

# BIHAR SPORTS UNIVERSITY ACT, 2021

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## Act 21 of 2021

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An Act to establish and incorporate a Sports University in the name of Bihar Sports University in the State of Bihar with an objective to promote Sports Education in the areas of Physical Education, Sports Sciences, Sports Technology, Sports Management and Sports Coaching besides functioning as a High Level Research Training Centre for selected sports disciplines and for matters connected therewith or incidental thereto. Be it enacted by the Legislature of the State of Bihar in the seventy second year of the Republic of India as follows:

### 1. Short Title, Extent, and Commencement.—

(i) This Act may be called The Bihar Sports University Act, 2021. (ii) It shall extend to whole of the State of Bihar. (iii) It shall come into force on such date as the Government may, by notification in the official Gazette, specify.

### 2. Definitions.—

In this Act, unless the context otherwise requires: (i) “Academic and Activity Council” means the Academic and Activity Council of the University; (ii) “Academic Staff” means such categories of staff as are designated as academic staff by the Statutes; (iii) “Academic year” means the Academic year of the University as prescribed by the Statutes; (iv) “Affiliation” means affiliation granted by the University in accordance with the Statutes and Regulations made for the purpose; (v) “Affiliated Institution” means an Institution of higher learning in the field of Sports Education, Physical Education, Sports Management, Sports Coaching and other such programmes as affiliated by the University; (vi) “Autonomous Institutes” means such Institutes which have been declared autonomous by the University under the provisions prescribed in the relevant Statutes; (vii) “Chancellor” means the Chancellor of the University; (viii) “Chief Minister” means Chief Minister of Bihar; (ix) “College” means an Academic Institution established or maintained or admitted to the privileges of the University or maintained by the State Government; (x) “Department” means a Department of the University including Centre of Studies; (xi) “Employee” means any person appointed by the University; (xii) “Executive Council” means the Executive Council of the University; (xiii) “Faculty” means Faculty of the University as

defined by Statute;(xiv)“Finance Committee” means the Finance Committee of the University;(xv)“Fund” means the University Fund referred to in section 31;(xvi)“General Council” means the General Council of the University;(xvii)“Government” means the Government of Bihar;(xviii)“Head of the Department” means the Head of any teaching Department of the University;(xix)“Institution” means an Academic Institution, or College/ School/ Centre, maintained by, or admitted to the privileges of the University;(xx)“Misconduct” means a Misconduct prescribed by the Statutes;(xxi)“Notification” means a Notification published in the official Gazette;(xxii)“Outlying Campus” means the Campus of the University as may be established by it within the State of Bihar;(xxiii)“Principal” means the head of the College and includes, where there is no Principal, the person who is for the time being duly appointed to act as the Principal;(xxiv)“Professional Educational Courses in Sports” means education connected with holistic development of Sports, that needs special training or skill, and includes Sports Science and Medicine, Sports Technology, Sports Management and Sports Coaching, Interdisciplinary Studies, Yogic Science and other such relevant courses;(xxv)“Recognized Teachers” means such persons as are approved by the University for the purposes of imparting instruction in a College or an Institution admitted to the privileges of the University;(xxvi)“Regulations” means Regulations made by any Authority of the University under this Act for the time being in force;(xxvii)“School” means a School of Studies of the University;(xxviii)“Screening Committee” means the Committee as constituted under Section 11(3) of this Act;(xxix)“Self-Financing Institution” means those Institutions which are setup by a Trust or a Society and are self-financing;(xxx)“State” means the State of Bihar;(xxxi)“Statutes” and “Ordinances” mean, respectively, the Statutes and the Ordinances of the University for the time being in force;(xxxii)“Teachers of the University” means Professors, Associate Professors, Assistant Professors and such other persons as may be appointed for imparting instructions, training or conducting research in the University or in any Outlying Campus, College or Institution and other such maintained by the University and are designated as teachers by the Ordinances;(xxxiii)“University” means the Bihar Sports University established and incorporated as a University under this Act;(xxxiv)“University Grants Commission” means the Commission established under Section-4 of the University Grants Commissions Act, 1956 (Central Act 3 of 1956).(xxxv)“Vice-Chancellor” means the Vice-Chancellor of the University; and(xxxvi)The words and expressions used herein and not defined in the Act shall have the same meaning respectively assigned to them in the Act(xix)“Institution” means an Academic Institution, or College/ School/Centre, maintained by, or admitted to the privileges of the University;(xx)“Misconduct” means a Misconduct prescribed by the Statutes;(xxi)“Notification” means a Notification published in the official Gazette;(xxii)“Outlying Campus” means the Campus of the University as may be established by it within the State of Bihar;(xxiii)“Principal” means the head of the College and includes, where there is no Principal, the person who is for the time being duly appointed to act as the Principal;(xxiv)“Professional Educational Courses in Sports” means education connected with holistic development of Sports, that needs special training or skill, and includes Sports Science and Medicine, Sports Technology, Sports Management and Sports Coaching, Interdisciplinary Studies, Yogic Science and other such relevant courses;(xxv)“Recognized Teachers” means such persons as are approved by the University for the purposes of imparting instruction in a College or an Institution admitted to the privileges of the University;(xxvi)“Regulations” means Regulations made by any Authority of the University under this Act for the time being in force;(xxvii)“School” means a School of Studies of the

University;(xxviii)“Screening Committee” means the Committee as constituted under Section 11(3) of this Act;(xxix)“Self-Financing Institution” means those Institutions which are set- up by a Trust or a Society and are self-financing;(xxx)“State” means the State of Bihar;(xxxi)“Statutes” and “Ordinances” mean, respectively, the Statutes and the Ordinances of the University for the time being in force;(xxxii)“Teachers of the University” means Professors, Associate Professors, Assistant Professors and such other persons as may be appointed for imparting instructions, training or conducting research in the University or in any Outlying Campus, College or Institution and other such maintained by the University and are designated as teachers by the Ordinances;(xxxiii)“University” means the Bihar Sports University established and incorporated as a University under this Act;(xxxiv)“University Grants Commission” means the Commission established under Section-4 of the University Grants Commissions Act, 1956 (Central Act 3 of 1956).(xxxv)“Vice-Chancellor” means the Vice-Chancellor of the University; and(xxxvi)The words and expressions used herein and not defined in the Act shall have the same meaning respectively assigned to them in the Act.

### **3. Incorporation.—**

(i)With an effect from such date as the Government may, by notification in the official Gazette, appoint, there shall be established a University by the name of Bihar Sports University comprising the Chancellor and the Vice- Chancellor, the first members of the General Council, the Executive Council and the Academic and Activity Council of the University and all such persons as may hereafter be appointed to such office or as members so long as they continue to hold such office or membership;(ii)The University shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may by the said name sue or be sued;(iii)The headquarter of the University shall be located at Rajgir, in the State of Bihar;

### **4. Jurisdiction.—**

(i)The jurisdiction of the University shall extend to the whole of the State of Bihar;(ii)Affiliating University for Institutions set up in Government and in private sector in the field of Physical Education, Sports Sciences, Sports Technology, Sports Management, etc. and to set up faculties in the field of Sports Education and Management;(iii)All the Sports Education oriented Institutions established by the Government and constituent to the existing Universities of the State or to be established in future imparting Physical Education, Sports Sciences, Sports Technology, Sports Management, etc. shall be eligible for affiliation with the University from such date as the Government may, by notification in the official Gazette appoint, and in the manner prescribed by the Statutes or Ordinances or Regulations made in this regard;(iv)Notwithstanding anything contained in any other State laws for the time being in force, Institutions as may be specified by the State Government, by notification in the Official Gazette, imparting Physical Education, Sports Sciences, Sports Technology, Sports Management, etc. and affiliated by any other University established by law of the State Legislature shall cease to be affiliated from the University to which such Institutions have been affiliated and such Institutions shall be deemed to be affiliated to the University from such date as specified in the said notification;(v)The University may impose such

terms and conditions upon the Institutions as it may consider necessary, conducive or incidental to the attainment of all or any of the objects of the University and then grant affiliation;(vi)Existing Institutions set up by a Trust or a Society as a Self-Financing Institution imparting Physical Education, Sports Sciences, Sports Technology and Sports Management, etc. will be at liberty to get affiliated with the University. The University may consider and grant conditional affiliation subject to fulfillment of conditions laid down under the Statutes, Ordinances and Regulations made in this regard.(vii)The State Sports Academy, Rajgir shall be a part of the Bihar Sports University.

## **5. The Objectives of the University shall be.— The objectives of University shall be as follows:-**

(i)To make Bihar a sporting power;(ii)To create a platform for research and development and dissemination of knowledge by providing specially designed academic and training programmes in various areas of Physical Education and Sports Sciences, Modern Sports and training in advanced technologies of sports;(iii)To create a pool of high-level Physical Education Teachers for the holistic development of Sports and Physical Education;(iv)To create a pool of high-level Sports Professionals and Sports Technical Experts;(v)Work as a think tank for the development of Bihar Sports Policy, Sports Planning, Sports Activities, etc.:(vi)To strengthen Physical Education, Sports Sciences, Sports Technology, Sports Management and Sports Coaching including traditional as well as national level games;(vii)To provide national and international collaboration in the fields of Physical Education and Sports Sciences, Sports Technology and high-performance training for all sports and games;(viii)To establish close linkage with sports academies, schools, colleges, sports and recreation clubs, Sports Associations and International Federations for the purposes of teaching, training and research in Physical Education and Sports Sciences, Sports Technology and high-performance training for all sports and games;(ix)To prepare qualified professionals in the fields of Physical Education and Sports Sciences, Sports Technology and high-performance training for all sports and games;(x)To serve as a Centre of Excellence for the elite and other talented sports persons of all sports and games and innovation in Physical Education, Sports Technology, Sports Sciences, etc. and to carry out, endorse and propagate research;(xi)Such other objects, not inconsistent with the provisions of this Act, which the State Government may, by notification in the official Gazette, specify in this behalf.

## **6. The University shall have the following Powers and Functions, namely.—**

(i)To administer and manage the University and to establish such Institutes for education, training, instruction and research as are necessary for the furtherance of the objectives of the University;(ii)To establish and maintain Institutions;(iii)To establish, maintain or recognize Study Centers in the manner laid down by the Statutes;(iv)To provide for instruction, training and research in such branches of knowledge or learning pertaining to Physical Education, Health and applied Sports Sciences, Sports Technology, Sports Management and allied areas;(v)To plan, design, develop and prescribe courses of study and conduct appropriate academic and training programmes in Physical Education, Sports Sciences, Sports Technology, Sports Management, etc. and to provide for instruction and training in such branches of learning as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination of

knowledge;(vi)To grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on, persons, on the basis of examinations, evaluation or any method of testing, and to withdraw any such certificates, diplomas, degrees or other academic distinctions for good and sufficient cause;(vii)To conduct innovative experiments and promote new methods and technologies in the fields of Physical Education, Sports Sciences, Sports Medicine, Sports Technology, Sports Management and other related fields;(viii)To start any new allied course or research programme or diploma or training programme and discontinue any course or training programme;(ix)To provide training, coaching and other back up to high level sports persons for achieving success in different national and international sports competitions;(x)To provide for the preparation of instructional and training materials, including films, cassettes, tapes, video cassettes and other software;(xi)To organize and conduct refresher courses, workshops, seminars and other programmes for teachers, evaluators, other academic staff and students;(xii)To establish and maintain, with the prior approval of the Chancellor, such Outlying Campuses, specialized laboratories or other units for research, instruction and training as are, in the opinion of the University, necessary for the furtherance of its objects;(xiii)To confer honorary degrees or other distinctions in the manner prescribed by the Statutes and to institute and to award;(xiv)To institute Principalships, Professorships, Associate Professorships, Assistant Professorships and other teaching or academic positions, required by the University and to appoint persons to such Principalships, Professorships, Associate Professorships, Assistant Professorships or other teaching or academic positions;(xv)To appoint persons working in any University or Academic Institution, including those located outside the country, as teachers of the University for a specified period;(xvi)To create administrative and other posts and to make appointments thereto;(xvii)To appoint on contract or otherwise visiting Professors, Emeritus Professors, Consultants and such other persons who may contribute to the advancement of the objects of the University;(xviii)To demand and receive payment of fees and other charges;(xix)To lay down conditions of service of all categories of employees, including their code of conduct;(xx)To receive benefactions, donations and gifts and to acquire, hold and manage, and to dispose of, with the previous approval of the State Government, any property, movable or immovable, including trust and endowment properties, for the purposes of the University;(xxi)To sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit, consistent with the interest, activities and objects of the University. Provided in case of immovable properties prior sanction of the State Government is taken.(xxii)To purchase or to take on lease any land or building or sports complex or sports infrastructure and scientific sports research equipment or indoor stadium or works which may be necessary or convenient for the purposes of the University, on such terms and conditions as it may think fit and proper and to construct, alter and maintain any such building or work;(xxiii)To give effect to the procedures and standards provided under the Khelo India Scheme or the National Sports Talent Search and Identification Scheme;(xxiv)To confer autonomous status on a College or an Institution in the manner laid down by the Statutes;(xxv)To admit to its privileges any Institution in or outside India subject to such conditions as may be laid down by the Statutes: provided that no Institution shall be so admitted except with the prior approval of the State Government;(xxvi)To recognize persons for imparting instructions in any Institution admitted to the privileges of the University;(xxvii)To provide opportunities to students of the University to participate in the sports tournaments and competitions in co-ordination with established International Sports Federations,

National Sports Federations, Indian Olympic Association and Association of Indian Universities among others;(xxviii)To have liaison or membership with various national and international professional organizations or bodies;(xxix)To act as a technical advisory body to the State Government and other level Organizations and National Sports Federations on all matters related to sports; and(xxx)To do all such other acts and things as may be necessary, incidental, or conducive to the attainment of all or any of its objects.

## **7. University shall be open to all irrespective of Sex, Gender, Caste, Creed, Race or Class.—**

The University shall be open to all persons irrespective of sex, caste, creed, race 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 to hold any office therein or be admitted as a student in the University or to graduate there at or to enjoy or exercise any privilege thereof;Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, persons with physical disabilities or persons belonging to socially and educationally backward classes of the society or for the Scheduled Castes or the Scheduled Tribes.

## **8. Reservation in Admission.—**

Without affecting the provisions of vertical reservations, as applicable from time to time for admission in the Educational Institutions in the State of Bihar, one-third of total seats of all the courses and categories in each Institution and Colleges affiliated with the University shall be horizontally reserved for admission of women candidates.Provided that this benefit shall be available only to the women domiciled in the State of Bihar. In the absence of eligible women candidates, the vacant seat in the same academic session shall be filled up by the male candidates from the relevant category (reserved/unreserved). For the implementation in these provisions, the Government may issue orders as required from time to time9. The Chancellor.—(i)The Chief Minister of Bihar, by virtue of his/her office, shall be the Chancellor of the University;(ii)The Chancellor, when present, shall preside over the convocations of the University and the meetings of the General Council;(iii)The Chancellor shall have the right to cause an inspection , to be made by such person or persons as he may direct, of the University, a an Institution affiliated by the University, their buildings, laboratories and equipment, and also of the examination, teaching and other work conducted or done by the University, Institution, as the case may be, and to cause an inquiry or to be made in the like manner in respect of any matter connected with the administration or finances of the University, Institution, as the case may be;(iv)The Chancellor shall, in every case, give notice to the University or to the Institutions of his intention to cause an inspection or inquiry to be made and the University or the Institutions, as the case may be, shall, on receipt of such notice, have the right to make such representation to the Chancellor, as it may consider necessary, within such period as specified in the notice;(v)After considering the representation, if any, made by the University or the Institution, Chancellor may cause to be made such inspection or inquiry as is referred to in sub-section (iii);(vi)Where an inspection or inquiry has been caused to be made by the Chancellor, the University shall be entitled to appoint a representative who shall have the right to be

present and be heard at such inspection or inquiry;(vii)The Chancellor may address the Vice-Chancellor with reference to the result of such inspection or inquiry as is referred to in sub-section (iii) and the Vice Chancellor shall communicate to the Executive Council the views of the Chancellor with such advice as the Chancellor may be pleased to offer upon the action to be taken thereon;(viii)The Chancellor may, if the inspection or inquiry is made in respect of any Institution affiliated to the University, address the Executive Council concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his/her views thereon and such advice as he/she may be pleased to offer upon the action to be taken thereon;(ix)The Executive Council shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it proposes to take or has been taken by it upon the result of such inspection or inquiry;(x)Where, the Executive Council as the case may be, does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council issue such directions as he may think fit and the Executive Council shall comply with such directions;(xi)Without prejudice to the foregoing provisions of this section, the Chancellor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Regulations; Provided that before making any such order, the Chancellor shall call upon the Registrar to show cause as to why such an order should not be made, and if any cause is shown within a reasonable time, he/she shall consider the same;(xii)In case of differences amongst the authorities or officers of the University on any matter which cannot be otherwise resolved the decision of the Chancellor shall be final;(xiii)The Chancellor shall have all such other powers as may be prescribed by the Statutes and Regulations.

## **10. Officers of University.—**

The following shall be the officers of the University, namely:—(i)The Vice-Chancellor;(ii)The Dean;(iii)The Registrar;(iv)The Finance Officer;(v)The Controller of Examinations;(vi)Such other officers as may be declared by the Statutes to be the officers of the University.

## **11. The Vice-Chancellor.—**

(i)The Vice-Chancellor shall be a scholar of repute having wide experience in the field of Sports Administration and/or Sports Management and/or an Eminent Sports Person of International repute and shall possess adequate experience in Human Resource Development;(ii)The Vice Chancellor shall be appointed by the Chancellor from a panel of not less than three persons recommended (the names being arranged in the alphabetical order) by Screening Committee constituted under provisions of the Act. Provided that if the Chancellor does not approve of any of the persons so recommended, he/she may call for the fresh recommendations;(iii)The Screening Committee referred to in sub-section (2) shall consist of three members of whom one shall be nominated by the Chancellor, one by the Executive Council, and one by the Department of Art, Culture and Youth, Government of Bihar. The member nominated by Department of Art, Culture and Youth, Government of Bihar shall be the convener of the Committee;(iv)Provided that none of the members of the Committee shall be an employee of the University; provided further, that the panel shall be prepared from out of candidates who submit their curriculum vitae or is sponsored by some reputed persons or Institutions in the field of Sports;(v)The first Vice Chancellor shall be

appointed by the Government till the sub-section (3) becomes operational;(vi)The Vice Chancellor shall hold office for the term of three years from the date on which he/she enters upon his office; Provided that the Chancellor may require the Vice-Chancellor after the term has expired, to continue in office for such period, not exceeding a total period of one year as may be specified; Provided also that the maximum age limit for continuance upon the office of the Vice Chancellor will be seventy-five years;(vii) The emoluments and other conditions of service of the Vice Chancellor shall be as prescribed by Statutes;(viii)If the office of the Vice Chancellor becomes vacant due to death, resignation or otherwise or if he/she is unable to perform his/her duties due to ill health or any other cause, the Chancellor shall have the authority to designate any eminent person to perform the functions of the Vice Chancellor until the new Vice Chancellor assumes his/her office or until the existing Vice Chancellor attends to the duties of his/her office, as the case may be.

## **12. Powers, Duties and Function of the Vice -Chancellor.—**

(i)The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University;(ii)The Vice-Chancellor may, if he/she is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority at its next meeting the action taken by him/her on such matter;Provided that such exercise of power shall be made only in emergent situations and in no case in respect of creation, and up gradation of posts and appointments thereto;Provided further that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor whose decision thereon shall be final;Provided also that if any person in the service of the University who is aggrieved by the actions taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Chancellor within three months from the date on which decision on such action is communicated to him and there upon the Chancellor may confirm, modify or reverse the action taken by the Vice-Chancellor;(iii)The Vice-Chancellor, if he/she is of the opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act, the Statutes, or any decision taken is not in the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Chancellor whose decision thereon shall be final;(iv)The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the Statutes;(v)The Vice-Chancellor shall be the Chairperson of the Executive Council, Finance Committee, Academic and Activity Council of the University;(vi)The Vice-Chancellor shall, in the absence of the Chancellor, preside at any convocation of the University and shall preside at the meeting of the Executive council, Academic Council and the Finance Committee.

## **13. Removal of the Vice-Chancellor.—**

(i)If at any time and after such enquiry as may be considered necessary, it appears, to the Chancellor that the Vice-Chancellor-(a)Has failed to discharge any duty imposed upon him, by, or under this



Act, the Statutes, or (b) Has acted in a manner prejudicial to the interests of the University, or (c) Has been incapable of managing the affairs of the University; The Chancellor may, notwithstanding the fact that the term of office of the Vice-Chancellor has not expired, require the Vice-Chancellor, by an order in writing stating the reasons thereof, to resign from his/her post from the date as may be specified in the order; (ii) No orders under sub-section (i) shall be passed unless a notice stating the specific grounds on which such action is proposed has been served and a reasonable opportunity to show cause against the proposed order has been given to the Vice-Chancellor; (iii) On and from the date specified in sub-section (i), it shall be deemed that the Vice-Chancellor has resigned from the post and office of the Vice-Chancellor shall be deemed vacant.

#### **14. The Dean.—**

Every Dean shall be appointed in such manner, and on such terms and conditions of service, and shall exercise powers and perform duties, as may be prescribed by the Statutes.

#### **15. The Registrar.—**

(i) The Registrar shall be appointed in such manner, and on such terms and conditions of service, as may be prescribed by the Statutes. However the first Registrar of the University shall be appointed by the State Government and shall hold office for a term of three years; (ii) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University, and shall exercise such powers and perform such duties, as may be prescribed by the Statutes.

#### **16. The Finance Officer.—**

The Finance Officer shall be appointed in such manner and on such terms and conditions of service, and shall exercise powers and perform duties, as may be prescribed by the Statutes. However, the first Finance Officer of the University shall be appointed by the Government and shall hold office for a term of three years or till the appointment of the Finance Officer as prescribed by the Statutes, whichever is earlier.

#### **17. The Controller of Examinations.—**

The Controller of Examination shall be appointed in such manner and on such terms and conditions of service, and shall exercise powers and perform duties, as may be prescribed by the statutes. However, the first Examination Controller shall be appointed by the Government and shall hold office for a term of three years or till the appointment of the Examination Controller, as prescribed by the Statutes, whichever is earlier.

## **18. Other Officers.—**

The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.

## **19. The following shall be the Authorities of the University, namely.—**

(i)The General Council;(ii)The Executive Council;(iii)The Academic and Activity Council;(iv)The Board of Affiliation;(v)The Finance Committee;(vi) Such other authorities as may be declared by the Statutes to be the Authority of the University.

## **20. The General Council.—**

(i)The General Council shall consist of following members.—(a)The Chancellor, who shall be the Chairperson;(b)The Minister, Department of Art, Culture and Youth, Government of Bihar- who shall be the Vice Chairperson;(c)The Minister – Department of Finance, Government of Bihar;(d)The Minister – Department of Education, Government of Bihar;(e)The Vice-Chancellor;(f)The Chief Secretary, Government of Bihar;(g)Additional Chief Secretary/Principal Secretary/Secretary- Department of Education, Government of Bihar;(h)Additional Chief Secretary/Principal Secretary/Secretary-Department of Finance, Government of Bihar;(i)Additional Chief Secretary /Principal Secretary/Secretary - Department of Art, Culture and Youth, Government of Bihar;(j)Director General, Bihar State Sports Authority, Patna;(k)The Registrar;(l)Director, Student and Youth Welfare; Department of Art, Culture and Youth; Government of Bihar;(m)Director, Higher Education, Department of Education, Government of Bihar;(n)Director, State Sports Academy, Rajgir, Nalanda, Bihar;(o)Representative of Sports Authority of India, New Delhi, not below the rank of Joint Secretary;(p)Two eminent Sports Persons of International repute;(ii)Terms and Conditions.—(a)Where a person has become a member of the General Council by reason of the office or appointment he/she holds, his/her membership shall terminate when he/she ceases to hold that office or appointment;(b)The term of office of the nominated members of the General Council other than the ex officio members shall be three years;(c)A member of the General Council shall cease to be a member if he/she resigns or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude. A member, other than the Vice-Chancellor and Registrar shall also cease to be a member if he/she accepts a full-time appointment in the university; or if he/she not being an ex-officio member fails to attend three consecutive meetings of the General Council without the leave of the Chancellor;(d)A member of the General Council other than an ex-officio member may resign from office by a letter addressed to the Chancellor and such resignation shall take effect as soon as it has been accepted; and(e)Any vacancy in the General Council shall be filled by nomination by the respective nominating authority for the remaining period of the term and on expiry of the period of the vacancy; such nomination shall cease to be effective;(iii) Subject to the provisions of this Act, the General Council shall have the following powers and functions, namely.—(i)The General Council shall be the plenary authority of the University and shall formulate and review from time to time the broad policies and programmes of the University and devise measures for the improvement and development of the University and shall also have the following powers and

functions namely:-(a)To consider and pass the Annual Report, Financial Statement and the Budget Estimates prepared by the Executive Council and to adopt them with or without modification;(b)To make the Statutes concerning the administration of the affairs of the University including prescribing the procedures to be followed by the authorities and the officers of the University in discharge of their functions and duties;(ii)(a)The General Council shall meet at least once in a year and Annual Meeting of the General Council shall be held on a date fixed by the Chancellor;(b)A report on the working of the University during the previous year, together with a statement of receipts and expenditure, the balance sheet as audited, and the financial estimates shall be presented by the Vice-Chancellor to the General Council at its Annual Meetings;(c)Meetings of the General Council shall be called by the Chancellor either on his/her own motion or at the requisition of not less than ten members of the General Council;(d)For every meeting of the General Council, a prior notice of fourteen days shall be given, however in emergent situations the meeting of the General Council may be called by the Chancellor at short notice;(e)One third of the members existing on the rolls of the General Council shall form the quorum;(f)Each member shall have one vote and if there be equality of votes on any question to be determined by the General Council, the person presiding over the meeting shall, in addition, have a casting vote.(g)The Chairperson of the General Council in his/her absence shall delegate his/her powers to the Vice-Chairperson of the General Council.

## **21. The Executive Council and its Terms and Conditions.—**

(i)The Executive Council shall be the principal executive body of the University;(ii)The Executive Council shall consist of the following persons namely:(a)The Vice-Chancellor, who shall be the Chairperson;(b)Additional Chief Secretary /Principal Secretary/Secretary- Department of Education, Government of Bihar, or his/her representative not below the rank of Joint Secretary;(c)Additional Chief Secretary /Principal Secretary/Secretary- Department of Finance, Government of Bihar, or his/her representative not below the rank of Joint Secretary;(d)Additional Chief Secretary /Principal Secretary/Secretary - Department of Art, Culture and Youth, Government of Bihar or his/her representative not below the rank of Joint Secretary;(e)Director, Student and Youth Welfare, Department of Art, Culture and Youth, Government of Bihar;(f)Director, Higher Education, Department of Education, Government of Bihar;(g)The Registrar;(h)Representative of State Sports Academy, Rajgir, not below the rank of Deputy Director;(i)Director-cum-Secretary, Bihar State Sports Authority;(j)Three teachers to be nominated by the Chancellor of whom, one shall be from amongst Heads of Department, one from Professors and one from Associate Professors by rotation for a period of one year each from different Departments of University;(iii)Terms and Conditions.—(a)Where a person has become a member of the Executive Council by reason of the office or appointment he/she holds, his/her membership shall terminate when he/she ceases to hold that office or appointment;(b)The term of office of the nominated members of the Executive Council other than ex officio members shall be three years;(c)A member of the Executive Council shall cease to be a member, if he/she resigns or becomes of unsound mind or becomes insolvent or is convicted of a criminal offence involving moral turpitude. A member other than the Vice-Chancellor shall also cease to be a member if he/she accepts a full-time appointment in the University;(d)A member of the Executive Council other than an ex-officio member may resign his/her office by a letter addressed to the Vice-Chancellor and such resignation

shall take effect as soon as it has been accepted by him/her;(e)Any vacancy in the Executive Council shall be filled by nomination by the respective nominating authorities for the remaining period of the term.(iv)Powers, Functions and Meetings of the Executive Council.—(a)The Executive Council shall be the Chief Executive Authority of the University and as such shall have all powers necessary to administer the University subject to the provisions of this Act and the Statutes made there under, and may make Regulations for that purpose and also with respect to matters provided hereunder.(b)The Executive Council shall have the following powers and functions:(i)To prepare and present the following to the General Council at its Annual Meetings: -I. A report on the working of the University;II. A statement of accounts; andIII. Budget proposals for the ensuing academic year.(ii)To manage and regulate the finances, accounts, investments, properties, business and all other administrative affairs of the University and for that purpose, constitute committees and delegate the powers to such committees or such officers of the University as it may deem fit;(iii)To transfer or accept transfers of any movable or immovable property on behalf of the University;(iv)To enter into, vary, carry out and cancel contracts on behalf of the University and for that purpose to appoint such officers as it may think fit;(v)To provide buildings, premises, furniture and apparatus and other means needed for carrying out the work of the University;(c)To entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the students and the employees of the University;(d)To create administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify the minimum qualifications for appointment to such posts on such terms and conditions of service as may be prescribed by the Regulations made in this behalf;(e)To appoint examiners and moderators, and if necessary to remove them and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;(f)To select a common seal for the University; and(g)To exercise such other powers and to perform such other duties as may be considered necessary or imposed on it by or under this Act.(V)(a)The Executive Council shall meet at least once in four months and a prior notice of fourteen days shall be given for such meetings;(b)The meeting of the Executive Council shall be called by the Registrar under instructions of the Vice-Chancellor or at the request of not less than five members of the Executive Council;(c)One half of members of the Executive Council shall form the quorum at any meeting;(d)In case of difference of opinion among the members, the opinion of the majority shall prevail;(e)Each member of the Executive Council shall have one vote and if there be equality of votes on any question to be determined by the Executive Council, the Chairperson of the Executive Council or as the case may be, the member presiding over that meeting shall, in addition, have a casting vote;(f)Every meeting of the Executive Council shall be presided over by the Vice-Chancellor and in his/her absence by a member chosen by the members present;(g)If an urgent action by the Executive Council becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation of papers to the members of the Executive Council. The decisions so taken shall not be valid unless passed by a simple majority. Such decisions shall be forthwith intimated to all the members of the Executive Council. In case the Executive Council fails to take a decision the matter shall be referred to the Chancellor whose decision shall be final.

## **22. The Academic and Activity Council.—**

(i)The Academic and Activity Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Regulation, co-ordinate and exercise

generalsupervision over the academic policies of the University;(ii)The Academic and Activity Council shall consist of the following persons namely:(a)The Vice-Chancellor who shall be the Chairperson;(b)Dean of Faculties;(c)Director, Student and Youth Welfare, Department of Art, Culture and Youth, Government of Bihar;(d)Director, Higher Education, Department of Education, Government of Bihar;(e)Representative from State Sports Academy, Rajgir, Nalanda (not below the rank of Deputy Director);(f)Nominee of Indian Olympic Association;(g)Four members of the teaching staff; one each respectively representing the Professor, Associate and Assistant Professors of University Departments of Sports/other Physical Education Colleges nominated by the Vice-Chancellor for the terms specified;(h)Three persons from amongst sports persons of repute or men of letters or members of the learned profession or eminent public men, nominated by the Chancellor;(iii)The term of members other than ex-officio members and those whose term is specified by the clause (h) of sub-section (ii) shall be three years;(a)Subject to the provisions of the Act, Statutes and Regulations and overall supervision of the Executive Council, Academic and Activity Council shall manage the academic affairs and activity of the University and in particular shall exercise and perform the following powers and functions namely:I. To promote research under the University and to require from time to time, reports on such research;II. To consider proposals submitted by the faculties;III. To recommend stipends, scholarships, medals and prizes and to make other awards in accordance with the Regulations and such other conditions as may be attached to the awards;IV. To approve the syllabus of the prescribed courses of Study;V. To approve or revise lists of prescribed or recommended text books and to publish the same and syllabus of the prescribed courses of study;VI. To perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the Regulations made thereunder;VII. To report on any matter referred or delegated to it by the General Council or the Executive Council;VIII. To make recommendations to the Executive Council with regard to the creation, abolition or classification of posts in the University and the emoluments payable and the duties attached thereto;IX. To formulate and modify or revise schemes for the organization of the faculties, and to assign to such faculties their respective subjects and also to report to the Executive Council as to the expediency of the abolition or sub-division of any faculty or the combination of one faculty with another;X. To suggest policies for admissions to the University;XI. To recommend recognition of degrees of other Universities and Institutions and to determine their equivalence in relation to the certificates, diplomas and degrees of the University;XII. To fix subject to any conditions accepted by the General Council, the time, mode and conditions of competition for Fellowships, Scholarships and other prizes and to recommend for the award of the same;XIII. To make recommendations to the Executive Council in regard to the appointment of examiners and if necessary, their removal and fixation of their fees, emoluments and travelling and other expenses;XIV. To recommend arrangements for the conduct of examinations and dates for holding them;XV. To declare or review the result of the various examinations or to appoint committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees, honours, licenses, titles and marks of honours;XVI. To approve such forms and registers as are from time to time, required by the Regulations;(b)The Academic and Activity Council shall meet as often as may be necessary, but not less than two times during an academic year as defined in Statute;I. One half of the existing members of Academic and Activity Council shall form the quorum for a meeting of the Academic and Activity Council;II. In case of difference of opinion among the members, the opinion of the majority shall prevail;III. Each

member of the Academic and Activity Council, including the Chairperson of Academic and Activity Council, have one vote and if there be an equality of votes on any question to be determined by the Academic and Activity Council, the Chairperson of the Academic and Activity Council, or as the case may be, the member presiding over the meetings, shall in addition, have a casting vote; IV. Every meeting of the Academic and Activity Council shall be presided over by the Vice Chancellor and in his/her absence by a member shall be chosen in the meeting to preside on the occasion; V. If an urgent action by the Academic and Activity Council becomes necessary, the Chairperson of the Academic and Activity Council may permit the business to be transacted by the circulation of papers among the members of the Academic and Activity Council. The decision taken shall not be valid unless passed by a simple majority. The decision so taken shall forthwith be intimated to all the members of the Academic and Activity Council. In case the Academic and Activity Council fails to take decision the matter shall be referred to the Chancellor whose decision shall be final; (c) All matters pertaining to Statutes, Regulations, Rules and other relevant decisions of the Academic and Activity Council shall be communicated to the General Council through the Executive Council.

### **23. The Board of Affiliation.—**

(i) The Board of Affiliation shall be responsible for affiliating Institutions to the University; (ii) The constitution of the Board of Affiliation, the term of office of its members and its functions shall be prescribed by the Statutes.

### **24. The Finance Committee.—**

The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

### **25. Other Authorities of University.—**

The Constitution, powers and functions of other Authorities, as may be declared by the Statutes to be the authorities of the University, shall be prescribed by the Statutes.

### **26. Power to make the Statutes.—**

Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely: (i) The constitution, powers and functions of Authorities and other bodies of the University, as may be constituted from time to time; (ii) The appointment and continuance in office of members of the said authorities and bodies, filling up of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide; (iii) The appointment, powers and duties of the officers of the University and their emoluments; (iv) The appointment of teachers, academic staff and other employees of the University, the emoluments and conditions of service; (v) The appointment of teachers and academic staff working in any other University or organization for a specific period for undertaking a joint project; (vi) The conditions of service of employees including provisions for pension, insurance, provident fund, the manner of

termination of service and disciplinary action;(vii)The principles governing the seniority of service of the employees of the University;(viii)The procedure for arbitration in cases of dispute between employees or students and the University;(ix)The procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;(x)The conferment of autonomous status of an Institution or a Department;(xi)The establishment and abolition of Institutions and Departments;(xii)The conferment of honorary degrees;(xiii)The conferment and withdrawal of degrees, diplomas, certificates and other academic distinctions;(xiv)The management of Colleges, Institutions, Study Centres and Outlying Campuses established and maintained by the University;(xv)The delegation of powers vested in the authorities or officers of the University;(xvi)The maintenance of discipline among the employees and students;(xvii)The Institution of fellowships, scholarships, studentship, medals and prizes and other incentives; the delegation of powers vested in the authorities or the officers of the University;(xviii)The constitution of pension or provident fund and the establishment of an insurance scheme for the benefit of the employees of the University;(xix)The principles governing the seniority of employees of the University; and(xx)All other matters which by this Act are to be, or may be, provided for by the Statutes and Regulations.

## **27. Statutes, how to be made.—**

(i)The first Statute shall be made by the Government on the recommendation of General Council;(ii)The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal any Statutes referred to in sub-section (i);Provided that the Executive Council shall not make, amend or repeal any Statutes 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 proposed changes, and any opinion so expressed shall be considered by the Executive Council;(iii)Every new Statutes or Statutes amending or repealing existing Statutes shall require the approval of the Chancellor, who may assent thereto or withhold his assent or remit it to the Executive Council for reconsideration;Provided that if there be any financial implication which may arise under the Statute, it shall not be enforceable unless prior approval of the State Government has been obtained.

## **28. Regulation.—**

The authorities of the University may make Regulations consistent with this Act, and the Statutes, in the manner prescribed by the Statutes for the conduct of their own business and that of the committees, if any, appointed by them and not provided for by this Act, the Statutes and for such matters as may be prescribed by the Statutes, provided that if there be any financial implication which may arise under the regulation, it shall not be enforceable unless prior approval of the State government has been obtained.29. Annual Report.—(i)The Annual Report of the University shall be prepared under the directions of Executive Council, which shall include, among other matters, the steps taken by the University towards the fulfillment of its objects and shall be submitted to the General Council on or before such date as may be prescribed by the Statutes and the General Council shall consider the Report in its Annual Meeting;(ii)The General Council shall submit the Annual Report to the Chancellor along with its comments, if any;(iii)A copy of the Annual Report, as

prepared under sub-section (i), shall also be submitted to the Government.

### **30. Annual Accounts and Audit.—**

(i)The annual accounts and balance-sheet of the University shall be prepared under the directions of the Executive Council at least once every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or by such persons as he/she may authorize in his/her behalf;(ii)A copy of the annual accounts together with the audit report thereon shall be submitted to the General Council and the Chancellor through the Government, along with observations if any of the Executive Council;(iii)Any observation made by the Chancellor on the annual accounts shall be brought to the notice of the General Council and the observations of the General Council, if any, shall, after being considered by the Executive Council, be submitted to the Chancellor;(iv)A copy of the annual accounts together with the audit report, as submitted to the Chancellor, shall also be submitted to the Government.

### **31. Funds of the University.—**

(i)The University shall have general fund to which the following shall be credited:—(a)Its Income from fees, grants, donation and gifts if any;(b)Any contribution or grant made by national/international agencies, the Central Government, University Grant Commission, All India Council for Sports Education or like authority, any local authorities or any corporation owned or controlled by the Government and;(c)Endowments and other receipts;(ii)The University may have such other funds as prescribed in the Statutes;(iii)The fund and all moneys of the University shall be maintained in such a manner as may be prescribed by the Statutes;(iv)The Government may, every year, provide Grant-in Aid to facilitate and promote studies and research and for carrying out the objectives of the University.

### **32. Furnishing of Returns.—**

The University shall furnish to the State Government such returns or other information with respect to its property or activities, within such period, as the State Government may, from time to time, require.

### **33. Condition of Service of Employees, etc. .—**

The condition of the service of the officers and staff and other employees of the University shall be as specified by the Statutes and Regulations.

### **34. Right to Appeal.—**

Every employee or student of the University or of a College or an Institution or a Study Centre established or maintained by the University shall, notwithstanding anything contained in this Act, have a right to appeal within such time, as may be prescribed by the Statutes to the Chancellor



against the decision of any officer or authority of the University, or of the Principal or the Management of any College or Institution or Study Centre, as the case may be, and thereupon, the Chancellor may confirm, modify or reverse the decision appealed against.

### **35. Provident and Pension Funds.—**

The University shall constitute for the benefit of its employee such provident fund or pension fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes in consultation with the Government.

### **36. Disputes as to Constitution of Authorities and Bodies.—**

If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

### **37. Filling of Casual Vacancies.—**

All casual vacancies among the members (other than ex officio members) of any Authority or other body of the University shall be filled, as soon as may be, by the person or body who appoints, elects or co-opts the member whose place has become vacant and the persons appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he/she fills would have been a member.

### **38. Proceedings of Authorities or Bodies not invalidated by Vacancies.—**

No act or proceedings of any Authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

### **39. Protection of Action taken in Good Faith.—**

No suit or other legal proceedings shall lie against any officer or other employee or against any authority of the University for anything which is done in good faith or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances and Regulations.

### **40. Mode of Proof of University Record.—**

Notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force, a copy of any receipt, application, notice, order, proceeding or resolution of any authority or other body of the University, or any other document in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters

and transactions therein where the original thereof would, if produced, have been admissible in evidence.

#### **41. Power to remove difficulties.—**

If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty; Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

#### **42. Transitional Provisions.—**

Notwithstanding anything contained in this Act and the Statutes,—(a)The first Vice-Chancellor shall be appointed by the Chancellor in such manner and on such conditions as may be deemed fit and the said officer shall hold office for such term, not exceeding three years or as may be specified by the Chancellor;(b)The first Registrar and the first Finance Officer shall be appointed by the Chancellor and each of the said officers shall hold office for a term of three years;(c)The first General Council and the first Executive Council shall consist of not more than Eleven members and Nine members, respectively, who shall be nominated by the Chancellor and shall hold office for a term of three years; and(d)The first Academic and Activity Council shall consist of not more than Nine members, who shall be nominated by the Chancellor and they shall hold office for a term of three years.Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Chancellor and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he/she is appointed or nominated would have held office, if such vacancy had not occurred.P.C.CHOUDHARY,Secretary to the Government