

The Bihar Combined Entrance Competitive Examination Act, 1995

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Act 15 of 1995

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The Bihar Combined Entrance Competitive Examination Act, 1995(Bihar Act 15 of 1995)Published in Bihar Gazette (extraordinary) dated 22.7.1995.An Act to provide for Combined Competitive Examination for entrance in graduate level vocational courses of the Universities, Colleges and Institutions in the State.Be it enacted by the Legislature of the State of Bihar in the Forty-sixth Year of the Republic of India as follows :-

1. Short title, extent and commencement.

(1)This Act may be called the Bihar Combined Entrance Competitive Examination Act, 1995.(2)It shall come into force from the date as the State Government by notification in the Bihar Gazette may appoint.(3)It shall extend to the whole of the State of Bihar.

2. Definitions.

- In this Act unless otherwise required in the context:(a)"Act" means the Bihar Combined Entrance Competitive Examination Act, 1995;(b)"Department" means the department referred to in the first schedule of the Rules of Executive Business, Bihar, 1979;(c)"Vocational Course" means a course in engineering, medical science, dentistry, pharmacy, veterinary science, agriculture science, fishery, dairy, forestry of the graduate standard and includes any other course of the same nature;(d)"University, College and Institute" means any University, College and Institute managed and maintained by the State Government;(e)"Board" means the Bihar Combined Competitive Entrance Examination Board constituted under the Act;(f)"Chairman" means a Chairman of the Bihar Combined Competitive Entrance Examination Board constituted under Act;(g)"Controller of Examination" means Controller of Examination appointed under the Act;(h)"Merit list" means a merit list prepared under the Act;(i)"Entrance" means entrance in vocational course of the

Universities, Colleges and Institutes on the basis of merit-cum-option from the merit list.

3. Admission in vocational courses.

(1) Notwithstanding anything to the contrary contained in any decision, decree, order of any court or in any Act, rule or circular, the admission in the first year of the graduate standard of Engineering, Medical Science, Dentistry, Pharmacy, Veterinary Science, Agriculture Science, Fisheries, Dairy, Forestry and other courses of same nature shall be made on the basis of the Combined Entrance Competitive Examination. (2) Nomination for the admission in the Universities, Colleges and Institutes within the State and outside the State where such nomination is required to be made by the State Government, shall be made on the basis of the Combined Entrance Competitive Examination.

4. The Board.

- The Bihar Combined Entrance Competitive Examination Board shall be a body corporate which shall have a perpetual succession and a common seal and it shall have the right to acquire the moveable and immovable properties and may sue and be sued in its name.

5. Constitution of Combined Entrance Competitive Examination Board.

- The State Government shall constitute the Combined Entrance Competitive Examination Board from time to time in the following manner:-(i) Member, Board of Revenue, Bihar - Chairman. (ii) Maximum two officers of the rank of Commissioner and Secretary, Secretary to be nominated by the State Government in Hindi alphabetical order from amongst Health, Medical Education and Family Welfare Department, Agriculture Department, Science and Technology Department, Animal Husbandry and Fisheries Department and Forest and Environment Department - Member. (iii) Maximum two State level Head of the Department to be nominated by the State Government in Hindi alphabetical order from amongst Health, Medical Education and Family Welfare Department, Agriculture Department, Animal Husbandry and Fisheries Department and Forest and Environment Department - Member. (iv) A Principal to be nominated by the State Government in Hindi alphabetical order from the Medical Colleges - Member. (v) A Principal to be nominated by the State Government in Hindi alphabetical order from the Government Engineering Colleges - Member. (vi) A Principal/Director to be nominated by the State Government in Hindi alphabetical order from the Principals of Colleges of Agriculture, Fisheries, Veterinary and Animal Husbandry, Agriculture Engineering and Forestry and the Director of the Institute of Sanjay Gandhi Dairy Technology - Member. (vii) Director, Department of Science & Technology - Member Secretary.

6. Powers and duties of the Board.

- The following shall be the powers and duties of the Board; (i) To conduct the Bihar Combined Entrance Competitive Examination; (ii) To take necessary decisions for the implementations of the provisions of the Act; (iii) To make regulation, with the prior permission of the State Government for

the implementation of the provisions of the Act;(iv)To make appointments and deputation of officers and employees in the Board;(v)To perform all functions relating to the fund, account and audit of the Board;(vi)To fix the sale price of the prospectus and application forms and determination of the Examination fees;(vii)To prescribe Courses of studies for the examination;(viii)Works relating to coding and decoding of Answer Books;(ix)To issue guidelines to the Controller of Examinations for the implementation of the provision of the Act and to have General Supervision and Control over his works.

7. Appointment of Controller of Examination.

(1)The State Government shall appoint an Officer of Indian Administrative Service in the Senior pay scale or higher pay scale as the Controller of Examination for the Combined Entrance Competitive Examination.(2)The tenure of the Controller of Examination shall be normally of one year minimum.

8. Functions of the Controller of Examination.

- The function of the Controller of Examination shall be the following :-(a)The setting of the question papers and printing of the question papers and answer books;(b)Selection of the Examination Centres;(c)Fair conduct of the Examination;(d)Despatch and receipt of question papers/answer books to and from the examination centres and their coding and decoding;(e)Evaluation of answer books;(f)Declaration of result of the Examination;(g)Sending recommendation for admission to Universities, Colleges and Institutes;(h)Safe custody of answer books;(i)Sanction and payment of expenditure for the works mentioned above in (a), (b), (c), (d), (e), (f), (g) and (h).

9. Information of Seats.

- The Controller of Examination shall obtain information every year regarding the available seats in different faculties and subjects in Universities, Colleges and Institutes to be filled by the Combined Entrance Competitive Examination.

10. Merit list.

- The Controller of Examination shall prepare a merit list of candidates in the prescribed manner in accordance with reservation policy of the State Government.

11. Admission.

- Admission in different faculties and subjects of vocational course shall be taken from the merit list on the basis of merit-cum-option.

12. Medical Examination of the Candidates.

(1)The Board may, as it thinks proper, require the Medical Examination of candidates from merit list to be done in the prescribed manner or require for the production of medical certificate of such candidates from the authorised practitioner.(2)The Controller of Examination shall recommend for admission of the candidates found fit in the medical test.

13. Funds and Accounts.

(1)The Bihar Combined Entrance Competitive Examination Board shall have fund in which the following shall be deposited:-(i)The sale-proceeds of Prospectus, Application Forms and other materials;(ii)The amount collected from different fees;(iii)The Grants received from time to time from the State Government, the Central Government and other sources;(iv)Other receipts.(2)The Board shall deposit its fund in any Nationalised or Co-operative Bank.(3)The Board shall furnish such statements, Accounts, Reports and other details as required by the State Government.(4)The Board may accept the grants, funds and aid from Central Government, any State Government or a Statutory body to fulfil its aims and objects.(5)The balance fund of examination conducted previously by the Health, Medical Education and Family Welfare Department, Animal Husbandry and Fisheries Department and Science and Technology Department of the State Government shall stand transferred to the Bihar Combined Entrance Competitive Examinations Board from the date, the Act comes into force.

14. Audit of Accounts.

(1)Every year the Board shall cause its fund, Income Expenditure and Accounts audited by the Accountant-General, Bihar or Auditors of the State Government or any Chartered Accountant.(2)The Board shall pay the cost of audit from its own fund.(3)The State Government, as it may deemed fit, cause the funds, Income Expenditure and Accounts of the Board to be audited by the Accountant-General, Bihar or any other agency.

15. Accounts Officer.

(1)There shall be an Accounts Officer of the Board, who shall be appointed by the Board with the prior approval of the State Government.(2)The Accounts Officer shall be responsible for preparation of the Budget and for maintenance of Accounts of the Board.(3)Accounts Officer shall make all the payments of amounts sanctioned by the Controller of Examination under section 8 of the Act.

16. Safe Custody of Answer Books.

- The answer books of the Combined Entrance Competitive Examinations shall be kept in safe custody for a period of one year from the date of the declaration of the result:Provided that if a case relating the examination is pending in a court, the answer book of the said examination shall be kept in safe custody till the disposal of the case.

17. Delegation of Powers.

- The Board may delegate any of its powers, conferred under the Act to any officer of the Board or authority subject to such terms and conditions as it may deem fit.

18. Power to make Rules.

- The State Government may by notification in the Official Gazette, make rules to carry out the provisions of the Act.

19. Removal of Difficulties

- For the removal of any difficulty arising in the implementation of the provisions of this Act the State Government may pass such orders as are not inconsistent with the provisions of this Act.