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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1461-L.—20th July, 2000.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

**West Bengal Act XV of 2000**

**THE WEST BENGAL UNIVERSITY OF TECHNOLOGY ACT, 2000.**

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Calcutta Gazette, Extraordinary, of the 20th July, 2000.]*

*An Act to establish and incorporate a technology university in West Bengal and to provide for matters connected therewith or incidental thereto.*

WHEREAS it is necessary to promote the creation of centres of excellence in education and research in science, technology, engineering and management, particularly in emerging areas;

AND WHEREAS it is necessary to improve the quality of education being imparted by the existing engineering and technological colleges affiliated to various universities established under any Bengal or West Bengal Act for the time being in force;

AND WHEREAS it is necessary to support the establishment of engineering and technological colleges and centres of study in basic and applied sciences, particularly in the multi-disciplinary areas;

AND WHEREAS it is necessary to develop facilities for research in engineering and technology as well as basic and applied sciences;

*The West Bengal University of Technology Act, 2000.**(Sections 1, 2.)*

AND WHEREAS it is necessary to impart education and carry out research in management responsive to the global changes in technology and the need of West Bengal;

AND WHEREAS it is expedient to establish a technology university in West Bengal;

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

Short title, extent and commencement.

1. (1) This Act may be called the West Bengal University of Technology Act, 2000.

(2) It extends to the whole of West Bengal.

(3) This section and section 24 shall come into force at once, and the remaining provisions of this Act shall come into force on such date or dates as the State Government may, by notification, appoint, and different dates may be appointed for different provisions of this Act.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (1) “Academic Council” means the Academic Council of the University;
- (2) “academic year” means a period of twelve months commencing on the first day of July or such other period of twelve months, commencing on such date, as the Executive Council may specify;
- (3) “affiliated institution” means a college or an institution affiliated to the University, and includes a college or an institution deemed to be an affiliated college or institution under this Act;
- (4) “All India Council for Technical Education” means the All India Council for Technical Education established under the All India Council for Technical Education Act, 1987;
- (5) “Chancellor” means the Chancellor of the University;
- (6) “General Council” means the General Council of the University;
- (7) “Department” means a department of studies of the University;
- (8) “Director” means the Director of a School of Studies of the University;
- (9) “employee” means any person appointed by the University, and includes a Teacher or any other full-time member of the staff of the University;
- (10) “Executive Council” means the Executive Council of the University;
- (11) “Finance Committee” means the Finance Committee of the University;
- (12) “Minister” means the Minister-in-charge of the Higher Education Department of the State Government;
- (13) “non-teaching employee” means a non-teaching employee, other than an officer, not holding any teaching post (including part-time teaching post), appointed or recognised as such by the University;
- (14) “notification” means a notification published in the *Official Gazette*;
- (15) “officer” means an officer of the University;
- (16) “prescribed” means prescribed by regulations made under this Act;
- (17) “Pro-Vice-Chancellor” means the Pro-Vice-Chancellor of the University;
- (18) “Registrar” means the Registrar of the University;
- (19) “regulations” means the regulations made under this Act;
- (20) “Schedule” means the Schedule appended to this Act;
- (21) “School of Studies” means a School of Studies of the University;

52 of 1987.

*The West Bengal University of Technology Act, 2000.**(Sections 3, 4.)*

- (22) "State Government" means the Government of West Bengal in the Higher Education Department;
- (23) "student" means a student of the University, and includes any person enrolled by the University for pursuing any course of study of the University;
- (24) "Teacher" means a Professor, Principal, Associate Professor, Reader, Assistant Professor, Lecturer or such other person, holding a teaching post or a part-time teaching post, appointed or recognized by the University or appointed by any affiliated institution;
- (25) "the University" means the West Bengal University of Technology constituted under this Act;
- (26) "University Grants Commission" means the University Grants Commission established under the University Grants Commission Act, 1956; 3 of 1956.
- (27) "Vice-Chancellor" means the Vice-Chancellor of the University.

Constitution of the University.

3. (1) With effect from such date as the State Government may, by notification, appoint, there shall be constituted a University by the name of the West Bengal University of Technology which shall consist of the Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, the Directors, the members of the General Council, the members of the Executive Council, and the members of the Academic Council and the Registrar.

(2) The University shall be a body corporate by the name as aforesaid, having perpetual succession and a common seal, and shall sue and be sued by the name of the West Bengal University of Technology.

(3) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

(4) The headquarters of the University shall be located at such place within West Bengal as the State Government may, by notification, specify.

Objects of the University.

4. The objects of the University shall be—
- (1) to organize undergraduate courses of study in engineering and technology, especially in emerging areas;
  - (2) to organize post-graduate programmes in basic and applied sciences, engineering, and technology and in such other branches of knowledge as the University may deem fit, specially with a view to producing scientists, technologists and managers of high calibre capable of contributing towards development of industries based on modern technology in collaboration with industries as well as national and international research laboratories and academic institutions;
  - (3) to develop centres of excellence for higher studies and research in basic and applied sciences, engineering, technology and management education;
  - (4) to accord affiliation, and to provide academic support and guidance, to institutions in science, engineering, technology and management within the jurisdiction of the University;
  - (5) to create awareness in key areas of environmental science, conservation of energy and resource, information technology, and bio-technology;
  - (6) to organize distance education programmes aiming at a virtual university;
  - (7) to organize continuing education programme for up-dating the knowledge and skills of in-service personnel;

*The West Bengal University of Technology Act, 2000.*

*(Section 5.)*

- (8) to organize and offer consultancy services to industries and other organizations;
- (9) to undertake such other activities as may be necessary to fulfil the objects as aforesaid.

Powers of the  
University.

5. The University shall have the powers—

- (1) to provide instruction and teaching leading to Bachelor, Master, and Doctoral degrees in engineering, technology, basic and applied sciences, and management, and in such other branches of knowledge as the University may deem fit;
- (2) to establish Departments, Schools or Centres of advance study and research in different branches of knowledge;
- (3) to prescribe courses of study for Bachelor, Master, and Doctoral degrees in different branches of learning;
- (4) to accord affiliation to institutions in basic and applied sciences, engineering, technology, and management;
- (5) to hold examinations and publish results of such examinations for different courses of study and research in the manner prescribed;
- (6) to confer degrees and other academic distinctions or recognitions on persons who have pursued successfully the courses of study of the University or conducted research creditably in the manner to be prescribed;
- (7) to provide for the inspection of, or investigation into, the affairs of colleges or institutions affiliated to it and to exercise general supervision over them including monitoring of academic performances;
- (8) to prescribe the procedure of admission to different courses of study in the University and also in the affiliated institutions;
- (9) to sponsor and undertake research in all aspects of engineering and technology, management, and basic and applied sciences, and inter-disciplinary subjects relating thereto;
- (10) to confer honorary degrees or other distinctions in such manner as may be prescribed by regulations;
- (11) to institute professorships, readerships, lectureships and other teaching posts necessary for imparting instruction or for preparing educational material or conducting other academic activities, including providing guidance to the students, designing and delivering of courses, and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lectureships and other teaching posts, either on full-time or part-time basis or on contract;
- (12) to co-operate with other universities and institutions of higher learning and professional and industrial organizations for such purposes as the University considers necessary;
- (13) to institute and award fellowships, scholarships, and prizes and such other awards for recognition of merit as the University may deem fit;
- (14) to organize and conduct refresher courses, workshops, seminars and other programmes for teachers, evaluators, and other academic, administrative and technical staff of the University and other institutions and also for the members of the general public;

*The West Bengal University of Technology Act, 2000.**(Section 5.)*

- (15) to recognize examinations or periods of study (whether in full or in part) at other universities, institutions or other places of higher learning as equivalent to examinations of, or periods of study in, the University, and to withdraw such recognition at any time;
- (16) to create administrative, ministerial and other necessary posts and to make appointments thereto, either on full-time or part-time basis or on contract;
- (17) to receive benefactions, donations, grants, subscriptions, or gifts for the purpose of the University, consistent with the objects for which the University is established;
- (18) to acquire, purchase, take on lease, or dispose of any property, movable or immovable, for the purpose of the University;
- (19) to draw and accept, to make and endorse, to discount and negotiate, Government of India and other promissory notes, bills of exchange, cheques or other negotiable instruments;
- (20) to execute conveyances, transfers, re-conveyances, mortgages, leases, licences, and agreements in respect of properties, movable or immovable, including Government securities belonging to the University or to be acquired for the purpose of the University;
- (21) to enter into agreement with the Government of India, the State Government, the Governments of other States in India, the University Grants Commission, the All India Council for Technical Education, or other authorities, industries or professional organizations for receiving grants;
- (22) to enter into, carry out, vary, or cancel contracts;
- (23) to fix, demand, and receive such fees and other charges as may be decided by the Executive Council from time to time;
- (24) to regulate the expenditure and manage the accounts of the University so as to make it self-financing as far as possible;
- (25) to control, and to enforce discipline among, the students and all categories of employees and to prescribe by regulations the conditions of service and the code of conduct of such employees;
- (26) to recognize any institution of higher learning or studies for such purposes as the University may determine and to withdraw such recognition;
- (27) to appoint, either on contract or otherwise, visiting Professors, Emeritus Professors, Consultants, fellows, scholars, and such other persons as may contribute to the advancement of the objects of the University;
- (28) to recognize persons working in other universities, institutions or organizations as teachers of the University on such terms and conditions as may be prescribed by regulations;
- (29) to make arrangements for the promotion of the general health and welfare of the employees;
- (30) to collaborate and interact with the West Bengal State Council of Higher Education constituted under the West Bengal State Council of Higher Education Act, 1994, as well as universities and educational or research institutions and authorities within the country and abroad, in such manner and for such purposes as the University may determine;
- (31) to do all such acts as may be necessary for, or incidental to, the exercise of all or any of the powers of the University and as may be conducive to the promotion of all or any of the objects of the University.

*The West Bengal University of Technology Act, 2000.**(Section 6.)*

Jurisdiction.

6. (1) Notwithstanding contained elsewhere in this Act or in any other law for the time being in force, with effect from such date as the State Government may, by notification, appoint in this behalf (hereinafter referred to in this section as the said date),—

- (a) all colleges and educational institutions imparting education in engineering, technology and management and affiliated to any other university in the State established under any law of the State of West Bengal—
  - (i) shall be deemed to be affiliated to the University for such period and subject to such terms and conditions, if any, as may be imposed by any university to which such college or institution was affiliated before the said date, until the University issues directions otherwise, not inconsistent with the provisions of this Act or any other law for the time being in force, and
  - (ii) shall cease to be affiliated to the University to which any such college or institution may have been affiliated before the said date;
- (b) any Principal, teacher, or other employee, or any member of the Governing Body, by whatever name called, or any student, of any such affiliated college or institution, holding, by virtue of his being such Principal, teacher, or other employee, or member or student, any office in or under any university or any of the authorities of such university to which such college or institution was affiliated before the said date, shall cease to hold such office and the vacancy so caused shall be deemed to be a casual vacancy for the purposes of the law of the State of West Bengal under which that university was established;
- (c) whenever the University issues directions in addition to the requirements stipulated in sub-clause (i) of clause (a), the affiliated institution shall be bound to comply with such terms and conditions as may be incorporated in the directions of the University within such reasonable time as may be prescribed by the University;
- (d) the University shall have power to alter or withdraw the affiliation deemed to have been granted under this section, if the affiliated institution does not comply with all the terms and conditions of such affiliation;
- (e) for the purpose of deemed affiliation under this sub-section, it shall be competent for the University to satisfy itself in such manner as it may decide, if an affiliated institution was validly affiliated to any university established under any Bengal or West Bengal Act before the said date.

(2) Notwithstanding anything contained in any other law for the time being in force, no college or institution providing courses of study or programmes of education, research or training in the field of engineering, technology or management and situated in West Bengal, but not admitted to the privileges of the University, shall be admitted to the privileges of any other university except with the prior approval of the State Government:

Provided that nothing in this sub-section shall, save as otherwise provided in this Act, apply to—

- (a) any constituent college, institution, Faculty or Department of any other university or of any institution for higher education deemed to be a university under section 3 of the University Grants Commission Act, 1956, directly managed, controlled and financed by such university or such institution for higher education deemed to be a university under section 3 of that Act, or
- (b) any other college or institution affiliated to any other university mainly providing courses of study in subjects other than engineering, technology or management.

*The West Bengal University of Technology Act, 2000.**(Sections 7-12.)*

*Explanation.*—For the avoidance of doubt it is hereby declared that the State Government shall decide whether a college or institution mainly provides courses of study in subjects other than engineering, technology or management.

Teaching of the University.

7. (1) All recognised teachings in connection with the degrees, diplomas and certificates of the University shall be conducted by the Teachers of the University or of any affiliated institution, as the case may be, under the general control of the General Council and immediate control of the Executive Council and the Academic Council.

(2) The courses of study, the curricula and the authorities responsible for organising such teaching shall be such as may be prescribed.

University open to all classes, castes and creeds.

8. The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be appointed as a Teacher of the University or to hold any office therein or to be admitted as a student in the University, or to enjoy or exercise any privilege thereof.

Schools of Studies.

9. There may be such number of Schools of Studies for the purpose of teaching and research as may be prescribed.

The Chancellor.

10. (1) The Governor of the State of West Bengal shall, by virtue of his office, be the Chancellor of the University.

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

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

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

Inspection

11. (1) The State Government shall have the right to cause an inspection, to be made by such person or persons as it may direct, of the University, its buildings, libraries and equipment, and of any institutions maintained by the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the administration and finances of the University.

(2) The State Government shall, in every case, give notice to the University of its intention to cause an inspection or inquiry to be made, and the University shall be entitled to appoint a representative who shall have the right to be present and to be heard at such inspection or inquiry.

(3) The State Government may address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the General Council the views of the State Government along with such advice as the State Government may offer on the action to be taken thereon.

(4) The General Council shall communicate through the Vice-Chancellor to the State Government such action, if any, as it proposes to take, or as has been taken, on the result of such inspection and inquiry.

Officers of the University.

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

- (1) the Vice-Chancellor;
- (2) the Pro-Vice-Chancellor;
- (3) the Registrar;
- (4) the Director of a School of Studies;

*The West Bengal University of Technology Act, 2000.**(Sections 13-19.)*

- (5) the Finance Officer;
- (6) the Controller of Examinations;
- (7) such other persons as may be declared by regulations to be the officers of the University.

Authorities of the University.

**13.** The following shall be the authorities of the University:—

- (1) the General Council;
- (2) the Executive Council;
- (3) the Advisory Body;
- (4) the Academic Council;
- (5) the Finance Committee;
- (6) such other authorities as may be declared by regulations to be the authorities of the University.

Supreme authority of the University.

**14.** The General Council shall be the supreme authority of the University.

Chief executive body of the University.

**15.** (1) The Executive Council shall be the chief executive body of the University.

(2) The administration, management and control of the University and the income thereof shall vest in the Executive Council which shall control and administer the property and the funds of the University, subject to the general supervision of the General Council.

Advisory body of the University.

**16.** There shall be an advisory body of the University consisting of eminent academicians and experts to provide direction and guidance in the development of various academic programmes of the University.

Principal academic body of the University.

**17.** The Academic Council shall be the principal academic body of the University and shall have, subject to the provisions of this Act and the regulations, the control of, and shall be responsible for, the maintenance of standards of learning, education, instruction, evaluation and examinations within the University.

Finance Committee.

**18.** There shall be a Finance Committee, which shall take necessary action for proper management and control of the finance of the University, subject to the overall supervision of the Executive Council and the General Council.

Regulations.

**19.** (1) Subject to the provisions of this Act, the Executive Council shall have, in addition to all other powers vested in it, the power to make regulations to provide for the administration and management of the affairs of the University:

Provided that the Executive Council shall not make any regulation affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed regulation, and any opinion so expressed shall be considered by the Executive Council:

Provided further that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any regulation affecting all or any of the following matters:—

- (a) the constitution, powers and duties of the Academic Council;
- (b) the authorities responsible for organising teaching in connection with the University courses of study and related academic programmes;
- (c) the withdrawal of degrees, diplomas, certificates and other academic distinctions;



*The West Bengal University of Technology Act, 2000.**(Sections 20, 21.)*

- (d) the establishment and abolition of Schools of Studies, Departments, halls and institutions as well as introduction or abolition of courses of study;
- (e) according affiliation to an institution who applies for such affiliation or withdrawal of affiliation of an institution;
- (f) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (g) conditions and modes of appointment of examiners, or conduct or standard of examinations, or any other course of study;
- (h) mode of enrolment or admission of students;
- (i) determination of equivalence of any degree, diploma, or certificate of other universities, or institutions for higher education deemed to be universities under section 3 of the University Grants Commission Act, 1956, or other institutes of national importance with the corresponding degree, diploma, or certificate of the University.

3 of 1956.

(2) The Academic Council shall have the power to propose regulations on all or any of the matters specified in clauses (a) to (i) of sub-section (1) and matters connected therewith or incidental thereto.

(3) Where the Executive Council has rejected any regulation proposed by the Academic Council, the Academic Council may appeal to the Chancellor, and the Chancellor may direct that the proposed regulation may be laid before the next meeting of the General Council for its consideration. The General Council shall send its recommendations to the Chancellor who may dispose of the matter suitably.

(4) All regulations made by the Executive Council shall be submitted, as soon as may be, to the Chancellor for approval, and shall come into force on and from such date as the Chancellor may direct, provided that the Chancellor may withhold assent to the regulations or remit the same to the Executive Council for reconsideration in the light of the observations, if any, made by him.

Appointment of  
Review  
Commission.

**20.** (1) The Chancellor may constitute a Review Commission to review the working of the University and to make recommendations.

(2) The Review Commission shall consist of not less than three eminent educationists to be appointed by the Chancellor in consultation with the State Government.

(3) The terms and conditions of appointment of the members of the Review Commission shall be such as the Chancellor may determine in consultation with the State Government.

(4) The Review Commission shall, after holding such enquiry as it deems fit, make its recommendations to the Chancellor.

(5) The Chancellor may take such action on the recommendations of the Review Commission as he deems fit.

Action not  
invalidated merely  
on the ground of  
defect in  
constitution,  
vacancy, etc.

**21.** (1) Notwithstanding that the General Council, the Executive Council, the Academic Council or any other authority or body of the University is not duly constituted or there is a defect in its constitution or reconstitution at any time or there is a vacancy in the membership of any such authority or body, no act or proceedings of such authority or body shall be deemed to be invalid merely by reason of such General Council or Executive Council or Academic Council or such other authority or body being not duly constituted or any defect in the constitution or reconstitution thereof or the existence of a vacancy or vacancies among its members.

(2) No resolution of any authority or body of the University shall be deemed to be invalid merely by reason of any irregularity in the service of notice upon any member thereof, provided that the proceedings of such authority or body were not prejudicially affected by such irregularity.

*The West Bengal University of Technology Act, 2000.**(Section 22-25.)*

Indemnity.

**22.** No suit, prosecution or other legal proceedings shall lie against, and no damages shall be claimed from, the University or the authorities of the University or the Vice-Chancellor or other officers or the Teachers or any other person in respect of anything which is in good faith done or purported to have been done in pursuance of this Act or the regulations.

Special provisions for students.

**23.** Notwithstanding anything contained in this Act or the regulations, and notwithstanding anything contained in any Bengal or West Bengal Act under which any other university in the State was established or the Statutes, the Ordinances or the Regulations of that university, any student of a college or institution which was affiliated to any such university before the date appointed by notification under sub-section (1) of section 6 shall be permitted to complete his or her course in preparation therefor, and such university shall make arrangement for—

- (a) the instruction, teaching, training and holding of examination for such student in such manner and in accordance with the curricula of study in force in such university for such period as may be determined by such university in consultation with the University;
- (b) the conferment of the corresponding degree, diploma and other academic distinction of the University upon the qualified student on the results of such examination.

Rules.

**24.** The authorities of the University may make rules consistent with the provisions of this Act and the regulations for the conduct of their own business and that of the committees, if any, appointed by them.

Transitory provisions.

**25.** (1) The Governor of West Bengal shall, for the purposes of this section, be the Chancellor of the University, and shall exercise all the powers conferred on the Chancellor by or under this Act.

(2) Notwithstanding anything contained in this Act, the first Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister from a panel of not less than three persons recommended by a committee consisting of three members of whom one each shall be nominated by the Chancellor, the State Government and the University Grants Commission, the committee being convened by the Secretary to the Government of West Bengal in the Higher Education Department. The first Vice-Chancellor shall be appointed on such terms and conditions as the Chancellor may determine in consultation with the State Government. He shall hold office for such period as may be determined by the Chancellor from time to time and such period shall, in no case, exceed four years from the date on which he assumes office.

(3) The first Vice-Chancellor, in consultation with the State Government and after giving due regard to any suggestion given by that Government, shall, with the assistance of a committee consisting of not less than six members nominated by that Government, cause the first regulations of the University to be made. The first regulations shall, after the Chancellor has approved the same in consultation with the Minister, come into force on such date as the Chancellor may appoint.

(4) The first regulations of the University shall remain in force until they are amended or until new regulations are made under the provisions of this Act.

(5) If a vacancy occurs in the office of the first Vice-Chancellor on or before the expiry of the period of his office by reason of death, resignation or otherwise, then, the Chancellor may appoint another person to be the first Vice-Chancellor for the purposes of this section in the manner and on the terms and conditions provided in sub-section (2) for any further period, not exceeding in aggregate the period of four years, which shall include the period served by the first Vice-Chancellor appointed under that sub-section.

*The West Bengal University of Technology Act, 2000.*

*(Section 25.)*

(6) (a) There shall be an Advisory Committee to be constituted by the State Government of which the first Vice-Chancellor shall be the Chairman.

(b) The Advisory Committee shall consist of the following members:—

- (i) the first Vice-Chancellor—Chairman;
- (ii) the Secretary, Higher Education Department, Government of West Bengal or his nominee, not below the rank of a 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 a Joint Secretary to the Government of West Bengal;
- (iv) three heads of institutes of whom—
  - (A) one shall be from an institute undertaking research in Science, Engineering and Technology,
  - (B) one shall be from an institute undertaking research in Management, and
  - (C) one shall be from an institute undertaking research in basic and applied sciences,to be nominated by the Chancellor in consultation with the Minister;
- (v) one Principal of an engineering college or college of technology, to be elected by such Principals of affiliated institutions from amongst themselves;
- (vi) three Teachers of Engineering, Technology and Management of whom two shall be Professor and one shall be a Teacher of the University, other than a Professor, elected by such Professors or Teachers other than the Professors, as the case may be, from amongst themselves;
- (vii) one person conversant with the administration of the University, nominated by the Chancellor in consultation with the Minister;
- (viii) the Registrar:

Provided that where a Pro-Vice-Chancellor has been appointed under the provisions of this Act, he shall be a member of the Advisory Committee.

(c) The Registrar shall act as the Secretary of Advisory Committee.

(d) All matters of the Advisory Committee shall be decided by a majority vote: Provided that if there is a tie of votes, the Chairman shall have a casting vote.

(e) The functions of the Advisory Committee shall be to advise the Chairman of the Committee—

- (i) in drafting a plan for implementation of the programme of the University for the purpose of this Act;
- (ii) in selecting sites of the University and making necessary arrangements for securing the accommodation, furniture and equipment and such other things as are deemed necessary;
- (iii) in formulating the staff pattern (both teaching and non-teaching) of the University and in prescribing the qualifications for recruitment of such staff;
- (iv) in preparing the programme of teaching and other activities of the University consisting of—
  - (A) the introduction of degree and post-graduate courses,
  - (B) the preparation of syllabi of different courses of study,
  - (C) introduction of post-doctoral courses and undertaking of research activities,

*The West Bengal University of Technology Act, 2000.**(Sections 26-28.)*

- (D) the preparation for granting affiliation to new colleges or institutions,
- (E) the preparation for conducting examinations,
- (F) the prescribing of the equivalence of examinations, degrees and diplomas of other universities and institutions and other allied and ancillary matters.

(f) Notwithstanding anything contained in this Act or the regulations, the first Vice-Chancellor shall, in consultation with the Advisory Committee and with the previous approval of the Chancellor and subject to the availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the regulations, and, for that purpose, may exercise any powers or perform any duties, which by this Act or the regulations, are to be exercised or performed by any authority of the University until such authority comes into existence in accordance with the provisions of this Act or the regulations.

(7) The vacancy in the office of a member of the Advisory Committee, except *ex officio* members, occurring by reason of death, resignation or otherwise, shall be filled up in the manner as provided in this section.

(8) No act or proceedings of the Advisory Committee shall be invalid merely by reason of the existence of any vacancy in the office of its members.

(9) The State Government shall, by notification, appoint a date and on and from such date the General Council, the Executive Council, the Academic Council and other authorities of the University shall commence to perform their respective functions and the first regulations of the University made under sub-section (4) shall be deemed to be the first regulations of the University made under section 19.

(10) On and from the date appointed under sub-section (9), the provisions of this section shall stand repealed and, thereupon, the Advisory Committee shall stand dissolved, and the members thereof shall be deemed to have vacated their respective offices.

Savings.

**26.** Notwithstanding anything contained in the foregoing provisions of this Act, anything done or deemed to have been done or any action taken or deemed to have been taken or any appointment made under this Act prior to the date appointed under sub-section (9) of section 25 shall, unless it is otherwise provided in this Act, be deemed to have been validly done or taken or made under this Act.

Act to have overriding effect.

**27.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

Composition, powers and functions of the authorities and committees of the University.

**28.** The authorities and the committees of the University and their composition, powers and functions and other matters relating to them, the appointment and the powers and functions of the officers of the University and other matters relating to them, and all other matters relating to the finances, administration and management of affairs of the University shall, subject to the provisions of this Act, be as specified in the Schedule.

*The West Bengal University of Technology Act, 2000.**(Sections 29, 30 and the Schedule.)*Power to amend  
Schedule.

**29.** (1) The General Council, on its own motion or on the suggestion of the Chancellor or the State Government, may, with the prior approval of the Chancellor and the State Government, amend the Schedule either prospectively or retrospectively. The Schedule so amended shall be published by notification in the *Official Gazette*.

(2) A copy of every notification made under sub-section (1) shall be laid before the State Legislature, as soon as may be, after it is made.

Removal of  
difficulties.

**30.** (1) If, by reason of any provision of this Act, any difficulty arises in giving effect to the provisions of section 25, the first Vice-Chancellor shall refer such difficulty to the State Government which may make such order or do such thing, not inconsistent with the provisions of that section, as appears to it to be necessary or expedient for removing the difficulty.

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

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), no order shall be made under this section after the expiry of a period of two years from the date on which this Act comes into force.

## SCHEDULE

*(See section 28.)*

1. **Definition.**—In this Schedule, unless the context otherwise requires, “clause” means a clause of this Schedule.

2. **General Council.**—(1) The General Council shall consist of the following members:—

- (a) the Chancellor—Chairman;
- (b) the Vice-Chancellor—Vice-Chairman;
- (c) the Chairman of the Advisory Council;
- (d) the Secretary, Higher Education Department, Government of West Bengal, or his nominee not below the rank of a Joint Secretary to the Government of West Bengal;
- (e) The Secretary, Finance Department, Government of West Bengal, or his nominee not below the rank of a Joint Secretary to the Government of West Bengal;
- (f) the Pro-Vice-Chancellor;
- (g) the Directors;
- (h) three persons proficient in any subject or subjects relating to Science, Engineering, and Technology and Management, nominated by the Chancellor in consultation with the Vice-Chancellor, provided that no employee of the University shall be nominated for the purpose;

*The West Bengal University of Technology Bill, 2000.**(Schedule.)*

- (i) one person representing the industry, nominated by the State Government;
  - (j) the Head of each of a scientific institute, a technology and engineering institute, and a management institute at the national level, nominated by the Chancellor in consultation with the State Government;
  - (k) three Professors of the University, elected by such Professors from amongst themselves;
  - (l) three Teachers of the University other than professors, elected by such Teachers from amongst themselves;
  - (m) two Principals of any affiliated institutions, elected by the Principals of the affiliated institutions from amongst themselves;
  - (n) three Teachers of any affiliated institution, elected by the Teachers of the affiliated institutions from amongst themselves;
  - (o) one officer, elected by the officers from amongst themselves;
  - (p) one non-teaching employee of the University, elected by such employees from amongst themselves;
  - (q) one nominee of the University Grants Commission;
  - (r) one nominee of the All India Council for Technical Education;
  - (s) the Registrar.
- (2) The Registrar shall act as the Secretary to the General Council.
- (3) Subject to the provisions of this Act, the term of office of the members and the powers and functions of the General Council shall be such as may be prescribed.
- (4) Where a member of the General Council becomes such member by reason of the office or appointment he holds (by election or otherwise) or is a nominated member, his membership shall terminate when he ceases to hold such office or appointment, as the case may be, or his nomination is withdrawn or cancelled.
- (5) A member of the General Council shall cease to be a member if he resigns, or becomes of unsound mind, or becomes insolvent, or is convicted of a criminal offence involving moral turpitude, or if a member, other than the Vice-Chancellor, the Pro-Vice-Chancellor or any employee, accepts a full-time appointment under the University.
- (6) A member of the General Council may resign his office by a letter addressed to the Chancellor, and such resignation shall take effect as soon as it is accepted by the Chancellor.
- (7) Any vacancy in the General Council shall be filled in the prescribed manner and the person appointed, elected or nominated to fill the vacancy shall hold office for so long as the member in whose place he is appointed, elected or nominated, as the case may be, could have held office if the vacancy had not occurred.

3. **The Executive Council.**—(1) The Executive Council shall consist of the following members:—

- (a) the Vice-Chancellor—Chairman;
- (b) the Pro-Vice-Chancellor—Vice-Chairman;
- (c) the Secretary, Higher Education Department, Government of West Bengal, or his nominee not below the rank of a Joint Secretary to the Government of West Bengal;

*The West Bengal University of Technology Act, 2000.*

*(Schedule.)*

- (d) The Secretary, Finance Department, Government of West Bengal, or his nominee not below the rank of a Joint Secretary to the Government of West Bengal;
- (e) one of the Directors nominated by the Chancellor in consultation with the Vice-Chancellor;
- (f) three persons proficient in the subject relating to Science, Engineering, Technology or Management, nominated by the Chancellor in consultation with the Vice-Chancellor, provided that no employee of the University shall be nominated for the purpose;
- (g) one person representing the industry, nominated by the State Government;
- (h) the Head of any institute undertaking research in Science, Engineering, Technology or Management, nominated by the Chancellor in consultation with the State Government;
- (i) one Principal of an affiliated institution, elected by the Principals of the affiliated institutions from amongst themselves;
- (j) two Teachers of affiliated institutions, elected by such Teachers from amongst themselves;
- (k) two Professors of the University, elected by such Professors from amongst themselves;
- (l) two Teachers of the University, other than Professors, elected by such Teachers from amongst themselves;
- (m) one officer, elected by the officers from amongst themselves;
- (n) one non-teaching employee of the University, elected by such employees from amongst themselves;
- (o) one nominee from the University Grants Commission;
- (p) one nominee of the All India Council for Technical Education;
- (q) the Registrar.

(2) The Registrar shall act as the Secretary to the Executive Council.

(3) Subject to the provisions of this Act, the terms of office of the members and the powers and functions of the Executive Council shall be such as may be prescribed.

(4) Where a member of the Executive Council becomes such member by reason of the office or appointment he holds by election or otherwise or is a nominated member, his membership shall terminate when he ceases to hold such office or appointment or, as the case may be, his nomination is withdrawn or cancelled.

(5) A member of the Executive Council shall cease to be a member if he resigns, or becomes of unsound mind, or becomes insolvent, or is convicted of a criminal offence involving moral turpitude, or if a member, other than the Vice-Chancellor, the Pro-Vice-Chancellor or any employee, accepts a full time appointment under the University.

(6) A member of the Executive Council may resign his office by a letter addressed to the Chancellor, and such resignation shall take effect as soon as it is accepted by the Chancellor.

(7) Any vacancy in the Executive Council shall be filled, either by appointment or election or nomination, as the case may be, of a person by the respective authority entitled to make the same and the person so appointed, elected or nominated shall hold office for so long as the member in whose place he is appointed, elected or nominated could have held office if the vacancy had not occurred.

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(8) The Executive Council may, by resolution, delegate to the Vice-Chancellor or any authority (other than the General Council) or any committee, such of its powers as it may deem fit, subject to the condition that the action taken by the Vice-Chancellor or such authority or committee in the exercise of the powers so delegated shall be reported at the next meeting of the Executive Council.

4. **The Academic Council.**—(1) The Academic Council shall consist of the following members:—

- (a) the Vice-Chancellor;
- (b) the Pro-Vice-Chancellor;
- (c) the Directors;
- (d) the Heads of the Departments of the University;
- (e) three persons, being experts in the subjects relating to Science, Engineering, and Technology and Management, nominated by the Chancellor in consultation with the Vice-Chancellor, provided that no employee of the University shall be nominated for the purpose;
- (f) two Principals of affiliated institutions, elected by such Principals from amongst themselves;
- (g) two Professors of the University, elected by such Professors from amongst themselves;
- (h) two Teachers of the University, other than Professors, elected by such Teachers from amongst themselves;
- (i) one Professor of an affiliated institution, elected by the Professors of such institutions from amongst themselves;
- (j) three Teachers, other than Professors, of an affiliated institution elected by such Teachers of affiliated institutions from amongst themselves:

Provided that not more than one Professor or a Teacher other than a Professor shall be elected from any institution.

(2) The Academic Council may co-opt any person for any meeting of the Academic Council.

(3) The Registrar shall be the Secretary to the Academic Council.

(4) Subject to the provisions of this Act, the terms of office of the members, and the powers and functions, of the Academic Council shall be such as may be prescribed.

5. **The Advisory Council.**—(1) The Advisory Council shall consist of the following members:—

- (a) a distinguished Scientist or Technologist, nominated by the Chancellor—Chairman;
- (b) the Vice-Chancellor—Vice-Chairman;
- (c) the Pro-Vice-Chancellor;
- (d) three persons expert in the subjects of study relating to Science, Engineering, Technology or Management, nominated by the Chancellor in consultation with the Chairman of the Advisory Council:

Provided that of the three persons to be nominated, at least one shall belong to any organization outside West Bengal;



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- (e) two persons representing the industry, nominated by the State Government;
  - (f) Heads of two national research institutes undertaking academic activities in the field of Science, Engineering, Technology or Management, nominated by the Chancellor in consultation with the Minister;
  - (g) the Secretary, Department of Science and Technology, Government of India, or his nominee;
  - (h) the Director-General, Council of Scientific and Industrial Research, or his nominee;
  - (i) the Scientific Advisor to the Ministry of Defence, Government of India, or his nominee;
  - (j) the Secretary, Department of Bio-Technology, Government of India, or his nominee;
  - (k) the Secretary, Department of Electronics (or Information Technology), Government of India, or his nominee;
  - (l) the Chairman, Indian Science and Research Organization, or his nominee.
- (2) The Registrar shall act as the Secretary to the Advisory Council.
- (3) The Advisory Council may co-opt as many persons as it may consider necessary to be its members in a particular meeting.
- (4) Subject to the provisions of this Act, the term of office of the members, and the powers and functions, of the Advisory Council shall be such as may be prescribed.
- 6. The Finance Committee.**—(1) The Finance Committee shall consist of the following members:—
- (a) the Vice-Chancellor—Chairman;
  - (b) the Pro-Vice-Chancellor—Vice-Chairman;
  - (c) two persons of whom one shall be an expert in the management of finance, nominated by the Executive Council;
  - (d) a nominee of the Government of West Bengal.
- (2) The Finance Officer shall be the Secretary to the Finance Committee.
- (3) The Chairman may ask any employee to attend any meeting of the Finance Committee to assist the Committee in its deliberation.
- (4) Subject to the provisions of this Act, the term of office of the members, and the powers and functions, of the Finance Committee shall be such as may be prescribed.
- 7. Selection Committee.**—(1) The Executive Council shall constitute a Selection Committee for making recommendations to the Executive Council for appointment to the posts of Teachers of the University.
- (2) The Selection Committee shall consist of the following members:—
- (a) the Vice-Chancellor, who shall be the Chairman of the Selection Committee;
  - (b) the Head of the Department concerned, if any, provided he holds a post not lower than the level of the post for which the selection is to be made;
  - (c) three experts, nominated by the Vice-Chancellor from amongst a panel of six names recommended by the Academic Council and approved by the Executive Council;
  - (d) an expert to be nominated by the Chancellor.
- (3) The Registrar shall be the convenor of the Selection Committee.
- (4) If an endowment from a donor is accepted by the University for instituting a Chair, the donor may be co-opted as a member of the Selection Committee for the purpose of filling up of that Chair.

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(5) Three members of the Selection Committee, of whom one shall be an expert, shall form the quorum for a meeting of the Committee.

8. **Manner of election to the authorities or bodies of the University.**—The manner of election of a member to any authority or body of the University shall be such as may be prescribed, provided that no part-time Teacher or officer or employee shall be entitled to stand for an election to such authority or body or to vote in such election.

9. **The Vice-Chancellor.**—(1) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister from a panel of not less than three persons recommended by a committee consisting of three members, of whom two shall be nominated by the Executive Council and one shall be nominated by the State Government. The Registrar shall be the convenor of the committee. No person, who is an employee or a member of any authority of the University, shall be nominated to be a member of the committee.

(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 reappointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier.

(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.

(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 or expiry of the term of his office or otherwise,

then, during the period of such temporary inability or pending the appointment of a Vice-Chancellor, as the case may be, the Pro-Vice-Chancellor shall exercise the powers and perform the duties of the Vice-Chancellor.

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-clause (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 item (b) of sub-clause (2), or the Pro-Vice-Chancellor exercises the powers and perform the duties of the Vice-Chancellor under sub-clause (5).

10. **Powers and duties of the Vice-Chancellor.**—(1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, by virtue of his office, be a member and the Chairman of the Executive Council and the Academic Council and shall also be the Chairman of any other authority or body of the University of which he may be a member except as otherwise provided in this Act or the regulations. He shall also be entitled to be present at and to address any meeting of any other authority or body of the University of which he may not be a member, but shall not be entitled to vote thereat.

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

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

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

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

(6) The Vice-Chancellor may take on behalf of the University such action as he may deem expedient in any matter which, in his opinion, is either urgent or of an emergent nature and shall report the same for confirmation at the next meeting to the authority or body which, in the ordinary course, would have dealt with the matter:

Provided that if the action taken by the Vice-Chancellor is not approved by the authority or body concerned, the matter shall immediately be referred to the Executive Council, if the authority or body concerned is other than the General Council or the Executive Council, or to the General Council if the authority is the Executive Council, or to the Chancellor, if the authority is the General Council. The decision of the Chancellor or the General Council or the Executive Council, as the case may be, shall be final.

(7) The Vice-Chancellor may, subject to the prior approval of the Executive Council, delegate any of his powers to any other officer subordinate to him.

11. **The Pro-Vice-Chancellor.**—(1) The Pro-Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister and the Vice-Chancellor.

(2) (a) The Pro-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.

(b) The Chancellor may, notwithstanding the expiration of the term of the office of the Pro-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 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.

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

(5) If—

(a) 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

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

then, during the period of such temporary inability or pending the appointment of a Pro-Vice-Chancellor, as the case may be, the senior Director shall exercise the powers and perform the duties of the Pro-Vice-Chancellor.

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(6) The vacancy in the office of the Pro-Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office or otherwise shall be filled up by appointment of a Pro-Vice-Chancellor in accordance with the provisions of sub-clause (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 Pro-Vice-Chancellor is allowed to continue in office under item (b) of sub-clause (2) or the senior Director exercises the powers and performs the duties of the Pro-Vice-Chancellor under item (b) of sub-clause (5).

12. **Powers and duties of the Pro-Vice-Chancellor.**—(1) The Pro-Vice-Chancellor shall be an administrative and academic officer of the University and shall, by virtue of his office, be a member of the General Council, the Executive Council and the Academic Council and shall also be the member of any other authority or body of the University. He shall also be entitled to be present at and to address any meeting of any other authority or body of the University of which he may not be a member, if the Vice-Chancellor considers it necessary but shall not be entitled to vote thereat.

(2) Subject to the general control of the Vice-Chancellor, the Pro-Vice-Chancellor shall exercise such powers and discharge such duties as may be delegated to him by any authority or body of the University or as may be prescribed.

13. **Director.**—Every Director shall be a Professor of the University and shall be appointed in such manner, and on such terms and conditions, as may be prescribed.

14. **The Registrar, the Finance Officer, and the Controller of Examinations.**—The Registrar, the Finance Officer and the Controller of Examinations shall be appointed in such manner and on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed:

Provided that till such time as the Registrar, the Finance Officer, or the Controller of Examinations is not appointed by the University in the manner prescribed, the State Government shall have the power to recommend the name of a person for appointment as Registrar, or Finance Officer, or Controller of Examinations, as the case may be, and to specify the terms and conditions of such appointment, and the University shall appoint such person as the Registrar or the Finance Officer or the Controller of Examinations, as the case may be, on such terms and conditions.

15. **Other Officers.**—The manner of appointment, and the emoluments, powers and duties, of other officers shall be such as may be prescribed.

16. **Fund of the University.**—(1) The University shall have a fund to be called the University Fund to which shall be credited—

- (a) its income including the fees and endowments;
- (b) contributions or grants which may be made by the Central Government or the State Government or the Government of any other State or the University Grants Commission or the All India Council for Technical Education on such conditions as it may impose;
- (c) any other contributions or grants or loans raised;
- (d) amount received from any other source.

(2) The amount in the University Fund shall be kept in a scheduled bank as defined in the Reserve Bank of India Act, 1934, or a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, or the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, or may be invested in such securities authorised by the Indian Trusts Act, 1882, as may be decided by the Executive Council:

2 of 1934.  
5 of 1970.  
40 of 1980.  
2 of 1882.

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*(Schedule.)*

Provided that no amount received from the Central Government or the State Government or the Government of any other State or the University Grants Commission or the All India Council for Technical Education shall be invested in the securities as aforesaid or diverted for other purposes without the prior approval of the Central Government or the State Government or the Government of any other State or the University Grants Commission or the All India Council for Technical Education, as the case may be.

(3) Whenever the University receives funds from any Government or the University Grants Commission or the All India Council for Technical Education or any other source, sponsoring a scheme to be executed by the University, then, notwithstanding anything contained in this Act or the regulations,—

- (a) the fund so received shall be kept by the University separately from the University Fund and shall be utilised only for the purposes of such scheme; and
- (b) the staff required to execute such scheme shall be recruited in accordance with the terms and conditions stipulated by such Government or the University Grants Commission or the All India Council for Technical Education or source, as the case may be, specially for such scheme.

17. **Annual accounts and audit.**—(1) The annual accounts of the University shall be prepared under the directions of the Executive Council.

(2) The accounts of the University shall, at least once in a year, be audited by the auditors appointed by the Executive Council.

(3) The accounts, when audited, shall be published by the Executive Council, and a copy of the accounts together with the audit report shall be placed before the Executive Council and shall also be submitted to the State Government. The State Government may also require the University to get the annual accounts audited by such audit or as it may direct.

(4) The annual accounts shall be considered by the General Council at its annual meeting. The General Council may pass resolutions with reference thereto and communicate the same to the Executive Council. The Executive Council shall consider the suggestions made by the General Council and take such action thereon as it thinks fit. The Executive Council shall inform the General Council at its next meeting all actions taken by it or the reasons for not taking any action.

18. **Financial estimates.**—(1) The Executive Council shall prepare, before such date as may be prescribed, the financial estimates for the ensuing financial year and place the same before the General Council.

(2) The Executive Council may, in the case where an expenditure in excess of the amount provided in the budget is to be incurred or in the case of urgency, for reasons to be recorded in writing, incur expenditure, subject to such conditions and restrictions as may be prescribed. Where no provision has been made in the budget in respect of such excess expenditure, a report shall be made to the General Council at its next meeting.

19. **Annual report.**—(1) The Executive Council shall prepare the annual report containing such particulars as the General Council may specify, covering each financial year, and submit it to the General Council on or before such date as may be prescribed. The General Council may pass resolutions thereon and the Executive Council shall take action in accordance therewith. The action taken shall be intimated to the General Council.

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*(Schedule.)*

(2) A copy of the annual report and a copy of the resolution of the General Council thereon shall be submitted to the State Government. The State Government shall lay the annual report and the resolution as aforesaid before the State Legislature as soon as may be after they are received.

20. **Letter of appointment of employees.**—Every employee shall be appointed under a written contract and shall be provided with a letter of appointment containing the terms and conditions of his appointment.

21. **Discipline.**—(1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His direction in that behalf shall be carried out by the officers and Heads of Departments, hostels and institutions.

(2) Notwithstanding anything contained in sub-clause (1), the punishment of debarring a student from any examination subsequent to an earlier examination or rustication from the University or any hostel recognised by the University or any institution affiliated to the University shall, on the report of the Vice-Chancellor, be considered and imposed by the Executive Council:

Provided that no such punishment shall be imposed without giving the student concerned an opportunity of being heard.

22. **Withdrawal of distinction, degree, diploma or privilege.**—(1) The General Council may, on the recommendation of the Executive Council and by a resolution passed by the majority of the total membership of the General Council and by a majority of not less than two-thirds of the members of the General Council present and voting at the meeting, withdraw any distinction, degree, diploma or privilege conferred on, or granted to, any person, if such person has been convicted by a court of law for an offence, which, in the opinion of the General Council, involves moral turpitude or if he has been found guilty of gross misconduct.

(2) No action under sub-clause (1) shall be taken against any person unless he has been given an opportunity of being heard.

(3) A copy of the resolution passed by the General Council shall immediately be sent to the person concerned.

(4) Any person aggrieved by a decision of the General Council under sub-clause (1) may appeal to the Chancellor within thirty days from the date of receipt of such resolution.

(5) The decision of the Chancellor on such appeal shall be final.

23. **Eligibility for admission of students.**—No student shall be eligible for admission to a course of study for a degree or diploma, unless he possesses such qualifications as may be prescribed.

24. **Honorary degree.**—If not less than two-thirds of the members of the Academic Council recommends conferment of an honorary degree or academic distinction on any person on the ground that he is, in their opinion, by reason of eminent attainment and position, fit and proper to receive such honorary degree or academic distinction, the Academic Council may, by a resolution, decide that such honorary degree or academic distinction, as the case may be, may be conferred on such person, subject to confirmation by the Chancellor.

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25. **Pension and provident fund.**—The pension and provident fund of, and any other terminal benefit to, the officers, Teachers and other employees of the University shall be such as may be decided by the University:

Provided that any provident fund instituted by the University for the benefit of its officers, Teachers and other employees shall be governed by the provisions of the Provident Funds Act, 1925, as if such fund were a Government Provident Fund, and the Executive Council shall have the power to make regulations, not inconsistent with the provisions of this Act, for the administration of the fund. 19 of 1925.

By order of the Governor,

S. MAITRA,  
*Special Officer & ex officio*  
*Jt. Secy. to the Govt. of West Bengal.*