an effective way so that the students and the Research Scholars and others connected with the studies of ancient History and Culture can be benefited in their pursuit of knowledge in the concerned field of studies;

- (iv) effect purchase of museum objects as may be determined from time to time by the Executive Council, through a Committee as may be constituted by it in this behalf;
- (v) arrange for the cataloguing of the museum objects; and
- (vi) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 31** (O.U.) The Superintendent, University Press shall be a whole-time Officer of the University and shall be appointed by the Executive Council on such terms and conditions as may be decided by it. He shall be under the direct control of the Registrar and shall—

- (i) be responsible for the proper operation and maintenance of the Printing Press in all its aspects; and
- (ii) perform such other duties and functions as the Vice-Chancellor may require him to do.

**St. 32** (O.U.) Except as specifically prescribed by the Act and the Statutes, no member of the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Members of the Court etc. not to be Officers of the University Councils for Under-graduate Studies, the Boards of Studies, the Finance Committee and such Authorities of the University as may be established under clause (7) of section 16 of the Act, shall be an officer of the University and in case any such member is appointed as an officer, he shall be deemed to have vacated his office as such member of the concerned Authority from the date on which he is so appointed.

**St. 33** (O.U.) The qualifications of the Officers of the University shall be as specified in the Schedule appended to this Chapter and as may be prescribed and amended from time to time by the University.

**St. 34** (O.U.) Save as otherwise provided elsewhere in the Act, appointments to all posts of Officers of the University shall be made on the recommendation of the standing Committee or Committees as may be constituted by the Executive Council and in accordance with such procedure and methods as may be prescribed by it under the provisions of section 33 of the Act.

**St. 35** (O.U.) Save as otherwise provided in the Act, in case a vacancy occurs in the post of any Officer of the University by reason of leave, illness, removal, resignation or otherwise, the Executive Council shall have the power to make

an officiating appointment in such vacancy pending a permanent appointment, if necessary.

**St. 36** (O.U.) Unless the terms of contract in any particular case provide otherwise, an Officer of the University shall be entitled to such leave as may be admissible to him under the University Leave Rules.

**St. 37** (O.U.) The Executive Council shall be competent to suspend, discharge or otherwise punish an Officer of the University for gross misconduct or for the violation of the provisions of the Act, the Statutes, the Ordinances, the Regulations and the Rules of the University or the terms of his appointment or any other indiscipline as may call for such action; and shall prescribe by the Statutes and the Ordinances relevant disciplinary rules for the purpose.

**St. 38** (O.U.) Every Officer of the University shall be entitled to pay and allowances conforming to the time-scale of pay and rates of allowances as prescribed or as may be determined by the Executive Council from time to time in terms of the relevant orders of the State Government on the subject.

**St. 39** (O.U.) Subject to the provisions of the Act and the terms of contract of service in any particular case and the orders as may be issued by the State Government from time to time, every Officer of the University shall retire from services from the afternoon of the last day of the month in which he completes the 60th year of age.

**St. 40** (O.U.) The Registrar shall maintain and keep an up-to-date age Register for all the Officers of the University in which he shall enter—

- (a) the name and designation of every Officer of the University;
- (b) the date of his birth;
- (c) the date of his appointment as such Officer;
- (d) his age on the date of such appointment;
- (e) the date on which he is due to retire; and
- (f) remarks; if any.

*Explanation :* Entries relating to the age of an Officer of the University shall be made on the basis of his age as recorded in his Matriculation, School Final, Higher Secondary, Madhyamik Examination Certificate or the Certificate of any such First Public Examination, as the case may be, passed by him, whenever available; or, in the absence thereof, on such basis as the Vice-Chancellor may decide in each particular case.

**St. 41** (O.U.) No whole-time salaried Officer of the University shall accept any employment with or without remuneration other than that of his office.

*Explanation :* If any question arises whether any arrangement entered into by an Officer amounts to an employment within the meaning of this Statute, the matter shall be decided by the Executive Council.

**St. 42** (O.U.) If on account of any lacunae or omission in the provisions of any of the Statutes under this Chapter, or for an other reason whatsoever, any difficulty arises in giving effect to the provisions of this Chapter, the Vice-Chancellor, subject to the approval of the Executive Council, may, in the interest of the University take such action as he deems fit.

THE SCHEDULE

[See St. 33 (O. U.)]

**Qualifications of Officers of the University**

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
1. Registrar/ Inspector of Colleges/ Controller of Examinations	<p>(a) <i>Essential :</i></p> <p>(i) Uniformly good academic record with a B+ Master's Degree or its equivalent.</p> <p>(ii) At least 15 years's experience in Academic Institutions like University or in an Institute of higher learning of which 5 years must be in high level administration in a University or in an Institute of Post-graduate Study.</p> <p>(iii) Age not less than 40 years. Relaxable in the case of exceptionally qualified candidates.</p> <p>(b) <i>Desirable :</i></p> <p>(i) A Doctorate Degree or published research work of merit;</p>

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	or
	(ii) High level administrative experience in a Government or Quasi-Government organisation or a good background in administration and management in senior position.
	(iii) For the post of Controller of Examinations, it is essential to have experience in conducting examinations either in Institution of higher learning or in Service Commission
	(iv) For the post of Inspector of Colleges, it will be essential to have experience in administration of colleges desirably in a position not less than that of a Principal of a College.
2. Finance Officer	(a) <i>Essential :</i>
	(i) Uniformly good academic record with a B+ Master's Degree or its equivalent professional qualification.
	(ii) Membership of the Institute of Chartered Accountants/Cost Accountants of India or experience in I.A.A.S. and equivalent Service
	or
	a Master's Degree in Business Administration with specialisation in Finance.
	In case of candidates holding professional qualifications as in item (ii), the requirement of M. A. degree may be waived.
	(iii) Preference will be given to Master's Degree in Commerce.
	(iv) At least 15 years' experience in a Government or in a University or in an Institute of Higher Learning in a

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	high administrative post involving supervision, control, planning and audit.
	(v) Age not less than 40 years. Relaxable in case of exceptionally qualified candidates.
3. Administrative Officer/ (a) Development Officer	<i>Essential :</i>
	(i) Uniformly good academic record with a B+ Master's Degree.
	(ii) At least 10 years' experience in a position involving supervision, control and planning of administration of Colleges, Universities/Institutes of Higher Learning or Government or Quasi Government organisation.
	(iii) Age not below 35 years. Relaxable in the case of exceptionally qualified candidates.
	(b) <i>Desirable :</i>
	(i) A Doctorate Degree or published work of high standard.
	(ii) Experience of at least 7 years in University or in Post-graduate Research Organisation as Assistant Registrar or equivalent post. In that case, records of performance will be examined.
4. Librarian	(a) <i>Essential :</i>
	(i) Uniformly good academic record with a B+ Master's Degree in Library Science or a B+ Master's Degree followed by a Bachelor's Degree in Library Science.
	(ii) At least 10 years' experience of working in Administration/ Management position in a Library of a University or an Institute of Post-graduate Studies.

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	(iii) Age not less than 40 years. Relaxable in case of exceptionally qualified candidates.
	(b) <i>Desirable :</i>
	(i) A Doctorate Degree or published research work of similar merit.
	(ii) Knowledge of at least one foreign language (other than English).
5. Deputy Registrar/ Deputy Controller of Examinations/Deputy Inspector of Colleges/ Secretary of a Faculty Council for Post- graduate Studies/ Secretary of a Council for Under graduate Studies	(a) <i>Essential :</i>
	(i) Uniformly good academic record with a B+ Master's Degree or its equivalent.
	(ii) At least 10 years' experience in a position involving supervision, control and planning of Examinations, administration of Colleges or in an Institute of Higher Learning or Government or other academic bodies. At least 5 years of the the 10 years' experience should be in higher position of high level administration.
	(iii) Age not less than 35 years. Relaxable in case of exceptionally qualified candidates.
	(b) <i>Desirable :</i>
	(i) A Doctorate Degree or published paper of high standard. or
	(ii) Experience of at least 10 years in a fairly senior position in any academic Institution like a College or a University or a research organisation.
	(iii) For Deputy Controller of Examinations it is essential to have

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	experience of at least 3 years in conducting of examinations in either under-graduate teaching Institution or equivalent.
6. Deputy Librarian	(a) <i>Essential :</i>
	(i) Uniformly good academic record with a B+ Master's Degree in Library Science or a B+ Master's Degree followed by a Bachelor's Degree in Library Science.
	(ii) At least 10 years' experience in working in senior position like Assistant Librarian in a Library of repute, preferably in a University or in an Institute of Higher Learning.
	(iii) Age not below 35 years. Relaxable in the case of exceptionally qualified candidates.
	(b) <i>Desirable :</i>
	(i) A Doctorate Degree or published research work of merit.
	(ii) Knowledge of Foreign Language.
7. Placement & Students' Welfare Officer	(a) <i>Essential :</i>
	(i) Uniformly good academic record with a B+ Masters's Degree or its equivalent.
	(ii) At least 7 years' experience in a responsible administrative/academic position in a University or in a College or in an Institute of Higher Learning or Government or other academic bodies.
	(iii) Age not less than 35 years. Relaxable in the case of exceptionally qualified candidates.
	(b) <i>Desirable :</i>
	(i) A Doctorate Degree or published papers of high standard.

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	or
	(ii) Should have experience of liaison work and interaction with Industrial, Government or Financial Institutions for placement of students. Should also have the ability to organise welfare activities of students.
8. Audit & Accounts Officer	(a) <i>Essential :</i> (i) Uniformly good academic record with a B+ Master's Degree (ii) Experience in Audit and Accounts work for at least 7 years in senior position involving supervision, control and planning and management of Audit and Accounts. (iii) Master's Degree in Commerce/ Business Management will be given preference. (iv) Age not less than 35 years. Relaxable in the case of exceptionally qualified candidates. (b) <i>Desirable :</i> Membership of the Institute of Cost Accountants and Chartered Accountants of India. The requirement of Master Degree will be waived in case of such candidates.
9. University Engineer	(a) <i>Essential :</i> (i) Uniformly good academic record with first or high second class graduation in Engineering. (ii) At least 10 years' experience in a position involving supervision, control and planning of construction work under Government/Quasi-Government/University/Institute of Higher Learning.

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	(iii) Age not below 35 years. Relaxable in the case of exceptionally qualified Candidates.
	(b) <i>Desirable :</i> A Post-graduate Degree in Civil, Mechanical or Electrical Engineering. or Experience of 5 years in large scale industrial concern for a position involving decision making in planning, estimating, designing and supervision of construction.
10. Medical Officer	(a) <i>Essential :</i> (i) An M. B. B. S. Degree recognised by the I. M. C. (ii) At least 10 years experience of medical practice in a Government/ Military/Quasi-Government Hospitals. (iii) Age not below 35 years. Relaxable in the case of exceptionally qualified candidates. (iv) 10 years experience in hospital may be relaxed in case of private practice of reputation for 15 years. (b) <i>Desirable :</i> Post-graduate Degree in any of the branches of the Medical Science or diploma in Public and Tropical Medicine.
11. Assistant Registrar/ Assistant Controller of Examinations	(a) <i>Essential :</i> (i) Uniformly good academic record with a B+ Master's Degree or its equivalent. (ii) At least 10 years experience in a Supervisory capacity in a University or a Research Institute or a Government/ Quasi Government organisation.



<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	(iii) Age not below 30 years. Relaxable in case of exceptionally qualified candidates.
	(b) <i>Desirable</i> : A degree in Business Management or Law or Statistics or planning.
Note :	Qualification of Master's Degree may be relaxed in the case of candidates possessing uniformly good academic record with at least 7 years' experience as superintendent or in equivalent post in a University. In that case, the performance records of such candidates for 7 years will also be examined.
12. Account Officer :	(a) <i>Essential</i> : (i) Uniformly good academic record with a B+ Master's Degree or its equivalent. (ii) At least 5 years' experience involving supervision, control, planning and management of accounts and audit. or preparation of Budget in a Government/Quasi-Government organisation or University/Institute of Higher Learning. (iii) Age not below 30 years. Relaxable in the case of exceptionally qualified candidates.
	(b) <i>Desirable</i> : Membership of Institute of Cost and Chartered Accountants of India or a Degree or Diploma from a recognised Institute of Management or passed S. A. S. Examination. The requirement of Master Degree will be waived in

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
	the case of candidate with good academic record having at least 10 years' working experience in senior position in any University or Insitutte of Higher Learning involving budgeting, maintenance of Accounts and Audit.
13. Estate Officer/ Trust Officer	(a) <i>Essential</i> : (i) A Degree in Law or Management. (ii) At least 5 years' experience in dealing with matters for up-keeping of an estate including management of properties, control of personnel and the like. (iii) Age not below 30 years. Relaxable in the case of exceptionally qualified candidates.
	(b) <i>Desirable</i> : Experience in gardening/landscaping or experience in inventory control or as legal consultant to a large scale industrial concern.
14. Assistant Librarian	(a) <i>Essential</i> : (i) Uniformly good academic record with a B+ Master's Degree with a Bachelor's Degree in Library Science or a Master's Degree in Library Science. (ii) Age not below 30 years. Relaxable in the case of exceptionally qualified candidates.
	(b) <i>Desirable</i> : At least 7 years' experience in a recognised Library preferably belonging to University or an Institute of Higher Learning.

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
15. Sports Officer	<p>(a) <i>Essential</i> :</p> <p>(i) Constantly good academic record followed by Master Degree in Physical Education or a Master Degree with a Diploma or Degree in Physical Education.</p> <p>(ii) A minimum of 5 years' experience in organising and conducting physical Education or Sports activities in a College/Institute of Higher Learning. Preference will be given to a candidate having Diploma/Degree from the National Institute of Sports. Requirement of Master's Degree may be waived in case of Graduate candidates with good academic record or at least 10 years's experience of recognition in allied fields.</p> <p>(b) <i>Desirable</i> :</p> <p>Experience in sports, games and sports administration recognised by the All India Sports Council.</p>
16. Publications Officer	<p>(a) <i>Essential</i> :</p> <p>(i) Uniformly good academic record followed by a B+ Master's Degree or its equivalent.</p> <p>(ii) For graduates with Degree or Diploma in Printing Technology, the Master's Degree may be waived.</p> <p>(iii) At least 10 years' experience in editing and organising publication work through press.</p> <p>(iv) Age not less than 30 years. Relaxable in the case of exceptionally qualified candidates.</p> <p>(b) <i>Desirable</i> :</p> <p>A Degree or Diploma in Journalism.</p>

<i>Name of Post(s)</i>	<i>Qualifications Required</i>
17. Assistant Engineer	<p>The requirement of Master Degree may be waived for candidates having 15 years' experience in editing and publication work in publishing concern of high repute.</p> <p>(a) <i>Essential</i> :</p> <p>(i) Uniformly good academic record with Degree in Engineering.</p> <p>(ii) At least 5 years experience in a position involving supervision, control and planning of construction work under Government/Quasi-Government organisation or in University and such other Institutions.</p> <p>(iii) The requirement of Bachelor's Degree may be waived in the case of A. M. I. E. and at least 15 years' experience as Sub-assistant Engineer in a University/Institute of Higher Learning.</p> <p>(iv) Age not below 30 years. Relaxable in case of exceptionally qualified candidates.</p> <p>(b) <i>Desirable</i> :</p> <p>Degree or equivalent qualification.</p>
18. Junior Medical Officer	<p>(a) <i>Essential</i> :</p> <p>(i) An M. B. B. S. degree recognised by the I. M. C.</p> <p>(ii) At least 5 years' experience of medical practice in Government/Military/Quasi-Government hospitals or 7 years' private medical practice of reputation.</p> <p>(iii) Age not below 30 years. Relaxable in the case of exceptionally qualified candidates.</p>

**Name of Post(s)****Qualifications Required**

19. Curator
- (b) *Desirable* :  
Diploma in Public Health/Tropical Medicines or Post-graduate Degree in Medicine or allied medical subjects.
- (a) *Essential* :
- (i) Uniformly good academic record followed by a B+ Master's Degree in History or in ancient Indian History with Post-graduate Degree or Diploma in Museology.
- (ii) At least 7 years' experience in an administrative position in a reputed museum.
- (iii) Age not below 35 years. Relaxable in the case of exceptionally qualified candidates.
20. Superintendent,  
University Press
- (a) *Essential* :
- (i) Uniformly good academic record with a B+ Master Degree.
- (ii) For graduates with Degree/Diploma in Printing Tehcnology, the Master's Degree may be waived.
- (iii) At least 10 years' experience in printing and publication and in management of Printing Press.
- (iv) Age not below 30 years. Relaxable in the case of exceptionally qualified candidates.
- (b) *Desirable* :  
15 years experience in management of a Government/University/College press in supervisory position in which case the requirement of a Masters's Degree may be waived.

## CHAPTER VII

THE STATUTES RELATING TO QUALIFICATIONS OF TEACHERS  
OF THE UNIVERSITY

- St. 1** (Q. U.T) (I) These Statutes may be called the Statutes relating to Qualifications of Teachers of the University.
- (2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.
- St. 2** (Q. U. T.) (1) In these Statutes, unless the context requires otherwise, word and expressions used shall be interpreted to have the same meaning as they have in the Act.
- (2) Subject to the provisions of clauses (22) and (25) of section 2 of the Act, the teachers imparting instruction in a subject having a University Department of Studies or to any courses of Studies as may be introduced by the University; and the teachers of an Institution maintained or established by the University, shall be deemed to be the Teachers of the University for the purposes of the Statutes under this Chapter.
- (3) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.
- St. 3** (Q. U. T.) The minimum qualifications of the Teachers of the University shall be as specified in the Schedules appended to this Chapter or as may be prescribed and amended from time to time by the University Grants Commission.

## SCHEDULE I

**Minimum qualifications for appointment to the posts of Professors and Readers in the faculties of Arts, Science, Social Sciences, Commerce and Management studies**

## PROFESSOR

An eminent scholar with published work of high quality actively engaged in research. About ten years' experience of teaching and/or research. Experience of guiding research at doctoral level.

or

An outstanding scholar with established reputation who has made significant contribution to knowledge.

READER

Good academic record with a doctoral degree or equivalent published work. Evidence of being actively engaged in (i) research or (ii) innovation in teaching methods or (iii) production of teaching materials.

At least five years' experience of teaching and/or research provided that at least three of these years were as Lecturer or in an equivalent position.

This condition may be relaxed in the case of candidates with outstanding record of Teaching/Research.

*Explanation :*

For determining "good academic record" the following criteria shall be adopted :

- (i) A candidate holding a Ph. D. degree should possess at least a second class Master's degree; or
- (ii) A candidate without a Ph. D. degree should possess a high second class Master's degree and second class in the Bachelor's degree; or
- (iii) A candidate not possessing Ph.D. degree but possessing second class Master's degree should have obtained first class in the Bachelor's degree.

SCHEDULE II

**Minimum Qualifications prescribed for appointment to the post of Lecturers**

LECTURER

- (a) A Doctor's degree or research work of an equally high standard; and
- (b) Good academic record with at least second class (C in the seven point scale) Master's degree in a relevant subject from an Indian University or an equivalent degree from a foreign University.

Having regard to the need for developing inter-disciplinary programmes, the degrees in (a) and (b) above may be in relevant subjects :

Provided that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published work is of very high standard, it may relax any of qualifications prescribed in (b) above:

Provided further that if a candidate possessing a Doctor's degree or equivalent research work is not available or is not considered suitable, a person possessing a good academic record, (weightage being given to M. Phil. or equivalent degree or research work of quality) may be appointed provided he has done research work for at least two years or has practical experience in research laboratory/organisation on the condition that he will have to obtain a doctor's degree or give evidence of research of high standard within eight years of his appointment, failing which he will not be able to earn future increment until he fulfils these requirements.

*Explanation :*

1. For determining "good academic record" the following criteria shall be adopted :

- (i) A candidate holding a Ph. D. degree should possess at least a second class Master's degree; or
- (ii) A candidate without a Ph. D. degree should possess a high second class Master's degree and second class in the Bachelor's degree; or
- (iii) A candidate not possessing Ph.D. degree but possessing second class Master's degree should have obtained first class in the Bachelor's degree.

2. Persons having secured marks more than the mid-point of the prescribed minimum marks for passing an examination in the second division and the prescribed minimum marks for passing an examination in the first division by a University shall be deemed to have passed that examination in the high second class.

SCHEDULE III

**Minimum qualifications prescribed for appointment to the posts of Lecturers in English**

LECTURER

- (a) A Doctor's degree or research work of an equally high standard;  
and

(b) Good academic record with at least second class (C) in the seven point scale) Master's degree in a relevant subject from an Indian University or an equivalent degree from a foreign University.

Having regard to the need for developing inter disciplinary programmes, the degrees in (a) and (b) above may be in relevant subjects :

Provided that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published work is of a very high standard, it may relax any of qualifications prescribed in (b) above :

Provided further that if a candidate possessing a doctor's degree or equivalent research work is not available or is not considered suitable, a person possessing a good academic record (weightage being given to M. Phil. or equivalent degree or research work of quality) may be appointed provided he has done research work for at least two years on the condition that he will have to obtain a Doctor's degree or give evidence of research work of equivalent high standard within eight years of his appointment, failing which he will not be able to earn future increments until he fulfils these requirements.

*Explanation :*

1. For determining "good academic record" the following criteria shall be adopted :

- (i) A candidate holding a Ph. D. degree should possess at least a second class Master's degree; or
- (ii) A candidate without a Ph. D. degree should possess a high second class Master's degree and second class in the Bachelor's degree; or
- (iii) A candidate not possessing Ph. D. degree but possessing second class Master's degree should have obtained first class in the Bachelor's degree.

2. Persons having secured marks more than the mid-point of the prescribed minimum marks for passing an examination in the second division and the prescribed minimum marks for passing an examination in the first division by a University shall be deemed to have passed that examination in the high second class.

#### SCHEDULE IV

##### **Minimum qualifications prescribed for appointment to the posts of Lecturers in Foreign Language**

LECTURER

(a) A Doctor's degree or research work of an equally high standard; and

(b) Good academic record with at least second class (C in the seven point scale) Master's degree from an Indian University or an equivalent degree from a foreign University,

Having regard to the, need for developing inter-disciplinary programmes, the degrees in (a) and (b) above may be in relevant subjects :

Provided that if the Selection Committee is of the view that the research work of a candidate as evident either from his thesis or from his published work is of very high standard, it may relax any of qualifications prescribed in (b) above :

Provided further that if a candidate possessing a Doctor's degree or equivalent research work is not available or is not considered suitable a person possessing a good academic record may be appointed provided he has done one year post M. A. diploma course in the teaching of foreign language concerned from a University on the condition that he will have to obtain a Doctor's degree or give evidence of research work of equivalent high standard within eight years of his appointment failing which he will not be able to earn future increments until he fulfils these requirements.

*Explanation :*

1. For determining "good academic record" the following criteria shall be adopted :

- (i) A candidate holding a Ph. D. degree should possess at least a second class Master's degree ; or
- (ii) A candidate without a Ph. D. degree should possess a high second class Master's degree and second class in the Bachelor's degree; or
- (iii) A candidate not possessing Ph. D degree but possessing second class Master's degree should have obtained first class in the Bachelor's degree.

2. Persons having secured marks more than the mid point of the prescribed minimum marks for passing an examination in the second division and the prescribed minimum marks for passing an examination in the first division by a University shall be deemed to have passed that examination in the high second class.

#### SCHEDULE V

##### **Minimum qualifications for appointment to the posts of Lecturers in Management Studies**

###### LECTURER

A Master's degree in Business Administration or M. Tech. in Engineering with first class with the provision that the incumbent would acquire a doctorate degree within a period of eight years.

In the case of allied subjects like Industrial Psychology, Personnel Management, Business Statistics, Cost Accountancy, where Lecturers are required to be recruited with qualifications other than M. B. A. or M. Tech., the minimum qualifications shall be the same as prescribed under Schedule I for the Faculties of Arts, Social Sciences including Commerce and Science.

#### SCHEDULE VI

##### **Minimum qualifications for appointment to the posts of Lecturers in 'in' Law**

###### LECTURER

LL. M. degree with good academic record.

Note : This qualification may not be insisted upon where a University appoints practising advocate as part-time lecturer.

Explanation :

1. For determining "good academic record" the following criteria shall be adopted :

- (i) A candidate holding a Ph. D. degree should possess at least a second class Master's degree; or
- (ii) A candidate without a Ph. D. degree should possess a high second class Master's degree and second class in the Bachelor's degree; or

- (iii) A candidate not possessing Ph.D. degree but possessing second class Master's degree should have obtained first class in the Bachelor's degree.

#### CHAPTER VIII

##### THE STATUTES RELATING TO CONTRIBUTORY PROVIDENT FUND

Short title and Commencement **St. 1** (P.F.) (1) These Statutes may be called the Statutes relating to Contributory Provident Fund.

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

Interpretation and definition **St. 2** (P. F.) (1) In these Statutes, unless the context otherwise requires—

- (a) words and expressions used shall be interpreted to have the same meaning as they have in the Act or the Provident Funds Act, 1925, (19 of 1925) ;
- (b)
  - (i) "Accumulated amount" means the amount standing to the credit of a subscriber in his account in the Fund and includes all contributions and interest accrued to such account;
  - (ii) "Employee" means any whole-time officer (including the Vice-Chancellor), teacher or other person who is appointed by the University and is paid from the University Fund ;
  - (iii) "Family" means and includes the following relatives of a subscriber :
    - (1) wife, (2) husband, (3) parent, (4) child, (5) minor brother, (6) unmarried sister, (7) widowed sister, (8) a deceased son's widow, (9) a grand child and (10) if the subscriber's father is not alive, a parental grand parent;
  - (iv) "Form" means a form prescribed by, and included in the Appendix to this Chapter;
  - (v) "Fund" means the Contributory Provident Fund constituted under St. 3 (P.F.);

- (vi) "Leave" means any leave granted under the University Leave Rules except casual leave;
- (vii) "Subscriber" means an employee who is required or entitled to subscribe to the Fund ;
- (viii) "Subscription" means the amount which a subscriber is required or allowed to pay to the Fund; and
- (ix) "Year" means a period of twelve months beginning on the first day of April.

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

**St. 3 (P.F.)** The University shall constitute a Constitution of Contributory Provident Fund Contributory Provident Fund for the benefit of its employees.

**St. 4 (P.F.)** (1) Every employee of the University shall have a right to subscribe to the Fund in accordance with the Statutes; under this Chapter :

Provided that unless there is a specific provision to the contrary contained in the terms of the contract of his service, no employee shall have a right to subscribe to the Fund if he has been appointed to the post he holds for a term not exceeding one year and was not a subscriber before such appointment:

Provided further that a person appointed on probation may subscribe to the Contributory Provident Fund from the date of his appointment and that on confirmation the University shall add its contribution with retrospective effect.

(2) If an employee was originally appointed for a term of one year or less and such term was subsequently extended so that his total term exceeds one year, he shall be given the option of subscribing to the Fund from the date of his original appointment and of paying the arrear subscription, due on the date of his becoming a subscriber in such monthly instalments, not exceeding twelve, or as the Finance Officer may decide. In such a case the University shall pay its arrear contribution in respect of such employee in similar monthly instalments.

(3) Every employee who has a right to subscribe to the Fund under this Statute shall be required to subscribe thereto.

**St. 5 (P.F.)** Subject to the control of the University, the administration and management of the Fund shall vest in the Executive Administration and Management of the Fund Council which may, from time to time, make such Rules or issue such general or special directions as may be consistent with the provisions of this Chapter for the proper administration and management of the Fund or for defining the duties and the privileges of the subscribers. The Executive Council may, at its discretion, vary or cancel any such Rule or direction at any time.

**St. 6 (P.F.)** (1) The Executive Council shall constitute a Provident Fund Trustee Committee Provident Fund Trustee Committee consisting of the following members to advise it in regard to all matters relating to the administration of the Fund:

- (i) the Vice-Chancellor, who shall be the Chairman of the Committee,
- (ii) the Finance Officer, who shall be the Convener—Secretary,
- (iii) the Registrar,
- (iv) three other members representing the interest of the officers, the teachers and other employees of the University appointed by the Executive Council, and
- (v) one nominee of the Executive Council.

(2) The members referred to in item (iv) of paragraph (1) shall hold office for a term of three years from the date of appointment :

Provided that they may be re-appointed by the Executive Council for further terms.

**St. 7 (P.F.)** (1) Every subscriber shall sign a written declaration in Declaration and nomination by subscribers Form No- 1 (P.F.) to the effect that he has read the relevant Statutes and the Rules made thereunder and agrees to bind himself and his nominees, heirs and representatives to abide by the provisions thereof. He shall also complete and file with the Finance Officer his nomination in Form No 2 (P.F.) or 2A (P.F.), as may be appropriate in each case, after entering therein the name or names of the person or persons to whom in the event of his death he wishes the accumulated amount in respect of his account in the Fund to be paid. Every such nomination shall be signed by the subscriber in the presence of two witnesses who shall certify that the subscriber has signed in their presence.

(2) No subscription shall be realised, nor shall any contribution be paid, until the requirements of paragraph (1) have been complied with by the subscriber.

Revision or modification of nomination  
**St. 8 (P.F.)** A subscriber may at any time cancel, revise or modify his nomination by a fresh nomination in Form No 2 (P.F.) or 2A (P.F.), as the case may be, filed in the manner prescribed in St. 7 (P. F.)

Nomination to specify share of each nominee  
**St. 9 (P.F.)** A subscriber shall, in his nomination, provide for the disposal of the whole of the accumulated amount in his account at the time of his death and shall separately specify the share thereof to be paid to each nominee.

Nomination when void  
**St. 10 (P.F.)** (1) No subscriber shall assign in his nomination any share of the accumulated amount in favour of a person who is not a member of the subscriber's family if the subscriber has any member of his family alive on the date of such nomination.

(2) If, at the time of the death of a subscriber, any member of his family be surviving, any nomination assigning a part or the whole of the accumulated amount in his account to any person who is not a member of his family shall be void to that extent.

Register of Nomination  
**St. 11 (P.F.)** All nominations and a Register of Nominations shall be kept in safe custody of the Finance Officer.

Amount of subscription or contribution  
**St. 12 (P.F.)** (1) Every subscriber shall subscribe to the Fund a sum equal to  $8\frac{1}{3}$  per cent of all pay drawn by him from the University Fund. Such subscription shall be deducted from his pay when he draws the same and credited to his account in the Fund.

(2) A subscriber may be allowed to subscribe to the Fund at a rate higher than  $8\frac{1}{3}$  per cent if he wishes to do so:

Provided that any such higher rate shall not be allowed to be varied until he has paid subscription at such higher rate for consecutive three months at least.

(3) The University shall contribute to the credit of the account of each subscriber a sum of equal to  $8\frac{1}{3}$  per cent of all pay drawn by him from the University Fund. Such contribution shall be made at the time when the subscription payable by the subscriber is deducted from his pay. The amount of contribution shall not be affected by any option made by the subscriber under paragraph (2).

(4) If a subscriber is on leave without pay; no subscription or contribution shall be payable for the period of such leave.

(5) The amount of subscription or contribution to be paid in any one instalment shall be rounded off to the nearest rupee.

*Explanation :*

For the purpose of this Statute, the pay of a subscriber shall be deemed to exclude any compensatory allowance which may be drawn by him.

(6) The University shall on the death, retirement or resignation of an employee who has rendered continuous approved service for not less than 15 years make an additional contribution of a sum calculated at the rate of half a month's salary for each completed year of service rendered by Such employee as gratuity subject to a maximum of 15 months' salary or Rs. 9600/- (Rupees nine thousand six hundred) only, whichever is less on the amount as may be decided by the University from time to time with the approval of the State Government. This amount shall be calculated on the salary drawn by the employee at the time of death, retirement or resignation and shall be credited forthwith to his Provident Fund Account as additional contribution of the University after it has been sanctioned by the Vice-Chancellor or the Executive Council

(7) There shall be a Gratuity Fund in terms of clause (6) of this Statute, as distinct from the Provident Fund, built up by annual contributions from the general revenue, and all payments will be charged to this fund.

Note : (i) For the purpose of this Statute the term "salary" shall be held to mean monthly salary and regular monthly allowances by way of remuneration for service (e.g. Dearness Allowance), including leave allowances but not travelling and house rent allowances, Medical Allowance or Casual payments for special work.

(ii) Any authorised leave or absence whether with or without pay or allowances or an authorised overstay for sufficient reasons of any leave, shall not constitute an interruption of continuous service.



**St. 13 (P.F.)** (1) All amounts accruing to the Provident Fund shall be paid into a Savings Bank Account opened for the purpose with the State Bank of India, Burdwan University Branch. Any cash balance of the Fund in excess of Rs, 5,000/- shall ordinarily be invested in National Savings Certificates or National Plan Certificates or loans of the Central or the State Government or in Treasury or in similar other bonds which can be redeemed at par at any time; or may be invested in fixed deposits with the State Bank of India, Burdwan University Branch, so as to yield the maximum rate of interest available for such deposits.

(2) Every Bank account, deposit or investment, made under this Statute shall be maintained or made in the name of the University.

(3) The Provident Fund shall be held as a Trust Fund and it shall not be applied or diverted by the University authority or authorities for any purposes other than for the purposes of management of the Provident Fund and the Funds shall be administered by the Executive Council with the assistance of the Trustee Committee.

**St. 14 (P.F.)** (1) All interest that accrues to the Fund shall be the property of the University and in return the University shall guarantee to every subscriber a minimum interest of  $3\frac{1}{2}$  per cent per annum. Such interest shall be calculated for every month on the lowest balance at the credit of the account of the subscriber on any date between the close of the 7th day and the end of the month. After the end of March every year, the interest which accrued during the preceding twelve months shall be credited to the account of each subscriber.

(2) If the financial position of the Fund so justifies, the rate of interest referred to in paragraph (1) may be enhanced by the Executive Council at its discretion in respect of any period. The subscribers shall be entitled to the credit of such enhanced interests in their respective accounts.

**St. 15 (P.F.)** Subject to the directions, if any, of the Executive Council, the Finance Officer shall operate on behalf of the University all accounts, deposits and investments made under St. 13 (P. F.) and shall have the power to do all such things as may be necessary for this purpose :

Provided that the Vice-Chancellor and the Registrar shall also severally have the power and authority to operate on the accounts or the investments relating to the Fund.

**St. 16 (P.F.)** (1) The Finance Officer shall maintain a Personal Ledger Account in Form No. 3 (P.F.) in respect of each subscriber and all subscriptions and contributions made and interest accrued to the credit of the account of the subscriber as also all withdrawals made therefrom shall be entered in such Personal Ledger Account.

(2) A statement of the accumulated amount in the account of each subscriber shall be furnished to him once a year but not later than six months after the close of the financial year.

If the subscriber wishes to point out any mistake or discrepancy in the statement so furnished, he shall send an objection in writing to the Finance Officer within one month from the date of receipt of the statement. If no such objection is received, the statement shall be deemed to have been accepted as correct by the subscriber and any subsequent representation objecting to the correctness of the statement shall be liable to be rejected summarily.

**St. 17 (P.F.)** The Finance Officer shall maintain an account showing all receipts to and disbursements from the Fund and such account shall be audited once a year in such manner as the Executive Council may decide.

**St. 18 (P.F.)** (1) No final withdrawal of the accumulated amount shall be allowed until a subscriber quits his services in the University or dies, whichever is earlier.

(2) The Vice-Chancellor may sanction an advance to a subscriber from the accumulated amount of the account of the subscriber subject to the following conditions :

- (a) There is no unpaid balance of any previous advance or interest thereon outstanding against the subscriber ;
- (b) the total amount of the advance does not exceed three months' pay of the subscriber or one-third of the total of his subscriptions, whichever is less ;
- (c) interest shall be charged at the rate of  $3\frac{1}{2}$  per cent per annum on the monthly balance of the advance; and
- (d) the purpose of the advance shall be to meet expenses in connection with any one of the following events :
  - (i) Illness of the subscriber or a member of his family, or
  - (ii) daughter's marriage, or

- (iii) funeral and other ceremonies which, by the religion of the subscriber, are obligatory upon him to perform, or
- (iv) any other satisfactory reason which is not repugnant to the provisions of the Provident Funds Act, 1925 (19 of 1925).

(3) The Vice-Chancellor may, in a case of urgent necessity and on the recommendation of the Finance Officer, allow a subscriber a further advance or advances from the Fund although any part of a previous advance or interest thereon may be outstanding, provided that the total amount due from the subscriber in respect of all such advances shall at no time exceed three-fourths of the total of the subscriptions paid by the subscriber.

(4) Every application for an advance from the Fund shall be made in Form No. 4 (P.F.).

(5) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the Vice-Chancellor may direct :

Provided that such number shall not be less than twelve unless the subscriber so elects, or, in any case, more than twenty four. A subscriber may, at his option, repay more than one instalment in any month. An instalment shall not include any fraction of a rupee, the amount of the advance being suitably adjusted, if necessary, to ensure this.

(6) Recovery of an advance shall commence on the first occasion after the advance is made on which the subscriber draws pay for a full month. Recovery shall not be made except with the subscriber's consent while he is on long leave or in receipt of a subsistence grant.

(7) Interest on an advance shall ordinarily be recovered in one instalment in the month after which the principal has been fully repaid; but if the period of recovery of advance exceeds twelve months, the interest may, if the subscriber so desires, be recovered in two equal monthly instalments. Every instalment of recovery of interest shall be rounded off to the nearest rupee.

(8) If the account of any subscriber does not carry any interest, no interest shall be recovered for any advance made to him.

(9) Recoveries of advances and interest shall be credited as they are made to the subscriber's account in the Fund.

(10) If the Vice-Chancellor applies for an advance from the accumulated amount in his account the sanctioning authority shall be the Executive Council, which shall also decide every other question relating to such advance.

**St. 19 (P.F.)** (1) A subscriber who subscribes to the Fund at a rate higher than  $8\frac{1}{3}$  per cent may be allowed by the Non-refundable withdrawal from the Fund sanctioning authority hereinbefore mentioned in this Chapter to withdraw the whole amount accumulated through such subscription together with interest accrued thereon or any part of it. The amount so withdrawn shall be non-refundable :

Provided that the subscriber at his option may continue to subscribe to the Fund at a rate higher than  $8\frac{1}{3}$  per cent.

(2) Every application for non-refundable withdrawal from the Fund shall be made in Form No. 5 (P.F.).

(3) Non-refundable withdrawal out of the Fund may be admissible for any of the following purposes :

- (a) emergency requirement,
- (b) obligatory expenses,
- (c) purchase of house site, house, construction of a house and the like for the accommodation of the subscriber or his family.

*Explanation :*

(1) The term "emergency requirements" means and includes requirement to meet expense in connection with prolonged illness of the subscriber or any member of his family actually dependent on him or for relief required on account of natural calamities like flood, earthquake, drought or like events by the subscriber himself or any member of his family actually dependent on him.

(2) The term "obligatory expenses" means and includes requirement of a subscriber to meet expense for marriage or performance of any other religious rites or social function which by his religion or social custom it is incumbent upon him to perform, either for himself or for any member of his family actually dependent on him.

(3) For the purposes of clauses (a) and (b), the sanctioning authority shall decide in each case whether the request for such withdrawal is justified and the decision of the sanctioning authority in the matter shall be final :

Provided that the subscriber shall submit to the sanctioning authority within a period of three months from the date of drawal of the non-refundable withdrawal or within such extended period as may be allowed by the sanctioning authority, a certificate to the effect that the money has been utilised for the purpose for which it was withdrawn.

(4) The non-refundable withdrawal shall be allowed to a subscriber on not more than five occasions, prior to his attainment of the age of superannuation :

Provided that the number of occasions may be relaxed or waived by the Executive Council in special circumstances of illness, emergency or obligatory expenses of the subscriber.

*Explanation :*

Unless prescribed otherwise, the age of superannuation shall mean the age of 60 in the case of all employees and officers other than teachers and in the case of teachers governed by the orders or rules of the University Grants Commission or the State Government 60 or 65, as the case may be.

**St. 20 (P.F.)** (1) Every subscriber on his retirement shall be entitled to receive the accumulated amount in his account calculated up to the date of his retirement subject to the right of the Executive Council to deduct therefrom any sum referred to in Statute 23 (P.F.) :

Final Payment of  
Provident Fund to  
subscriber

Provided that the total sum so deducted shall not exceed the total of all contributions made by the University to the account and of any interest accrued thereon.

(2) In this Statute "retirement" means and includes—

- (a) retirement on attaining the age of superannuation; or
- (b) resignation after completion of not less than two years' continuous service in the University; or
- (c) termination of appointment due to abolition of the post, or to expiry of the term of the contract of service; or
- (d) retirement on medical grounds; or
- (e) voluntary retirement on application.

*Explanation :*

A subscriber who is granted refused leave shall be deemed to have quit the services from the date of compulsory retirement or on the expiry of

the extended period of service. The lien of service granted to an employee shall not be treated as break of service and the period shall count towards service for purposes of retirement benefits, as prescribed or may be prescribed by the University or the State Government. The Provident Fund balances held in the credit of such a subscriber shall continue to earn interests at the rate last granted till the date of superannuation or termination of lien, whichever is earlier, or up to the date of final payment of Provident Fund to an employee.

(3) If a subscriber resigns before the completion of two years' continuous service he shall be entitled to receive the amount of his own subscription and the interest accrued thereon but shall not be entitled to receive the contributions made by the University and the interest accrued thereon unless the Executive Council decides otherwise on the recommendation of the Vice-Chancellor. All contributions and interest thereon shall, in such a case, revert to the University Fund.

(4) In the event of dismissal from service of a subscriber on account of misconduct or gross negligence of duty, he shall be entitled to receive only the amount of his own subscription and the interest accrued thereon while all contributions made by the University and the interest accrued thereon shall revert to the University Fund.

(5) Withdrawals from the Fund may be sanctioned by the Vice-Chancellor for one or more of the following purposes on completion of twenty five years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of retirement on superannuation of such a subscriber, whichever is earlier, from the amounts standing to his credit in the Fund :

- (a) meeting the cost of higher education in India or abroad of any son or daughter of the subscriber actually dependent on him;
- (b) meeting the expenditure in connection with the marriage of a son or daughter of the subscriber ;
- (c) building or acquiring or purchasing house or house site or repaying any loan taken expressly for the said purposes ; and
- (d) constructing a house on a site purchased utilising the sum withdrawn under clause (c).

(6) Any sum withdrawn by a subscriber at any time for one or more of the purposes specified in clauses (a) to (d) of paragraph (5) from the

amount standing to the credit of the subscriber in the Fund shall not ordinarily exceed one-half of the amount or twelve months' pay of the subscriber, whichever is less. The Executive Council shall, however, be competent, having regard to the object for which the withdrawal is being made, to sanction withdrawal of an amount up to three-fourths of the balance standing to the credit of such subscriber in the Fund.

A subscriber, who has been permitted to withdraw money from the Fund under this Statute, may, at his option repay the amount so withdrawn either in part or wholly till he would have reached the age of superannuation, in such instalments as he may be capable of doing, from his emoluments on monthly basis. The interest on such withdrawals shall be duly credited to the subscriber's account.

(7) The accumulated balance in the Provident Fund account of an employee comprising the subscription, contribution and the interest shall be paid to the employee immediately on his retirement, provided that the employee has submitted the 'No Demand Certificate' in the prescribed form in time. If the accumulated balance is held over and payment is not released for no fault of the employee concerned, interest on the balances of Provident Fund shall be allowed at the rate of interest allowed by the Executive Council for the last financial year for the period they are held over. The grounds on which the balances are held over shall be communicated to the subscriber within 15 days from the date of his retirement and all such cases of withholding, if any, shall be brought before the Provident Fund Trustee Committee for consideration and disposal. The Vice-Chancellor shall make final payment accordingly.

**St. 21 (P.F.)** (1) On the death of a subscriber, the accumulated amount in his account shall, subject to the provisions of Statutes 10 (P.F.) and 23 (P.F.), be paid in accordance with the terms of the subscriber's nomination to his nominee or nominees surviving on the date of his death or to their legal representatives.

(2) If any of the nominees of the subscriber has predeceased him, the whole of the amount which would have been payable to such nominee had he been surviving on the date of death of the subscriber shall, Subject to the provisions of Statute 10 (P.F.) be paid to such other person (referred to hereafter as a substitute nominee), if any, on whom the right to receive such payment has been conferred in accordance with the provision to sub-section (1) of section 5 of the Provident Funds Act, 1925.

(3). If there are no nominees or substitute nominees surviving at the time of death of the subscriber, the accumulated amount shall be paid to the subscriber's legal representative(s), or such other person or persons as may be declared by a competent Civil Court to be entitled to receive the same, provided that if the amount does not exceed Rs. 1500/-, it may be paid to such person or persons as the Executive Council may consider to be the proper person or persons to receive the same on submission of an Indemnity Bond.

**St. 22 (P.F.)** Subject to the provisions of the Provident Funds Act, 1925, the University shall not be bound by, or recognise, any assignment or encumbrances, encumbrance executed or attempted to be created which affects the disposal of the accumulated amount in accordance with the Statutes under this Chapter.

**St. 23 (P.F.)** Notwithstanding any other provisions contained in this Chapter, the University shall have the first charge upon all contributions made in respect of a subscriber and the interest accrued thereon for his debts and other liabilities to the University. The University shall have the right to reimburse itself out of such contributions and interest for such debts and liabilities at the time the accumulated amount is finally paid to the subscriber, his nominees or any other person.

**St. 24 (P.F.)** Subject to the provisions of the Provident Funds Act, 1925, every question arising in respect of the interpretation of the Statutes under this Chapter shall be decided by the Executive Council whose decision shall be final.

**St. 25 (P.F.)** All subscribers to the Fund and their nominees, heirs and legal representatives shall be bound by the provisions of the Statutes under this Chapter and the Rules made or directions issued, if any, under Statute 5 (P.F.) as amended or revised from time to time.

**APPENDIX**

Form No. 1 (P.F.)

**THE UNIVERSITY OF BURDWAN**

FORM OF DECLARATION

[See St. 7 (1) (P.F.)]

I hereby declare that I have read the Statutes relating to the Contributory Provident Fund of the University of Burdwan and the Rules made thereunder and that I agree to bind myself and my nominees, heirs and representatives to abide by the same. I enter below particulars relating to myself :

Name in full.....

Date of birth.....

Present post held in the University.....

Date of joining service in the University.....

Present salary per month.....

Dated this..... day of..... 20.....

Signature.....

Address.....

Signature of Witnesses 1.....

2.....

To  
The Finance Officer,  
The University of Burdwan.

Form No. 2 (P. F.)

**THE UNIVERSITY OF BURDWAN**

FORM OF NOMINATION WHEN A SUBSCRIBER HAS A FAMILY\*

[See St. 7 (1) (P.F.)]

I hereby express my wish that the amount at my credit in the Provident Fund at the time of my death shall be distributed among the members of my family\* mentioned below in the manner specified in Col. 5 against their respective names.

1	2	3	4	5**	6	7	8
Sl. No. of nominee	Name and address of the nominee	Relationship if any, with the subscriber	Age of the nominee	Amount or share to be paid to each nominee	Contingencies on the happening of which the nomination shall be come invalid	Name, address & relationship, if any, with the subscriber of the person, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.	REMARKS

Date.....  
Station.....

\*Family means and includes the following relatives of a subscriber :  
(1) Wife, (2) Husband, (3) Parent, (4) Child, (5) Minor brother, (6) Unmarried sister, (7) Widowed sister, (8) A deceased son's widow, (9) a grand child and (10) If the subscriber's father is not alive, a parental grand-parent.  
\*\*Column 5 shall be filled in so as to cover the entire amount at the subscriber's credit in the Provident Fund at the time of his death

.....  
Signature of the Subscriber.

We hereby certify that the subscribed signed this nomination in our presence.  
1.....  
2.....

To  
The Finance Officer,  
The University of Burdwan  
(Signature of the Witnesses)

**THE UNIVERSITY OF BURDWAN**

FORM OF NOMINATION WHEN A SUBSCRIBER HAS NO FAMILY\*

[See St. 7 (1) (P.F.)]

Serial No. of Account.....

I hereby declare that I have no family\* at present and express my wish that the amount at my credit in the Provident Fund at the time of my death shall, in the event of my having no family\* at that time as well, be distributed among the persons mentioned below in the manner specified in Col. 5 against their respective names :

1	2	3	4	5**	6	7	8
Sl. No. of nominee	Name and address of the nominees	Relationship if any, with the subscriber.	Age of the nominee	Amount or share to be paid to each nominee	Contingencies on which the nomination shall become invalid.	Name, address & relationship, if any, with the subscriber of the person, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.	REMARKS

Date.....

Station.....

\*Family means and includes the following relatives of a subscriber :

- (1) Wife, (2) Husband, (3) Parent, (4) Child, (5) Minor brother, (6) Unmarried sister, (7) Widowed sister, (8) A deceased son's widow, (9) a grand child and (10) If the subscriber's father is not alive, a parental grand-parent.

\*\*Column 5 shall be filled in so as to cover the entire amount at the subscriber's credit in the Provident Fund at the time of his death.

To

The Finance Officer,  
The University of Burdwan

Signature of the Subscriber.

We hereby certify that the subscriber signed this nomination in our presence.

- 1.....
- 2.....

(Signature of the Witnesses)

**THE UNIVERSITY OF BURDWAN**

PROVIDENT FUND LEDGER

[See St. 16 (1) (P.F.)]

Name of Subscriber.....

Date of joining.....

Designation.....

Serial No. of Account.....

MONTH AND YEAR	Subscriptions	Contributions	Advances	
Opening Balance+				
Monthly subscription+				
Recovery of advance, if any+				
Interest+				
Advance made, if any—				
Closing Balance.				
Opening Balance+				
Monthly contribution+				
Interest+				
Closing Balance				
Date of Drawal of Advance, if any.				
Amount of instalment for recovery of advance, if any.				
No. of instalments still outstanding.				
REMARKS				

Form No. 4 (P. F.)

## THE UNIVERSITY OF BURDWAN

FROM OF APPLICATION FOR ADVANCE FROM THE PROVIDENT FUND

[See St. 18 (4) (P.F.)]

To : The Vice-Chancellor  
The University of Burdwan  
West Bengal.

Serial No. of Account.....

Sir,

I hereby apply for an advance of Rs.....from the sum at my credit in the Contributory Provident Fund out of my own subscriptions to the Fund. I have correctly answered the questions below.

1. What was the amount at your credit on account of your own subscriptions to the Fund on the preceding 31st March?
2. What are the reasons for which the advance is required?
3. What is your present pay?
4. (a) Has any advance been previously taken?  
(b) If so, have all advances been completely repaid?  
(c) If so, when was the last instalment (including that for interest) repaid?  
(d) If previous advances have not been completely repaid, how many more instalments are due?
5. In how many instalments (including instalments for interest) do you propose to repay the advance?
6. Do your depositors in the Fund carry any interest?

*Yours faithfully,*

Signature.....

Dated.....

Designation.....

Station.....

Address.....

**N. B.** Questions at Sl. 1, 3 and 4 will be filled in by the Finance Department.

Form No. 5 (P. F.)

## THE UNIVERSITY OF BURDWAN

FROM OF APPLICATION FOR NON-REFUNDABLE WITHDRAWAL  
FROM THE PROVIDENT FUND

[See St. 19 (2) (P.F.)]

1. Name of Applicant :  
Account No. :
2. Date from which subscription at rates higher than 8- percent was made :
3. Amount of subscription, including interest, accumulated as per cl. (1) of St. 19 (P.F.) :
4. Purpose of withdrawal :  
[ Vide cl. (3) of St. 19( P.F.)]
5. Whether the subscription at higher rate will be continued after withdrawal of the amount applied for :
6. Whether this application is for first/second/third/fourth/fifth withdrawal :

The amount shown under (3) may be sanctioned for payment. I shall submit a certificate to the effect that the money has been utilised for the purpose for which it was withdrawn within.....

Signature of the applicant.....

Date.....

Countersigned.....

Head of the Department.....

(To be filled in by the Finance Department)

**Order**

Sanction is hereby accorded to the payment of a sum of Rs..... (Rupees.....) only being the amount of non-refundable withdrawal calculated as per provision of cl. (1) of St. 19 (P.F.)

The request for such withdrawal is justified.

The applicant shall submit the certificate as required under cl. (3) of Explanation of St. 19 (P.F.), within.....

Dealing Assistant

Superintendent

*Finance Officer**Audit & Accounts Officer**Vice-Chancellor*

Date :

Bill drawn for Rs..... (Rupees.....) only.

Voucher No.....Date.....

**CHAPTER IX**

## THE STATUTES RELATING TO CONTRACTS OF SERVICE OF UNIVERSITY EMPLOYEES

**St. 1 (Cont.)** (1) These Statutes may be called the Statutes relating to Contracts of Service of University Employees.

*Short title,  
commencement  
and application*

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint and shall apply to every employee

of the University.

**St. 2 (Cont.)** (1) Subject to the provisions of paragraph (3), words and expressions used in these Statutes shall, unless the context requires otherwise, be interpreted to have the same meaning as they have in the Act.

*Interpretation  
and definition*

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

(3) In these Statutes—

- (a) "contract" in relation to an employee means the written contract of his service,
- (b) "employee" means any person employed by the University and includes a teacher and an officer referred to in section 31 of the Act.

**St. 3 (Cont.)** (1) Unless appointed under a contract as envisaged in paragraph (2), every employee of the University, other than a casual worker or a work-charged staff or a person engaged on daily-wage basis, shall be deemed to have

*Contract of  
service*

been appointed under a contract as embodied in :

- (a) the letter of offer of appointment and the letter of acceptance of the offer, if any;
- (b) the letter of appointment and the report of joining the post to which appointed; as also
- (c) the provisions of the Statutes, the Ordinances, the Regulations and the Rules made by the University and amended from time to



time, enumerating the terms and conditions of service and the norms of conduct and discipline affecting the teachers, officers and other employees of the University.

(2) In any particular case, if the Executive Council considers it necessary to do so in the interest of the University, it may appoint a person, for a specific period and for a specific purpose, under a contract executed between an employee on the one hand and a competent official of the University on the other.

(3) Every contract as envisaged in paragraph (2), shall be in triplicate (printed or type-written) and the same shall be executed under the Seal of the University. It shall be signed by the employee concerned on the one hand and on the other hand, by the Registrar or such other officer as may be authorised in this behalf by the Vice-Chancellor :

Provided that the contract in respect of the Registrar, if any, shall be signed, on behalf of the University, by the Vice-Chancellor.

(4) No letter of appointment shall be issued to any casual worker, work-charged staff or a person engaged on daily-wage basis and no such person shall be required to sign any contract with the University.

**St. 4 (Cont.)** (1) The Registrar shall maintain a Register of Contracts which shall contain the following entries :

*Register of contracts and custody thereof.*

(a) the serial number;

(b) the name of every employee who is appointed under a contract;

(c) the date of his appointment;

(d) the post to which he has been appointed;

(e) the terms of appointment;

(f) the date of contract;

(g) the date on which the contract is liable to termination;  
and

(h) remarks, if any.

(2) Of the three copies of the contract as envisaged under paragraph(3) of St. 3 (Cont.), the original shall be kept in the custody of the Registrar and the duplicate shall be kept in the custody of the Finance Officer; while the triplicate shall be retained by the employee concerned.

## CHAPTER X

### THE STATUTES RELATING TO MEETINGS OF THE COURT

#### PART I

##### PRELIMINARY

**St. 1 (M. C.)** (1) These Statutes may be called the Statutes relating to Meetings of the Court.

*Short title and commencement*

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

**St. 2 (M. C.)** (1) In these Statutes, unless the context otherwise requires, words and expressions used shall be interpreted to have the same meaning as they have in the Act.

*Interpretation and definition.*

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

#### PART II

##### MEETINGS OF THE COURT

**St. 3 (M. C.)** (1) (a) The Court shall meet at least thrice in a financial year, other than for Convocation, on dates to be fixed by the Vice-Chancellor. One of such meetings shall be held before March and shall be called the annual meeting. The Court may also meet at such other times as it may, from time to time, decide.

*Ordinary meeting of the Court*

*Notice for ordinary meeting*

*Issue of Agenda papers*

(b) Not less than 10 days' notice shall be given to the members of the date of every meeting of the Court.

(c) Not less than 5 days before the date fixed for a meeting, the Registrar shall send to each member an agenda paper.

(d) No matter other than what is included in the agenda paper and the supplementary agenda paper, if any, issued under Statute 7 (M.C.) shall be considered at the meeting :

Provided that the Vice-Chancellor shall have the power in case of urgency to bring any other matter before the meeting.

2. (a) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than one-third of the members of the Court, convene a meeting of the Court. A meeting on such requisition shall be held within 10 days of the receipt of the requisition by the Vice-Chancellor.

(b) Not less than 7 days' notice shall be given to the members of the date fixed for a special meeting.

(c) An agenda paper shall be sent to each member along with such notice.

(d) No matter other than that included in the agenda papers and the supplementary agenda papers, if any, sent under the provisions of Statute 9 (M..C.) shall be considered at the meeting.

### PART III

#### MOTIONS AND AMENDMENTS

**St. 4 (M. C.)** Any member who wishes to move a motion at a meeting of the Court shall give notice of such motion by forwarding a copy thereof to the Registrar so as to reach him not less than 7 days before the date of the meeting.

**St. 5 (M.C.)** (1) No motion shall be admitted by the Chairman or allowed to be moved at a meeting of the Court unless it complies with the following conditions :

- (a) due notice has been given as prescribed in the Statute 4 (M. C.);
- (b) it shall be clearly and precisely expressed and raise substantially only one definite issue;
- (c) it shall not raise any issue which does not come wholly within the purview of the Court;

(d) it shall not contain any arguments, inferences or defamatory statements;

(e) it shall not refer to the character or conduct of any person except in his capacity as an Officer, a Teacher or a Non-teaching Staff of the University;

(f) it shall not refer to any matter which is pending before a Court or Tribunal or, unless the Chairman so decides for sufficient reasons, before any Authority of the University; and

(g) it shall not call into question the powers of the Chancellor or any order passed or action taken or not taken by him.

(2) If a motion fails to comply with any of the conditions referred to in paragraph (1), the Chairman shall refuse to admit it or to allow it to be moved in a meeting.

(3) Every motion which complies with the conditions referred to in paragraph (1) shall be admitted and allowed to be moved in the meeting for which the motion has been tabled. The decision of the Chairman in—

- (a) admitting any motion, or
- (b) refusing to admit it, or
- (c) allowing it to be moved, or
- (d) disallowing it to be moved shall be final.

In case a motion is disallowed to be moved, the mover shall have the right to read out the motion with the permission of the Chairman.

(4) When the Chairman refuses to admit a motion under paragraph (2), the Registrar shall intimate the fact to the member who gave notice of the motion, but shall not be bound to intimate the reason for such refusal.

**St. 6 (M.C.)** (1) Any member who desires to move an amendment to a motion included in the agenda papers relating to an ordinary meeting shall forward a copy of such amendment to the Registrar so as to reach him not less than 5 days before the date fixed for the meeting.

(2) No amendment shall be admitted or allowed to be moved at the meeting—

- (a) of which due notice has not been given as prescribed in paragraph (1); or
- (b) which is in effect a direct negative to the original motion; or
- (c) which is not relevant to the original motion; or
- (d) which substantially raises a question already disposed of by the meeting or is inconsistent with any motion already passed by it; or

(e) which fails to comply with any of the conditions referred to in paragraph (1) of Statute 5 (M.C.).

(3) Every amendment which complies with the provisions of this Statute shall be admitted and allowed to be moved in the meeting. The decision of the Chairman in admitting any amendment or refusing to admit it or allowing or disallowing it to be moved shall be final.

(4) When the Chairman refuses to admit an amendment, the Registrar shall intimate the fact to the member who gave the notice of the amendment but shall not be bound to intimate the reason for such refusal.

(5) An amendment, the substance of which has already been disposed of in part, may be modified by its proposer in the meeting so as to retain only the part not so disposed of.

**St. 7 (M.C.)** The Registrar shall send to each member supplementary agenda papers containing such of the motions or amendments as have been admitted under paragraph (3) of Statute 5 (M.C.) and paragraph (3) of Statute 6 (M.C.).

**St. 8 (M.C.)** (1) Any member who desires to move an amendment to a motion included in the agenda papers relating to a special meeting shall forward a copy of such amendment to the Registrar so as to reach him not less than 4 days before the date of the meeting.

(2) The provisions of paragraphs (2), (3), (4) and (5) of Statute 6 (M.C.) shall apply to all amendments subject to the provisions of paragraph (1) thereof.

**St. 9 (M.C.)** The Registrar shall send to each member a supplementary agenda paper containing such of the amendments as have admitted under paragraph (2) of Statute 8 (M.C.).

#### PART IV

##### GENERAL RULES OF PROCEDURE

**St. 10 (M. C.)** The Chancellor, or, in his absence, the Vice-Chancellor shall preside at meetings of the Court. If both the Chairman Chancellor and the Vice-Chancellor are absent at any meeting, the members present at the meeting shall elect one from amongst themselves to be the Chairman of the meeting.

**St. 11. (M. C.)** (1) One-third of the total number of members of the Court plus one shall be a quorum for a meeting of the Court :

Provided that such quorum shall not be required at a Convocation of the Court :

Provided further that no quorum shall be required for an adjourned meeting.

(2) If there is no quorum within 15 minutes of the time appointed for the meeting, the meeting shall be adjourned.

(3) If, at any time during the progress of a meeting, any member calls attention to the fact that there is no quorum, the meeting shall forthwith be suspended for such time as may be considered necessary by the Chairman to secure a quorum, or, if the Chairman so decides, shall be adjourned to a subsequent date. Such suspension or adjournment shall be recorded in the minutes of the meeting.

**St. 12 (M.C.)** (1) No matter shall be considered at an adjourned meeting other than the matters left over at the meeting at which the adjournment took place :

Provided that the Vice-Chancellor may, with or without notice, bring before an adjourned meeting any new matter which in his opinion is urgent.

(2) Save as aforesaid, it shall not be necessary to give notice in respect of an adjourned meeting.

#### PART V

##### ORDER OF BUSINESS

**St. 13 (M. C.)** At every meeting of the Court, matters shall be taken up for consideration in the following order :

- (a) election of Chairman (if necessary);
- (b) confirmation of the minutes of the previous meeting;
- (c) matters proposed—
  - (i) by the Executive Council,
  - (ii) by the Vice-Chancellor,
  - (iii) by the Faculty Councils for Post-graduate Studies,
  - (iv) by the Councils for Under-graduate Studies,
  - (v) by the members of the Court, and
- (d) any other matter.

**PART VI**

**MOTIONS AND AMENDMENTS THAT MAY BE MOVED WITHOUT NOTICE**

**St. 14** (M. C.) (1) Notwithstanding the provisions of Statutes 4 (M.C.) and 8 (M.C.), no previous notice shall be required in respect of—

- (a) a motion to change the order of business as stated in the agenda papers; or
- Motions that may be moved without notice* (b) a motion to adjourn the debate; or
- (c) a motion to adjourn the meeting; or
- (d) a motion to dissolve the meeting; or
- (e) a motion to refer any matter placed before the meeting to any authority for consideration and report; or
- (f) a motion to remit any matter to an authority for reconsideration of its decision, report or recommendation which has been placed before the meeting; or
- (g) a motion to pass on to the next item of business; or
- (h) a motion to appoint a Committee to consider any matter placed before the meeting; or
- (i) a motion that the question be put; or
- (j) a motion moved under Statute 16 (M.C.) except a motion relating to the conferment of honorary degree.

(2) No such motion as enumerated in paragraph (1) shall be moved except with the permission of the Chairman.

(3) A motion to appoint a Committee under clause (h) of paragraph (1) may include directions to the Committee and shall specify a date within which a report shall be submitted by the Committee to the University. Whenever any such Committee is appointed, the Court shall also appoint its Chairman. Half of the total number of members of such Committee plus one shall be a quorum for a meeting of the Committee and its Chairman must be present at every meeting.

(4) Save in the case of motions moved under clauses (c) to (i) of paragraph (1), no member except the mover shall be entitled to speak.

*Amendments that may be moved without notice*

**St. 15** (M.C.) An amendment to a motion may be moved without previous notice only in the following cases—

- (a) an amendment to a motion moved under clause (h) of paragraph (1) of Statute 14 (M.C.);
- (b) an amendment to a motion brought before the meeting by the Vice-Chancellor under paragraph (1) (d) of Statute 3 (M.C.); and
- (c) an amendment of a purely verbal or formal nature, if leave is given by the Chairman in that behalf.

**St. 16** (M.C.) Motions relating to the conferment of honorary degrees, votes of thanks, messages of congratulation or condolence, addresses and other matters of like nature may be moved from the Chair.

*Motion from the Chair*

**St. 17** (M.C.) The Chairman may without a formal motion correct any clerical or accidental mistake or slip in any paper relating to any matter placed before a meeting.

*Correction of clerical mistakes etc.*

**PART VII**

**PROCEDURE IN MEETINGS**

**St. 18** (M. C.) (1) A member who desires to speak shall rise in his place and address the Chairman only.

*When a member can speak* (2) When a member rises to speak, his name shall be called out by the Chairman and he shall not be entitled to speak until his name has been so called out.

(3) If more members than one rise at the same time, only the member whose name is called out by the Chairman shall be entitled to speak.

**St. 19** (M.C.) (1) Every speech must be relevant to the matter under consideration.

*Speech to be relevant* (2) The Chairman may direct any member to discontinue his speech if the speaker's argument becomes offensive, embarrassing, scandalous or irrelevant.

**St. 20** (M. C.) (1) Save in exercise of a right of reply, a member shall not be entitled to speak more than once on the same matter.

*A member entitled to one speech only* (2) A member may, with the permission of the Chair, make a statement on any matter arising out of the debate.

**St. 21** (M. C.) No member shall rise to speak while another member is speaking :  
*One member only to speak at a time* Provided that a member may, with the permission of the Chair, rise even while another member is speaking, to explain any expression used by himself which may have been misunderstood by the Speaker, but in every such case he shall confine himself strictly to such explanation.

**St. 22** (M. C.) If the Chairman rises to speak, any member speaking or about to speak, shall sit down at once.  
*Chairman to have precedence*

**St. 23** (M. C.) No member shall, except with the permission of the Chair, speak for more than seven minutes when moving a motion or amendment, or replying to a debate.  
*Time allowed to speak*

**St. 24** (M. C.) (1) Any member may call the Chairman's attention to a point of order, even while another member is speaking, but no speech shall be made on such point of order.  
*Point of order*

(2) The Chairman shall be the sole judge of order, and may call any member to order, and shall have all powers necessary to enforce his decisions on all points of order.

**St. 25** (M. C.) The Chairman may at any stage of the proceedings, at his discretion, or at the request of a member, explain the scope or effect of any motion or amendment which is before the meeting.  
*Chairman's privileges*

**St. 26** (M. C.) Any motion standing in the name of a member who is absent from the meeting may be moved by any other member present :  
*Absence of mover*

Provided that, a motion that has been withdrawn cannot be so moved.

**St. 27.** (M. C.) (1) Every motion which is moved must be seconded. In case it is not seconded, it shall lapse.  
*Seconding and withdrawal of motions* (2) A motion may be withdrawn by the mover at any time before it is moved; and when it has been withdrawn, all amendments to the motion shall lapse.

**St. 28** (M. C.) A motion may be ruled out of order by the Chairman at any time before it is put to vote.  
*Motions out of order*

**St. 29** (M. C.) (1) After a motion has been seconded, any member may move an amendment thereto if the Chairman has admitted such amendment or allowed it to be moved.  
*Amendments to motions*

(2) If there be more than one amendment to a motion of which previous notice has been given, the Chairman shall determine the order in which the amendments are to be moved.

(3) Any amendment standing in the name of a member who is absent from the meeting may be moved by any other member present provided that, an amendment that has been withdrawn cannot be so moved.

**St. 30** (M. C.) Every amendment which is moved must be seconded.  
*Amendments to be seconded* In case it is not seconded, it shall lapse.

**St. 31** (M. C.) An amendment may be withdrawn by the mover at any time before it is moved.  
*Withdrawal of amendments*

**St. 32** (M. C.) An amendment may be ruled out of order by the Chairman at any time before it is put to vote.  
*Amendments out of order*

**St. 33** (M. C.) After the amendment or amendments have been moved and seconded, a general debate shall follow on the motion and the amendments.  
*General debate*

**St. 34** (M. C.) When the debate is concluded, the Chairman may, if he so desires, sum up the debate and shall put the amendment or amendments to vote. If any amendment or amendments are carried, the motion as amended shall be stated by the Chairman and then put to vote. If no amendment is carried, the original motion shall be put to vote.  
*Voting on amendments and motion*

## PART VIII

### VOTING

**St. 35** (M. C.) (1) All matters placed before a meeting shall be decided by a simple majority of votes of the members and voting unless a particular majority is required by the Act or the Statutes.  
*Decision by majority of votes*

(2) The Chairman shall have one vote, and in the event of an equality of votes, he shall cast the same.

**St. 36** (M. C.) (1) After putting any question to vote the Chairman shall call for an indication of the opinion of the Court by show of hands, first in the affirmative and then in the negative, and shall declare the result accordingly.  
*Voting to be by show of hands*

(2) If any member so demands, the names of the members who vote for or against the motion as well as the names of those who abstain from voting shall be recorded in the minutes.

**PART IX**  
**PROTESTS**

**St. 37** (M. C.) Any member who intends to protest against a motion passed at a meeting of the Court to which the assent of the Chancellor is required shall give notice in writing of such intention to the Registrar within two days from the date of the meeting and shall within fourteen days from such date lodge with the Registrar a memorandum setting out the grounds of protest. The Registrar shall forward a copy of the memorandum to the mover of the motion. The mover of the motion shall within fourteen days from the date on which the memorandum was so forwarded, send to the Vice-Chancellor a reply to the grounds of the protest. The memorandum of protest and the reply, together with a copy of the minutes of the meeting, shall then be submitted for the consideration and order of the Vice-Chancellor.

**PART X**  
**MINUTES**

**St. 38** (M. C.) (1) Within ten days after every meeting of the Court, a draft of the minutes of such meeting shall be submitted by the Registrar to the Chairman. After the Chairman has approved and attested the same, a copy of the draft minutes shall be forwarded to each member. Any member who was present at the meeting may, within seven days of the issue of the draft minutes, communicate to the Registrar any exceptions he may take to the correctness thereof. The draft minutes and the exceptions taken, if any, shall be laid for consideration before the next meeting of the Court and the minutes in their final form shall then be confirmed.

(2) The Chairman shall have the right to expunge from the minutes any expression which he considers objectionable or the publication of which is, in his opinion, not in the interest of the University.

(3) Once every 12 months or at such other intervals as the Court may determine, the final minutes of the meetings of the Court held within the period shall be circulated to each member of the Court.

**PART XI**  
**MISCELLANEOUS**

**St. 39** (M. C.) No matter which has been decided by the Court shall be reconsidered within a period of 12 months from the date of such decision except at a special meeting convened for the purpose in the manner prescribed under the provisions of paragraph 2(a) of Statute 3 (M.C.) and unless three-fourths of the members present at such a meeting signify their assent in favour of such reconsideration.

**St. 40** (M. C.) The decision of the Chancellor in every matter which requires such decision shall be reported to the Court and recorded in its minutes.

**St. 41** (M. C.) (1) The Chairman may direct any member whose conduct is, in his opinion, disorderly to withdraw immediately from the meeting, and any member so ordered shall be deemed to have withdrawn from the meeting.

(2) The Chairman may, in case of grave disorder occurring at a meeting, adjourn the meeting *sine die* or to a specified date or dissolve the meeting.

**St. 42** (M. C.) If the Vice-Chancellor considers it necessary or expedient, he may obtain a decision of the Court on any matter by circulation. In every such case a notice of the motion or proposal on which the decision of the Court is sought shall be circulated to every member of the Court along with an explanatory memorandum. A member may within 15 days of such notice communicate to the Registrar his acceptance or otherwise of the motion or proposal. Such motion or proposal will be deemed to have been adopted by the Court if the majority of members have expressed their acceptance of the motion or proposal.

**St. 43** (M. C.) (1) In any case not provided for by the Statutes under this Chapter, the Chairman may give a ruling as to the procedure to be followed which is not inconsistent with the Act or the Statutes under this Chapter.

(2) Save as otherwise provided, in case of any dispute or difference of opinion in a meeting, the Chairman's interpretation of any provision of the Act or the Statutes shall be binding.

**St. 44** (M.C.) No proceedings of a meeting of the Court shall be invalidated merely by reason that any member has not received a notice or agenda papers provided it has been duly issued.

*Safeguard against invalidation of proceedings.*

## CHAPTER XI

### THE STATUTES RELATING TO AFFILIATION OF COLLEGES

**St. 1** (Affn.) (1) These Statutes may be called the Statutes relating to Affiliation of Colleges.

*Short title and commencement*

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

**St. 2** (Affn.) (1) In these Statutes, unless the context otherwise requires, words and expressions used shall be interpreted to have the same meaning as they have in the Act.

*Interpretation*

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of these Statutes, shall stand modified by the Statutes under this Chapter.

**St. 3** (Affn.) All colleges affiliated to the University before adoption of the Statutes under this Chapter shall be deemed to be affiliated to the University under the aforesaid Statutes.

*Colleges affiliated by the Act.*

**St. 4** (Affn.) (1) Any college proposed to be established in any of the districts situated within the territorial jurisdiction of the University referred to in clause (5) of section 2 read with sub-section (4) of section 5 of the Act, may apply to the University for affiliation in any of the disciplines as may be consistent with the academic programmes of the University.

*Application for affiliation*

(2) In the case of a Government College or a college receiving aid from the State Government, the application shall be made through the Director of Public Instruction, West Bengal. In the case of any other college, the Governing Body/Organising Committee/Ad-hoc Committee of Management

shall make the application through such authority, if any, as the Executive Council may direct :

Provided that no application for affiliation shall ordinarily be entertained after December 31 of the year immediately preceding the academic session from which affiliation is sought.

**St. 5** (Affn.) (1) The Executive Council shall grant affiliation to a college in accordance with the provisions of the Statutes under this Chapter and subject to such conditions as may be imposed from time to time.

*Grant and withdrawal of affiliation*

(2) Affiliation shall be granted specially for each separate subject and for each separate course of study; i.e., Arts, Science, Commerce, Law, Fine Arts, Music, Engineering, Medicine and such other courses of studies as may be prescribed by the Executive Council from time to time.

(3) Subject to the provisions of the Statutes under this Chapter the Executive Council shall have the power to suspend or withdraw the affiliation of any college in any subject or course of study in case the Executive Council is satisfied that any of the conditions imposed under paragraph (1) or those prescribed by the Statutes and/or the Ordinances are not being observed :

Provided that no affiliation shall be suspended or withdrawn without affording the management of the college an opportunity of making such representation as it may desire to make under the provisions of St. 20 (Affn.).

**St. 6** (Affn.) (1) Every college applying for affiliation shall satisfy the Executive Council—

*Conditions of affiliation.*

*Governing Body*

(a) that the college which is not a Government College is to be, or is being, management by a Governing Body constituted duly in accordance with the provisions of the relevant Statutes in this regard.

(b) that the college has provided for adequate space for Class Rooms, Libraries, Laboratories, Common Rooms and such other accommodation as may be specified for the purpose of imparting instruction;

*Space & Building*

(c) that the college has made adequate provision for a properly equipped Library;

*Library*

(d) that the college has made adequate arrangements for the imparting of instruction in a properly equipped Laboratory or Museum when affiliation is sought in such subjects as would require practical tests;

*Laboratory/ Museum*

(e) that the college shall, in order to ensure the imparting of instruction properly, have a whole-time Principal and employ adequate number of teaching staff having qualifications conforming to the prescriptions made from time to time by the University or by the State Government, as the case may be :

Provided that, if for any reason whatsoever, the office of the Principal remains vacant, or if the Principal is on leave or is not in a position to attend the office for the due discharge of his functions, the Governing Body shall appoint, in order of seniority, one of the whole-time teachers of the college, as the Teacher-in-Charge for discharging the functions of the Principal;

(f) that the college has the financial resources so as to ensure its efficient maintenance;

(g) that the college, when established, shall not be implicated in competition with neighbouring colleges as might adversely affect the interest of any of them; and

(h) that the college shall not charge from the students fees other than those approved by the University.

(2) Every college shall also undertake that—

(a) any transfer of management or change in the teaching staff effected after affiliation has been granted shall be reported forthwith to the Executive Council;

(b) the number of students in a class shall be determined according to the size of the class room and shall not exceed one hundred :

Provided that in case the number is likely to exceed the prescribed limit, prior permission of the Executive Council for admitting any such excess number of students, not more than fifty in any case, shall have to be obtained;

(c) the appointment of teachers shall be made in accordance with the provisions of—

(i) The West Bengal College Service Commission Act, 1978 (West Bengal Act LXII of 1978),

(ii) The West Bengal College Teachers (Security of Service) Act, 1975 (West Bengal Act XLIV of 1975), and

(iii) The provisions made in this behalf by the Statutes, the Ordinances or the Regulations, as the case may be;

(d) there shall be a Teachers' Council in the college constituted in accordance with the provisions made in this behalf by the Statutes, the Ordinances or the Regulations, as the case may be;

(e) there shall be a Students' Union, by whatever name called, in the college constituted in accordance with the provisions made in this behalf by the Statutes, the Ordinances or the Regulations, as the case may be; and

(f) there shall be a Mess Committee in the college having hostel accommodation for the students, constituted in accordance with the provisions made in this behalf by the Statutes, the Ordinances or the Regulations, as the case may be.

**St. 7 (Affn.)** On receipt of an application for affiliation the Vice-Chancellor shall cause necessary inspection to be made by the Inspector of Colleges with the help of such experts as may be nominated by the Vice-Chancellor with a view to ascertaining whether the proposed college satisfies the conditions set forth in St. 5 (Affn.) and St. 6 (Affn.).

**St. 8 (Affn.)** An application for affiliation may be withdrawn at any time before an order has been passed by the Executive Council :  
Provided that a college shall not be permitted to apply for withdrawal of affiliation after it has started functioning.

**St. 9 (Affn.)** No student shall be admitted to any course of instruction in a college in anticipation of the affiliation of the college in respect of such course of study. Any violation of this provision may be a ground for refusal of granting affiliation.

**St. 10 (Affn.)** When a college proposes to add new subjects or courses of study to those in respect of which it has already been granted affiliation, the procedure prescribed by St. 6 (Affn.), St. 7 (Affn.), St. 8 (Affn.) and St. 9 (Affn.) shall, as far as they may apply, be followed.

**St. 11 (Affn.)** A college affiliated in a subject for any of the University examinations shall provide for the delivery of the minimum number of lectures as may be prescribed by the relevant Council for Under-graduate Studies from time to time.



**St. 12 (Affn.)** (1) If a college fails for two consecutive years to arrange for the delivery of the minimum number of lectures or the holding of the minimum number of tutorial classes in any subject, the Executive Council may refuse to permit the college to present students for the University examination concerned in that subject.

(2) At the end of each session, every college shall furnish to the University a statement showing the total number of lectures delivered and the total number of tutorial classes held in each subject during that session as also during the session immediately preceding the same.

**St. 13 (Affn.)** Every lecture or tutorial class shall cover a period of not less than 45 minutes.

*Duration of lecture or tutorial classes*  
*Practical work and class exercises*

**St. 14 (Affn.)** For the purpose of the Statutes under this Chapter, a period of practical work or class exercises of not less than 45 minutes' duration shall be deemed to be a tutorial class.

**St. 15 (Affn.)** (1) A lecture or tutorial class shall not be treated as such within the meaning of the Statutes under this Chapter, unless it is delivered to or held in respect of a class or a permanent section or group thereof and unless it is reckoned in calculating the percentage of attendance of the students concerned offering the subject in which the lecture is delivered.

(2) Even if some of the students or all of them belonging to a class or a permanent section or a group thereof fail or refuse to attend a lecture or a tutorial class, such lecture or tutorial class shall, nevertheless, be deemed to have been duly delivered or held and all such students shall be marked absent.

**St. 16 (Affn.)** Notwithstanding anything contained in the Statutes under this Chapter, the Executive Council shall have the power, in an eventuality, such as an epidemic, famine, war or widespread civil disturbances, to suspend the operation of any of the provisions of the Statutes under this Chapter for such period or periods and for such college or colleges as the Executive Council may decide.

**St. 17 (Affn.)** (1) In the event the relevant Council for Under-graduate Studies is of the the opinion that the Governing Body of a college has not been properly constituted or that the Governing Body has not been properly functioning,

it shall make its recommendation to the Executive Council in this regard and the Executive Council shall thereupon decide as to whether the Governing Body is to be freshly constituted in accordance with such directions as it may give as a condition of continuance of affiliation of college.

(2) In the event of failure of the college to comply with the direction given by the Executive Council under paragraph (1), it shall take appropriate action in terms of clause (xi) of section 21 of the Act.

**St. 18 (Affn.)** Every college shall furnish such returns, reports and other information as may be asked for by the Executive Council or by the Council for Under-graduate Studies in order to judge the efficiency of the college or for the compliance of the requirements of the University Grants Commission or the Central Government or the State Government.

**St. 19 (Affn.)** (1) As a condition of the continuance of its affiliation, every college shall be inspected in accordance with the provisions of the University Ordinances relating to Inspection of Colleges.

(2) The Council for Under-graduate Studies may direct any college so inspected to take, within such time as the Council may fix, such action as may appear to the Council to be necessary in respect of any matter referred to in St. 6 (Affn.) and in case the college fails to take such action, the Council may recommend suspension or withdrawal of affiliation of the college to the Executive Council subject to the provisions of paragraph (3) of St. 5 (Affn.).

**St. 20 (Affn.)** (1) If any college fails to comply with any of the provisions of the Statutes under this Chapter, the Council for Under-graduate Studies shall report the fact to the Executive Council with its recommendations.

(2) If, on receipt of such report or otherwise, it appears to the Executive Council that no sufficient grounds exist for such failure, it shall call upon the Governing Body of the college to show cause within such date as it may fix why the affiliation of the college in any subject or subjects shall not be withdrawn or suspended.

(3) On the receipt of any representation which the Governing Body may make, the Executive Council shall invite the opinion of the relevant Council for Under-graduate Studies thereon and after considering such representation and opinion, if any, shall decide whether the affiliation of the college in the subject or subjects in question should be allowed to continue or be withdrawn or suspended.

**St. 21** (Affn.) If any doubt or difficulty arises in regard to the interpretation or application of this Chapter, or if any matter in relation to the affiliation of colleges which is not covered by this Chapter arises, the Vice-Chancellor may issue such directions as he may consider proper and shall report the matter to the Executive Council forthwith.

## CHAPTER XII

### STATUTES RELATING TO CONSTITUTION, POWERS AND FUNCTIONS OF THE GOVERNING BODIES OF AFFILIATED COLLEGES OTHER THAN GOVERNMENT COLLEGES

**St. 1** (G.B.) (1) These Statutes may be called the Statutes relating to Constitution, Powers and Functions of the Governing Bodies of Affiliated Colleges other than Government Colleges;

(2) They shall come into force from such date as the State Government may, under sub-section (5) of section 57 of the Act, appoint.

**St. 2** (G.B.) (1) In this Chapter, unless the context otherwise requires, words and expressions used shall be interpreted to have the same meaning as they have in the Act;

(2) The provisions of the Statutes, the Ordinances, the Regulations and the Rules of the University, in so far as they affect the matters provided herein, if in conflict with the provisions of this Chapter, shall stand modified by the Statutes under this Chapter :

(3) “college” means a college affiliated to the University but shall not include a Government College;

\*(4) “donor” in relation to a college means a person, or a Body or an Association who/which has made a donation to the college of a sum amounting to not less than rupees ten thousand or has made over to it a property which, in the estimation of the Executive Council, is of the said valuation.

**St. 3** (G. B.) (1) Every college shall have a Governing Body consisting of the following members, namely—

*Constitution of Governing Body*

(i) the President of the Governing Body, who shall be elected in the manner prescribed in paragraph (2) ;

\* indicates the provisions of St. 2 (G. B.) (4) amended. [Amendment assented by the Chancellor on 08.12.94]

(ii) the Principal of the college, who shall be the Secretary to the Governing Body (ex-officio) :

Provided that in the case of a new college, at its initial stage, one of the promoters having academic or administrative experience, may, subject to the approval of the Executive Council, act as the Founder Secretary for a period not more than two years from the date of affiliation and in such a case the Principal of the college shall act as the Joint Secretary for the aforementioned period ;

(iii) three members to be elected by secret ballot by the whole-time teachers of the college from amongst themselves at a meeting of all such teachers convened for the purpose by the Principal of the college in the manner as may be determined by him. The meeting shall be presided over by the Principal, but he shall have no vote. Any decision at such a meeting shall be taken by simple majority of votes. In the case of an equality of votes, decision shall be taken by the drawing of lots in the manner as may be deemed fit by the Principal;

(iv) one member with administrative or teaching experience to be nominated by the State Government;

(v) three members not belonging to the concerned college in any capacity to be nominated by the concerned Council for Under-graduate Studies, of whom one shall be a woman in the case of a women's college or a co-educational college;

(vi) unless the terms and conditions of any donation accepted before coming into force of the former Ordinances relating to Governing Bodies of Affiliated Colleges framed under the Burdwan University Act, 1959, require otherwise—

- (a) one representative of the donors in case their number does not exceed five, or
- (b) two representatives of donors in the event their number exceeds five, to be elected by the donors from among themselves by secret ballot in the manner as may be determined by the Principal of the college concerned :

Provided that no teacher or librarian or member of the non-teaching staff or student of the college who may be a donor shall be eligible for election to the Governing Body thereof as donors' representative;

(vii) two representatives of the whole-time non-teaching employees of the college, to be elected by such employees from among themselves by secret ballot in the manner as may be determined by the Principal :

Provided that, for the purpose of this clause, 'non-teaching employee' shall include members of the 'non-teaching staff' as also 'Librarians' as defined in clauses 11 (b) and 13 (b) respectively of section 2 of the Act;

(viii) the General Secretary of the Students' Union of the college, ex-officio. In the event of there being no duly constituted Students' Union functioning at a college, one representative of the students thereof shall be elected by regular students from among themselves by secret ballot in the manner as may be determined by the Principal.

(2) (i) The President of the Governing Body of a college shall be elected by the members referred to in clauses (ii) to (viii) of paragraph (1) at a meeting of such members to be convened for the particular purpose by the Principal of the college and presided over by him;

(ii) Half of the total number of the said members plus one shall form a quorum for such a meeting. In case no consensus can be arrived at, the decision shall be taken by a majority of votes; and

(iii) The President of the Governing Body may or may not be elected from amongst the members specified under clauses (ii) to (viii) of paragraph (1).

**St. 4** (G. B.) A report on the formation of the Governing Body containing the list of the members thereof including the President as also any changes effected subsequently shall be submitted by the Principal to the Inspector of Colleges forthwith.

**St. 5** (G. B.) Any dispute arising in connection with the election or nomination of members of Governing Body of a college including the President shall be referred to by the Principal to the Inspector of Colleges who shall then place it before the Council for Under-graduate Studies and its decision thereon shall be final.

**St. 6** (G. B.) (1) (i) The term of office of the representative of the students on the Governing Body shall be one year and in respect of other members it shall be three years, from the date of election of the President :

Provided that, in case of a duly constituted Students' Union functioning at a college, the General Secretary thereof shall hold office as a member of the Governing Body for a period of one year or till he ceases to be the General Secretary, whichever is earlier :

Provided further that during the period intervening between the expiry of the term of office of any out-going member and the filling up of the

vacancy, except in the case of the student representative, the out-going member shall continue as such :

Provided also that the Executive Council shall have the power to extend the life of the Governing Body of a college for such period as it may consider necessary.

(ii) At least three months before the expiry of the term of office of any elected or nominated member of the Governing Body of a college, the Secretary or, in his absence, the President of the Governing Body shall take necessary steps for filling up of the said vacancy.

(iii) A casual vacancy in the office of a member of the Governing Body shall be filled by the authority/body/electorate entitled to fill it in the same manner of election or nomination, as the case may be.

(iv) A member nominated or elected to fill a casual vacancy, shall hold office for the remaining period of the term of membership of the member in whose place the vacancy has occurred.

(v) If a member of the Governing Body ceases to hold the position by virtue of which he was elected or nominated on the Governing Body, he shall cease to be the President or the Secretary or a member of the Governing Body, as the case may be, with effect from the date he ceases to hold such position.

(2) Any action taken by the Governing Body shall not be called into question or invalidated merely by reason of there being a vacancy in the office of any member thereof.

**St. 7** (G. B.) (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.

(2) In particular, and without prejudice to the generality of the foregoing provision, the Governing Body of every college shall be responsible for ensuring—

(a) that the posts of teachers and non-teaching employees including Librarian are created and appointments made thereto for the imparting of instruction adequately and the operation of the college effectively;

(b) that the number of teachers, their qualifications and the method of recruitment as also the conditions of their service are in accordance with

- Recruitment of teachers* the relevant law and/or the Statutes, the Ordinances and the Regulations of the University as may be in force from time to time;
- (c) that the laboratory and other instructional facilities available are adequate for the instructional programme;
- Laboratory Building* (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 repairs and sanitation;
- (e) that the library is properly equipped with text and reference books so as to cater to the requirements of the teachers and the taught;
- Library* (f) that efforts are made to procure adequate financial resources of the college necessary for efficient and effective operation of the college;
- Financial resources* (g) that all information, returns, reports and other materials as may be required by the University, the University Grants Commission and the State Government are promptly collected, prepared and made available to them;
- Returns and Reports* (h) that all ledgers, books of account, registers and all other records required to be maintained are always kept up-to-date;
- Records* (i) that due provision is made for the well-being of the students;
- Well being of students* (j) that discipline and cordial relation are maintained among the students, teachers and non-teaching employees;
- Discipline & cordial relation* (k) that proper assistance and facilities are provided to the Inspector of Colleges and other officials of the University as well as of the State Government while holding an inspection or enquiry or while collecting information and data as may be required;
- Assistance to Inspecting team* (l) that the directions issued by the University from time to time are carried out and compliance therewith is reported speedily to the University;
- Compliance of directions of the University* (m) that all properties and funds of the college and those donated for the benefit of the college are properly controlled and administered; and
- Properties and Funds*

(n) that review of results of the students presented by the college at the University examinations is made from time to time and that measures are adopted for the maintenance of proper academic standard and improvement in the performance of the students.

(3) The Governing Body may appoint a Sub-committee for financial affairs and other Advisory Committees as it may consider necessary for the efficient administration of the college. The Sub-committee for financial affairs shall be constituted from amongst the members of the Governing Body. In the case of an Advisory Committee, persons other than the members of the Governing Body may be included. The Principal shall be the Chairman of such Sub-committee or Advisory Committees.

**St. 8** (G. B.) (1) A meeting of the Governing Body shall ordinarily be held in the college premises;

*Meetings of Governing Body* (2) The Governing Body shall ordinarily meet at least six times in a year;

(3) Half of the total number of members plus one shall form a quorum, provided that no quorum shall be required for an adjourned meeting;

(4) A meeting may not ordinarily be held during the Summer recess, the Winter recess or the Puja holidays;

(5) A meeting of the Governing Body shall normally be convened by the Secretary in consultation with the President. If at any time, there be no Secretary or in case of temporary absence of the Secretary, the President shall convene a meeting. In the case of an ordinary meeting not less than 7 days' notice shall be given to the members of the date fixed for such a meeting, while in the case of an extra ordinary meeting 24 hours' notice shall be given;

(6) The Secretary shall send copies of minutes of the previous meeting to the members along with the notice.

**St. 9** (G.B.) If no meeting of the Governing Body is convened for a continuous period of four months, 50 percent of the total number of members on written requisition may require the President or the Secretary, as the case may be, to convene a meeting and such requisition shall be complied within a fortnight from the date of receipt of such requisition :

*Requisition meeting.*

Provided that while calculating 50 percent in the case of a Governing Body consisting of members of an odd number, the total number shall first be reduced by one.

**St. 10** (G.B.) Notwithstanding anything contained elsewhere in *Special provision* the Statutes under this Chapter, the special provisions *regarding composition* regarding composition of Governing Bodies *of Governing Body* as enumerated hereunder shall apply to certain colleges.

(1) (a) In the case of a college established and administered by a Registered Educational Society or a Trust Body and already granted affiliation on that stipulation, the Governing Body shall be constituted in accordance with the terms of the Memorandum & Articles of Association or the Deed of Trust, as the case may be :

Provided that the Governing Body of such a college shall also include the members as envisaged in clauses (iii), (iv), (v), (vii) and (viii) of paragraph (1) of St. 3 (G.B.).

(b) Within three months from the date of coming into force of the Statutes under this Chapter, the Governing Body of a college, as envisaged in sub-paragraph (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 a 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 the such a college is not reconstituted within the period referred to in sub-paragraph (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 sub-paragraph (a).

(2) Notwithstanding anything contained in paragraph (1), 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 as contained in the Memorandum & Articles of Association or the Deed of Trust, as the case may be, the Governing Body of such a college shall be constituted in accordance with the terms of the said Memorandum & Articles of Association or the Deed of Trust, as the case may be.

**St. 11** (G. B.) The Secretary to the Governing Body of every college shall—

*Functions of the Secretary to the Governing Body* (a) Convene meetings, conduct the official correspondence and maintain the records including the minutes or proceedings of meetings of the Governing Body;

(b) send to the University when called upon by the Executive Council to do so, originals or certified copies of such records, correspondence, minutes or proceedings referred to in clause (a), as may be required by the Executive Council; and

(c) operate the college funds jointly with the President or another member of the Governing Body as may be authorised by the Governing Body of the college.

**St. 12** (G. B.) Notwithstanding the special provisions in regard to the *Provisions to cover all colleges irrespective of character* composition of Governing Bodies in the case of certain colleges as envisaged in St. 10 (G.B.), the provisions of the Statutes under this Chapter, in so far as they are not inconsistent with the terms of the Memorandum & the Articles of Association or the Deed of Trust, as the case may be, shall apply to all colleges.

**St. 13** (G. B.) Notwithstanding anything contained in the Statutes under this Chapter, in the event of failure on the part of the State Government or the Council for Undergraduate Studies to nominate any member or members to the Governing Body of a college in terms of the provisions contained in clause (iv) or (v), as the case may be, of St. 3 (G.B.), the Governing Body of the concerned college shall be deemed to have been duly constituted under the provisions of this Statute.

**St. 14** (G.B.) If any doubt or dispute arises as to the interpretation or intention of any of the provisions of the Statutes under this Chapter, or if any difficulty arises on an issue not covered by the Statutes under this Chapter, the matter shall be referred by the Secretary or the President of the Governing Body of the college to the Executive Council which shall take appropriate measures for resolving the difficulty or settling the dispute and the decision taken by the Executive Council in this regard shall be final and binding.

## THE UNIVERSITY OF BURDWAN

In exercise of the power conferred by section 21 read with section 47 and 48, of the Burdwan University Act, 1981 (West Ben. Act XXIII of 1981), the Executive Council of the Burdwan University hereby makes the following amendments in the Burdwan University First Statutes (hereinafter referred to as the said Statutes).

### CHAPTER XIII

The Statutes relating to the Appointment and Terms and Conditions of Services of Teachers of Affiliated Colleges other than Government Colleges.

#### PART I

**St. 1** (T.A.C.) These Statutes may be called the statute relating to the *Short title and commencement* Appointment and Terms and Conditions of Services of Teachers of Affiliated Colleges other than Government Colleges.

**St. 2** (T.A.C.) In these statutes, unless the context requires *Interpretation* otherwise—(a) "college" means an affiliated college, including a Constituent or a Professional College but does not include a Government College.

(b) words and expressions used by not defined shall be interpreted to have the same meaning as they have in the Act.

#### PART II GENERAL

**St. 3** (T.A.C.) Appointment of teachers (whole-time or part-time) *Appointment* including Principals, of affiliated colleges other than Government colleges shall be made in accordance with the provisions of the West Bengal College Service Commission Act, 1978 (West Ben. Act LXII of 1978)

**St. 4** (T.A.C.) The period of probation shall be determined in *Probation* accordance with the provisions of the West Bengal College Teachers (Security of Service) Act, 1975 (West Ben. Act XLIV of 1975)

**St. 5** (T.A.C.) In calculating the period of service of a teacher of *Commencement of period of service* college in any post for any purpose including the operation of a time scale of pay, services 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 for the same or any other post in the same cadre, his services 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) unauthorized leave of absence
- (b) unauthorized absence in continuation of authorized leave of absence.

**St. 6** (T.A.C.) (1) A teacher shall be required to take classes, subject *Hours of work* to the rules as are in vogue and as may be framed in this behalf by the University from time to time.

(2) Teachers of a college shall effectively co-operate and assist, whenever required, in carrying out the functions relating to the educational responsibilities of the college (such as assisting in appraising applications for admission, advising or counselling the students and assisting in University and College examinations including supervision thereof).

*Explanation* : The expression "shall effectively co-operate and assist" in relation to University examinations shall for the purpose of these Statutes, mean to include compulsory and effective participation of Teachers, including Principals, of all affiliated colleges in all matters relating to such examinations if and when their services are requisitioned by the University for any purpose relating to such examinations.

(3) Every teacher and Principal of a college shall sign a daily attendance register of the teacher maintained for the purpose. Such daily attendance of the teacher(s) shall be counter-signed by the Principal.

(4) In particular and without prejudice to the foregoing provisions, a teacher shall perform the following duties, namely—

- (a) to perform invigilation work in any examination for any course of study taught in the college;
- (b) to draw routines;
- (c) to carry out assignment for such field work as may be necessary for the courses taught in the college;
- (d) to assist the Principal with regard to admission of students;

- (e) to participate in N.C.C., N.S.S. and Sports and Games for the well-being of the students;
- (f) to assist the Principal, in the management of Hostels and Messes attached to the college or recognized by it;
- (g) to undertake the internal assessment of students; and
- (h) to evaluate answer scripts of students for any examination conducted by the colleges and the University.

(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.

**St. 7 (T.A.C.)** A whole-time teacher of a college enjoying University Grants Commission scale of pay as approved by the State Government and introduced since 1st January, 1973 or any other scale of pay introduced by the State Government after 1st January, 1973, shall retire from service with effect from the afternoon of the last day of the month in which he attains the age of superannuation, i.e. completes the 60th year of age.

**St. 8 (T.A.C.)** (1) The salaries and scales of pay for whole-time teachers in a college, shall, in no case, be lower than the minimum salaries and scales of pay as the State Government may by order specify in respect of such teachers.

(2) The salary of a part-time teacher in a college shall, in no case, be lower than the minimum salary as the State Government may by order specify. Such a teacher shall take classes as the State Government may by order specify from time to time.

**St. 9 (T.A.C.)** When a teacher joins a college after resigning his post in another college, initial pay 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 the former college.

**St. 10 (T.A.C.)** A temporary teacher who has worked in a college for a period of not less than ten months continuously shall be entitled to draw his salary for the periods of Puja holidays, summer recess and winter recess, included within this period or immediately following it.

**St. 11 (T.A.C.)** A Service Book, in such form as may be determined with the approval of the State Government, shall be maintained for every teacher in a college, whether whole-time or part-time.

**St. 12 (T.A.C.)** (1) No whole-time teacher of a college shall be permitted to accept any part-time assignment with or without remuneration in another college or elsewhere except with the approval of the Governing Body of the college where he is attached in the capacity of a whole-time teacher :

Provided that no whole-time teacher shall be permitted to accept more than one part-time assignment under any circumstances.

(2) Any teacher contravening the provisions of this Statute shall be liable to such disciplinary action as the Governing Body of the college where he is a whole-time teacher, may deem fit subject to the provision of statute 14 of these Statutes.

**St. 13 (T.A.C.)** (1) Subject to the terms and conditions of any existing contract, no permanent teacher of a college shall be entitled to terminate his services by voluntary resignation unless he submits in writing to the Principal a notice of his intention to resign and such notice shall be 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 a resignation at any other time, at least two months in advance.

Provided that no teacher holding an appointment either on temporary basis or on probation shall be entitled to terminate his services by voluntary resignation unless he submits in writing to the Principal a similar notice at least one month in advance :

Provided further that in special circumstances the Governing Body may, on the recommendation of the Principal, accept a notice of intention to resign for a shorter period.

(2) An 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).

**St. 14 (T.A.C.)** Every teacher of a college shall be subject to such "Disciplinary Rules" as the Executive Council may determine, with the approval of the State Government.

**PART III****LEAVE**

**St. 15** (T.A.C.) (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 when any 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".

**St. 16** (T.A.C.) All applications for leave or for extension of leave shall be made in writing and addressed by the teacher to the Principal and sanction for the leave or extension of leave applied for, 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 to obtain the sanction for leave of absence beforehand, leave may be granted with retrospective effect; but all applications for leave with retrospective effect shall be submitted at the earliest possible opportunity.

**St. 17** (T.A.C.) (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 to 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, holidays exceeding three days or the Puja Holidays, the summer recess or the winter recess, previous sanction of the authority competent to grant the leave shall be obtained.

(2) Except with the previous permission of the authority competent to grant the leave, no teacher on leave shall return to duty before the expiry of the period of leave granted to him.

**St. 18** (T.A.C.) When a teacher of a college is absent on all the days of a week during which he has assigned duties, whether such days are consecutive or not, he shall be deemed to have been absent for all the days of the week.

**St. 19** (T.A.C.) The Principal of a college may, at his discretion, recall *Re-calling from leave* to duty, at any time, any teacher of the college who may be on leave, except on medical grounds.

**St. 20** (T.A.C.) When a teacher of a college has been granted leave *Overstay* to which holidays or recess has been affixed and such a teacher absents himself from duty beyond the expiry of such holidays or recess, the entire period of his absence from duty after the expiry of such holidays or recess, shall be treated as absence from duty without leave and he shall not be entitled to his salary or allowances for such period unless and until the period is covered by the grant of appropriate leave or the Governing Body of the college directs otherwise.

**St. 21** (T.A.C.) (1) Casual leave on full pay may be allowed to a *Casual leave* teacher of a college up to a maximum of fifteen days in any one academic year but such leave shall not be granted for more than five days at a time.

(2) Casual leave shall not be combined to the Puja holidays, the Summer recess or the Winter recess or to any other kind of leave.

(3) Sundays or holidays (other than the Puja holidays, the Summer recess or the Winter recess) preceding, falling within or succeeding the period of casual leave shall not be counted as part of casual leave.

(4) 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 shall not be accumulated or carried over to the academic year following.

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 short period on account of illness or urgent private affairs.

**St. 22** (T.A.C.) (1) Every whole-time teacher of a college shall be *Earned leave* entitled to avail leave on full pay (hereinafter referred to as earned leave) (a) the amount of earned leave admissible to a whole-time teacher of a college shall be fifteen days for first seven years and thereafter thirty days for each completed year of his actual service;

(b) earned leave may be accumulated and joined to any other kind of leave except casual leave :

Provided that when the earned leave due at any time amounts to two hundred and forty days, the teacher concerned shall cease to earn at his credit any further earned leave.



Explanation : "actual service" means the period which a teacher spends on actual duty and includes—

- (i) the period covered by any casual leave but no other leave, granted to him;
  - (ii) the period of the Puja holidays, the Summer recess and the Winter recess; and
  - (iii) the holidays except such holidays as may fall within the periods as specified in (ii) above or casual leave or any other kind of leave that may be granted to him.
- (c) No part-time teacher shall be entitled to any earned 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 a teacher,
- (c) urgent private affairs, and
- (d) arrangements 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 with a medical certificate from a registered medical practitioner;
- (ii) no teacher who has been granted earned leave under clause (a) on a medical certificate, shall return to duty without producing a medical certificate of fitness from a registered medical practitioner;
- (iii) the teacher of colleges who shall come under these Statutes for the first time, shall be entitled to have at their credit on the 'appointed day' earned leave accruing at the rate of as specified in this statutes, up to the maximum of two hundred and forty days.

**St. 23** (T.A.C.) (1) The Principal of a college shall be competent *Authority for granting leave* to sanction to a teacher of the college leave as under :—

- (i) casual leave;
- (ii) earned leave for any period not exceeding fifteen days at a time.

(2) In the matter of sanctioning earned leave to a teacher exceeding fifteen days, the application for such leave shall be disposed of by the Governing Body of the College.

(3) Any application for leave by the Principal, except casual leave, shall be addressed to the President of the Governing Body of the college and the same shall be placed before the Governing Body for disposal.

(4) The President of the Governing Body shall be competent to sanction casual leave to the Principal.

(5) The Governing Body of the college shall, unless provided otherwise, sanction other kinds of leave as envisaged in these statutes.

**St. 24** (T.A.C.) (1) Absence from duty of a whole-time teacher of a college on account of academic work elsewhere approved by the Governing Body of the college 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 on duty and such a teacher shall not be required to apply for casual or earned leave for the period of duty so undertaken.

**St. 25** (T.A.C.) Leave of absence from duty with full pay for a period not exceeding twelve months may be granted to a whole-time 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.

**St. 26** (T.A.C.) (1) A whole-time teacher of a college may be granted *Special study leave* 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 on conditions requiring the teacher to return to the college for a specified period of further service therein after the expiry of the leave as, the Governing Body may deem fit. Such leave shall be called special study leave.

**St. 27** (T.A.C.) (1) Maternity leave may be granted to a whole-time *Maternity Leave* woman teacher of a college who has been in the services of the college for at least nine months preceding actual the date of confinement. The total period of such leave, including the period of confinement, shall be such as that State Government may, by order, specify from time to time.

The total period of such leave shall be subject to such adjustment in phases as may be required in any particular case in consideration of the actual date of confinement.

Any application for maternity leave shall be accompanied with a medical certificate from a registered medical practitioner.

(2) Maternity leave may also be granted to a whole-time woman teacher of a college in cases of miscarriage, including abortion, for any medical ground as suggested by registered medical practitioner subject to the condition that in such a case, such leave shall not exceed forty five days and that the application for leave shall be supported by a medical certificate from a registered medical practitioner.

(3) Maternity leave granted under paragraph (1) or (2) shall not be debited against the leave account of the teacher concerned.

(4) Leave of any other kind except casual leave may be granted in combination with maternity leave, only if the application for the grant of such leave is supported by a medical certificate from a registered medical practitioner.

(5) Maternity leave as envisaged in paragraph (1) or (2) shall be granted by the Principal.

**St. 28** (T.A.C.) Leave of absence from duty may be granted to a *Quarantine Leave* teacher of a college on full pay when he is directed by the Principal of the college not to attend his duties on account of occurrence of any infectious disease in his family or household. Such Leave may be granted, on production of a certificate from 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, except casual leave. Quarantine leave so granted shall not be debited against the leave account of the teacher.

Explanation : (i) In order to determine "infectious disease" for the purpose of granting quarantine leave, the list maintained by the State Government indicating such diseases shall be followed;

(ii) "Chicken pox" shall not be treated as an "infectious disease" for the purpose of granting quarantine leave.

**St. 29** (T.A.C.) (1) Every whole-time teacher shall be entitled to leave *Leave on half pay* on half pay which may be commuted on medical ground only.

(2) the amount of leave on half pay admissible to a whole-time teacher of a college shall be twenty days for each completed year of service.

(3) Leave on half pay may be accumulated without any ceiling and combined with any other kind of leave except casual leave.

(4) Leave on half pay may be availed of on private affairs as well as on medical ground only.

(5) Leave on half pay may be commuted and such commuted leave not exceeding half of the amount of leave on half pay due may be granted on medical ground only, on submission of certificate in this behalf from a registered medical practitioner, subject to the following conditions—

(i) commuted leave out of the total accumulation of leave on half pay, shall be limited to a maximum of one hundred and eighty days during the entire period of service of a teacher.

(ii) when commuted leave is granted, twice the amount of leave on half pay due shall be debited against the leave account. Provided that the leave on half pay at the credit of a teacher shall not lapse except on the date of his retirement from service.

(iii) teachers who are granted or who availed of commuted leave for the maximum period of one hundred and eighty days, referred to in (i) above, shall be entitled to leave on half pay which remains due at credit, on half pay only.

(iv) Commuted leave may be combined with any other kind of leave except casual leave : Provided that the period of commuted leave and earned leave combined and sanctioned shall not exceed one hundred and eighty days on any one occasion.

**St. 30** (T.A.C.) (1) Extra-ordinary leave without pay may be granted *Extra-ordinary leave* to a whole-time teacher of a college when no other leave is admissible to him or although other leave is admissible, he applies in writing for the grant of extra-ordinary leave. Such leave may be granted for such period and on such terms and conditions as the Governing Body of the college may deem fit.

(2) The Governing Body may commute retrospectively in the case of any teacher any period of absence from duty without leave into extra-ordinary leave.

(3) Except in the case of a permanent teacher, the duration of extra ordinary leave shall not exceed three months on any one occasion.

(4) Unless, in consideration of the special circumstances of any particular case the Governing Body of a college decides otherwise, a teacher shall be deemed to have ceased to be in the service of the college after he has been continuously absent from duty for a period of five years.

**St. 31** (T.A.C.) (1) Any teacher of a college who may be required by the Principal in the interests of the college, to work during holidays or recess, except for college or University examination duties, shall be entitled to leave of absence from duty for such number of days as may be determined by the Principal.

(2) Any leave granted under paragraph (1) shall be on full pay and shall be called compensatory leave.

**St. 32** (T.A.C.) (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 re-calculated 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.

**St. 33** (T.A.C.) 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, other than casual leave.

**St. 34** (T.A.C.) (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 such teacher of a college, on the date of the commencement of these Statutes is in actual enjoyment of more liberal terms regarding leave, such a teacher shall continue to enjoy the same;

Provided that, in such a case the teacher shall exercise, within a period of three months from the date of commencement of these Statutes, an option either to come under these Statutes or to remain under the old rules. The option so exercised shall be final and binding and shall not be changed thereafter, under any circumstances.

**St. 35** (T.A.C.) (1) A part-time teacher of a college shall be entitled to the following kinds of leave :

*part-time teacher* (a) casual leave for ten days in an academic year; and

(b) extra-ordinary leave without pay for such period as may be determined by the Governing Body of the college in consideration of the special circumstances of any particular case.

(2) No other kind of leave shall be admissible to a part-time teacher of a college.

**St. 36** (T.A.C.) (1) Cash equivalent to a maximum of two hundred and forty days of accumulated Earned Leave shall be termed as Leave Salary, which shall become payable as one time settlement on attaining the age of retirement on superannuation.

Provided that for calculating the "Leave Salary", the basic pay, dearness pay, personal pay and dearness allowances, as may be admissible on the date of retirement/ superannuation/termination, shall be taken into account.

(2) "Leave Salary" subject to maximum of two hundred and forty days' Earned Leave at credit shall also become payable in the following cases :

(i) in the die-in harness case to the nominee(s) or the legal heir(s) of the deceased;

(ii) in the case of termination of service by notice or otherwise.

(iii) in case of Voluntary retirement, duly permitted by the competent authority.

(iv) in case of retirement due to invalidation;

(v) in case of resignation or quit of service before completing fifteen years of continuous service, the incumbent concerned shall be entitled to cash equivalent in respect of Earned Leave at his credit on the date of cessation of service to the extent of half of the accumulated amount, subject to maximum of one hundred and twenty days.

**St. 37** (T.A.C.) A leave account shall be maintained by the Principal of the college for every teacher thereof.

**St. 38** (T.A.C.) (1) A teacher appointed on substantive basis to any permanent post shall acquire a lien on that post and shall cease to hold any lien previously acquired on any other post.

(2) The lien on a permanent post which he holds substantively shall be suspended if the teacher is appointed in a substantive capacity—

(a) to a tenure post, or

(b) to a permanent post outside the cadre on which he is borne.

(3) The lien may also be suspended if the teacher concerned is deputed outside India or joins a foreign service under any Government in the interest of the State or on his own, or, in the circumstances not covered by the provisions of sub paragraphs (a) and (b) above, is transferred, whether in a substantive or officiating capacity, to a post in another cadre, and if in any of these cases, there is reason to believe that he will remain absent from the post on which he holds lien for a period of not less than four years.

(4) If a teacher is appointed substantively and confirmed to another permanent post either in the college or outside, his lien on the permanent post held earlier in the college shall be terminated, unless he indicates in writing his refusal to accept the appointment so made substantively in another permanent post. In such an event, the teacher concerned shall immediately report back to duty in the post on which he held lien.

(5) A teacher holding a substantive appointment in a college may be granted lien on his permanent post if he applies for the grant of lien consequent upon his obtaining an appointment either in another college or in any other establishment :

Provided that such a teacher shall submit the letter of appointment offered to him showing the nature of appointment and other terms and conditions of service in the new establishment.

(6) The period of lien shall initially be for a period of one year which may be renewed or extended if the teacher concerned is not confirmed in his services in the new establishment within that period :

Provided that the total period of lien so granted shall not ordinarily exceed two years.

(7) The lien of a permanent teacher shall continue when the services of such a teacher are requisitioned and he is permitted by the college to accept any Government or Semi-Government or contractual or tenure appointment or a tenure post in a Statutory Organization, Board or Council as approved by the Government or a University, in the interest of the public service or of the State or the University.

**St. 39** (T.A.C.) 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 minimum number of working days in a college in an academic year shall be determined by the Executive Council from time to time. The academic session of a college shall commence from the first day of July of every year and end on the thirtieth June of the year following. An academic session shall be divided into three different terms as follows :—

#### **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.

#### **Second Term**

The second term shall commence from the date of re-opening of the college after the Puja holidays and shall continue till the Winter recess begins.

#### **Third Term**

The third term shall commence from the date of re-opening of the college after the Winter recess and shall continue till the Summer recess begins.

### **PART IV**

#### **PROVIDENT FUND**

**St. 40** (T.A.C.) (T.A.C.) Every whole-time teacher of a college shall subscribe to the college provident fund subject to such rules as may be framed in this behalf by the State Government from time to time.

**St. 41** (T.A.C.) If any controversy arises in interpreting any of the provisions of these Statutes, the matter shall be referred to the University for interpretation.

STATUTES RELATING TO THE APPOINTMENT AND TERMS AND CONDITIONS OF  
SERVICE OF LIBRARIANS AND NON-TEACHING STAFF OF COLLEGES,  
OTHER THAN GOVERNMENT COLLEGES

In exercise of the power conferred upon it by clause (o) of section 47, read with section 48, of the Burdwan University Act, 1981 (West Bengal Act XXIII of 1981) the University makes the following Statutes :

The Statutes relating to Appointment and Terms and Conditions of Service of Librarians and Non-teaching staff of colleges affiliated to the University, other than Government colleges.

**St. 1 (L & NT)** (1) These Statutes may be called the Statutes relating to Appointment and Terms and Conditions of Service of Librarians and Non-teaching staff of colleges affiliated to the University, other than Government colleges.

*Short title, commencement and application*

(2) This Statute shall come into force at once; paragraphs (7) and (8) of Statute 12 shall be deemed to have come into force on the 1st Day of November, 1989; and the remaining provisions of these Statutes shall come into force on such date as may be notified by the Executive Council.

(3) They shall apply to all Librarians and Non-teaching staff of colleges affiliated to the University, other than Government colleges.

**St. 2 (L & NT)** For the purpose of these Statutes, the Librarians and the Non-teaching staff shall be classified as follows :

*Classification of employees*

- (a) Librarian, Deputy Librarian, Assistant Librarian and such other equivalent posts as may be sanctioned by the State Government;
- (b) (i) Office Superintendent, Cashier, Accountant, Head Clerk, Senior Assistant/Upper Division Clerk/Senior Clerk and such other equivalent posts as may be sanctioned by the State Government;
- (ii) Assistant/Office Assistant/Clerk/Lower Division Clerk, Library Assistant, Laboratory Assistant/Laboratory Instructor, Store Keeper, Caretaker, Stenographer, Typist, Record Keeper, Collection Clerk and such other equivalent posts as may be sanctioned by the State Government;
- (iii) Driver, Laboratory Attendant, Skilled Bearer, Electrician, Mechanic, Carpenter, Unskilled Bearer, Messenger Peon, Office Peon, Durwan, Night-Guard, Sweeper and such other equivalent posts as may be sanctioned by the State Government;
- (c) any other category of Non-teaching staff.

**St. 3 (L & NT)** In these Statutes, unless the context requires otherwise,

*Interpretation and definition* (a) the words and expressions used but not defined shall be interpreted to have the same meaning as they have in the Burdwan University Act, 1981 (West Bengal Act XXIII of 1981);

(b) "employee" in relation to the college means any person employed by the college as Librarian and Non-teaching staff, against regular sanctioned post;

(c) "year" means the period commencing from the first day of July and ending on the 30th of June following;

(d) "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 month, irrespective of the number of days in each, should first be calculated and the odd number of days be calculated subsequently;

(e) "compensatory allowance" means an allowance granted to meet the personal expenditure necessitated by special circumstances in which duty is performed;

(f) "duty" means and includes what an employee is bound or required to do by the terms of his appointment and such other assignments as may be allotted to him from time to time by the Appointing Authority;

(g) "leave" means the privilege allowed to an employee of being absent from duty;

(h) "holiday" means (i) a Sunday, or (ii) a holiday prescribed and notified as such by the competent authority;

(i) "competent authority" means the Authority or Governing Body or Administrator or Principal or any other person authorised specifically for the purposes of these Statutes;

(j) "actual service" of an employee for the purpose of calculation of leave means the period which he spent on duty and also includes—

(i) the period covered by any Casual Leave and Compensatory Leave but no other leave granted to him;

(ii) the Puja holidays; and

(iii) the college holidays except such holidays as may fall within the Puja holidays and any other leave that may be granted to him;

(k) "lien" means the title of an employee to hold substantively, either immediately or on the termination of a period, or periods of absence, a

permanent post under the college to which he has been appointed substantively;

(l) "officiating to a post" means performing the duties of that post during temporary vacancy for any period caused by the non-availability of the permanent incumbent owing to some reason or other;

(m) "permanent post" means a post sanctioned without limit of time and declared as such, carrying a time scale of pay;

(n) "pay" means the amount drawn monthly by an employee as pay including Special Pay, Dearness Pay and Personal Pay in terms of his employment and conditions of service;

(o) "substantive pay" means the pay of the permanent post which an employee holds substantively but does not include Special Pay, Personal Pay or Dearness Pay which an employee is entitled to for his appointment to a permanent post substantively;

(p) "special pay" means an addition of the nature of pay to the emoluments of the employee in consideration of (i) the specially arduous nature of duties, or (ii) a specific addition to the work or responsibility;

(q) "subsistence grant" means a monthly grant to an employee who is not in receipt of pay or leave salary during the period of suspension;

(r) "personal pay" means an additional pay granted to an employee either to save him from loss of substantive pay or on the basis of individual and personal consideration on merits;

(s) "probationer" means a person appointed on probation against a substantive vacancy;

(t) "temporary post" means a post sanctioned for a limited period and declared as such;

(u) "medical certificate" means a certificate from a registered Medical Practitioner recognized by the State Government;

(v) "University" means the University of Burdwan.

**St. 4 (L & NT)** In these Statutes, the Appointing Authority means, the Governing Body/Adhoc Governing Body/Administrator of affiliated colleges empowered to make appointment to posts referred to hereinabove or such

other posts as may be created from time to time in accordance with the rules or orders as may be made and/or issued by the State Government in this behalf :

Provided that the Principal/Teacher-in-charge/Secretary to the Governing Body/Administrator of affiliated colleges shall sign and issue all

letters of appointment on behalf of the college on the recommendation of the concerned Standing Committee for selection, to be constituted by the Governing Body of the college in the manner laid down in clause (a) and (b) of paragraph (1) of St. 5 (L & NT).

**St. 5 (L & NT)** (1) The following shall be the Standing Committee for *Standing Committee for selection* the purpose of selection of candidates for appointment to the posts as mentioned in St. 2 (L & NT) :

- (a) in respect of the posts envisaged in clause (a) of St. 2 (L & NT),
  - (i) the Principal/Teacher-in-charge of the College—Convener;
  - (ii) one nominee of the Director of Public Instructions, West Bengal;
  - (iii) an expert in Library Science to be nominated by the Vice-Chancellor;
  - (iv) one Reader/Lecturer (Selection Grade) of the college to be nominated by the Governing Body;
- (b) in respect of the posts envisaged in sub-clauses (i) and (ii) of clause (b) of St. 2 (L & NT),—
  - (i) the President, Governing Body of the College—Chairman;
  - (ii) the nominee of the State Government on the Governing Body;
  - (iii) one nominee of the Executive Council of the University (hereinafter referred to as the Executive Council);
  - (iv) one teacher—nominee of the Governing Body of the college;
  - (v) the Principal/Teacher-in-charge of the college Member-Convener.

(2) In the matter of prescribing minimum qualifications, determining the manner of inviting applications through newspaper advertisement, and observing the procedure of marking the candidates in respect of the posts envisaged in clause (a) of St. 2 (L & NT), the orders of the State Government, as may be issued from time to time, shall be followed.

(3) In the case of a college where an Administrator has been appointed or an Adhoc Governing Body has been constituted by the University in place of the Governing Body, the Administrator/President of the Adhoc Governing Body shall be the Chairman-Convener of the Standing Committee and the Teacher-Member to serve on the said Committee shall be nominated by him and the Principal/Teacher-in-charge shall be a Member of the said Committee. There shall be one nominee of the State Government and one nominee of the Executive Council in such a Committee :

Provided that where no Teacher has been appointed substantively, inclusion of the Teacher-Member to the Standing Committee shall not be obligatory.

(4) In the absence of the President of the Governing Body of the college at a meeting, the members present shall elect a Chairman from amongst themselves.

(5) Three members of the Standing Committee shall form a quorum.

(6) The term of office of nominated members of the Standing Committee shall be two years from the date of nomination.

**St. 6 (L & NT) (1) (a)** Whenever a vacancy occurs in any post, not being a promotional one and other than the posts mentioned in clause (a) of St. 2 (L & NT), the Principal of the college shall arrange for getting such vacancy notified through newspaper advertisement and notification in the College Notice Board with intimation to the local Employment Exchange inviting applications in such form as may be prescribed by the appointing authority under Statute 4 (L & NT) :

*Vacancies to be notified and powers and Functions of Standing Committee*

Provided that in the case of a vacancy arising in a promotional post, the said vacancy shall be notified internally and circulated to all concerned.

- (b) The necessary qualifications required for appointment to different non-teaching posts under these Statutes, other than the posts mentioned in clause (a) of St. 2 (L & NT) (a), shall be such as may be determined by the appointing authority, subject to such orders as may be issued by the University and the State Government in this behalf.
- (2) (a) All matters pertaining to processing of applications, procedure and mode of selection shall be determined by the concerned Standing Committee at its meeting convened for the purpose :

Provided that in determining the procedure and mode of selection to the posts mentioned in clause (a) of St. 2 (L & NT), the provisions of paragraph 2 of St. 5 (L & NT) shall be followed.

- (b) In the case of selection to the post(s) mentioned in sub-clauses (i) and (ii) of clause (b) of St. 2 (L & NT), and requiring specialised technical expertise in the field, the presence of the nominee of the Executive Council shall be necessary.
- (c) All appointments to the permanent and regular vacancies shall be made on the basis of the recommendation of the concerned Standing Committee.

(d) The recommendation of the Standing Committee shall be placed before the Governing Body of the College for approval and on being approved by it, letter(s) of appointment shall be issued by the Appointing Authority.

(e) In the case of any dispute arising between the Standing Committee and the Governing Body of the College in regard to the recommendation made by the former, the Governing Body shall refer back the recommendations to the Standing Committee with its observations. If the Standing Committee reiterates its earlier recommendations and the Governing Body does not accept the same on reconsideration, the matter shall be referred to the University and the decision of the Executive Council in this regard shall be final and binding.

**St. 7 (L & NT) (1)** Whenever a permanent vacancy occurs in any of the posts referred to in sub-clause (i) of clause (b) of Statute 2, such vacancy shall normally be filled up by promotion from amongst the employees holding any of the posts referred to in sub-clause (ii) of clause (b) of the said Statute. In the matter of such promotion, efficiency, seniority including academic qualification, character rolls and attendance shall have to be taken into consideration :

Provided that 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 in Statute 5 and Statute 6.

(2) Whenever a permanent vacancy occurs in any of the posts referred to in sub-clause (iii) of clause (b) of Statute 2, in the matter of filling up of such vacancy, the procedure as laid down under Statute 5 and Statute 6 for direct recruitment shall be followed.

(3) (i) An employee appointed against a permanent vacancy shall be on probation ordinarily for a period of one year from the date of such appointment and the said period of probation may, at the discretion of the appropriate authority of the College, be extended for a further period not exceeding one year.

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

(iii) On satisfactory completion of the period of probation to be supported by the report drawn in respect of the employee in Form No. 4

appended to these Statutes, the concerned employee shall be confirmed with effect from the date of his appointment on probation by an order in writing made by the Governing Body of the College in this behalf and the fact of such confirmation shall be communicated to the employee concerned :

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

**St. 8 (L & NT)** In observing the procedure of filling up the posts mentioned in Statute 2, either by direct recruitment or by promotion, the principal of reservation of post for Scheduled Caste and Scheduled Tribe candidates shall be followed, as far as practicable, as per orders issued by the State Government in this behalf from time to time.

**St. 9 (L & NT)** (1) An employee shall begin to draw the pay and allowances 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 the duties.

(2) Unless otherwise provided in a contract, in the case of first appointment to a post, the pay shall be fixed at the minimum of the time-scale applicable to that post :

Provided that an employee of the colleges who, while having a lien on a permanent post, is appointed to officiate to 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 held substantively or officiated to the same post or to 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.

(3) An employee promoted to a post either substantively or in an officiating capacity 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 and until he vacates his post or ceases to draw pay in that time scale. The option once exercised shall be final and binding.

(4) An increment shall ordinarily be drawn unless withheld as a penal measure. When an efficiency bar has been prescribed in a time scale, the increment next above the said bar shall not be allowed without the specific sanction of the Appointing Authority.

(5) Officiating or temporary service in another post including leave, other than extraordinary leave without pay, shall count towards increment in the time scale applicable to the post on which the person concerned holds a lien.

(6) All kinds of leave with pay (full pay or half-pay) will count towards increment in the time-scale applicable to a post which an employee holds in a substantive, officiating or temporary capacity.

(7) 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 shall draw an additional 1/5th of pay of the minimum of the scale of pay of that higher post, provided he carries on such duties for a period of not less than one month.

(8) An employee of a Department or Branch of a Department discharging the duties of another employee belonging to the same classification, shall not be entitled to any additional remuneration for such duties.

**St. 10 (L & NT)** 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.

**St. 11 (L & NT)** (1) Leave shall be admissible to an employee on the basis of his actual service only and leave of absence from duty cannot be claimed as a matter of right and may on application by an employee of the 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 except leave granted on medical ground or when such leave is granted revoke such leave or part thereof.

(2) No employee who is under suspension shall be granted any leave.

(3) Absence without leave shall render an employee subject to disciplinary action envisaged under Statute 30.

**St. 12 (L & NT)** (1) (a) Leave shall ordinarily commence on the date with effect from which it is actually availed of and terminate on the date preceding the date of resumption to duties :

*Duration and general conditions of leave*



Provided that Sundays and other holidays (not exceeding 3 days at a stretch) may be prefixed and/or affixed to leave. Prior sanction of the authority competent to grant leave shall have to be obtained in a case where the total number of holidays to be prefixed/affixed to the leave prayed for exceeds 3 days.

(b) When the day which immediately precedes the day on which an employee's leave commences or which immediately follows the day on which his leave is due to end is a holiday or is included in a series of holidays, such holidays may be combined with the leave and he may be permitted, as the case may be, to relinquish his duties and leave his station at the close of the days preceding such holidays or to return to his station and resume his duties on the forenoon of the day following such holiday(s).

(2) When an employee is permitted under sub-paragraph (b) of paragraph (1) to combine leave with any holiday(s), his leave shall be deemed to commence or end, as the case may be, on the date on which it would have commenced or ended, had it not been combined with such holiday(s).

(3) Except with the previous permission of the competent authority no employee on leave shall return to duty before the expiry of the period of leave granted to him.

(4) No employee who has been granted leave on medical ground shall return to duty until he produces a Medical Certificate of fitness, acceptable to the competent authority.

(5) Holiday(s) may be permitted to be combined with leave by the competent authority, but if any holiday falls between two periods of leave so as to result in a continuous period of absence from duty over the entire period, it shall be treated as part of the leave :

Provided that in the case of Casual Leave, the intervening Sunday(s) or holiday(s) shall not be part of the leave, but the total period of absence from duty of an employee including the intervening Sunday(s) or Holiday(s) shall not exceed consecutive five days.

(6) An employee, who remains absent from duty for any period after the end of the period of any leave granted to him, shall be deemed to be absent without leave during such period and shall not be entitled to any leave or other salary for the period of such absence unless his leave is extended by the competent authority so as to cover the total period of absence. Wilful absence from duty after the expiry of leave may be treated as misconduct calling for disciplinary action.

\*(7) An employee shall cease to earn 'Earned Leave' when the leave earned and due to his credit amounts to 240 days.

(8) \*(a) Cash equivalent to leave salary subject to a maximum of 240 days' Earned Leave standing at the credit of an employee shall become payable in one lump sum as a one-time settlement to the employee on his attaining the age of retirement on superannuation, provided, however, that such leave may be availed of by the concerned employee either wholly or partly, as preparatory to retirement in lieu of encashment.

\*(b) Cash equivalent to leave salary subject to a maximum of 240 days, Earned Leave at credit shall also become payable in the following cases :

- (i) in the case of death of the employee while in service, to his nominee(s) of the Provident Fund or in the absence of any such nominee, to the legal heir(s) of the deceased;
- (ii) in the case of termination of service of an employee by notice or otherwise, in accordance with the terms and conditions of his appointment;
- (iii) in the case of retirement from service on invalidation;
- (iv) in the case of voluntary retirement, as may be permitted by the competent authority;

\*(v) in the case when an employee resigns or quits the services of the college before completing fifteen years of uninterrupted service, he shall be entitled to cash equivalent in respect of Earned Leave at his credit on the date of cessation of service to the extent of half of the amount of such leave at his credit, subject to a maximum of 120 days.

(c) For the purpose of calculating 'Leave Salary' on retirement, the basic pay, dearness pay, personal pay and dearness allowances as may be admissible on the date of retirement/superannuation/termination shall be taken into account.

(9) No wholetime employee shall, while on leave or enjoying holiday(s), accept any salaried appointment or undertake any remunerative work other than work in connection with any examination conducted at the college, unless the competent authority has permitted to do so.

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\* indicates the provisions of St. 12 (L & NT) (7), 8(a), 8(b), 8(b)(v) amended [Amendment assented to by the Chancellor on 30.10.2003]

(10) Unless in consideration of the special circumstances of any particular case, the Governing Body decides otherwise, an employee shall be deemed to have ceased to be in the service of the college after he has been continuously absent from duty for a period of five years.

(11) Subject to the provisions of Statute 22 and statute 23, the total period of continuous leave excluding extraordinary leave without pay granted to an employee other than on medical ground, shall not exceed twenty-four months.

(12) A leave account for other kinds of leave, except Casual Leave, shall be maintained in Form No. 1 appended to these Statutes and the leave account in respect of every employee shall be maintained according to the prescribed form. The Principal shall be responsible for its proper maintenance.

(13) In respect of Casual Leave, an account shall be maintained by the Principal in Form No. 2 appended to these Statutes.

(14) Every application for leave shall be made in writing.

(15) No leave shall be availed of before it has been granted by the competent authority :

Provided that when an employee is compelled by unavoidable circumstances to absent himself from duty before he has been granted leave, he shall forthwith report the full facts of the case to the competent authority and apply for leave if he has not done so already.

(16) If an employee is absent from duty without having been granted leave or without previous permission of the competent authority, or if he defaults without sufficient reason in reporting his absence from duty as required under paragraph (15), the competent authority may refuse him any leave he may have applied for or may treat the period of such absence of duty as extraordinary leave without pay.

(17) An employee, on his resumption to duties from any kind of leave, other than Casual Leave, shall report in writing the matter of resumption to duties forthwith to the leave sanctioning authority.

(18) If an employee deliberately violates any of the provisions of these Statutes providing for leave without sufficient reason, he shall be deemed to have committed an act of indiscipline and shall be liable for such penalties or punishment as the competent authority may prescribe.

**St. 13** (L & NT) Subject to the general principles enunciated in the foregoing Statutes, the following kinds of leave may be granted to the employees :—

- (a) Casual Leave;
- (b) Earned Leave;
- (c) Half Pay Leave;
- (d) Extraordinary Leave (without pay);
- (e) Maternity Leave;
- (f) Quarantine Leave;
- (g) Leave Preparatory to Retirement;
- (h) Compensatory Leave;
- (i) Special Leave;

**St. 14** (L & NT) (1) Casual Leave on full pay may be allowed to an employee upto a maximum of fourteen days in a year but subject to the provision of paragraph (5) of Statute 12, such leave shall not be granted for more than five days at a time. Such leave shall not also accumulate nor shall it be availed of in combination with the Puja Holidays or any other kind of leave.

(2) All Casual Leave to which an employee may be entitled during any year shall cease to be due to him at the end of the said year and shall not accumulate or be carried over to the year following.

**St. 15** (L & NT) (1) Every employee of a college shall be treated as a non-vacation member of staff and such wholetime employee shall earn Earned Leave at the rate of one-eleventh (1/11th) of the period of his actual service rendered.

(2) Earned Leave may be accumulated and joined to any other Kind of leave except Casual Leave :

\*Provided that when the Earned Leave standing at the credit of an employee amounts to 240 days, he shall cease to earn, or to have at his credit any further Earned Leave.

(3) The maximum amount of Earned Leave as may be granted at a time to an employee shall normally be restricted to 60 days.

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\* indicates the provisions of proviso to cl. (2) of St. 15 (L & NT) amended.

[Amendments assented to by the Chancellor on 30.10.2003]

(4) The Earned Leave accrued to an employee by dint of his services rendered in one position at the college shall be carried over to his Leave Account on his subsequent appointment/promotion to any other position in the said college, provided, there is continuity in his service.

(5) Earned Leave may be granted for such reasons as may be considered by the Authority competent to grant such leave which may include—

- (i) illness of the employee concerned,
- (ii) illness of a member of the family of such an employee,
- (iii) private affairs of emergency nature, or
- (iv) arrangement preparatory to retirement.

**St. 16 (L & NT)** (1) Every whole-time employee of a college shall be entitled to Half-Pay Leave which may be commuted on medical ground only.

(2) The amount of Half-Pay Leave admissible to a whole-time employee of the College shall be 15 days for each completed year of service.

(3) Half-Pay Leave may be accumulated without any ceiling and may be combined with any other kind of leave except Casual Leave.

(4) Half-Pay Leave may be availed of on private affairs as well as on medical grounds.

(5) Half-Pay Leave at the credit of an employee shall not lapse except on his attaining the age of retirement on superannuation.

(6) Half-Pay Leave may be commuted, and such Commuted Leave, not exceeding half the amount of Half Pay Leave due, may be granted, on medical ground only on submission of certificate in this behalf from a registered medical practitioner, subject to the following conditions :

- (a) Commuted Leave out of the total accumulation of Half-Pay Leave shall be limited to a maximum of 180 days during the entire period of service of an employee :

Provided that the maximum amount of such Commuted Leave as may be granted at a time, shall be 60 days.

- (b) When Commuted Leave is granted, twice the amount of Half-Pay Leave shall be debited against the Leave Account.

(c) An employee who is granted or avails of Commuted Leave for the maximum period of 180 days referred to in clause (a) shall be entitled to Half-Pay Leave, which remains due at his credit, on Half-Pay only.

(d) The maximum amount of Commuted Leave and Earned Leave combined and sanctioned shall not exceed 120 days on any one occasion.

(7) The Half-Pay Leave accrued to an employee by dint of his service rendered in one position at the college shall be carried over to his Leave Account on his subsequent appointment/promotion to any other position in the said college, provided there is continuity in his service.

**St. 17 (L & NT)** (1) Extraordinary Leave (without Pay) may be granted to a whole-time employee of the college when (i) no other leave is admissible to him, or (ii) although other leave is admissible, he applies in writing for the grant of such leave.

(2) Except in the case of a permanent employee, the duration of Extraordinary Leave as may be granted at a time, shall not exceed 90 days.

(3) The Governing Body of the college may commute retrospectively in the case of an employee any period of absence from duty without leave into Extraordinary Leave.

(4) Extraordinary Leave may be granted for such period and on such terms and conditions as the Governing Body of the college may deem fit :

Provided that unless in consideration of the special circumstances of any particular case, the Governing Body of the college decides otherwise, an employee shall be deemed to have ceased to be in the service of the college after he has been continuously absent from duty for a period of five years.

(5) Extraordinary Leave may be combined with any other kind of leave except Casual Leave.

**St. 18 (L & NT)** (1) (a) Maternity Leave may be granted to a whole-time female employee who has been in the service of the college for at least nine months preceding the actual date of her confinement.

(b) The total period of such leave shall not exceed 90 days including the period of confinement.

(c) The total period of 90 days shall be subject to such adjustment in phases as may be required in any particular case in consideration of the actual date of confinement.

(d) Any application for Maternity Leave shall be submitted alongwith a medical certificate from a registered medical practitioner preferably specialized in Gynaecology and Obstetrics.

(2) Subject to the provision of sub-paragraph (a) of paragraph (1), Maternity Leave may also be granted to a whole-time female employee in cases of miscarriage or abortion, provided that in such cases, such leave shall not exceed 45 days and that the application for leave shall be supported by a certificate from a registered medical practitioner preferably specialized in Gynaecology and Obstetrics.

(3) Maternity Leave granted under paragraphs (1) and (2) shall not be debited against the Leave Account of the employee concerned.

(4) Leave of any other kind, except Casual Leave, may be granted in combination with Maternity Leave, only if the application for the grant of such other kind of leave is supported by a medical certificate referred to above.

**St. 19 (L & NT)** (i) Quarantine Leave may be granted to an employee when he is ordered by the competent authority not to attend his duties at the college on account of occurrence of any infectious disease in his family or household. Such leave may be granted for a period, not exceeding 21 days or, in exceptional circumstances, 30 days on the basis of a certificate from a registered medical practitioner. The leave so granted shall not be debited against the Leave Account of the employee.

(2) The employee, in whose family or household there is a presence of any infectious disease referred to in paragraph (3), shall forthwith inform the Appointing Authority through the Head of the Department concerned stating such facts in writing alongwith a medical certificate in this behalf from a registered medical practitioner.

(3) In order to determine infectious disease for the purpose of granting Quarantine Leave, the list maintained by the State Government indicating such diseases shall be followed :

Provided that 'chicken-pox' shall not be treated as an infectious disease for the purpose of granting Quarantine Leave.

(4) Quarantine Leave may be combined with any other kind of leave except Casual Leave.

**St. 20 (L & NT)** An employee desiring to avail of Earned Leave preparatory to retirement shall apply at least one month preparatory to retirement in advance.

**St. 21 (L & NT)** (1) Compensatory Leave may be granted to a whole-time employee when he is detained to perform duties during holiday(s), Sunday(s) and rest day(s) on being duly ordered by the competent authority.

(2) Such leave shall be granted for the equal number of days on which the employee concerned is detained for duty.

(3) No overtime or holiday allowance shall be admissible for the period for which Compensatory Leave is granted.

(4) Such leave shall be granted by the competent authority.

(5) Compensatory Leave shall be availed of within a period of one year of performance of duties on detention, unless otherwise decided by the Governing Body of the college.

**St. 22 (L & NT)** (1) An employee who is disabled due to injury accidentally sustained in course 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 attaching to the post, may be allowed special disability leave for a maximum period of twenty four months.

(2) The Governing Body of the college shall be competent to grant such leave in terms of the provisions of Statute 23.

**St. 23 (L & NT)** The Governing Body of the college shall be competent to sanction any kind of leave envisaged in these Statutes on such terms as it may deem fit to any employee. It shall be competent, for reasons which it may consider, adequate, to vary, revise or cancel any kind of leave sanctioned either by itself or by any appropriate authority.

**St. 24 (L & NT)** (1) Subject to the provision of Statute 23 the Principal of the college shall be competent to sanction leave of the following categories to the extent specified against each,—

	NATURE OF LEAVE	EXTENT OF POWER
(a)	Casual Leave	To the full extent
(b)	Earned Leave	To the extent of 30 days
(c)	Half-Pay Leave	To the extent of 10 days
(d)	Compensatory Leave	To the extent of 10 days

(2) The Governing Body of the college shall be competent to sanction admissible leave beyond the extent specified in paragraph (1).

(3) In respect of other kinds of leave not mentioned in paragraph (1), the Governing Body of the college shall be competent to sanction the same.

**St. 25** (L & NT) (1) An employee appointed on substantive basis to any permanent post shall acquire a lien on that post and shall cease to hold any lien previously acquired on any other post.

(2) The lien of an employee on a permanent post which he holds substantively shall be terminated if he is appointed in a substantive capacity—

- (a) to a tenure post, or
- (b) to a permanent post outside the cadre on which he is borne.

(3) If an employee holding a substantive appointment to a post and having confirmed therein, is subsequently confirmed to another permanent post, either at the college or in some other establishment, his lien on the permanent post held earlier in the college shall be terminated, unless the employee indicates in writing not to accept the appointment so made substantively to another permanent post. In such an event, the employee shall revert immediately to the post on which he holds lien.

(4) A confirmed employee shall not be left without a lien on any permanent post.

(5)(a) An employee holding a substantive appointment may be granted lien on his permanent post under the college, if he applies for grant of lien consequent upon his obtaining an appointment in any establishment outside the college :

Provided that such employee shall have to submit the letter of appointment showing the nature of appointment offered to him and the other terms and conditions of service in the new establishment.

Provided further that such employee shall be permitted to retain his lien for a period of one year initially which may be extended by another year if the employee concerned is not confirmed within a period of one year in the post in which he was appointed in the new establishment or if the employee is likely to be left without a lien on any permanent post.

(b) The lien on the permanent post held by an employee under the college shall be terminated immediately on his confirmation to any other permanent post he joined with the approval of the college.

**St. 26** (L & NT) Every employee of the college shall be entitled to pay and allowances conforming to the time scale of pay and rates of allowances as may be determined by the State Government in this behalf from time to time.

**St. 27** (L & NT) Subject to the terms of contract in any particular case and the orders as may be issued by the State Government from time to time, every employee of the college shall retire from service with effect from the afternoon of the last day of the month in which he completes the 60th year of age.

**St. 28** (L & NT) No whole time salaried employee of the college shall accept any employment with or without remuneration other than that of his office.

*Explanation :*

If any question arises whether any arrangement entered into by an employee amounts to employment within the meaning of this Statute, the matter shall be decided by the Governing Body of the College.

**St. 29** (L & NT) (1) The normal working period shall be of seven hours' duration with recess for half an hour on all working days. The commencement of duty hours is normally to be based on fixed routine, subject to such variations as may be made in case of exigencies.

(2) Every employee, while reporting for duty, shall sign the Attendance Register. No employee shall be allowed to attend duties if he is late by one hour or more, unless permitted to do so by the appropriate authority.

(3) 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.

(4) If an employee, being present at the place of his duties, abstains or absents himself from work without permission of the appropriate authority 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 allowances for such day.

**St. 30 (L & T) (1) (a)** Every employee of the college shall be subject to disciplinary measure(s) for reason of—  
Discipline and  
conduct of the  
employees of college

- (i) violation of any term or condition of service,
- (ii) neglect of duty,
- (iii) violation of orders regarding attendance and office discipline,
- (iv) misappropriation and defalcation of funds,
- (v) insubordination or disregard or violation of the orders of the superior authority,
- (vi) conviction by a court of law for an offence involving moral turpitude,
- (vii) taking of illegal gratification,
- (viii) tampering with official records, and
- (ix) any other misconduct which, in the opinion of the Governing Body of the college, calls for disciplinary action.

(b) The Governing Body of the college shall be competent to impose such penalties upon the employee as it may deem fit in consideration of the gravity of the case mentioned in sub-paragraph (a) with any or more of the following,—

- (i) suspension,
- (ii) censure,
- (iii) with holding of increment(s) or promotion,
- (iv) recovery from pay of the whole or part of any pecuniary loss caused to the college by the employee,
- (v) reduction to a lower stage in the time scale of pay for a specified period with further direction whether or not the employee will earn increment(s) or pay during the period of such reduction,
- (vi) reduction to a lower time-scale of pay, grade, post or service with or without further directions regarding conditions of restoration, including protection of his seniority and pay on such restoration, to the grade, post or service from which the employee was reduced,
- (vii) premature retirement,
- (viii) removal or dismissal from service.

**Explanation : I**

The termination of employment shall not in the following cases be treated as removal or dismissal from service of—

- (a) a person appointed on probation during or at the end 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.

*Explanation : II*

Premature retirement means that the Appointing Authority may get the employee retired compulsorily as a measure of punishment before he has attained the age of sixty years.

*Explanation : III*

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 shall not amount withholding of increments or promotion within the meaning of this Statute.

- (2) (a) In all cases of imposition of penalties the grounds on which it is proposed shall be reduced in the form of definite charge or charges and communicated to the employee concerned together with a statement of the facts considered while passing orders on the cases. The employee charged may put in a written statement of his defence for which he shall be given thirty days' time from the date of receipt of charge-sheet alongwith 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 on consideration of the 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 taken against him and asking him to be present at the enquiry thereof, 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 the penalty, other than what was communicated to the

employee at the stage of the formal enquiry, another opportunity shall be given to him to submit a written statement against imposition of the other penalty/penalties within fifteen days from the date of receipt of the above communication by him in this respect and if considered necessary, a fresh enquiry shall 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 adequate opportunities 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.

- (b) An employee who is removed or dismissed from service shall not draw any pay or allowances from the date of such removal or dismissal is ordered to be effective.
- (c) The order of removal or dismissal from service shall not be given retrospective effect with referenee to the date of the orders.
- (d) An employee under suspension shall be entitled to get subsistence grant as prescribed by the State Government in this behalf for their employees.
- (e) When the suspension of an employee is held to have been unjustifiable or not wholly justifiable, or when an employee who had been suspended, removed or dismissed from service is reinstated, the competent authority shall grant to him for the period of his absence from duty—
  - (i) if he is honorably acquitted, all financial benefit including promotion due, if any, as if he had not been suspended, dismissed or removed.
  - (ii) if otherwise, such proportion of pay and allowances as the authority concerned may prescribe.
- (f) In a case falling under clause (i) of sub-paragraph (e), the entire period of absence from duty shall be treated as the period spent on duty. In a case falling under clause (ii) of that sub-paragraph, the relevant period may be treated as on duty or leave as the authority concerned may direct.
- (g) The amount of subsistence grant or proportion thereof if any, already drawn shall be deducted from the pay and allowances which may be granted under this Statute.

- (3) An employee aggrieved by an order imposing upon him any penalty or penalties specified in sub-paragraph (b) of paragraph (1) may prefer an appeal to the Governing Body of the college within thirty days from the date of receipt of the order imposing the penalty or penalties, The Governing Body shall, on receipt of the appeal, examine it threadbare and take a decision in the matter :

Provided that if the concerned employee is not satisfied with the decision taken by the Governing Body, he may prefer an appeal to the Vice-Chancellor of the University within thirty days from the date of communication to him of the decision taken by the Governing Body. The appeal shall be decided and disposed of by the Executive Council of the University within ninety days in the manner as it may consider expedient and the decision taken by it shall be final.

**St. 31** (L & NT) The Principal shall maintain and keep an up-to-date Age Register Age Register in respect of all employees of the college in which he shall enter—

- (a) the name and designation of every employee,
- (b) the date of his birth,
- (c) the date of his first appointment under the college,
- (d) his age on the date of such appointment,
- (e) the date on which he is due to retire, and
- (f) remarks, if any.

*Explanation :*

All entries relating to the age of an employee of the college shall be made on the basis of his age as recorded in his Matriculation, School Final, Higher Secondary or Madhyamik Examination Certificate or the certificate of any such First Public Examination, as the case may be, passed by him :

Provided that where an employee has not passed any of the aforesaid examinations, the Governing Body of the college shall decide in each particular case the basis on which the date of birth of the concerned employee is to be recorded.

**St. 32** (L & NT) With a view to maintaining uniformity, the Executive List of holidays to be uniform Council shall prescribe the annual list of holidays to be followed by the colleges, other than the Government colleges.

**St. 33** (L & NT) A Service Book containing the service records in respect of every employee of the college shall be maintained in Form No. 3 appended to these Statutes and the Principal of the college shall be responsible for its up-dating and proper maintenance.

**St. 34** (L & NT) (1) In any case not expressly provided for in these Statutes, the Governing Body of the college may obtain such directions from the University as may be deemed necessary in the special circumstances of the case.

(2) If any controversy arises in interpreting any of the provisions of these Statutes, the matter shall be referred to the University for interpretation and the decision of the Executive Council in this regard shall be binding on all concerned.

In exercise of the power conferred by section 48, read with section 47, and section 21, of the Burdwan University Act, 1981 (West Bengal Act XXIII of 1981), the Executive Council of the University of Burdwan hereby makes the following amendment in the Statutes relating to the election procedure to the Court, the Executive Council, the Faculty Councils for Post-graduate Studies, the Councils for Under-graduate Studies and other Authorities of the University (hereinafter referred to as the said Statutes) :

#### **Amendments/Incorporation of certain provisions in the Burdwan University First Statutes**

- Amendment of clause (i) of Statutes 8 (Const.) of the Statutes Relating to Election Procedure to the Court, etc. (vide Chancellor's Secretariat Letter No. 1726-Edn(U) dated 5/6.8.83) :  
 "Notwithstanding anything contained in these Statutes, for the purpose of constituting the Electoral College which shall elect two regular students of affiliated colleges to the Court in pursuance of clause (xxi) under the heading '(b) elected members' of sub-section (1) of Section 17 of the Act read with paragraph (3) of Statute 6 (Const.), each college or institution shall be a unit which shall elect the proportionate number of electors on the basis of one elector for every one hundred regular students or part thereof numbering not less than 50; provided that a college or institution having on its roll students less than 100 in number but not less than 30 shall also be deemed a unit and shall elect one representative on the Electoral College".
- Amendment of paragraph (4) of Statute 19 (Const.) of the Statutes Relating to Election Procedure to the Court, etc. (vide Chancellor's Secretariat Letter No. 1078-Edn (U) dated 25.6.85) :

"(4) The term of office of the Dean of a Faculty Council for Post-graduate Studies shall be two years from the date of his election as Dean ;

Provided that in the case of election of a Dean for the first time for each of the Faculty Councils for Post-graduate Studies under the provisions of the Act, the said period of two years shall be computed from the appointment date as referred to in sub-section (5) of Section 57 of the Act ;

Provided further that till a new Dean is elected the outgoing Dean shall continue to function as such."

- In Chapter VI of the said Statutes, after Statute 15 (Const.), insert the following Statute :

**St. 15A** (Const.) For the purposes of constitution of, and election to, the Faculty Council for Post-graduate Studies in Medicine in terms of sub-section. (3A), read with sub-section (1), of section 22 of the Act, the procedure laid down in Statute 13 (Const.) and Statute 14 (Const.), read with Statute 10 (Const.) and Statute 12 (Const.), shall be followed."

**Sd/- K. V. Raghunatha Reddy**

8.12.94

*Chancellor*

**University of Burdwan**

In exercise of the power conferred by section 48 read with section 47, and section 21, of the Burdwan University Act, 1981 (West Bengal Act XXIII of 1981), the Executive Council of the University of Burdwan hereby makes the following amendments in the Statutes relating to constitution of the Boards of Research Studies, the Boards of Post-graduate Studies and the Boards of Under-graduate Studies (hereinafter referred to as the said Statutes) :

#### **Amendments**

In the said Statutes,—

(1) in Statute 3 (B. S.), in paragraph (2),—

(a) in clause (B), after the words "not pertaining to", *insert* the words "Medicine, and";



(b) after clause (D), *insert* the following clause :

“(E) In respect of the subjects of studies pertaining to Medicine as enumerated in clause (D) of paragraph (1) of Statute 4 (B.S), there shall be a separate Board of Research Studies for. each such subject :

(1) the Dean of the Faculty concerned, who shall be the Chairman (ex-officio) ;

(2) the Head of the relevant Department of Burdwan Medical College, Burdwan ;

(3) all Professors of the relevant Department of Burdwan Medical College, Burdwan ;

(4) two Teachers, other than Professors, of the subject concerned nominated by the Vice-Chancellor in consultation with the Dean; and

(5) three external experts in the subject or subjects concerned appointed by the Vice-Chancellor on the recommendation of the relevant Board of Post-graduate Studies”;

(2) in Statute 4 (B. S.),—

(1) in paragraph (1), after clause (C), *insert* the following clause :

“(D) THE FACULTY COUNCIL FOR POST-GRADUATE STUDIES IN MEDICINE :

(i) Anatomy, (ii) Bio-Chemistry, (iii) Ophthalmology, (iv) Gynaecology and Obstetrics, and (v) such other subjects in other branches of Medicine as may be introduced under the authority of the Executive Council” ;

(2) in paragraph (2), after clause (B), *insert* the following clause :

“(C) In respect of a subject belonging to the Faculty Council for Post-graduate Studies in Medicine :

(1) the Principal, Burdwan Medical College, Burdwan who shall be the Chairman (ex-officio) ;

(2) the Head of the relevant Department(s) of Studies of the Burdwan Medical College, Burdwan ;

(3) all whole-time Teachers, not below the rank of Lecturer, of the relevant Department(s) of Studies of the Burdwan Medical College, Burdwan and

(4) three external experts in the subject or subjects concerned to be co-opted by the members as specified in sub-clauses (1), (2) and (3) at a meeting convened for the-purpose :

Provided that such Board of Studies shall not be deemed to have been constituted until the co-option of the external expert members is completed”.

**Sd/- K. V. Raghunatha Reddy**

8.12.94

*Chancellor*

**University of Burdwan**

In exercise of the power conferred by section 48, read with section 47, and section 21, of the Burdwan University Act, 1981 (West Bengal Act XXIII of 1981), the Executive Council of the University of Burdwan hereby makes the following amendment in the Statutes relating to Constitution, Powers and Functions of the Governing Bodies of Affiliated Colleges other than Government Colleges (hereinafter referred to as the said Statutes) :

**Amendment**

In Statute 2 (G. B.) of the said Statutes, for paragraph (4), *substitute* the following paragraph :

“(4) “donor”, in relation to a college, means a person, or a body or an association who/which has made a donation to the college of a sum amounting to not less than rupees twenty-five thousand or such amount as may be determined by the Executive Council from time to time or has made over to it a property which, in the estimation of the Executive Council, is of the said valuation:

Provided that the Executive Council shall be competent to frame rules to determine the conditions under which a person, or a body or an association shall become eligible to be a “donor” as also the procedure of election of donor representative on the Governing Bodies of the affiliated colleges envisaged in clause (vi) paragraph (1) of Statute 3 (G. B.)’.

**Sd/- K. V. Raghunatha Reddy**

8.12.94

*Chancellor*

**University of Burdwan**

Initial of the Sanctioning authority	Remarks	Balance on return from Leave	Ground of absence	Leave granted			Leave due	Name and designation of employee
				From	To	Total No. of days		

**Register of Casual Leave**

Name of the College.....

**THE UNIVERSITY OF BURDWAN**

Form No. 2  
[Vide St. 12 (L & NT) (13)]

**THE UNIVERSITY OF BURDWAN**

Form No. 1  
Name of the College.....  
[vide St. 12 (L & NT) (12)]  
Leave Account of.....  
Date of commencement of Service.....  
Date of attaining the age of retirement/superannuation.....

Actual Service	Leave earned		Leave taken		Balance (on return from leave)
	Earned Leave	Half-pay Leave	Earned Leave	Half-pay leave	
1	From		From		
2	To		To		
3	No. of days		No. of days		
4	1/11th of the period spent on actual service				
5	15 days for each completed year of service				
6	Earned Leave (Total of Cls. No. 4 and 18 subject to the limit prescribed)				
7	Half-pay Leave (Total of columns 5 and 19)				
8	From		From		
9	To		To		
10	No. of days		No. of days		
11	From		From		
12	To		To		
13	No. of days		No. of days		
14	Kind of Leave				
15	From		From		
16	To		To		
17	No. of days		No. of days		
18	Earned Leave				
19	Half-pay Leave				
20	Remarks				
				Initial of the sanctioning authority	

Form No. 3

[vide St. 33 (L & NT)]

Name of College.....

**SERVICE BOOK**

**PART I**

1. Name of the employee :
2. Address :  
(a) Permanent :  
(b) Present :
3. Father's/Husband's Name and residence :
4. Date of birth by Christian Era as entered into the Age Register (the document on the basis whereof the age has been admitted should be recorded) :
5. Educational qualification :
6. Exact height by measurement :
7. Personal marks for identification, if any :
8. Signature of the employee (in the case of an illiterate employee the L.T.I. of the employee should be affixed and the same be duly certified by the Principal) :
9. Signature of the Principal :

**THE UNIVERSITY OF BURDWAN**

Form No. 3  
[Vide St. 33 (L & NT)]

**Part II**

**HISTORY OF SERVICE**

Name of post with full address of the institution	1	2	3	4	5	6	7	8	9	10	11	12
Scale of pay with stages of increment			whether post is permanent or temporary	Nature of appointment permanent/Temporary/Officiating	Date of appointment	Pay, Special pay, Personal pay, if any	Date of termination of appointment	Reason for termination of appointment (Such as promotion, resignation, dismissal etc.)	Nature and duration of Leave taken	Signature of employee	Signature of Head of Institution	Certificate of verification of service

Form No. 4

[vide St. 7 (L & NT) (3) (iii)]

Name of College.....

**CONFIDENTIAL**

**ANNUAL REPORT OF THE EMPLOYEE FOR THE YEAR 20.....20.....**

.....Department/Branch

Name.....

Designation.....Department.....

Scale of pay Rs.....

Date of joining.....Date of birth.....

**REPORT OF THE DEPARTMENT/SECTION-IN-CHARGE**

Assessment on

Remarks

[Only the following terms as may be applicable should be used—Very good; Good; Average; Poor]

**SEC. A**

1. Knowledge-  
(a) of Branch/Section Unit  
(b) of Department
2. Personality and force of character
3. Power of taking responsibility
4. Power of supervising staff
5. Judgement
6. Initiative
7. Efficiency
8. Attendance
9. Devotion of duty
10. Conduct and amenability to discipline

**SEC. B**

1. General remarks if any, on outstanding nature of work done by the incumbent or special qualification not included above.
2. Degree of fitness for promotion (only qualified/ not yet qualified, as may be applicable, should be written)
3. Confirmation of the incumbent (only recommended/not recommended as may be applicable should be written)

I hereby certify that in my opinion and to the best of my knowledge and belief the standard of efficiency, conduct and fitness for promotion of the incumbent named hereon are as state above.

.....

Signature of the In-charge initiating the Report

Date .....20....

Designation.....

**GENERAL**

*Remarks by the Principal of the College*

(Signature)

Date.....20....

Office Seal

**NOTES****SECTION A**

1. Insert in this column any of the following markings against each item. Very Good; Good; Average; Poor.
2. This report is to be regarded as confidential; but a poor marking against any item must be communicated in duplicate by the Principal of the College to the employee concerned. The employee should be required to sign and return to the Principal one copy of intimations of Poor markings as evidence that he has been notified.

**SECTION B**

3. The estimate of fitness for promotion should be related to the employees' capacity for the performance of the duties of the grade above. If he is marked 'Not yet qualified' the reasons for the markings should be stated.

**GENERAL**

4. Every effort should be made to arrive at a just estimate of the qualities of the employee at the time the report is made. The person authorised to initiate the report should reply on his own judgement and experience, and should in no circumstances have access to previous reports, if any, on the same employee.
5. The report shall be based on the work of the employee during the year under review and should contain no reference to matters unconnected with such work. The observations made should have a basis on fact, which may or may not be specified in the report.
6. The Principal of the College should give his opinion in writing without merely signing the report initiated by the authorised person, even if he agrees. In such cases, he should write 'I agree'. Where he has no opinion to express either because he is not sufficiently conversant with the work of the employee or because he is new in office, he should say accordingly.

**THE UNIVERSITY OF BURDWAN**

In exercise of the power conferred by clause (0) of section 47, read with section 48 and section 21 of the Burdwan University Act, 1981 (West Bengal Act, XXIII of 1981), the Executive Council of the University of Burdwan hereby makes the following amendments in the Statutes relating to the Appointment and Terms and Conditions of Service of Librarians and Non-teaching Staff of Colleges other than Government Colleges (hereinafter referred to as the said statutes) :—

**AMENDMENTS**

In the said statutes,—

1. in Statutes 12 (L & NT),—
  - (1) In clause (7), for the word and figures “240 days, *substitute* the word and figures “300 days”.
  - (2) in clause (8),—
    - (i) in sub-clause (a), for the word and figures “240 days”, *substitute* the word and figures “300 days”.
    - (ii) in sub-clause (b), for the word and figures “240 days”, *substitute* the word and figures “300 days”;
    - (iii) in item (v) of sub-clause (b), for the word and figures “120 days”, *substitute* the word and figures “150 days”.
2. In Statute 15 (L & NT), in the proviso to clause (2), for the word and figures “240 days”, *substitute* the word and figures “300 days”.

Sd/-

*Chancellor*

**UNIVERSITY OF BURDWAN**

30.10.2003

## THE UNIVERSITY OF BURDWAN

In exercise of the power conferred by section 21, read with sections 47 and 48 of the Burdwan University Act, 1981 (West Ben. Act XXIII of 1981), the Executive Council of the University of Burdwan hereby makes the following amendments in the Burdwan University First Statutes (hereinafter referred to as the said Statutes) :—

### Amendments

In the said statutes,—

- (1) in Chapter III, under the heading ‘Statutory Registers’, in St. 4 (Const.), for clause (3), substitute the following clause :—

“Officers to include in addition”

(3) ‘Officers of the in addition. University’ for the purpose of election to the Authorities of the University, shall include the following in addition to the Officers mentioned as such under section 7 of the Act :—

1. The Inspector of Colleges;
2. The Controller of Examinations;
3. The Development Officer;
4. The University Librarian;
5. The Deputy Registrar;
6. The Deputy Inspector of Colleges;
7. The Deputy Controller of Examinations;
8. The Deputy Librarian;
9. The Audit & Accounts Officer;
10. The Secretary, Faculty Council for Post-Graduate Studies in Arts, Commerce etc.;

11. The Secretary, Faculty Council for Post-Graduate Studies in Science;
12. The Secretary, Council for Under-Graduate Studies in Arts, Science etc.;
13. The University Engineer;
14. The Medical Officer;
15. The Placement and Students’ Welfare Officer;
16. The Assistant Registrars;
17. The Assistant Controller of Examinations;
18. The Accounts Officer;
19. The Estate Officer;
20. The Assistant Librarians;
21. The Sports Officer;
22. The Publication’s Officer;
23. The Assistant Engineers;
24. The Junior Medical Officer;
25. The Trust Officer;
26. The Curator;
27. The Superintendent, University Press;
28. The Programmer, Research Service Centre;
29. The Director (ACE & E);
30. The Assistant Director (PERC);
31. The System Manager (Computer Centre);
32. The System Engineer;
33. The Project Officers (ACE & E);
34. The Project Officer (PERC);
35. The Electronics Engineers (CIF);
36. The Technical Officer—Gr. I (USIC);
37. The Technical Officer—Gr. III (USIC);
38. The Instrumentation Engineer (PHYSICS);
39. The Scientific Officers;

40. The Programmer;
  41. The M. S. S. Reader; and
  42. The Information Scientist.
- (2) In Chapter VI, under the heading 'The Statutes Relating to Officers of the University', for St. 3 (O. U), substitute the following Statute :—
- |  |  |
|--|--|
| <p>“St. 3 (O. U.) Decla-<br/>ration of posts as posts<br/>of officers of the<br/>University.</p> | <p>The following posts<br/>in the University are<br/>declared to be the<br/>posts.</p> |
|--|--|
- of Officers of the University under clause (IV) of section 7 of the Act, namely—
1. The Inspector of Colleges;
  2. The Controller of Examinations;
  3. The Development Officer;
  4. The University Librarian;
  5. The Deputy Registrar;
  6. The Deputy Inspector of Colleges;
  7. The Deputy Controller of Examinations;
  8. The Deputy Librarian;
  9. The Audit & Accounts Officer;
  10. The Secretary, Faculty Council for Post-Graduate Studies in Arts, Commerce etc.;
  11. The Secretary, Faculty Council for Post-Graduate Studies in Science;
  12. The Secretary, Council for Under-Graduate Studies in Arts, Science etc.;
  13. The University Engineer;
  14. The Medical Officer;
  15. The Placement and Students' Welfare Officer;
  16. The Assisntat Registrars;

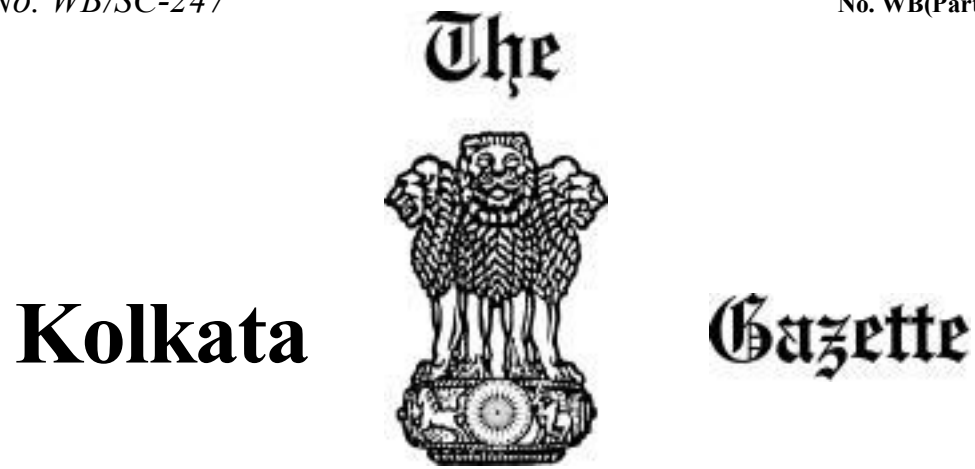
17. The Assistant Controller of Examinations;
18. The Accounts Officer;
19. The Estate Officer;
20. The Assistant Librarians;
21. The Sports Officer;
22. The Publication's Officer;
23. The Assistant Engineers;
24. The Junior Medical Officer;
25. The Trust Officer;
26. The Curator;
27. The Superintendent, University Press;
28. The Programmer, Research Service Centre;
29. The Director (ACE & E)
30. The Assistant Director (PERC);
31. The System Manager (Computer Centre);
32. The System Engineer;
33. The Project Officers (ACE & E);
34. The Project Officers (PERC);
35. The Electronics Engineers (CIF);
36. The Technical Officer—Gr. I (USIC);
37. The Technical Officer—Gr. III (USIC);
38. The Instrumentation Engineer (PHYSICS);
39. The Scientific Officers;
40. The Programmer;
41. The M. S. S. Reader; and
42. The Information Scientist.

*Sd/-*  
*Chancellor,*  
**UNIVERSITY OF BURDWAN**

08.11.2003

Registered No. WB/SC-247

No. WB(Part-III)/2012/SAR-2



Extraordinary  
Published by Authority

MAGHA 5]

WEDNESDAY, JANUARY 25, 2012

[SAKA 1933

PART IIIô Act of the West Bengal Legislature.

**GOVERNMENT OF WEST BENGAL LAW DEPARTMENT Legislative  
NOTIFICATION**

No. 116-L.ô 25th January, 2012.ô The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:ô

**West Bengal Act XII of 2011**

**THE WEST BENGAL UNIVERSITY LAWS (AMENDMENT) ACT, 2011.**

*[Passed by the West Bengal Legislature.]*

[Assent of the Governor was first published in the *Kolkata Gazette Extraordinary*, of the 25th January, 2012.]

*An Act to amend the Calcutta University Act, 1979, the North Bengal University Act, 1981, the **Burdwan University Act, 1981**, the Vidyasagar University Act, 1981, the Kalyani University Act, 1981, the West Bengal State University (Barasat, North 24-Parganas) Act, 2007, the Gour Banga University Act, 2007, the Sidho-Kanho-Birsha University Act, 2010, the Jadavpur University Act, 1981, the Rabindra Bharati University Act, 1981, the Netaji Subhas Open University Act, 1997, the Bengal Engineering and Science University Act, Shibpur, 2004, and the West Bengal University of Technology Act, 2000.*

WHEREAS it is expedient to amend the Calcutta University Act, 1979, the North Bengal University Act, 1981, the **Burdwan University Act, 1981**, the Vidyasagar University Act, 1981, the Kalyani University Act, 1981, the West Bengal State University (Barasat, North 24-Parganas) Act, 2007, the Gour Banga University Act, 2007, the Sidho-Kanho-Birsha University Act, 2010, the Jadavpur University Act, 1981, the Rabindra Bharati University Act, 1981, the Netaji Subhas Open University Act, 1997, the Bengal Engineering and Science University Act, Shibpur, 2004, and the West Bengal University of Technology Act, 2000, for the purposes and in the manner hereinafter appearing ;

West Ben. Act XXXVIII of  
1979. West  
Ben. 1981. Act XXV of  
West Ben.  
1981. West Act XXIII of  
Ben. 1981.  
West Ben. Act XXVIII of  
West Ben. Act XL of 1981.  
2007. West Act XXXVIII of  
Ben. 2007.  
West Ben.  
West Ben.  
1981. West  
Ben. 1981. Act XII of 2010.  
West Ben. Act XXIV of  
West Ben.  
West Ben. Act XXXVI of  
Act XIX of 1997.  
Act XIII of 2004.  
Act XV of 2000.



*The West Bengal University Laws (Amendment) Act, 2011.**(Sections 1, 2.)*

It is hereby enacted in the Sixty-second Year of the Republic of India, by the Legislature of West Bengal, as follows:ô

Short title and commencement. Act 2011

1. (1) This Act may be called the West Bengal University Laws (Amendment)

(2) It shall be deemed to have come into force on the 2nd day of November, 2011.

Amendment of West Ben. Act XXXVIII.

2. In the Calcutta University Act, 1979,ô

(1) in section 2,ô

(1) after clause (20), the following clause shall be inserted:ô

'(20a) "State Government" means the Government of West Bengal in the Higher Education Department;';

(ii) in clause (23), for the words "a Professor, Reader, Principal, Lecturer;"; the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor," shall be substituted;

(iii) for clause (24), the following clause shall be substituted:ô

'(24) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a teaching post including a part-time teaching post, appointed or recognized as such by the University;';

(iv) clause (29) shall be omitted;

(2) for section 8, the following section shall be substituted:ô

Chan cellor

8. (1) (a) The Vice-Chancellor shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Vice Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as professor or ten years of experience in a reputed research or academic administrative organisation of which atleast 5 years shall be in an equivalent position of professor.

(b) The Vice Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

(i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;

(ii) a nominee of the Chairman, University Grants Commission;

(iii) a nominee of the Senate:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re-appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 2.)*

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

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

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

(5) If

(a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise, then, during the period of such temporary inability or pending the appointment of a Vice-Chancellor, as the case may be, the Chancellor in consultation with the Minister may appoint a person to exercise the powers and perform the duties of the Vice-Chancellor.

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under subsection (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,

(a) has become insane and adjudged by a competent court to be of unsound mind; or

(b) has become an undischarged insolvent and stands so declared by a competent Court; or

(c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or

(d) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice Chancellor is detrimental to the interest of the University; or

(e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or

(f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 2.)*

- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h)."

(3) for section 10, the following section shall be substituted:

<sup>The Pro-Vice-</sup>10. (1) (a) The Pro-Vice-Chancellor for Academic Affairs shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Pro-Vice Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organisation of which at least 5 years shall be in an equivalent position of Professor.

(b) The Pro-Vice-Chancellor for Academic Affairs shall be appointed by the Chancellor in consultation with the Minister. The term of his office shall be for four years and he shall be eligible for re-appointment for a period not exceeding four years but shall not hold office beyond the age of sixty-five years.

(2) The Pro-Vice-Chancellor for Academic Affairs shall be a whole-time officer of the University and shall be paid from the University Fund such salary and allowances as the Chancellor may decide in consultation with the State Government.

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

(4) If

(a) the Pro-Vice-Chancellor for Academic Affairs 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 Pro-Vice-Chancellor for Academic Affairs by reason of death, resignation or expiry of the term of his office, removal or otherwise,

then, during the peiroad of such temporary inability or pending the appointment of a Pro-Vice-Chancellor for Academic Affairs, as the case may be, the Chancellor, in consultation with the Minister and the Vice-Chancellor, shall authorise Pro-Vice-Chancellor for Business Affairs and Finance or a senior teacher of the University or an officer of the University to exercise the powers and perform the duties of the Pro-Vice-Chancellor for Academic Affairs.

(5) The vacancy in the office of the Pro-Vice-Chancellor for Academic Affairs occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Pro-Vice-Chancellor for Academic Affairs in accordance with the provisions of sub-section (1).

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 2.)*

- (6) The Pro-Vice-Chancellor for Academic Affairs may be removed from his office by the Chancellor if he is satisfied that the incumbent,ô
- (a) has become insane and adjudged by a competent court to be of unsound mind; or
  - (b) has become an undischarged insolvent and stands so declared by a competent Court; or
  - (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
  - (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Pro-Vice Chancellor is detrimental to the interest of the University; or
  - (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
  - (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
  - (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
  - (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

2 of 1974.

*Explanation.*ô For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Pro-Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Pro-Vice-Chancellor for Academic Affairs shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).".

(4) for section 12, the following section shall be substituted:ô

"The Pro-Vice- 12. (1) (a) The Pro-Vice-Chancellor for Business Affairs and Finance shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Pro-Vice Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organisation of which at least 5 years shall be in an equivalent position of Professor.

(b) The Pro-Vice-Chancellor for Business Affairs and Finance shall be appointed by the Chancellor in consultation with the Minister. The term of his office shall be for four years and he shall be eligible for re-appointment for a period not exceeding four years but shall not hold office beyond the age of sixty-five years.

(2) The Pro-Vice-Chancellor for Business Affairs and Finance shall be a whole-time officer of the University and shall be paid from the University Fund such salary and allowances as the Chancellor may decide in consultation with the State Government.

(3) The Pro-Vice-Chancellor for Business Affairs and Finance may resign his office by writing under his hand addressed to the Chancellor.

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(4) If

- (a) the Pro-Vice-Chancellor for Business Affairs and Finance 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 Pro-Vice-Chancellor for Business Affairs and Finance by reason of death, resignation or expiry of the term of his office, removal or otherwise,

then, during the period of such temporary inability or pending the appointment of a Pro-Vice-Chancellor for Business Affairs and Finance, as the case may be, the Chancellor, in consultation with the Minister and the Vice-Chancellor, shall authorise Pro-Vice-Chancellor for academic Affairs or a senior teacher of the University or an officer of the University to exercise the powers and perform the duties of the Pro-Vice-Chancellor for Business Affairs and Finance.

(5) The vacancy in the office of the Pro-Vice-Chancellor for Business Affairs and Finance occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Pro-Vice-Chancellor for Business Affairs and Finance in accordance with the provisions of sub-section (1).

(6) The Pro-Vice-Chancellor for Business Affairs and Finance may be removed from his office by the Chancellor if he is satisfied that the incumbent,

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Pro-Vice Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or 2 of 1974.
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Pro-Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Pro-Vice-Chancellor for Business Affairs and Finance shall be given a reasonable opportunity to show

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cause by the Chancellor before taking recourse for his removal under clauses (d),  
(e), (f), (g) and (h).".

(5) for section 18, the following section shall be substituted:ô

"The Senate.

18. (1) The Senate shall consist of the following  
members:ô

(a) *Ex officio* membersô

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Pro-Vice Chancellor (Academic Affairs);
- (iv) the Pro-Vice Chancellor (Business Affairs and Finance);
- (v) the Deans of Faculty Councils for Post Graduate Studies;
- (vi) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (vii) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (viii) the Chairman, West Bengal State Council of Higher Education or his nominee;
- (ix) the President, West Bengal Council of Higher Secondary Education;
- (x) the President, West Bengal Madrasah Education Board;
- (xi) the President, West Bengal Board of Secondary Education;
- (xii) the Director of Public Instruction, West Bengal or his nominee not below the rank of Additional Director of Public Instruction;
- (xiii) a nominee of the Chairman of University Grants Commission;
- (xiv) a nominee of the Chairman of National Council for Teachers' Education;
- (xv) the Chairman of the College Service Commission or a member of the Commission as his nominee;

(b) Representatives of Departments and Collegesô

- (xvi) Heads of Departments of the University;
- (xvii) five senior most Professors of Departments of the University to be selected by the Vice-Chancellor in alphabetical order of the Department, of whom not more than one Professor shall be from the same Department;
- (xviii) Principals of affiliated Colleges, not more than ten, to be nominated by the Vice-Chancellor of whom ô
  - (I) one shall be from a Teacher's Training College;
  - (II) one shall be from a Law College;
  - (III) one shall be from other Professional College;
  - (IV) one shall be from Women's College;
  - (V) one shall be from Government College;
- (xix) five teachers from the Council for Undergraduate studies, of whom at least two shall belong the rank of

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Associate Professor and others shall be not below the rank of Assistant Professor, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by the Statutes;

- (xx) one representative of officers of the University, to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (xxi) two representatives of non-teaching employees of whom
  - (i) one from non-teaching employees of the University,
  - (ii) one from non-teaching employees of the affiliated colleges of the University,
 to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (c) Nominated Members
  - (xxii) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:
 

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member;
- (d) Special Invitee
  - (xxiii) any official or expert in any field or eminent educationist, whom the Vice-Chancellor may require for advice, consultation or assistance, may be invited to attend the meeting :
 

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Senate shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Senate shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Senate or of any body constituted by the Senate shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Senate or in any body constituted by the Senate, as the case may be."

(6) for section 21, the following section shall be substituted:

" The Syndicate. 21. (1) The Syndicate shall consist of the following members:

- (a) *Ex officio* Members
  - (i) the Vice-Chancellor;
  - (ii) the Pro-Vice Chancellor (Academic Affairs);
  - (iii) the Pro-Vice Chancellor (Business Affairs and Finance);
  - (iv) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
  - (v) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;

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Chairman of West Bengal State Council of Higher Education or his nominee;  
 Director of Public Instruction or his nominee not below the rank of Additional  
 Director of Public Instruction; the Deans of Faculty Councils for Post-Graduate  
 Studies; (vi)  
 Principals of affiliated Colleges, not more than seven, to be nominated by the Vice  
 Chancellor of whom (vii) (I) one shall be from a Teacher's Training College; (II) one  
 shall be from a Law College; (vi) (III) one shall be from other  
 (ix) Professional College; (IV) one shall be from Women's  
 College;  
 (V) one shall be from Government College;

## (b) Other Members

- (x) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
- (xi) seven teachers from the faculty council for PostGraduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by statutes;
- (xii) five Teachers of whom at least two shall belong to the rank of Associate Professor and Others shall be not below the rank of Assistant Professor from the Council for Undergraduate studies, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;
- (xiii) two persons nominated by the Chancellor interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognized by it shall be eligible to be a member.

(2) A member of the Syndicate shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Syndicate shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Syndicate or of any body constituted by the Syndicate shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Syndicate or in any body constituted by the Syndicate, as the case may be."

(4) One-third of the total number of members shall be a quorum for a meeting of the Syndicate."

(7) in section 22, in clause (ix), the word "Teacher", wherever it occurs, shall be omitted.;

(8) in section 23,ô

(i) in sub-section (2),ô

(a) after clause (v), the following clause shall be inserted:ô "(va) the Librarian of the University, if the post is vacant then the person acting as Librarian of the University



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- in the case of the Faculty Council for Post-Graduate Studies in Education, Journalism and Library Science;";
- (b) after clause (viii), the following clause shall be inserted:ô  
 "(ix) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by Post-Graduate students and research scholars respectively from amongst themselves in the manner as may be prescribed in the Statutes;";
- (9) in section 25, in clause (a) of sub-section (2), after clause (vi), the following clause shall be inserted:ô  
 "(vii) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the statutes:  
 Provided that no two student representatives shall be elected from the same stream of education.";
- (10) for section 31, the following section shall be substituted:ô  
 Committee for 31. (1) A University Professor or a University Teaching Post, Associate Professor or a University Assistant Professor shall be appointed by the Vice-Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.  
 (2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.";
- (11) for section 32, the following section shall be substituted:ô "Procedure for  
 32. (1) At least four members, including two non subject experts, shall constitute the quorum Committee. for a meeting of the Selection Committee.  
 (2) If the Vice-Chancellor does not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee with reasons for reconsideration and if the Vice-Chancellor does not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reasons and the decision of the Chancellor shall be final."

Amendment of  
 West Ben. Act  
 XXV of 1981.

**3. In the North Bengal University Act, 1981,-**

- (1) in section 2,ô  
 (i) after clause (18), the following clause shall be inserted:ô  
 '(18a) "State Government" means the Government of West Bengal in the Higher Education Department;';  
 (ii) in clause (21), for the words "Assistant Professor, Reader, Lecturer," the words "Associate Professor, Reader, Assistant Professor," shall be substituted;  
 (iii) for clause (22), the following clause shall be substituted:ô  
 '(22) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a teaching

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 3.)*

post including a part-time teaching post, appointed or recognized as such by the University.';

(iv) clause (25) shall be omitted;

(2) for section 9, the

9. (1) (a) The highest level of

"The Vice-Chancellor.

following section shall be substituted:ô

Vice-Chancellor shall be appointed from the persons of the competence,

integrity, morals and institutional commitment. The Vice Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organization of which at least 5 years shall be in an equivalent position of Professor.

(b) The Vice-Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

- (i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;
- (ii) a nominee of the Chairman, University Grants Commission;
- (iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re-appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

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

(5) Ifô

- (a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 3.)*

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under subsection (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent, -

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or 2 of 1974.
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association or any act of the Vice-Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).";

(3) for section 17, the following section shall be substituted:ô

- "The Court. 17. (1) The Court shall consist of the following members:ô
- (a) *Ex officio* membersô

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- the Chancellor;  
the Vice-  
the Deans of  
Education  
below the  
the Secretary,  
not below the  
Chairman,  
the President,  
the President,  
Bengal Board  
the Director  
rank of  
a nominee of  
a nominee of  
the Chairman  
Commission  
Collegesô
- Chancellor;  
(i) Faculty Councils for Post Graduate Studies; the Secretary, Higher  
(ii) Department, Government of West Bengal or his nominee not  
(iii) rank of Joint Secretary to the Government of West Bengal;  
(iv) Finance Department, Government of West Bengal or his nominee  
rank of Joint Secretary to the Government of West Bengal; the  
West Bengal State Council of Higher Education or his nominee;  
West Bengal Council of Higher Secondary Education;  
(v) West Bengal Madrasa Education Board; the President, West  
of Secondary Education;  
(vi) Additional Director of Public Instruction, West Bengal or his nominee not below the  
of Public Instruction, West Bengal or his nominee not below the  
(vii) the Chairman of University Grants Commission;  
the Chairman of National Council for Teachers' Education;  
) of the College Service Commission or a member of the  
as his nominee; (b) Representatives of Departments and  
(viii) (xiv) Heads of Departments of the University;  
(xv) five senior most Professors of Departments of the  
) University to be selected by the Vice-Chancellor in alphabetical  
(ix) order of the Department, of whom not more than one Professor  
shall be from the same Department;  
(x) (xvi) Principals of affiliating Colleges, not more than ten,  
to be nominated by the Vice-Chancellor of whomô  
(I) one shall be from a Teachers' Training College; (II) one shall  
(xi) be from a Law College;  
(III) one shall be from other Professional College;  
(xii) (IV) one shall be from Women's College;  
(V) one shall be from Government College;  
) (xvii) five teachers from the Council for Undergraduate  
studies, of whom atleast two shall belong to the rank of Associate  
(xiii) Professor and other shall be not below the rank of Assistant  
Professor, to be elected by the members of the Council from  
) amongst themselves in the manner as may be prescribed by the  
Statutes;  
(xviii) one representative of officers of the University, to  
be elected from amongst themselves in the manner as may be prescribed by  
the statutes;  
(xix) two representative of non-teaching employees of whomô  
(i) one from non-teaching employees of the University,

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- (ii) one from non-teaching employees of the affiliated colleges of the University,  
to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (c) Nominated Members<sup>o</sup>
- (xx) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:  
Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member;
- (d) Special Invitee<sup>o</sup>
- (xxi) any official or expert in any field or eminent educationist, whom the University may require for advice, consultation or assistance, may be invited to attend the meeting:  
Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.
- (2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.
- (3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";
- (4) for section 20, the following section shall be substituted:<sup>o</sup>

<sup>o</sup>The Executive Council. 20. (1) The Executive Council shall consist of the following members :<sup>o</sup>

*(a) Ex officio Members<sup>o</sup>*

- (i) the Vice Chancellor;
- (ii) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
- (iii) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;
- (iv) Chairman of West Bengal State Council of Higher Education or his nominee;
- (v) Director of Public Instruction or his nominee not below the rank of Additional Director of Public Instruction;
- (vi) the Deans of Faculty Councils for Post Graduate Studies;
- (vii) Principals of affiliated Colleges, not more than seven, to be nominated by the Vice-Chancellor of whom -
- (I) one shall be from a Teachers' Training College;
- (II) one shall be from a Law College;
- (III) one shall be from other Professional College;
- (IV) one shall be from Women's College;
- (V) one shall be from Government College;

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- (b) Other Members
- (viii) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
  - (ix) seven teachers from the faculty council for PostGraduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by Statutes;
  - (x) five Teachers of whom atleast two shall belong to the rank of Associate Professor and others shall be not below the rank of Assisstant Professor from the Council for under-graduate studies to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;
  - (xi) two persons nominated by the Chancellor interested in University education:
 

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.
- (2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in subsection (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.
- (3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.
- (4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council."
- (5) in section 21, in clause (x), the word "Teacher", wherever it occurs, shall be omitted.;
- (6) in section 22,
  - (i) in sub-section (2),
    - (a) after clause (iii), the following clause shall be inserted: " (iiia) the Librarian of the University, if the post is vacant then the person acting as Librarian of the University in case of Faculty Council for Post-Graduate studies in Arts, Commerce and Law;"
    - (b) after clause (vi), in the following clause shall be inserted: "(vii) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by post graduate students and research scholars, respectively, from amongst themselves in the manner as may be prescribed by the Statutes";
- (7) in section 24, in clause (a) of sub-section (2), after clause (vii), the following clause shall be inserted:
 

"(viii) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the Statutes:

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Provided that no two student representatives shall be elected from the same stream of education.";

- (8) for section 29, the following section shall be substituted:ô "Selection  
29. (1) A University Professor or a Smmn^Posts  
University Associate Professor or a University  
Assistant Professor shall be appointed by the  
Vice-Chancellor, on the recommendation of a Selection Committee,  
and the constitution of such Selection Committee as well as the  
procedure for holding its meetings shall be in consonance with the  
University Grants Commission Regulations and Recruitment Rules  
framed by the State Government from time to time.  
(2) Notwithstanding anything contrary to the provisions of  
University Grants Commission Regulations, the nominee of the Vice-  
Chancellor shall be the head of the Selection Committee, which shall  
send its recommendations in writing to the Vice-Chancellor alongwith  
reasoned record of assessment of the persons appeared before it for  
selection.";
- (9) for section 30, the following section shall be substituted:ô "Procedure for  
30. (1) At least four members, including two h<sup>o</sup>  
outside subject experts, shall constitute the Committee.  
quorum for the meeting of the Selection  
Committee.  
(2) If the Vice-Chancellor does not accept the recommendation of a  
Selection Committee, it shall refer the recommendation back to the  
Selection Committee with reasons for reconsideration and if the Vice-  
Chancellor does not accept the reconsidered views of the Selection  
Committee, the matter shall be referred to the Chancellor with reasons  
and the decision of the Chancellor shall be final".

Amendment of  
West Ben. Act  
XXIII of 1981.

## 4. In the Burdwan University Act, 1981,ô

- (1) in section 2,ô
- (i) after clause (18), the following clause shall be inserted:ô  
'(18a) "State Government" means the Government of West Bengal  
in the Higher Education Department;'
- (ii) in clause (21), for the words 'Assistant Professor, Reader, Lecturer', the  
words 'Associate Professor, Reader, Assistant Professor' shall be  
substituted;
- (iii) for clause (22), the following clause shall be substituted :ô  
"(22) 'Teacher of the University' means a Professor, Associate  
Professor, Assistant Professor, or any other person, holding a teaching  
post including a part time teaching post, appointed or recognized as  
such by the University.";
- (iv) clause (25) shall be omitted;
- (2) for section 9, the following section shall be substituted:ô  
"The Vice-  
Chancellor. 9. (1) (a) The Vice-Chancellor shall be appointed  
from the persons of the highest level of competence,  
integrity, morals and institutional commitment. The Vice Chancellor shall  
be a distinguished academic with a minimum of ten years of experience in  
a University system of which atleast 5 years shall be as professor or ten  
years of experience in a reputed research or academic administrative  
organisation of which atleast 5 years shall be in an equivalent position of  
professor.  
(b) The Vice Chancellor shall be appointed by the Chancellor out of the  
panel of three names recommended in order of preference by the

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*(Section 4.)*

Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

(i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;

(ii) a nominee of the Chairman, University Grants Commission;

(iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re-appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

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

(5) If ô

(a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise,

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under subsection (5).



*The West Bengal University Laws (Amendment) Act, 2011.**(Section 4.)*

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,ô

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or 2 of 1974.
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.*ô For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice-Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).".

(3) for section 9A, the following section shall be substituted:ô

"The Pro-Vice-Chancellor

(Administration

and Academic). appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Pro- Vice-Chancellor (Administration and Academic) shall be a distinguished academic with a minimum of ten years of experience in a University system of which atleast 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organisation of which at least 5 years shall be in an equivalent position.

(b) The Pro-Vice-Chancellor (Administration and Academic) shall be appointed by the Chancellor in consultation with the Minister. The term of his office shall be for four years and he shall be eligible for re- appointment for a period not exceeding four years but shall not hold office beyond the age of sixty-five years.

(2) The Pro-Vice-Chancellor (Administration and Academic) shall be a whole-time officer of the University and shall be paid from the University Fund such salary and allowances as the Chancellor may decide in consultation with the State Government.

9 A. (1) (a) The Pro-Vice-Chancellor (Administration and Academic) shall be

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 4.)*

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

(4) If

- (a) the Pro-Vice-Chancellor (Administration and Academic) 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 Pro-Vice-Chancellor (Administration and Academic) by reason of death, resignation or expiry of the term of his office, removal or otherwise,

then, during the peiord of such temporary inability or pending the appointment of a Pro-Vice-Chancellor (Administration and Academic), as the case may be, the Chancellor, in consultation with the Minister and the Vice-Chancellor, shall authorise a senior teacher of the University or an officer of the University to exercise the powers and perform the duties of the Pro-Vice-Chancellor (Administration and Academic).

(5) The vacancy in the office of the Pro-Vice-Chancellor (Administration and Academic) occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Pro-Vice-Chancellor (Administration and Academic) in accordance with the provisions of sub-section (1).

(6) The Pro-Vice-Chancellor (Administration and Academic) may be removed from his office by the Chancellor if he is satisfied that the incumbent,

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Pro-Vice-Chancellor (Administration and Academic) is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or 2 of 1974.
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Pro-Vice Chancellor (Administration and Academic) is partisan, decision of the Chancellor thereon shall be final:

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 4.)*

Provided that the Pro-Vice-Chancellor (Administration and Academic) shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).".

(4) for section 17, the following section shall be substituted:ô

<sup>" The Court.</sup> 17. (1) The Court shall consist of the following members:ô

(a) *Ex officio* membersô

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Pro-Vice-Chancellor (Administration and Academic);
- (iv) the Deans of Faculty Councils for Post-Graduate Studies;
- (v) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (vi) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (vii) the Chairman, West Bengal State Council of Higher Education or his nominee;
- (viii) the President, West Bengal Council of Higher Secondary Education;
- (ix) the President, West Bengal Madrasah Education Board;
- (x) the President, West Bengal Board of Secondary Education;
- (xi) the Director of Public Instruction, West Bengal or his nominee not below the rank of Additional Director;
- (xii) a nominee of the Chairman of University Grants Commission;
- (xiii) a nominee of the Chairman of National Council for Teachers' Education;
- (xiv) a nominee of the Chairman of All India Council for Technical Education;
- (xv) the Chairman, of the College Service Commission or a member of the Commission as his nominee;

## (b) Representatives of Departments and Collegesô

- (xvi) Heads of Departments of the University;
- (xvii) five senior most Professors of Departments of the University to be selected by the Vice-Chancellor in alphabetical order of the Department, of whom not more than one Professor shall be from the same Department;
- (xviii) Principals of affiliated Colleges, not more than ten, to be nominated by the Vice-Chancellor of whomô
  - (I) one shall be from a Teachers' Training College;
  - (II) one shall be from a Law College;
  - (III) one shall be from other Professional College;
  - (IV) one shall be from Women's College;
  - (V) one shall be from Government College;

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five teachers from the Council for undergraduate studies, of whom atleast two shall belong to the rank of Associate Professor and others shall be not below the rank of Assistant Professor, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by the Statutes; one representative of officers of the University, to be elected from amongst themselves in the maneer as may be prescribed by the Statutes; two representatives of non-teaching employees of whom

- (i) one from non-teaching employees of the University,
- (ii) one from non-teaching employees of the affiliated colleges of the University,
- (xxi) to be elected from amongst themselves in the manner as may be prescribed by the Statutes.

## (c) Nominated Members

- (xxii) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.

## (d) Special Invitee

- (xxiii) any official or expert in any field or eminent educationist, whom the Vice-Chancellor may require for advice, consultation or assistance, may be invited to attend the meeting:

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

(5) for section 20, the following section shall be substituted:

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

(a) *Ex officio* Members

- (i) the Vice-Chancellor;
- (ii) the Pro-Vice-Chancellor (Administration and Academic);
- (iii) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
- (iv) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;

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- (v) Chairman of West Bengal State Council of Higher Education or his nominee;
- (vi) Director of Public Instruction or his nominee not below the rank of Additional Director of Public Instruction;
- (vii) the Deans of Faculty Councils for Post-Graduate Studies;
- (viii) Principals of affiliated Colleges, not more than seven, to be nominated by the Vice-Chancellor of whom
  - (I) one shall be from a Teachers' Training College;
  - (II) one shall be from a Law College;
  - (III) one shall be from other Professional College;
  - (IV) one shall be from Women's College;
  - (V) one shall be from Government College;
- (b) Other Members
  - (ix) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
  - (x) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
  - (xi) seven teachers from the faculty council for PostGraduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by Statutes;
  - (xii) five Teachers of whom atleast two shall belong to the rank of Associate Professor and others shall be not below the rank of Assistant Professor from the Council for Undergraduate studies, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;
  - (xiii) two persons nominated by the Chancellor interested in University education:
 

Provided that no employee of the University or of a College or Institution affiliated with the University or recognized by it shall be eligible to be a member.
- (2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in subsection (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.
- (3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.
- (4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council."
- (6) in section 21, in clause (x), the word "Teachers", wherever it occurs, shall be omitted.;
- (7) in section 22,
  - (i) in sub-section (2),
    - (a) after clause (iii), the following clause shall be inserted:

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 5.)*

- "(iiiia) the Librarian of the University, if the post is vacant then the person acting as Librarian of the University in the case of the Faculty Council for Post-Graduate Studies in Arts, Commerce, Law, Fine Arts and Music;"
- (b) after clause (vi), the following clause shall be inserted:ô  
 "(vii) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by Post-Graduate students and research scholars respectively from amongst themselves in the manner as may be prescribed in the statutes;"
- (8) in section 24, in sub-section (2), after clause (viii), the following clause shall be inserted:ô  
 "(ix) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the statutes: Provided that no two student representatives shall be elected from the same stream of education.";
- (9) for section 29, the following section shall be substituted:ô <sup>Selection</sup>  
 29. (1) A University Professor or a University <sup>Committee for</sup> Teaching Posts. Associate Professor or a University Assistant Professor shall be appointed by the Vice-Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.  
 (2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.";
- (10) for section 30, the following section shall be substituted:ô  
<sup>Procedure for</sup> 30. (1) At least four members, including two <sup>of senior, highly</sup> outside subject experts, shall constitute the quorum <sup>Committee.</sup> for a meeting of the Selection Committee.  
 (2) If the Vice-Chancellor does not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee with reasons for reconsideration and if the Vice-Chancellor does not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reasons and the decision of the Chancellor shall be final.".

Amendment of 5. In the Vidyasagar University Act, 1981,ô  
 West Ben.  
 Act XVIII

(1) in section 2,ô

(i) after clause (17), the following clause shall be inserted:ô

'(17a) "State Government" means the Government of West Bengal in the Higher Education Department;'

(ii) in clause (20), for the words "a Professor, Associate Professor, Assistant Professor, Reader, Principal, Lecturer," the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor" shall be substituted;

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- (iii) for clause (21), the following clause shall be substituted:ô  
 '(21) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a teaching post including a part-time teaching post, appointed or recognized as such by the University;';
- (iv) clause (24) shall be omitted;
- (2) for section 9, the following section shall be substituted:ô  
 "The Vice-Chancellor. 9.(1)(a) The Vice-Chancellor shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Vice-Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which atleast 5 years shall be as professor or ten years of experience in a reputed research or academic administrative organisation of which atleast 5 years shall be in an equivalent position of professor.  
 (b) The Vice-Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.  
 (c) The Search Committee shall consist of the following Members:ô  
 (i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;  
 (ii) a nominee of the Chairman, University Grants Commission;  
 (iii) a nominee of the Court:  
 Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.  
 (2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).  
 (b) The Chancellor may, notwithstanding the expiration of the term of the office of the Vice-Chancellor or his attaining the age of sixty-five years, allow him to continue in office till a successor assumes office, provided that he shall not continue as such for any period exceeding six months.  
 (3) The Vice-Chancellor shall be a whole-time officer of the University and shall be paid from the University Fund such salary and allowances as the Chancellor may decide in consultation with the State Government.  
 (4) The Vice-Chancellor may resign his office by writing under his hand addressed to the Chancellor.  
 (5) Ifô  
 (a) the Vice-Chancellor is, by reasons of leave, illness or other cause, temporarily unable to exercise the powers and perform the duties of his office, or

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 5.)*

(b) a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation, removal, expiry of term of his office or otherwise, then, during the period of such temporary inability or pending the appointment of a Vice-Chancellor, as the case may be, the Chancellor in consultation with the Minister may appoint a person to exercise the powers and perform the duties of the Vice-Chancellor.

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice-Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).";

(3) for section 17, the following section shall be substituted:

"The i^mrt. 17. (1) The Court shall consist of the following members:

- (a) *Ex officio* members
  - (i) the Chancellor;
  - (ii) the Vice Chancellor;



*The West Bengal University Laws (Amendment) Act, 2011.**(Section 5.)*

- (iii) the Deans of Faculty Councils for Post-Graduate Studies;
- (iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (vi) the Chairman, West Bengal State Council of Higher Education or his nominee;
- (vii) the President, West Bengal Council of Higher Secondary Education;
- (viii) the President, West Bengal Madrasah Education Board;
- (ix) the President, West Bengal Board of Secondary Education;
- (x) the Director of Public Instruction, West Bengal or his nominee not below the rank of Additional Director of Public Instruction;
- (xi) a nominee of the Chairman of University Grants Commission;
- (xii) a nominee of the Chairman of National Council for Teachers' Education;
- (xiii) the Chairman, of the College Service Commission or a member of the Commission as his nominee;
  - (b) Representatives of Departments and Colleges
- (xiv) Heads of Departments of the University;
- (xv) five senior most Professors of Departments of the University to be selected by the Vice-Chancellor in alphabetical order of the Department, of whom not more than one Professor shall be from the same Department;
- (xvi) Principals of affiliated Colleges, not more than ten, to be nominated by the Vice-Chancellor of whom
  - (I) one shall be from a Teachers' Training College;
  - (II) one shall be from a Law College;
  - (III) one shall be from other Professional College;
  - (IV) one shall be from Women's College;
- (xvii) five teachers from the Council for Undergraduate studies, of whom at least two shall belong to the rank of Associate Professor and others shall be not below the rank of Assistant Professor, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by the Statutes;
- (xviii) one representative of officers of the University, to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (xix) two representatives of non-teaching employees of whom
  - (i) one from non-teaching employees of the University,
  - (ii) one from non-teaching employees of the affiliated colleges of the University,

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 5.)*

to be elected from amongst themselves in the manner as may be prescribed by the Statutes.

## (c) Nominated Members

(xx) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.

## (d) Special Invitee

(xxi) any official or expert in any field or eminent educationist, whom the University may require for advice, consultation or assistance, may be invited to attend the meeting:

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

(4) for section 20, the following section shall be substituted:

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

(a) *Ex officio* Members

- (i) the Vice-Chancellor;
- (ii) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
- (iii) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;
- (iv) Chairman of West Bengal State Council of Higher Education or his nominee;
- (v) Director of Public Instruction or his nominee not below the rank of Additional Director of Public Instruction;
- (vi) the Deans of Faculty Councils for Post-Graduate Studies;
- (vii) Principals of affiliated Colleges, not more than seven, to be nominated by the Vice-Chancellor of whom
  - (I) one shall be from a Teachers' Training College;
  - (II) one shall be from a Law College;
  - (III) one shall be from other Professional College;
  - (IV) one shall be from Women's College;

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 5.)*

## (b) Other Members

- (viii) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
- (ix) seven teachers from the faculty council for Post-Graduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by Statutes;
- (x) five Teachers of whom atleast two shall belong to the rank of Associate Professor and Others shall be not below the rank of Assistant Professor from the council for Undergraduate studies to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;
- (xi) two persons to be nominated by the Chancellor interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.

(4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council.";

(5) in section 21, in clause (ix), the word "Teachers", wherever it occurs, shall be omitted.;

(6) in section 22,ô

(i) in sub-section (2),ô

(a) after clause (iii), the following clause shall be inserted:ô

"(iiia) the Librarian of the University, if the post is vacant then the person acting as Librarian of the University in case of Faculty Council for Post-Graduate studies in Arts and Commerce;

(b) after clause (vii), the following clause shall be inserted:ô

"(viii) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by Post-Graduate students and research scholars, respectively, from amongst themselves in the manner as may be prescribed by the Statutes";

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 6.)*

(7) in section 24,ô

(a) in sub-section (2), after clause (vi), the following clause shall be inserted:ô

"(vii) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the Statutes: Provided that no two student representatives shall be elected from the same stream of education.";

(b) in sub-section (3), after clause (v), the following clause shall be inserted:ô

"(vi) one student representative pursuing Undergraduate studies in Law in an affiliated college of the University.";

(8) for section 29, the following section shall be substituted:ô

<sup>"Selection</sup>  
Committee for  
Teaching Posts. or a University Assistant Professor shall be appointed by the Vice Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.

(2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.";

(9) for section 30, the following section shall be substituted:ô

<sup>"P\_</sup>  
<sup>cedure for</sup>  
holding meetings  
of the Selection shall constitute the quorum for a meeting of the Selection Committee.  
Committee.

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

Amendment of  
West Ben. Act  
XL of 1981.

**6. In the Kalyani University Act, 1981,ô**

(1) in section 2,ô

(i) after clause (16), the following clause shall be inserted:ô '(16a) "State Government" means the Government of West Bengal in the Higher Education Department;';

(ii) in clause (19), for the words "Assistant Professor, Reader, Lecturer", the words "Associate Professor, Reader, Assistant Professor" shall be substituted;

(iii) for clause (20), the following clause shall be substituted:ô

'(20) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a teaching post including a part time teaching post, appointed or recognized as such by the University.';

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 6.)*

(iv) clause (23) shall be omitted.

(2) for section 9, the following section shall be substituted:ô

<sup>The Vice-</sup>  
Chancellor.

9. (1) (a) The Vice-Chancellor shall be appointed from the persons

of the highest level of competence, integrity, morals and institutional commitment. The Vice-Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which atleast 5 years shall be as professor or ten years of experience in a reputed research or academic administrative organisation of which atleast 5 years shall be in an equivalent position of professor.

(b) The Vice-Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

- (i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;
- (ii) a nominee of the Chairman, University Grants Commission;
- (iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

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

(5) Ifô

- (a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise,

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

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 6.)*

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,ô

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.*ô For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).".

(3) for section 17, the following section shall be substituted:ô

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

- (a) *Ex officio* membersô
  - (i) the Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) the Deans of Faculty Councils for Post-Graduate Studies;
  - (iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

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- (vi) the Chairman, West Bengal State Council of Higher Education or his nominee;
  - (vii) the President, West Bengal Council of Higher Secondary Education;
  - (viii) the President, West Bengal Madrasah Education Board;
  - (ix) the President, West Bengal Board of Secondary Education;
  - (x) the Director of Public Instruction, West Bengal or his nominee not below the rank of Additional Director of Public Instruction;
  - (xi) a nominee of the Chairman of University Grants Commission;
  - (xii) a nominee of the Chairman of National Council for Teachers' Education;
  - (xiii) the Chairman of the College Service Commission or a member of the Commission as his nominee;
- (b) Representatives of Departments and Collegesô
- (xiv) Heads of Departments of the University;
  - (xv) five senior most Professors of Departments of the University to be selected by the Vice-Chancellor in alphabetical order of the Department, of whom not more than one Professor shall be from the same Department.
  - (xvi) Principals of affiliated Colleges, not more than ten, to be nominated by the Vice-Chancellor of whomô
    - (I) one shall be from a Teacher's Training College;
    - (II) one shall be from a Law College;
    - (III) one shall be from other Professional College;
    - (IV) one shall be from Women's College;
  - (xvii) five teachers form the Council for undergraduate studies, of whom at least two shall belong to the rank of Associate Professor and others shall be not below the rank of Assistant Professor, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xviii) one representative of officers of the University, to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xix) two representatives of non-teaching employees of whomô
    - (i) one from non-teaching employees of the University,
    - (ii) one from non-teaching employees of the affiliated colleges of the University, to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (c) Nominated Membersô
- (xx) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:
    - Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member;
- (d) Special Inviteeô
- (xxi) any official or expert in any field or eminent educationist, whom the University may require for advice, consultation or assistance, may be invited to attend the meeting:

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 6.)*

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

(4) for section 20, the following section shall be substituted:ô

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

(a) *Ex officio* Membersô

- (i) the Vice-Chancellor;
- (ii) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
- (iii) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;
- (iv) Chairman of West Bengal State Council of Higher Education or his nominee;
- (v) Director of Public Instruction or his nominee not below the rank of Additional Director of Public Instruction;
- (vi) the Deans of Faculty Councils for Post-Graduate Studies;
- (vii) Principals of affiliated Colleges, not more than seven, to be nominated by the Vice-Chancellor of whomô

(I) one shall be from a Teachers' Training College;

(II) one shall be from a Law College;

(III) one shall be from other Professional College;

(IV) one shall be from Women's College;

(b) Other Membersô

- (viii) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
- (ix) seven teachers from the faculty council for Post-Graduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by Statutes;
- (x) five Teachers of whom atleast two shall belong to the rank of Associate Professor and Others shall be not below the rank of Assistant Professor from the council for under-graduate studies to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;
- (xi) two persons nominated by the Chancellor interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognized by it shall be eligible to be a member.



*The West Bengal University Laws (Amendment) Act, 2011.**(Section 7.)*

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.

(4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council.";

(5) in section 21, in clause (x), the word "Teachers", wherever it occurs, shall be omitted.;

(6) in section 22,ô

(i) in sub-section (2),ô

(a) after clause (iv), the following clause shall be inserted:ô "(iva) the Librarian of the University, if the post is vacant

then the person acting as Librarian of the University in case of Faculty Council for Post-Graduate studies in Arts and Commerce;

(b) after clause (viii), the following clause shall be inserted:ô

"(ix) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by Post-Graduate students and research scholars, respectively, from amongst themselves in the manner as may be prescribed by the Statutes";

(ii) in sub-section (3), after clause (viii), the following clause shall be inserted:ô

"(ix) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by post graduate students and research scholars, respectively, from amongst themselves in the manner as may be prescribed by the Statutes";

(7) in section 23A,ô

(a) in sub-section (2), after clause (f), the following clause shall be inserted:ô

"(g) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the Statutes: Provided that no two student representatives shall be elected from the same stream of education.";

(8) for section 27, the following section shall be substituted:ô

<sup>Selection of</sup> 27. (1) A University Professor or a University Associate Professor Teaching Posts. or a University Assistant Professor shall be appointed by the Vice- Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.

(2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice- Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.";

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 7.)*

(9) for section 28, the following section shall be substituted:ô

<sup>Procedure for</sup> 28. (1) At least four members, including two outside subject <sup>holding meeting</sup> experts, shall constitute the quorum for a meeting of the Selection Committee. Committee.

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

7. In the West Bengal State University (Barasat, North 24-Parganas) Act, 2007,ô

(1) in section 2,ô

(i) after clause (19), the following clause shall be inserted:ô

'(19a) "State Government" means the Government of West Bengal in the Higher Education Department;'

(ii) in clause (22), for the words "a Professor, Reader, Principal, Lecturer," the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor," shall be substituted;

(iii) for clause (23), the following clause shall be substituted:ô

'(23) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a teaching post including a part time teaching post, appointed or recognized as such by the University;'

(iv) clause (27) shall be omitted;

(2) for section 9, the following section shall be substituted:ô

<sup>The Vice-</sup>  
Chancellor.

9. (1) (a) The Vice-Chancellor shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Vice-Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which atleast 5 years shall be as professor or ten years of experience in a reputed research or academic administrative organisation of which at least 5 years shall be in an equivalent position of professor.

(b) The Vice-Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

(i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;

(ii) a nominee of the Chairman, University Grants Commission;

(iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 7.)*

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

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

(5) If

(a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise,

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,

(a) has become insane and adjudged by a competent court to be of unsound mind; or

(b) has become an undischarged insolvent and stands so declared by a competent Court; or

(c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or

(d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or

(e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 7.)*

- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

2 of 1974.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice-Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).";

(3) for section 17, the following section shall be substituted:

<sup>in</sup>The Court.

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

- (a) *Ex officio* members
  - (i) the Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) the Deans of Faculty Councils for Post-Graduate Studies;
  - (iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (vi) the Chairman, West Bengal State Council of Higher Education or his nominee;
  - (vii) the President, West Bengal Council of Higher Secondary Education;
  - (viii) the President, West Bengal Madrasah Education Board;
  - (ix) the President, West Bengal Board of Secondary Education;
  - (x) the Director of Public Instruction, West Bengal, or his nominee not below the rank of Additional Director of Public Instruction;
  - (xi) a nominee of the Chairman of University Grants Commission;
  - (xii) a nominee of the Chairman of National Council for Teachers' Education;
  - (xiii) the Chairman of the College Service Commission or a member of the Commission as his nominee;
- (b) Representatives of Departments and Colleges
  - (xiv) Heads of Departments of the University;
  - (xv) five senior most Professors of Departments of the University to be selected by the Vice-Chancellor in alphabetical order of the Department, of whom not more than one Professor shall be from the same Department;
  - (xvi) Principals of affiliated Colleges, not more than ten, to be nominated by the Vice-Chancellor of whom

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- (I) one shall be from a Teachers' Training College;
- (II) one shall be from a Law College;
- (III) one shall be from other Professional College;
- (IV) one shall be from Women's College;
- (V) one shall be from Government College;

- (xvii) five teachers form the Council for Undergraduate studies, of whom at least two shall belong to the rank of Associate Professor and others shall be not below the rank of Assistant Professor, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by the Statutes;
- (xviii) one representative of Officers of the University, to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (xix) two representatives of non-teaching employees of whom
  - (i) one from non-teaching employees of the University,
  - (ii) one from non-teaching employees of the affiliated colleges of the University,
 to be elected from amongst themselves in the manner as may be prescribed by the Statutes;

## (c) Nominated Members

- (xx) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:  
Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member;

## (d) Special Invitee

- (xxi) any official or expert in any field or eminent educationist, whom the Vice-Chancellor may require for advice, consultation or assistance, may be invited to attend the meeting:  
Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

(4) for section 20, the following section shall be substituted:

" The Executive 20. (1) The Executive Council shall consist of the following <sup>Council.</sup> members:

(a) *Ex officio* Members

- (i) the Vice-Chancellor;
- (ii) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
- (iii) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;

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- (iv) Chairman of West Bengal State Council of Higher Education or his nominee;
- (v) Director of Public Instruction or his nominee not below the rank of Additional Director of Public Instruction;
- (vi) the Deans of Faculty Councils for Post-Graduate Studies,
- (vii) Principals of affiliating Colleges, not more than seven, to be nominated by the Vice-Chancellor of whom

(I) one shall be from a Teachers' Training College;

(II) one shall be from a Law College;

(III) one shall be from other Professional College;

(IV) one shall be from Women's College;

(V) one shall be from Government College;

(b) Other Members

- (viii) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
- (ix) seven teachers from the faculty council for Post-Graduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by Statutes;
- (x) five Teachers of whom atleast two shall belong to the rank of Associate Professor and Others shall be not below the rank of Assistant Professor from the Council for Undergraduate studies, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;
- (xi) two persons nominated by the Chancellor interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.

(4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council."

(5) in section 21, in clause (ix), the word "Teachers", wherever it occurs, shall be omitted.;

(6) in section 22,

(i) in sub-section (2),

(a) after clause (iv), the following clause shall be inserted:

"(iva) the Librarian of the University, if the post is vacant then the person acting as Librarian of the University in the case of the Faculty Council for Post-Graduate Studies in Arts;

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(b) after clause (vii), the following clause shall be inserted:ô

"(viii) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by Post-Graduate students and research scholars respectively from amongst themselves in the manner as may be prescribed in the Statutes";

(7) in section 24, in sub-section (2), after clause (vi), the following clause shall be inserted:ô

"(vii) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the Statutes:

Provided that no two student representatives shall be elected from the same stream of education.";

(8) for section 29, the following section shall be substituted:ô

<sup>"Sd^Uon</sup> 29. (1) A University Professor or a University Associate Professor

Committee for

Teaching Posts, or a University Assistant Professor shall be appointed by the Vice- Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.

(2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice- Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.";

(9) for section 30, the following section shall be substituted:ô

<sup>"Procedure for</sup>  
holding meeting of  
Selection  
Committee.

30. (1) At least four members, including two outside subject experts, shall constitute the quorum for a meeting of the Selection Committee.

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

**8. In the Gour Banga University Act, 2007,ô**

(1) in section 2,ô

(i) after clause (20), the following clause shall be inserted:ô

'(20a) "State Government" means the Government of West Bengal in the Higher Education Department;'

(ii) in clause (23), for the words "a Professor, Reader, Principal, Lecturer," the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor," shall be substituted;

(iii) for clause (24), the following clause shall be substituted:ô

'(24) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a teaching post including a part time teaching post, appointed or recognized as such by the University;'

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 8.)*

(iv) clause (28) shall be omitted;

(2) for section 9, the following section shall be substituted:ô

"The Vice- Chancellor.

9. (1) (a) The Vice-Chancellor shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Vice-Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which atleast 5 years shall be as professor or ten years of experience in a reputed research or academic administrative organisation of which atleast 5 years shall be in an equivalent position of professor.

(b) The Vice-Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

- (i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;
- (ii) a nominee of the Chairman, University Grants Commission;
- (iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

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

(5) Ifô

- (a) the Vice-Chancellor is, by reasons 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, removable, expiry of term of his office or otherwise,

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section



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(1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,ô

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.*ô For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice-Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).".

(3) for section 17, the following section shall be substituted:ô

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

- (a) *Ex officio* membersô
  - (i) the Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) the Deans of Faculty Councils for Post-Graduate Studies;
  - (iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (vi) the Chairman, West Bengal State Council of Higher Education or his nominee;
  - (vii) the President, West Bengal Council of Higher Secondary Education;

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- (viii) the President, West Bengal Madrasah Education Board;
  - (ix) the President, West Bengal Board of Secondary Education;
  - (x) the Director of Public Instruction, West Bengal or his nominee not below the rank of Additional Director of Public Instruction ;
  - (xi) a nominee of the Chairman of University Grants Commission;
  - (xii) a nominee of the Chairman of National Council for Teachers' Education;
  - (xiii) the Chairman of the College Service Commission or a member of the Commission as his nominee.
- (b) Representatives of Departments and Collegesô
- (xiv) Heads of Departments of the University;
  - (xv) five senior most Professors of Departments of the University to be selected by the Vice-Chancellor in alphabetical order of the Department, of whom not more than one Professor shall be from the same Department.
  - (xvi) Principals of affiliated Colleges, not more than ten, to be nominated by the Vice-Chancellor of whomô
    - (I) one shall be from a Teachers' Training College;
    - (II) one shall be from a Law College;
    - (III) one shall be from other Professional College;
    - (IV) one shall be from Women's College;
  - (xvii) five teachers from the Council for Undergraduate studies, of whom at least two shall belong the rank of Associate Professor and others shall be not below the rank of Assistant Professor, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xviii) one representative of officers of the University, to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xix) two representatives of non-teaching employees of whomô
    - (i) one from non-teaching employees of the University,
    - (ii) one from non-teaching employees of the affiliated colleges of the University,
 to be elected from amongst themselves in the manner as may be prescribed by the Statutes.
- (c) Nominated Membersô
- (xx) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:  
Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member;
- (d) Special Inviteeô
- (xxi) any official or expert in any field or eminent educationist, whom the Vice-Chancellor may require for advice, consultation or assistance, may be invited to attend the meeting :  
Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.
- (2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

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(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

(4) for section 20, the following section shall be substituted:ô "The Executive 20. (1) The Executive Council shall consist of the following

Council. members:ô

(a) *Ex officio* Membersô

- (i) the Vice-Chancellor;
- (ii) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
- (iii) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;
- (iv) Chairman of West Bengal State Council of Higher Education or his nominee;
- (v) Director of Public Instruction or his nominee not below the rank of Additional Director of Public Instruction;
- (vi) the Deans of Faculty Councils for Post-Graduate Studies;
- (vii) Principals of affiliating Colleges, not more than seven, selected by rotation for a term of one year, by the Undergraduate Council of whomô
  - (I) one shall be from a Teachers' Training College;
  - (II) one shall be from a Law College;
  - (III) one shall be from other Professional College;
  - (IV) one shall be from Women's College;

## (b) Other Membersô

- (viii) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
- (ix) seven teachers from the faculty council for Post-Graduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by statutes;
- (x) five Teachers of whom atleast two shall belong to the rank of Associate Professor and Others shall be not below the rank of Assisstant Professor from the Council for Undergraduate studies, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;
- (xi) two persons nominated by the Chancellor, interested in University education:  
Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 9.)*

(3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.

(4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council.";

(5) in section 21, in clause (x), the word "Teachers", wherever it occurs, shall be omitted.;

(6) in section 22,ô

(i) in sub-section (2),ô

(a) after clause (iii), the following clause shall be inserted:ô "(iiia) the Librarian of the University, if the post is vacant

then the person acting as Librarian of the University in the case of the Faculty Council for Post-Graduate Studies in Humanities, Social Sciences and Commerce;"

(b) after clause (vi), the following clause shall be inserted:ô

"(vii) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by post graduate students and research scholars respectively from amongst themselves in the manner as may be prescribed by the Statutes;"

(7) in section 24, in sub-section (2), after clause (vi), the following clause shall be inserted:ô

"(vii) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the Statutes:

Provided that no two student representatives shall be elected from the same stream of education.";

(8) for section 29, the following section shall be substituted:ô

<sup>"Selection</sup> 29. (1) A University Professor or a University Associate Professor  
<sup>Committee for or a University Assistant Professor shall be appointed by the Vice-</sup>  
<sup>Teaching Posts.</sup>

Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.

(2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.";

(9) for section 30, the following section shall be substituted:ô

<sup>"Procedure for</sup> 30. (1) At least four members, including two outside subject  
<sup>holding membership of Selection</sup> experts, shall constitute the quorum for a meeting of the Selection Committee.  
<sup>Committee.</sup>

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

**9. In the Sidho-Kanho-Birsha University Act, 2010,ô**

(1) in section 2,ô

(i) in clause (25), for the words "a Professor, Principal, Reader, Lecturer", the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor" shall be substituted;

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 9.)*

(ii) for clause (26), the following clause shall be substituted:ô

'(26) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a teaching post including a part time teaching post, appointed or recognized as such by the University;'

(iii) clause (30) shall be omitted;

(2) for section 9, the following section shall be substituted:ô

9. (1) (a) The Vice-Chancellor shall be appointed from the persons <sup>Chancellor</sup> of the highest level of competence, integrity, morals and institutional commitment. The Vice-Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which atleast 5 years shall be as professor or ten years of experience in a reputed research or academic administrative organisation of which atleast 5 years shall be in an equivalent position of professor.

(b) The Vice-Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

- (i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;
- (ii) a nominee of the Chairman, University Grants Commission;
- (iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

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

(5) Ifô

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

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 9.)*

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

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice-Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h)."

(3) for section 17, the following section shall be substituted:

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

- (a) *Ex officio* members
  - (i) the Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) the Dean of Faculty Councils for Post-Graduate Studies;

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- (iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (vi) the Chairman, West Bengal State Council of Higher Education or his nominee;
  - (vii) the President, West Bengal Council of Higher Secondary Education;
  - (viii) the President, West Bengal Madrasah Education Board;
  - (ix) the President, West Bengal Board of Secondary Education;
  - (x) the Director of Public Instruction, West Bengal or his nominee not below the rank of Additional Director of Public Instruction;
  - (xi) a nominee of the Chairman of University Grants Commission;
  - (xii) a nominee of the Chairman of National Council for Teachers' Education;
  - (xiii) the Chairman of the College Service Commission or a member of the Commission as his nominee.
- (b) Representatives of Departments and Colleges
- (xiv) Heads of Departments of the University;
  - (xv) five senior most Professors of Departments of the University to be selected by the Vice-Chancellor in alphabetical order of the Department, of whom not more than one Professor shall be from the same Department.
  - (xvi) Principals of affiliated Colleges, not more than ten, to be nominated by the Vice Chancellor of whom
    - (I) one shall be from a Teacher's Training College;
    - (II) one shall be from a Law College;
    - (III) one shall be from other Professional College;
    - (IV) one shall be from Women's College;
  - (xvii) five teachers from the Council for undergraduate studies, of whom at least two shall belong the rank of Associate Professor and others shall be not below the rank of Assistant Professor, to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xviii) one representative of officers of the University, to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xix) two representatives of non-teaching employees of whom
    - (i) one from non-teaching employees of the University,
    - (ii) one from non-teaching employees of the affiliated colleges of the University,
 to be elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (c) Nominated Members
- (xx) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:  
 Provided that no employee of the University or of a College or institution affiliated with the University or recognised by it shall be eligible to be a member.

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## (d) Special Invitee

(xxi) any official or expert in any field or eminent educationist, whom the Vice-Chancellor may require for advice, consultation or assistance, may be invited to attend the meeting:

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

(4) for section 20, the following section shall be substituted:

<sup>The Executive</sup> 20. (1) The Executive Council shall consist of the following

Council.

members:

(a) *Ex officio* Members

- (i) the Vice Chancellor;
- (ii) Secretary of Higher Education Department or his nominee not below the rank of Joint Secretary;
- (iii) Secretary of Finance Department or his nominee not below the rank of Joint Secretary;
- (iv) Chairman of West Bengal State Council of Higher Education or his nominee;
- (v) Director of Public Instruction or his nominee not below the rank of Additional Director of Public Instruction;
- (vi) the Deans of Faculty Councils for Post-Graduate Studies;
- (vii) Principals of affiliated Colleges, not more than seven, to be nominated by the Vice Chancellor of whom
  - (I) one shall be from a Teacher's Training College;
  - (II) one shall be from a Law College;
  - (III) one shall be from other Professional College;
  - (IV) one shall be from Women's College;

## (b) Other Members

- (viii) three Heads of Departments, by rotation for one year in alphabetical order of the Department, to be selected by the Vice-Chancellor;
- (ix) seven teachers from the faculty council for Post-Graduate studies of whom four shall be Professors, two shall be Associate Professors and one shall be Assistant Professor and they shall be elected by the members of the faculty council from amongst themselves in the manner as may be prescribed by Statutes;
- (x) five Teachers of whom atleast two shall belong to the rank of Associate Professor and others shall be not below the rank of Assistant Professor from the Council for Undergraduate studies to be elected by the members of the Council from amongst themselves in the manner as may be prescribed by Statutes;



*The West Bengal University Laws (Amendment) Act, 2011.**(Section 9.)*

(xi) two persons nominated by the Chancellor interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.

(4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council.";

(5) in section 21, in clause (ix), the word "Teachers", wherever it occurs shall be omitted.;

(6) in section 22,ô

(i) in sub-section (2),ô

(a) after clause (iv), the following clause shall be inserted:ô "(iva) the Librarian of the University, if the post is vacant then the person acting as Librarian of the University in case of Faculty Council for Post-Graduate studies in Arts;";

(b) after clause (vii), the following clause shall be inserted:ô "(viii) one student representative pursuing Post-Graduate studies in the University and one research scholar pursuing research in the University to be elected by Post-Graduate students and research scholars, respectively, from amongst themselves in the manner as may be prescribed by the Statutes.";

(7) in section 24,ô

(a) in sub-section (2), after clause (vi), the following clause shall be inserted:ô

"(vii) three student representatives pursuing Undergraduate studies in different streams of education in the affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the Statutes: Provided that no two student representatives shall be elected from the same stream of education.";

(b) in sub-section (3), after clause (v), the following clause shall be inserted:ô

"(vi) one student representative pursuing Undergraduate studies in law in affiliated colleges of the University to be elected by such students from amongst themselves in the manner as may be prescribed by the Statutes.";

(8) for section 29, the following section shall be substituted:ô

<sup>Selection</sup> 29. (1) A University Professor or a University Associate Professor or a University Assistant Professor shall be appointed by the Vice-Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.

(2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.";

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 10.)*

(9) for section 30, the following section shall be substituted:ô

"Procedure for 30. (1) At least four members, including two outside subject <sup>holding meeting</sup> of the Selection <sup>of the Selection</sup> Committee. experts, shall constitute the quorum for a meeting of the Selection Committee.

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

Amendment of 10. In the Jadavpur University Act, 1981,ô

West Ben. Act  
XXIV of 1981.

(i) in section 2,ô

(i) after clause (16), the following clause

shall be inserted:ô '(16a) "State Government" means the Government of West Bengal in the Higher Education Department;'

(ii) in clause (19), for the words "a Professor, Reader, Principal, Lecturer," the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor" shall be substituted;

for section 9,

(2) the following section shall be substituted:ô

9. (1)

"The Vice-Chancellor.

(a) The Vice-Chancellor shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Vice Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organization of which at least 5 years shall be in an equivalent position of Professor.

(b) The Vice Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

- (i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;
- (ii) a nominee of the Chairman, University Grants Commission;
- (iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 10.)*

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

(5) If

(a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise,

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation, expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,

(a) has become insane and adjudged by a competent court to be of unsound mind; or

(b) has become an undischarged insolvent and stands so declared by a competent Court; or

(c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or

(d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice Chancellor is detrimental to the interest of the University; or

(e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or

(f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or

(g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or

(h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h)."

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 10.)*

(3) for section 10A, the following sub-section shall be substituted:ô

Chan cxr 10A.(1) (a) The Pro-Vice-Chancellor shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Pro-Vice Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organization of which at least 5 years shall be in an equivalent position of Professor.

(b) The Pro-Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister. The term of his office shall be for four years and he shall be eligible for re-appointment for a period not exceeding four years but shall not hold office beyond the age of sixty-five years.

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

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

(4) Ifô

(c) the 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, or

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

then, during the peirod of such temporary inability or pending the appointment of a Pro-Vice-Chancellor, as the case may be, the Chancellor, in consultation with the Minister and the Vice-Chancellor, shall authorise a senior teacher of the University or an officer of the University to exercise the powers and perform the duties of the Pro- Vice-Chancellor.

(5) The vacancy in the office of the Pro-Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Pro-Vice-Chancellor in accordance with the provisions of sub-section (1).

(6) The Pro-Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,ô

(a) has become insane and adjudged by a competent court to be of unsound mind; or

(b) has become an undischarged insolvent and stands so declared by a competent Court; or

(c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or

(d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Pro-Vice Chancellor is detrimental to the interest of the University; or

(e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or

(f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or

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- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or 2 of 1974.  
 (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Pro-Vice-Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Pro-Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d),

(e), (f), (g) and (h)."

(4) for section 16, the following section shall be substituted:

„The Court . 16. (1) The Court shall consist of the following members:

- (a) *Ex officio* members
- (i) the Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) the Pro-Vice Chancellor;
  - (iv) the Deans of Faculty Councils for Post-Graduate and Undergraduate Studies;
  - (v) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (vi) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (vii) the Chairman, West Bengal State Council of Higher Education or his nominee;
  - (viii) the President, West Bengal Council of Higher Secondary Education;
  - (ix) the President, West Bengal Madrasah Education Board;
  - (x) the President, West Bengal Board of Secondary Education;
  - (xi) a nominee of the Chairman of University Grants Commission;
  - (xii) a nominee of the Chairman of All India Council For Technical Education;
  - (xiii) a nominee of the Chairman of the National Council for Teachers' Education;
- (b) Representatives of Departments
- (xiv) Heads of Departments of the University;
  - (xv) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology from amongst themselves as may be prescribed by Statutes;
  - (xvi) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Arts from amongst themselves as may be prescribed by Statutes;
  - (xvii) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Science from amongst themselves as may be prescribed by the Statutes;
  - (xviii) one representative of officers of the University, elected from amongst themselves in the manner as may be prescribed by the Statutes;

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(xix) one representative of non-teaching employees elected from amongst themselves in the manner as may be prescribed by the Statutes;

(xx) one representative from National Council of Education Bengal.

(c) Nominated Members<sup>ô</sup>

(xxi) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:

Provided that no employee of the University or Institution affiliated with the University or recognised by it shall be eligible to be a member;

(d) Special Invitee<sup>ô</sup>

(xxii) any official or expert in any field or eminent educationist, whom the University may require for advice, consultation or assistance, may be invited to attend the meeting:

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

(5) for section 19, the following section shall be substituted:<sup>ô</sup>

<sup>ô</sup>The Executive Council. 19. (1) the Executive Council shall consist of the following

members:<sup>ô</sup>

(a) *Ex officio* Members<sup>ô</sup>

(i) the Vice-Chancellor;

(ii) the Pro-Vice-Chancellor;

(iii) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

(iv) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

(v) the Chairman, West Bengal State Council of Higher Education or his nominee;

(vi) the Deans of Faculty Councils for Post-Graduate and Undergraduate Studies;

(b) Other Members<sup>ô</sup>

(vii) twelve Heads of Departments, by rotation for one year in alphabetical order of the Department;

(viii) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate studies in Engineering and Technology from amongst themselves as may be prescribed by Statutes;

(ix) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate studies in Arts from amongst themselves as may be prescribed by Statutes;

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- (x) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Science from amongst themselves as may be prescribed by Statutes;
  - (xi) two persons nominated by the Chancellor interested in University education:  
Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.
- (2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.
- (3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.
- (4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council.";
- (6) in section 20, in clause (x), the word "Teachers", wherever it occurs, shall be omitted.;
  - (7) in section 21,ô
    - (i) in sub-section (2),ô
      - (a) for clause (iv), the following clause shall be substituted:ô "(iv) one or more than one teacher shall be elected by the teachers of each Department of the faculty council from amongst themselves in the following manner:ô
        - (i) one Professor from a Department if total number of teachers in it does not exceed five;
        - (ii) one Professor and one Associate Professor from a Department if total number of teachers in it does not exceed ten;
        - (iii) two Professors and one Associate Professor from a Department if total number of teachers in it does not exceed twenty;
        - (iv) two Professors and two Associate Professors from a Department if total number of teachers in it exceeds twenty;"
      - (b) after clause (vii), the following clauses shall be inserted:ô
        - "(vii) one student representative, pursuing Undergraduate studies in the University and another student representative pursuing Post-Graduate studies in the University, to be elected by such Undergraduate and Post-Graduate students, respectively, from amongst themselves in the manner as may be prescribed by the Statutes;
        - (ix) one research scholar pursuing research in the University to be elected by research scholars from amongst themselves in the manner as may be prescribed by the Statutes.

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- (i) in sub-section (3),  
 (a) for clause (iv), the following clause shall be substituted:  
 "(vi) one or more than one teacher shall be elected by the teachers of each Department of the faculty council from amongst themselves in the following manner:  
 (a) one Professor from a Department if total number of teachers in it does not exceed five;  
 (b) one Professor and one Associate Professor from a Department if total number of teachers in it does not exceed ten;  
 (c) two Professors and one Associate Professor from a Department if total number of teachers in it does not exceed twenty;  
 (d) two Professors and two Associate Professors from a Department if total number of teachers in it exceeds twenty;"
- (b) after clause (iv), the following clauses shall be inserted:  
 "(iva) one student representative pursuing Undergraduate studies in the University and another student representative pursuing Post- Graduate studies in the University, to be elected by such Undergraduate and Post-Graduate students, respectively, from amongst themselves in the manner as may be prescribed by the Statutes;  
 (ivb) one research scholar pursuing research in the University to be elected by research scholars from amongst themselves in the manner as may be prescribed by the Statutes.";
- (8) for section 26, the following section shall be substituted:  
 "26. (1) A University Professor or a University Associate Professor  
 or a University Assistant Professor shall be appointed by the Vice- Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.  
 (2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice- Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection."  
 (9) for section 27, the following section shall be substituted:  
 "27. (1) At least four members, including two outside subject holding meetings experts, shall constitute the quorum for a meeting of the Selection Committee.  
 (2) If the Vice-Chancellor does not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee with reasons for reconsideration and if the Vice-Chancellor does not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reason and the decision of the Chancellor shall be final."
- 11. In the Rabindra Bharati Act, 1981,**  
 (1) in section 2,  
 (i) after clause (18), the following clause shall be inserted: "(18a) "State Government" means the Government of West Bengal in the Higher Education Department";  
 (ii) in clause (21), for the words "a Principal, Professor, Assistant Professor, Reader, Lecturer," the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor" shall be substituted;



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(iii) for clause (22), the following clause shall be substituted :-

'(22) "Teacher of the University" means a Professor, Associate Professor, Reader Assistant Professor, or any other person, holding a teaching post including a part-time teaching post, appointed or recognized as such by the University.';

(2) for section 9, the following section shall be substituted:ô

<sup>The Vice-</sup>  
Chancellor.

9. (1) (a) The Vice-Chancellor shall be appointed from the persons

of the highest level of competence, integrity, morals and institutional commitment. The Vice Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organization of which at least 5 years shall be in an equivalent position of Professor.

(b) The Vice Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

- (i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;
- (ii) a nominee of the Chairman, University Grants Commission;
- (iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

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

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

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

(5) Ifô

- (a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise,

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

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

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period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,ô

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.*ô For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).".

(3) for section 17, the following section shall be substituted:ô

„The Court .

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

- (a) *Ex officio* membersô
  - (i) the Chancellor;
  - (ii) the Vice Chancellor;
  - (iii) the Deans of Faculty Councils for Post-Graduate and Undergraduate Studies;
  - (iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (vi) the Chairman, West Bengal State Council of Higher Education or his nominee;
  - (vii) the President, West Bengal Council of Higher Secondary Education;
  - (viii) the President, West Bengal Madrasah Education Board;
  - (ix) the President, West Bengal Board of Secondary Education;
  - (x) a nominee of the Chairman of University Grants Commission;
  - (xi) a nominee of the Chairman of All India Distance Education Council;
  - (xii) a nominee of the Chairman of National Council for Teachers' Training;
- (b) Representatives of Departmentsô
  - (xiii) Heads of Departments of the University;

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- (xiv) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Fine Arts from amongst themselves as may be prescribed by Statutes;
  - (xv) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Visual Arts from amongst themselves as may be prescribed by Statutes;
  - (xvi) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate Studies in Arts from amongst themselves as may be prescribed by the Statutes;
  - (xvii) one representative of officers of the University, elected from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xviii) one representative of non-teaching employees elected from amongst themselves in the manner as may be prescribed by the Statutes.
- (c) Nominated Members
- (xix) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:  
Provided that no employee of the University or Institution affiliated with the University or recognized by it shall be eligible to be a member;
- (d) Special Invitee
- (xx) any official or expert in any field or eminent educationist, whom the University may require for advice, consultation or assistance, may be invited to attend the meeting:  
Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.
- (2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.
- (3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";
- (4) for section 20, the following section shall be substituted:— "The 20. (1) the Executive Council shall consist of the following
- Executive Council. members:
- (a) *Ex officio* Members
    - (i) the Vice Chancellor;
    - (ii) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
    - (iii) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
    - (iv) the Chairman, West Bengal State Council of Higher Education or his nominee;
    - (v) the Deans of the Faculty Councils;
    - (vi) the Principal, Indian College of Arts and Draftsmanship, Kolkata;
    - (vii) the Director, Indian Museum, Kolkata;
  - (b) Other Members
    - (viii) twelve Heads of Departments, by rotation for one year in alphabetical order of the Department;

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- (ix) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Fine Arts from amongst themselves as may be prescribed by Statutes;
- (x) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Visual Arts from amongst themselves as may be prescribed by Statutes;
- (xi) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate Studies in Arts from amongst themselves as may be prescribed by Statutes;
- (xii) two persons nominated by the Chancellor interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognized by it shall be eligible to be a member.

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Executive Council or of anybody constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.

(4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council.";

(5) in section 21, in clause (x), the word "Teachers", wherever it occurs, shall be omitted.;

(6) in section 22,ô

(i) in sub-section (2),ô

(a) for clause (iv), the following clause shall be substituted:ô

"(iv) one or more than one teacher shall be elected by the teachers of each Department of the faculty council from amongst themselves in the following manner:ô

(i) one Professor from a Department if total number of teachers in it does not exceed five;

(ii) one Professor and one Associate Professor from a Department if total number of teachers in it does not exceed ten;

(iii) two Professors and one Associate Professor from a Department if total number of teachers in it does not exceed twenty;

(iv) two Professors and two Associate Professors from a Department if total number of teachers in it exceeds twenty;"

(b) after clause (v), the following clauses shall be inserted:ô

"(vi) one student representative, pursuing Undergraduate studies in the University and another student representative pursuing Post-Graduate studies in the University, to be elected by such undergraduate and Post-Graduate students, respectively, from amongst themselves in the manner as may be prescribed by the Statutes;

(vii) one research scholar pursuing research in the University to be elected by research scholars from amongst themselves in the manner as may be prescribed by the Statutes.";

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 12.)*

(7) for section 27, the following section shall be substituted:ô

<sup>^mm-</sup> 27. (1) A University Professor or a University Associate Professor  
for Teaching or a University Assistant Professor shall be appointed by the Vice-<sup>Posts.</sup>  
Chancellor, on the recommendation of a Selection Committee, and  
the constitution of such Selection Committee as well as the procedure for holding its  
meetings shall be in consonance with the University Grants Commission Regulations and  
Recruitment Rules framed by the State Government from time to time.

(2) Notwithstanding anything contrary to the provisions of University Grants  
Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the  
Selection Committee, which shall send its recommendations in writing to the Vice-  
Chancellor alongwith reasoned record of assessment of the persons appeared before it for  
selection.";

(8) for section 28, the following section shall be substituted:ô

<sup>proc edu re for</sup> 28. (1) At least four members, including two outside subject  
of **SSAST**\* experts, shall constitute the quorum for a meeting of the Selection Committee.  
Committee.

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

Amendment of West. Ben. Act  
XIX of 1997.

(1) in section 2,ô

- (i) in clause (21), the words "Reader" and "Lecturer", shall be omitted.
- (ii) after clause (23), the following clause shall be inserted:ô

'(24) "Teacher of the University" means a Professor, Associate  
Professor, Assistant Professor, Reader or any other person,  
holding a teaching post appointed or recognized as such by the  
University.';

(2) for section 10, the following section shall be substituted;

<sup>The Vice-</sup> 10. (1) (a) The Vice-Chancellor shall be appointed from the persons  
<sup>Chancellor.</sup> of the highest level of competence, integrity, morals and institutional  
commitment. The Vice Chancellor shall be a distinguished academic  
with a minimum of ten years of experience in a University system of which at least 5  
years shall be as Professor or ten years of experience in a reputed research or academic  
administrative organization of which at least 5 years shall be in an equivalent position of  
Professor.

(b) The Vice Chancellor shall be appointed by the Chancellor out of the panel of  
three names recommended in order of preference by the Search Committee constituted by  
the State Government. While preparing the panel, the Search Committee must give  
proper weightage to academic excellence, exposure to the higher education system in the  
country and abroad and adequate experience in academic and administrative governance  
and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

- (i) a nominee of the Chancellor, who shall be the Chairperson of the  
Committee;
- (ii) a nominee of the Chairman, University Grants Commission;
- (iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher  
education and shall not be connected in any manner with the University or colleges or  
institutions affiliated with the University or recognised by it.

(2) (a) The Vice-chancellor shall hold office for a term of four years or till he attains  
the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment  
for another term of four years or till he attains the age of sixty-five years, whichever is  
earlier, following the provisions of sub-section (1).

12. In the Netaji Subhas Open University Act, 1997,ô

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 12.)*

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

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

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

(5) If

- (a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise,

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation, expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause(b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,

- (a) has become insane and adjudged by a competent court to be of unsound mind; or
- (b) has become an undischarged insolvent and stands so declared by a competent Court; or
- (c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or
- (d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice Chancellor is detrimental to the interest of the University; or
- (e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or
- (f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or
- (g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or
- (h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e),

(f), (g) and (h)."

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 12.)*

(3) for section 17, the following section shall be substituted:<sup>o</sup>  
 "The Executive Council.<sup>o</sup> 17.(1) The Executive Council shall be the principal executive body of the University and shall consist of the following members:<sup>o</sup>

- (a) *Ex officio* members<sup>o</sup>
- (i) the Chancellor;
  - (ii) the Vice-Chancellor;
  - (iii) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (iv) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
  - (v) the Chairman, West Bengal State Council of Higher Education or his nominee;
  - (vi) the President, West Bengal Council of Higher Secondary Education;
  - (vii) the President, West Bengal Madrasah Education Board;
  - (viii) the President, West Bengal Board of Secondary Education;
  - (ix) the Director of Public Instruction, West Bengal;
  - (x) a nominee of the Chairman of National Council for Teachers' Education;
  - (xi) a nominee of the Chairman of University Grants Commission;
  - (xii) a nominee of the Chairman of All India Distance Education Council;
- (b) Representatives of Departments<sup>o</sup>
- (xiii) Directors of the University;
  - (xiv) five teachers, of whom at least two shall be Professors, elected by the teachers of the Academic Council from amongst themselves as may be prescribed by Statutes;
  - (xv) five teachers, of whom at least two shall be Professors, elected by the teachers of the School of Studies from amongst themselves as may be prescribed by Statutes;
  - (xvi) one representative of officers of the University, elected from amongst themselves in the manner as may be prescribed by the Statutes;
  - (xvii) one representative of non-teaching employees elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (c) Nominated Members<sup>o</sup>
- (xviii) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:

Provided that no employee of the University or Institution affiliated with the University or recognized by it shall be eligible to be a member;

- (d) Special Invitee<sup>o</sup>
- (xix) any official or expert in any field or eminent educationist, whom the University may require for advice, consultation or assistance, may be invited to attend the meeting:

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Executive Council or of anybody constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be.";

(4) after section 25, the following sections shall be inserted:<sup>o</sup>  
 "Sele<sup>n</sup>ctio<sup>n</sup> 25A. (1) A University Professor or a University Associate Professor  
 Teaching Posts. or a University Assistant Professor shall be appointed by the Vice- Chancellor, on the recommendation of a Selection Committee, and

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 13.)*

the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.

(2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection.

<sup>Procedure for</sup> 25B. (1) At least four members, including two outside subject <sup>holding meeting</sup> <sup>of the Selection</sup> Committee. Committee.

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

Amendment of  
West Ben. Act  
XIII of 2004.

**13.** In the Bengal Engineering and Science University, Shibpur Act, 2004,ô

(1) in section 2,ô

(i) in clause (18), for the words "Assistant Professor, Reader, Lecturer", the words "Associate Professor, Reader, Assistant Professor," shall be substituted;

(ii) for clause (19), the following clause shall be substituted:ô

'(19) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, Reader or any other person holding a teaching post including a part-time teaching post, appointed or recognised as such by the University;'

(iii) clause (23) shall be omitted.

(2) for section 7, the following section shall be substituted:ô

<sup>The Vice-Chancellor.</sup> 7. (1) (a) The Vice-Chancellor shall be appointed from the persons of the highest level of competence, integrity, morals and institutional commitment. The Vice-Chancellor shall be a distinguished academic with a minimum of ten years of experience in a University system of which at least 5 years shall be as Professor or ten years of experience in a reputed research or academic administrative organization of which at least 5 years shall be in an equivalent position of Professor.

(b) The Vice-Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

(c) The Search Committee shall consist of the following Members:ô

(i) a nominee of the Chancellor, who shall be the Chairperson of the Committee;

(ii) a nominee of the Chairman, University Grants Commission;

(iii) a nominee of the Court:

Provided that all such Members shall be persons of eminence in the sphere of higher education and shall not be connected in any manner with the University or colleges or institutions affiliated with the University or recognised by it.

(2) (a) The Vice-Chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re- appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier, following the provisions of sub-section (1).

(b) The Chancellor may, notwithstanding the expiration of the term of the office of the Vice-Chancellor or his attaining the age of sixty-five years, allow him to continue



*The West Bengal University Laws (Amendment) Act, 2011.**(Section 13.)*

in office till a successor assumes office, provided that he shall not continue as such for any period exceeding six months.

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

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

(5) If

(a) the Vice-Chancellor is, by reasons 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, removal, expiry of term of his office or otherwise,

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

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation, expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,

(a) has become insane and adjudged by a competent court to be of unsound mind; or

(b) has become an undischarged insolvent and stands so declared by a competent Court; or

(c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability; or

(d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or

(e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or

(f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or

(g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1973; or

(h) is a member of, or otherwise associated with, any political party or acts any partisan manner while in office.

*Explanation.* For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Vice Chancellor is partisan, decision of the Chancellor thereon shall be final:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h)."

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 13.)*

(3) for section 14, the following section shall be substituted:ô

" The Court.

14. (1) The Court shall consist of the following members:ô

(a) *Ex officio* membersô

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Deans of Faculty Councils for Post-Graduate and Undergraduate Studies;
- (iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (vi) the Chairman, West Bengal State Council of Higher Education or his nominee;
- (vii) the President, West Bengal Council of Higher Secondary Education;
- (viii) the President, West Bengal Madrasah Education Board;
- (ix) the President, West Bengal Board of Secondary Education;
- (x) a nominee of the Chairman of University Grants Commission;
- (xi) a nominee of the Chairman of All India Council For Technical Education;

(b) Representatives of Departmentsô

- (xii) Heads of Departments of the University;
- (xiii) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology from amongst themselves as may be prescribed by Statutes;
- (xiv) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Basic and Applied Sciences from amongst themselves as may be prescribed by Statutes;
- (xv) five teachers, of whom at least two shall be Professors, elected by the teachers of the Departments under the Faculty Council for Post Graduate and Undergraduate Studies in Social and Management Sciences from amongst themselves as may be prescribed by the Statutes;
- (xvi) one representative of officers of the University, elected from amongst themselves in the manner as may be prescribed by the Statutes;
- (xvii) one representative of non-teaching employees elected from amongst themselves in the manner as may be prescribed by the Statutes;

(c) Nominated Membersô

- (xviii) not more than five persons to be nominated by the Chancellor from amongst the persons interested in University education:

Provided that no employee of the University or Institution affiliated with the University or recognized by it shall be eligible to be a member;

(d) Special Inviteeô

- (xix) any official or expert in any field or eminent educationist, whom the University may require for advice, consultation or assistance, may be invited to attend the meeting:

Provided that not more than one official or expert or eminent educationist may be invited in a meeting at a time.

(2) A member of the Court shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Court shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Court or of any body constituted by the Court shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Court or in any body constituted by the Court, as the case may be.";

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 13.)*

(4) for section 17, the following section shall be substituted:ô

Council. "The Executive Council. (1) the Executive Council shall consist of the following members:ô

(a) *Ex officio* Membersô

- (i) the Vice-Chancellor;
- (ii) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (iii) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;
- (iv) the Chairman, West Bengal State Council of Higher Education or his nominee;
- (v) the Deans of Faculty Councils for Post-Graduate and Undergraduate Studies;

(b) Other Membersô

- (vi) twelve Heads of Departments, by rotation for one year in alphabetical order of the Department;
- (vii) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology from amongst themselves as may be prescribed by Statutes;
- (viii) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Basic and Applied Sciences from amongst themselves as may be prescribed by Statutes;
- (ix) three teachers, of whom at least one shall be Professor, elected by the teachers of the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Social and Management Sciences from amongst themselves as may be prescribed by Statutes;
- (x) two persons nominated by the Chancellor interested in University education:

Provided that no employee of the University or of a College or Institution affiliated with the University or recognised by it shall be eligible to be a member.

(2) A member of the Executive Council shall hold office for a period of four years, if not expressly provided otherwise in sub-section (1). Any vacancy among the members of the Executive Council shall be filled up immediately by the concerned authority.

(3) No act or proceedings of the Executive Council or of any body constituted by the Executive Council shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Executive Council or in any body constituted by the Executive Council, as the case may be."

(4) One-third of the total number of members shall be a quorum for a meeting of the Executive Council."

(5) in section 18, in clause (16), the word "Teachers" shall be omitted.;

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 14.)*

- (6) in section 19, in sub-section (2),<sup>ô</sup>  
 (a) for clause (vi), the following clause shall be substituted:<sup>ô</sup>  
 "(vi) one or more than one teacher shall be elected by the teachers of each Department of the faculty council from amongst themselves in the following manner:<sup>ô</sup>  
 (a) one Professor from a Department if total number of teachers in it does not exceed five;  
 (b) one Professor and one Associate Professor from a Department if total number of teachers in it does not exceed ten;  
 (c) two Professors and one Associate Professor from a Department if total number of teachers in it does not exceed twenty;  
 (d) two Professors and two Associate Professors from a Department if total number of teachers in it exceeds twenty;"<sup>ô</sup>  
 (b) after clause (viii), the following clauses shall be inserted:<sup>ô</sup>  
 "(ix) one student representative, pursuing Undergraduate studies in the University and another student representative pursuing PostGraduate studies in the University, to be elected by such Undergraduate and Post-Graduate students, respectively, from amongst themselves in the manner as may be prescribed by the Statutes;  
 (x) one research scholar pursuing research in the University to be elected by research scholars from amongst themselves in the manner as may be prescribed by the Statutes."<sup>ô</sup>  
 (7) for section 24, the following section shall be substituted:<sup>ô</sup>  
 "Selection Committee for Teaching Posts.  
 24. (1) A University Professor or a University Associate Professor or a University Assistant Professor shall be appointed by the Vice-Chancellor, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the University Grants Commission Regulations and Recruitment Rules framed by the State Government from time to time.  
 (2) Notwithstanding anything contrary to the provisions of University Grants Commission Regulations, the nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor alongwith reasoned record of assessment of the persons appeared before it for selection."<sup>ô</sup>  
 (8) for section 25, the following section shall be substituted:<sup>ô</sup>  
 Selection Committee.  
 25. (1) At least four members, including two outside subject meeting of experts, shall constitute the quorum for a meeting of the Selection Committee.  
 (2) If the Vice-Chancellor does not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee with reasons for reconsideration and if the Vice-Chancellor does not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reason and the decision of the Chancellor shall be final."<sup>ô</sup>

Amendment of 14. In the West Bengal University of Technology Act, 2000,<sup>ô</sup>  
 West Ben. Act XV  
 of 2000.

(1) in section 2, in clause (24), for the words "a Professor, Principal, Associate Profesor, Reader, Assistant Professor, Lacturer" the words "a Principal, Professor, Associate Professor, Reader, Assistant Professor" shall be substituted;

(2) in section 29, for sub-section (1), the following sub-section shall be substituted:<sup>ô</sup>  
 "(1) The State Government may, by notification to be published in the Official Gazette, amend the Schedule either prospectively or retrospectively."

*The West Bengal University Laws (Amendment) Act, 2011.**(Section 15.)*Repeal and  
saving.

**15.** (1) The West Bengal University Laws (Amendment) Ordinance, 2011, is hereby <sup>Ord.</sup> repealed. <sup>III</sup> or 2011.

(2) Notwithstanding such repeal, anything done or any action taken under the West Bengal University Laws (Amendment) Ordinance, 2011, shall be deemed to have been validly done or taken under this Act.

By order of the Governor,

B. K. SRIVASTAVA, *Secy.-in-charge to the Govt. of West Bengal, Law Department.*

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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 established and incorporated with the Government of West Bengal under the Rabindra Bharati Act, 1911.

(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 Bharali referred to in subsection (1), established by law within West Bengal.

(3) The University shall, in respect of every college or institution situated outside the territorial limits of the University, but deemed to be affiliated to it on the appointed day under clause (b) of subsection (9) of section 59, continue to exercise the powers conferred by or under this Act until such college or institution is disaffiliated in accordance with the provisions of this Act.



**The West Bengal College Service Commission**  
**ADVERTISEMENT NUMBER -1/2020**

**APPLICATION FOR THE POSTS OF ASSISTANT PROFESSOR  
IN  
STATE AIDED DEGREE COLLEGES OF WEST BENGAL**

**IMPORTANT DATES**

<b>Commencement of On-line Application</b>	<b>31/12/2020</b>
<b>Last date of On-line Application</b>	<b>15/02/2021</b>

Candidates should apply **only online** through **[www.wbcsonline.in](http://www.wbcsonline.in)**



## The West Bengal College Service Commission

### ADVERTISEMENT NUMBER – 1/2020

Applications are invited from Indian Citizens (and such other nationals as are declared eligible by Govt. of India) for recruitment in the different Subjects.

**1. Posts :** Assistant Professor in different subjects of Government aided Colleges (General Degree Colleges) in West Bengal.

**2. Vacancy :** The vacancy calculation shall be done in accordance with the terms laid down in the *West Bengal College Service Commission (Manner of Selection of Persons for Appointment to the posts of Assistant Professors, Principals and Librarians and Re-recommendation of Assistant Professor) Regulations*. The vacancy cut-off date and the exact number of all vacancies (subject-wise, category-wise and College-wise) will be notified before publication of the merit panel. The Commission's responsibility is restricted to the accurate compilation of vacancies as reported by Colleges and the Commission is not responsible for any error in reporting of vacancies from the end of College(s). The Commission will not be responsible for absence of vacancy under any category of any subject for non-receipt of requisition from any State aided college.

**Eligibility :** *The minimum eligibility conditions contained in this advertisement are governed by the provisions of the West Bengal Government Notification No. 976-Edn(CS)/8R-1/2010 dated 18/12/2020. The Commission, however, can introduce additional parameters in order to select candidates of higher merit, as laid down in the above-mentioned Regulation. Therefore, mere possession of eligibility does not confer any right to an applicant to be selected or empanelled.*

**Selection & Recommendation:** The eligible candidates will be called for interview for selection. However, the Commission may, at its discretion, call for interview of short-listed applicants after preliminary selection on the basis of qualifications (MP or Equivalent, HS or Equivalent, UG, P.G., M.Phil/Ph.D., NET/SET).

The overall selection procedure shall incorporate transparent objective and credible methodology of analysis of the merits and credentials of the applicants based on weightages given to the performance of the candidate in different relevant dimensions.

Recommendation shall be done on the basis of a merit-cum-preference system of counselling, (please refer to point number 3 in the **Information and Instruction** section). For the purpose of counselling, merit refers to the rank in the provisional merit panel. Empanelment will not confer any right to a candidate to be recommended.

**3. Pay scale:** Entry Pay at Academic Level 10 of Rs. 57, 700/-



#### **4. Qualifications for Recruitment of Assistant Professor in different Subjects;**

**(I) Assistant Professor:** Arts, Commerce, Humanities, Science, Social Sciences, Commerce, Education, Languages, Law, Library Science, Physical Education & Journalism and Mass Communication.

(i) Consistently good academic record with at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed) at the Master's Degree level in the concerned/relevant/allied subject, along with relaxations applicable to specified categories, as explained in Proviso - I to this rules.

(ii) The candidate must have cleared the National Eligibility Test (NET) conducted by the UGC or CSIR or similar test accredited by UGC and conducted by various State Governments like SLET/ SET along with exemptions to specified categories, as explained in Proviso-II to this rules.

**(II) Assistant Professor:** Music, Performing Arts, Visual Arts and other Traditional Indian Art Forms like Sculpture

(i) Consistently good academic record with at least 55% marks (or an equivalent grade in a point scale wherever grading system is followed) at the Master's Degree level in a relevant subject or an equivalent degree from an Indian/foreign University along with relaxations applicable to specified categories as explained in Proviso-I to this rules.

(ii) The candidate must have cleared the National Eligibility Test (NET) conducted by the UGC/ CSIR or similar test accredited by the UGC and conducted by various State Governments like SLET/ SET along with relaxations applicable to specified categories, as given in Proviso-II of this rules.

**OR**

A traditional or a professional artist with highly commendable professional achievement in the concerned subject, who should have:–

- (i) Studied under noted/ reputed traditional masters/Artist(s) and has thorough knowledge to explain the subject concerned;
- (ii) A high grade artist of AIR/ TV; and

- (iii) Ability to explain the logical reasoning of the subject concerned and adequate knowledge to teach theory with illustrations in that discipline.

**Proviso - I:** Relaxation of Marks for Direct Recruitment of Assistant Professor.

- (i) A relaxation of 5% may be provided at the Bachelor's and Master's Level for the candidates belonging to Scheduled Castes, Scheduled Tribes, Differently-abled (as available under the Rights of Persons with Disabilities ACT, 2016) and Other Backward Classes (OBC-A, OBC-B) (Non-creamy Layer) categories for the purpose of eligibility and for assessing good academic records during direct recruitment to teaching positions.
- (ii) For Ph.D. Degree holders who have obtained their Master's degree prior to September 19, 1991, the minimum qualifying marks of 55% is relaxable by 5% marks (from 55% to 50%) at the Master's Level.
- (iii) The eligibility marks of 55% marks (or an equivalent grade in a point scale wherever grading system is followed) and the relaxation of 5% to the categories mentioned above are permissible, based on only the qualifying marks without including any grace mark procedures.
- (iv) All the essential qualifications must have been obtained from a recognized University/ Institute.

Note: – Recognized University/ Institute shall mean a University or an Institute approved or recognized by the University Grants Commission or other Statutory/ Apex bodies, or recognized by the State Government or the Central Government as a centre of higher learning. In case of a foreign University, the Degree concerned should be recognized/ approved as equivalent to its Indian counterpart by the Association of Indian Universities.

**Proviso - II:** Exemption from NET/SLET/SET for the Post of Assistant Professor.

- (i) The candidates who have been awarded Ph.D. Degree in the same or in a relevant subject in accordance with the University Grants Commission (Minimum Standards and Procedure for award of Ph.D. Degree) Regulations, 2009 are exempted from qualifying in the Eligibility Test (NET/SLET/SET).

- (ii) Candidates registered for Ph.D. programme prior to 11 July, 2009 shall be exempted from qualifying in the Eligibility Test (NET/SLET/SET) as given below:–

The award of Degree to a candidate registered for the Ph.D. programme prior to July 11,2009, shall be governed by the provisions of the then existing Ordinances/ Bye laws/ Regulations of the institutions awarding the Degree in the same or relevant subject shall be exempted from the requirement of NET/SLET/SET, subject to fulfilment of the following conditions:–

- (a) Ph.D. degree of the candidate awarded in regular mode only;
- (b) Evaluation of the Ph.D. thesis by at least two external examiners;
- (c) Open Ph.D. viva voce of the candidate had been conducted;
- (d) Candidate has published two research papers from his Ph.D. work out of which at least one must be in a refereed journal;
- (e) Candidate has made at least two presentations in conferences/ seminars, based on his Ph. D. work.

Note: – the above noted (a) to (e) are to be certified by the Vice-Chancellor/ Pro-Vice-Chancellor / Dean (Academic Affairs)/ Dean (University instructions) of concerned University/ Institution.

- (iii) NET/SLET/SET shall also not be required for such Master’s Programmes in disciplines for which NET/SLET/SET is not conducted.
- Relevant/ allied disciplines in each case, good academic record may be decided by the appropriate bodies of the concerned University.

## **5. Age**

- (i) The upper age limit is 40 ( Forty years) on the 1<sup>st</sup> January of the year of the advertisement and relaxable up to 5 years for SC/ST and 3 years for OBC category (non-creamy layer) candidates for the post of Assistant Professor. Differently-abled candidates (except in the post of Physical Education) are entitled to an age relaxation of 10 years.
- (ii) Exceptionally qualified over-aged candidates having Ph. D Degree, with evidence of significant post-doctoral research work, may be called for the interview at the discretion of the WBCSC only in the rarest cases. But mere participation in the

selection process does not entitle the candidate for recommendation unless the average of the incumbents condoned by the State Government at its discretion on case-to-case basis, purely on merit, normally not exceeding one percent of the total number of candidates of concerned panel, rounded off to the next whole number.

- (iii) For the Approved State Aided College Teachers (SACT) the upper age limit for applying to the post of Assistant Professor is 47 (forty seven) years on the 1<sup>st</sup> January of the year of Advertisement, subject to the same principles and quantum of relaxation as mentioned above in clause 5 (i), which will be counted from the base level of 47 years for this category of candidates.

**6. LANGUAGE REQUIREMENT:** Proficiency, spoken and written in the medium of instruction in the concerned Institution as received by the WBCSC in the requisition where to be recruited.

**7. RESERVATION:** The extant rules regarding reservation of posts for SC / ST / OBC- A / OBC B/PWD issued by the State Government from time to time.

[Followed by the concerned College authorities in authentication of the Register of Appointment by the appropriate Govt. Dept. and forwarded to WBCSC in the form of requisition].

A candidate claiming to be S.C., S.T., O.B.C.(Non-creamy layer) or a person with disability (40% and above) must have a certificate in support of his / her claim from a competent authority as specified below.

**For S.C., S.T. & O.B.C. Candidates**

[ Vide the West Bengal Scheduled Castes & Scheduled Tribes (Identification) Act, 1994 and SC & TW Department Order No.261-TW/EC/MR-103/94 dtd 06.04.1995.]

- i) In the district, the Sub-Divisional Officer of the Sub-Division concerned, and
- ii) In Kolkata, the District Magistrate, South 24-Parganas or such Additional District Magistrate, South 24-Parganas, as may be authorized by the District Magistrate, South 24-Parganas, in this respect or such competent authority as designated by Backward Classes Welfare Department, Government of West Bengal. Category A or B must be mentioned in the OBC certificate.

**For Differently-abled Persons**

[vide Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995 and West Bengal Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1999]

A Medical Board constituted at Government Medical College Hospitals, District Hospitals, Sub-divisional Hospitals and Block Level Hospitals.

## 8. APPLICATION FEE AND MODE OF PAYMENT

**Fees Rs. 2000/-** for General candidates or **Rs. 1000/-** for SC/ST/OBC/Differently-abled Candidates. The candidates may pay the application fee by credit card/ debit card/internet banking. The additional processing charges as following will also be debited from the credit card /debit card/bank account of the candidate.

**Credit card: 1.20%** of the application fee plus the service tax as applicable.

**Debit Card: NIL**

**Internet Banking : Rs. 10/-** per transaction plus the service tax as applicable.

Fees once paid will not be refunded under any circumstances.

## INFORMATION AND INSTRUCTION

- 1) Applicants with grade/grade points should write the percentage equivalent according to the formula used by their Boards/Universities. As grade/grade points are typically associated with an interval of marks, the exact midpoint of the relevant interval should be considered for the purpose, wherever applicable. It is the responsibility of the applicants to obtain the necessary certification from their Boards/Universities in support of their claims. They will be required to justify the 'percentage equivalent' claimed by them at the time of interview and failure to do so may even lead to the cancellation of their candidature or calculation of the percentage equivalent by the Commission itself by whatever method it considers reasonable, including the methodology suggested in this regard by the University Grants Commission in its " Regulations on Minimum Qualification of Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2010". No complaints in that regard will be entertained at any later stage.
- 2) Candidates (for the post of Assistant Professor) applying in subjects in which they did not obtain their Masters/Graduation degrees are advised to bring the documents in support of relevance/alliance of the discipline issued by the appropriate bodies of the concerned University.
- 3) The recommendation procedure will be based on a simple merit-cum-preference system of counseling. For further details regarding the recommendation process, the *West Bengal College Service Commission (Manner of Selection and Recommendation of Persons for Appointment to the posts of Assistant Professors, Principals and Librarians and Re-recommendation of Persons for Appointment to the post of Assistant Professor) Regulations, 2012 as amended from time to time* may be consulted from the Commission website.
- 4) The cut-off dates for all items of **qualification and experience**, including publication, shall be 15/02/2021. Age of the candidate, however, as mentioned in clause 5, shall be calculated on 1<sup>st</sup> January, 2020.
- 5) The competent authority of judging the equivalence of all degrees obtained from foreign Universities is Association of Indian Universities (AIU). Candidates are advised to have their foreign degrees authenticated as equivalent to their Indian

counterparts from AIU. The selection committee may not recognize a degree as a valid one in the absence of such an equivalence certificate.

- 6) For the purpose of judging whether a PhD Degree has been obtained in accordance with the University Grants Commission (Minimum Standards and Procedure for Award of PhD Degree) Regulations, 2009 and University Grants Commission (Minimum qualification for appointment of teaching and other academics staff in Universities and Colleges and measures for the maintenance of standards in higher education)(4<sup>th</sup> Amendment), Regulations 2016, the awarding University's reasoned certification to that effect may be called for. The selection committee may not recognize a PhD degree as one obtained in compliance with the said UGC Regulations in the absence of such a certificate.
- 7) The benefits of reservation of vacancies, and age/marks relaxation for SC, ST and OBC (Non-creamy layer) candidates are admissible only to SC, ST and OBC candidates of West Bengal. Benefits for candidates with disabilities will be available only to candidates with disability of 40% and above only.
- 8) SC, ST and OBC candidates of West Bengal must furnish along with the print-out of the application, a self-attested photocopy of certificate in support of their claim from a competent authority of West Bengal as laid down in the West Bengal Scheduled Castes & Scheduled Tribes (Identification) Act, 1994 and SC & TW Department Order No.261-TW/EC/MR-103/94 dtd 06.04.1995. SC, ST and OBC candidates of other States will be treated as general candidates. Differently-abled Persons must submit along with the print-out of the application, a self-attested photocopy of certificate in support of his/her claim from a competent authority as prescribed in the Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995 and W.B. Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1999.
- 9) **Particulars and Certificates required (Only self-attested photocopies):**
  - (a) A candidate claiming to be S.C., S.T., O.B.C., or Differently-abled must have a certificate in support of his/her claim from a Competent Authority as specified.
  - (b) Age-proof certificate
  - (c) All qualification related certificates
  - (d) Experience-related certificates from competent authorities. SACTs must submit certificates from the Principal/Teacher-in-Charge/Governing Body President of their respective Colleges authenticating their status and tenure as SACT.
  - (e) For 'other' Nationals declared eligible by the Government of India for recruitment, a certificate to that effect from the competent authority.
  - (f) Certificate(s) from University/ Board etc. regarding 'percentage equivalence' [where only grades are awarded but no equivalence is stated in the mark sheet(s)] and certificate from University regarding compliance with UGC, 2009 Regulations.

Candidates must show the certificates in original during the interview. If at any stage, even after issue of a letter of recommendation, a candidate is found ineligible in terms of the advertisement, his/her candidature will be cancelled without further reference to him/her.

- 10) The Provisional Merit Panel will be prepared on the basis of the Academic records, Research and Publications, Teaching experience , Interview and Demonstration, if any.
- 11) In the event of a tie between two or more candidates in the same merit panel, the tie shall be broken on the basis of age of the candidates, the person with the higher age getting precedence over the person with the lesser age.
- 12) All applications must be made online. Candidates are advised to create a **mail ID** of their own so that information can be sent to them from time to time in a paperless mode.
- 13) Applicants shall pay the fee by credit card/debit card/internet Banking.
- 14) The printout of the on-line submitted application form, along with self-attested photocopies of all relevant documents are to be submitted on the date of the interview.
- 15) **Special Instruction for applicants for the post of Assistant Professor in Law :**  
Such applicants should write the marks/ percentage equivalent obtained at the L.LM examination in the field marked as *PG Level* under the Block 1 of 'Qualifications'. They should enter the *L.LB marks/ percentage equivalent* in the field marked as *UG Level* under the same Block 1 of 'Qualifications'. *Graduation/ Post Graduation marks/percentage equivalent in any other discipline or subject may be entered in any field under Block 3 of 'Qualifications'.*
- 16) **Special Instruction for applicants in Music/Dance:**  
Applicants should enter Graduation/Post-Graduation marks/percentage equivalent in such discipline or subject in the field marked as *UG Level/PG Level* under the Block-1 of 'Qualifications'. Graduation/ Post Graduation marks/percentage equivalent in any other discipline or subject may be entered in any field under Block-3 of 'Qualifications', though no extra credit has been earmarked for such additional qualification.
- 17) **Special Instruction for applicants for the post of Assistant Professor in Physical Education :**  
Such applicants should write the marks/ percentage equivalent obtained at the B.P.Ed. examination in the field marked as *UG Level* under the Block - 1 of 'Qualifications'. They should enter the *M.P.Ed. marks/percentage equivalent* in the field marked as *PG Level* under the same Block-1 of 'Qualifications'. *Graduation/ Post Graduation marks/percentage equivalent in any other discipline or subject may be entered in any field under Block-3 of 'Qualifications', though no extra credit has been earmarked for such additional qualification.*
- 18) While an effort has been made to create an objective basis for awarding marks under the head 'Research & Publication', such evaluation will ultimately depend on

professional scrutiny by experts. The judgment of experts about the quality of some publication will be final and binding on everybody.

19) *For any further query regarding application, selection and recommendation procedures, please refer to West Bengal College Service Commission (Manner of Selection of Persons*

for Appointment to the posts of Assistant Professors, Principals and Librarians and Re-recommendation of Assistant Professor) Regulations, 2012 as amended from time to time posted in the website.

20) Applicants are advised to go through the entire text of the advertisement (including **Information and Instruction**), and the '**How to Apply**' thoroughly before they go for online submission of their application. They must completely satisfy themselves about their eligibility in accordance with the 'Eligibility Checklist' given below.

#### 21) **Eligibility Checklist**

Candidates are requested to satisfy themselves that they fulfill the basic eligibility conditions regarding the following items:

- Citizenship as specified at the very beginning of the advertisement
- Age as specified under Clause 5
- Qualification as specified under Clauses 4 for different subjects with all relevant Notes
- Language Requirement as specified under Clause 6.

Certain relaxations are available in respect of both age and qualification (**but not Language requirement**) for certain categories of candidates/subject. Please check carefully whether you are entitled to any relaxation, and after taking that into account, if any, satisfy yourself that you can say 'Yes' to every item of the Eligibility checklist mentioned above.

**Place : Kolkata**  
**Date : 24/12/2020**

**By order**  
**Controller of Examinations**



# THE WEST BENGAL COLLEGE SERVICE COMMISSION

## REGULATION NO. 1

### **Regulations regarding manner of selection of Persons for Appointment to the posts of Assistant Professors, Principals and Librarians in Government aided Colleges in West Bengal**

In exercise of the power conferred by clause (i) of sub section (2) of Section 25 of the West Bengal College Service Commission Act, 2012 (West Bengal Act XXIX of 2012), the West Bengal College Service Commission hereby makes with the previous approval of the State Government the following regulations :

#### **1. Short title, extent and commencement: –**

- (1) These regulations may be called the West Bengal College Service Commission (Manner of Selection of Persons for Appointment to the posts of Assistant Professors, Principals and Librarians and Re-recommendation of Assistant Professor) Regulations, 2012.
- (2) They shall extend to the whole of West Bengal in relation to all Government aided Colleges.
- (3) They shall come into force from the date of its notification by the Commission.

#### **2. Definitions:–**

- (1) In these regulations, unless the context otherwise requires, -
  - (a) “Act” means the West Bengal College Service Commission Act, 2012 (West Bengal Act XXIX of 2012).
  - (b) “approved post” means a post created by the State Government or a post created prior to the coming into force of the West Bengal

Universities (Control of Expenditure) Act, 1976 (West Bengal Act XVII of 1976) and duly approved by the Director of Public Instruction, West Bengal,

(c) "Commission" means the West Bengal College Service Commission constituted under sub-section (1) of section 3 of the erstwhile West Bengal College Service Commission Act, 1978 (West Bengal Act LXII of 1978);

(d) "Commissions' Website" means the official web-site maintained by the Commission having address as <http://www.wbcsc.ac.in>.

(e) "Clause" means clauses of the Regulations.

(f) "Section" means sections of the Act;

(2) Any other words or expressions used in these Regulations but not defined anywhere herein shall have the same meaning respectively assigned to them in the Act.

### **3. Information regarding vacancies:-**

(1) The Commission shall seek from the Government-aided Colleges, through a general notification in its website, requisitions for actually existing vacancies in whole-time substantive posts of Assistant Professors, Librarians and Principals approved by the State Government as such.

(2) The Commission shall instruct the said Colleges, through the aforesaid general notification, to furnish such documents and information as may be considered necessary for the purpose of validating the requisitions.

(3) The Commission may call for such information as may be necessary from the State Government for determining as to whether any vacancy actually exists against an approved post.

- (4) Only on receipt of a valid and complete requisition from the Principal or a Teacher-in-Charge of a College for recommending a candidate for appointment in a vacancy against an approved post, the Commission shall consider the vacancy as a valid vacancy and shall record it as such in its books.
- (5) The Commission shall notify a cut-off date in its official web-site up to which the vacancy requisitions shall be accepted for the purpose of a particular advertisement and selection process, and the said cut-off date shall always precede the date of the publication of the first provisional merit panel in respect of that advertisement.
- (6) The Commission shall display a list of all such recorded vacancies (to be called the 'existing vacancies') category-wise (Unreserved, SC, ST, OBC-A, OBC- B and PWD) in its website prior to publishing any provisional merit panel for recruitment of Principals, Assistant Professors and Librarians, in order to facilitate a transparent counselling process.

Provided that, in cases where no suitable candidate is found eligible against a valid vacancy in any particular round of recruitment process, the Commission may, at its discretion, re-advertise the post in the next round of recruitment even without a fresh requisition from the College, after calling for the necessary information from the appropriate authorities.

#### **4. Eligibility and Advertisement of vacancies:-**

- (1) The minimum eligibility conditions for recruitment to the posts of Principals, Assistant Professors and Librarians shall be such as may be notified by the State Government from time to time. The currently notified eligibility conditions shall apply for all vacancies, irrespective of the date of occurrence or creation of the said vacancies. The Commission

may, however, introduce additional qualification and experience-related parameters in order to select candidates of higher merit.

- (2) The Commission shall, for the purpose of selection of persons for appointment to the posts of Principals, Assistant Professors and Librarians, advertise vacancies in such posts in at least one national daily in English and one leading Bengali newspaper and upload all such information relating to the posts and to the application and recruitment process as deemed necessary by the Commission on its website.

#### **5. Submission of applications:-**

- (1) The process of making applications may be made on-line with the provision that a print-out of the electronically-submitted application form, accompanied by hard copies of all necessary documents be sent to the Commission's office within a stipulated date, as notified by the Commission.
- (2) The quantum and mode of payment of the requisite application fee shall be such as may be determined by the Commission.

#### **6. Selection of candidate:-**

The Secretary of the Commission shall arrange for proper scrutiny of every application against an Advertisement and for interview of persons for selection in terms of section 7:

provided that the Commission may, at its discretion, call for interview of short-listed applicants after preliminary selection on the basis of qualifications and experience as stated in the Advertisement, or hold a written examination of all eligible applicants and may, thereafter, call for

interview a sufficient number of candidates in order of their merit on the results of the examination for final selection.

## **7. Panel of candidates:–**

### **(1) For Assistant Professors:-**

**(a)** On the basis of the overall assessment of all academic records, interview and such other criteria including interalia the experiences of Approved Part-time Teachers and Approved Contractual Whole-time Teachers, as the Commission may deem appropriate, the Commission shall, for each subject, prepare a single provisional merit panel of candidates for each category of posts such as Unreserved, SC, ST, OBC- A, OBC- B and PWD as may be found suitable for recommendation.

**(b)** There shall be separate panels for each category and for each subject for General degree Colleges and for B.Ed Colleges or B.Ed departments of General degree Colleges.

**(c)** Each such panel shall ordinarily include 50% in excess of the number of existing vacancies referred to in clause 3 of this Regulation or in excess by such number as may be considered necessary by the Commission.

### **(2) For the post of Principal:-**

**(a)** On the basis of overall assessment of all academic records, interview and such other criteria as the Commission may deem to be appropriate for the post of Principal; the Commission shall prepare a single provisional merit panel of candidates as may be found suitable for recommendation for the post of Principal.

**(b)** There shall be separate panels for General degree Colleges and for B.Ed Colleges or B.Ed departments of General degree Colleges.

(c) Each such panel shall ordinarily include 50% in excess of the number of existing vacancies referred to in clause 3 of this Regulation or names in excess by such number as may be considered necessary by the Commission.

**(3) For the post of Librarian:-**

**(a)** On the basis of the overall assessment of all academic records, interview and such other criteria as the Commission may deem to be appropriate for the post of a Librarian, the Commission shall prepare a single provisional merit panel of candidates for each category such as Unreserved, SC, ST, OBC-A, OBC- B and PWD, as may be found suitable for recommendation.

**(b)** Each such panel shall ordinarily include 50% in excess of the number of existing vacancies referred to in clause 3 of this Regulation or names in excess by such number as may be considered necessary by the Commission.

**(4)** The Commission, for the purpose of recommendation to each and every post of Principal, Assistant Professor and Librarian, shall determine the method of selection including different selection criteria for each category of posts on which the applicants shall be judged and the relative weightage to be assigned to such criteria and for that purpose, the Commission may seek the assistance of experts not below the rank of Professor of a University, subject to the condition that the criteria so determined shall not be incongruous to the eligibility norms framed by the State Government referred to in clause 4(a) of this Regulation.

**(5)** No panel referred to in sub-clause (1), (2) and (3) above in this clause shall be invalidated for the reason of shortage in the number of applicants relative to the number of existing vacancies:

Provided the empanelment of a candidate shall not confer any right to such candidate to be recommended.

**(6)** The Selection Committee shall be chaired in all cases by either the Chairperson or his nominee who shall always be a member of the Commission other than the member Secretary. However, only the experts referred to in Section 8(4) of the Act shall have the rights to award marks on all subjective or qualitative criteria in respect of the selection of Assistant Professors and Librarians:

Provided that in the event of a tie between two or more candidates in the same merit panel, the person senior in age shall get precedence over the person(s) junior in age:

Provided further that the quorum for the experts' panel, referred to in Section 8 (6) and constituted in accordance with the provisions of Sections 8 (3) and 8(4), shall be 50%, rounded off to the next higher whole number, subject to a minimum of three experts for an interview conducted for Assistant Professors and Librarians and two Vice-Chancellors or their nominees, as the case may be, for the interview conducted for the post of Principal.

**(7)** Each panel shall remain valid for one year from the date of its publication by the Commission, or until all the existing vacancies are filled up through recommendation of the Commission, whichever is earlier:

Provided that no panel shall be invalidated before at least one round of counselling takes place.

## **8. Allotment of candidates:-**

**(1)** The Commission shall normally recommend only one name from the merit panel for appointment against one existing vacancy and a copy of the letter recommending the name shall be endorsed to the candidate concerned as well as to the Director of Public Instruction, West Bengal.

**(2)** The Commission may recommend names of more than one candidate against a single valid vacancy in a particular College, if and only if such College has been given the right of a restricted selection of a suitable candidate from among more than one candidate recommended by the Commission by a Court of Law.

Note- The vacancy referred under this proviso for a particular College which is specially empowered by a Court of Law shall be called a special vacancy.

**(3)** Allotment shall be done through a process of merit-cum-preference counseling, separately for each category (Unreserved, SC, ST, OBC-A, OBC-B, PWD) as laid down hereunder.

## **9. Counseling:-**

**(1)** The empanelled candidates under each category such as Unreserved, SC, ST, OBC-A, OBC-B, PWD, may be called for counseling one by one strictly in order of their merit and be given the opportunity to choose the vacancy under respective category of his preference from amongst the ones that still remain vacant when his turn comes.

**(2)** The vacancy chosen by the topmost candidate in rank amongst the remaining ones in the panel shall be allotted to him.



**(3)** Once a candidate exercises his choice, he shall forthwith forfeit his right to choose any other vacancy and refusal to choose any of the remaining vacancies at one's turn shall automatically cancel the candidature of that candidate:

Provided, the candidature of an empanelled candidate may be treated as cancelled, if the candidate fails to attend the counselling on the appointed day and time.

**(4)** The counseling process should be continued until any vacancy is left vacant under a particular category or no candidate remains in the panel to be called, whichever is earlier. The occurrence of either of these above shall indicate the end of one round of the normal counseling process.

**(5)** The normal counseling process may resume only if any recommended candidate fails to join in the vacancy allotted to him within a reasonable time. The Commission shall duly consider the representation of the Principal indicating such failure, and offer the vacancy to the highest ranked candidate remaining unrecommended in the panel, if any, and so on, till that vacancy is accepted.

**(6)** Counseling process can, however, continue even after the occurrence of clause 9 (4) above only under the circumstances related to a 'special vacancy' as described in proviso (b) to this sub-clause.

**(7)** If the prescribed eligibility conditions referred to in clause 4 (a) above stipulate that a particular type of candidates should be preferred for a particular type of vacancy, the counseling process described above will be altered to give first opportunity to the preferred type of candidates to choose such stipulated type of vacancies, irrespective of their position in the overall provisional merit panel. The order of merit will

however, be strictly followed internally among such preferred type of candidates for the purpose of counseling.

**(8)** The process of counseling mentioned in clause 9(1) and 9 (2) may be altered for a special vacancy:

Provided if fewer than the said stipulated number of candidates express(es) their preference for a 'special vacancy' at the expiry of the normal counseling process, the Commission will try to make up the deficit by recommending the required number of additional candidates for that 'special vacancy' from amongst the remaining candidates of the relevant panel strictly in order of merit and subject to the availability of the required number of willing candidates in the remaining part of the panel:

Provided further in the event of an insufficiency in the required number of willing candidates, the names of as many candidates as are willing to be recommended against a special vacancy shall be recommended.

**(9)** In the event of choosing a 'special vacancy' at the first instance, a candidate is rejected for appointment by the concerned College by virtue of its power of having restricted choice, the Commission, may, at its discretion, re-recommend him/her to another vacancy, within the life of the panel, out of the 'existing vacancies' or, in the absence of any such 'existing vacancy', a vacancy arising after the cut-off date mentioned in clause 3 of these Regulations. However, the Commission shall not take any responsibility for any rejected candidate who chose to be recommended against a special vacancy in spite of the fact that somebody higher than him/her in the panel had already chosen that vacancy.

**10. Re-recommendation of candidates: –**

The Commission shall for the purpose of re-recommendation of an existing teacher in terms of proviso of Section 10 (1) of the Act, take into consideration the Zone-wise preference of the concerned teacher.

**11. General powers of the Commission:-**

The Commission shall have powers to determine every question which may arise in the selection process in a manner not inconsistent with any provisions of the Act and where necessary, in consultation with the State Government.

**12. Repeal and Savings:-**

- (1) The West Bengal College Service Commission (Manner of Selection and Recommendation of Persons for Appointment to the posts of Assistant Professors and Principals) Regulations, 1980 shall stand repealed.
- (2) Subject to such repeal any recruitment processes in relation to any advertisement published prior to coming into effect of this Regulation shall continue to be conducted in accordance with the erstwhile Regulations.

Date: December 27, 2012

SD/-  
Chairman  
The West Bengal College Service Commission