

The Anugraha Narayan Sinha Institute of Social Studies Act, 1964

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Act 12 of 1964

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The Anugraha Narayan Sinha Institute of Social Studies Act, 1964 Bihar Act 12 of 1964 [Governor's assent published in the Bihar Gazette Extraordinary on 8th October 1964]. An Act to provide for the incorporation of the institution known as the Anugraha Narayan Sinha Institute of Social Studies, Patna and matters connected therewith. Be it enacted by the Legislature of the State of Bihar in the Fifteenth Year of the Republic of India as follows:-

1. Short title.

- This Act may be called the Anugraha Narayan Sinha Institute of Social Studies Act, 1964.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context,-(a)"Board" means the Board of Control constituted under section 5;(b)"Chairman" means the Chairman of the Board;(c)"Director" means the Director of the Institute;(d)"Institute" means the Anugraha Narayan Sinha Institute of Social Studies, Patna, incorporated under section 3;(e)"member" means member of the Board.

3. Incorporation.

(1)The first Chairman and the first members of the Board and all persons who may hereafter become Chairman or members of the Board, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of the Anugraha Narayan Sinha Institute of Social Studies.(2)The Institute shall have perpetual succession and a common seal, and shall by the said name sue and be sued.

4. Purposes and powers of the Institute.

- The purposes and powers of the Institute shall be the following, namely:-(a)to undertake teaching and research in social sciences;(b)to undertake study of specific problems, if and when required by the State Government or the Central Government or any other agency;(c)to provide for training and research facilities in social, economic and administrative problems.(d)to publish journals, books, pamphlets, brochures and such other materials as may be deemed necessary;(e)to organise lectures, seminars and conferences; and(f)to undertake other allied activities.

5. Constitution of the Board of Control.

- [(1) There shall be a Board of Control consisting of the following members, namely:-(a)To be nominated, by the State Government-Chairman.(b)Vice-Chancellor of the Patna University established under the Patna University Act, 1961 (Bihar Act III of 1962)-ex-officio.(c)One Vice-Chancellor from amongst the universities other than Patna of the State of Bihar, to be nominated by the State Government in rotation in alphabetical order as per names of universities.(d)Two representatives of the Indian Council of Social Sciences Research, New Delhi to be nominated by the Chairman of the Council.(e)One representative of the University Grants Commission to be nominated by the Chairman of the Commission.(f)Director of the Institute-ex-officio Member-Secretary.(g)Two persons of eminence nominated by the State Government in consultation with the Chairman.(h)One Faculty representative not below the rank of Professor to be nominated by the State Government in rotation from amongst the professor in alphabetical order of their names.(i)Secretary to the State Government in the Department of Human Resource Development-ex-officio.(j)Secretary to the State Government in the Department of Finance-ex-officio.](2)[The term of office of members nominated under clauses (a), (c), (d), (e), (g) and (h) of sub-section (1) shall be for a period of two years from the date of notification and shall be eligible for re-nomination for another term of two years only.] [Inserted by Act 6 of 1989.](b)and (c) of sub-section (1) shall hold office for a term of two years from the date of nomination and shall be eligible to be nominated for another such term.(3)The term of office of an ex-officio member shall continue so long as he holds the office in virtue of which he is a member.(4)The term of office of a member nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated.(5)The Board shall meet at least once in three months. [The Vice-Chancellor may nominate his representative, not below the rank of a Professor, to attend such meeting.] [Inserted by Act 6 of 1989.](6)The Board may associate with itself any person whose assistance or advice it may desire in carrying out its functions under this Act.(7)A person associated with it by the Board under sub-section (6) shall have a right to take part in the discussions but shall not have a right to vote.

6. Functions of the Board.

(1)The Board shall be the supreme governing body of the Institute and shall exercise all the powers of the Institute.(2)Subject to the provisions of this Act the Board shall, in particular-(a)hold, control and administer the property and the funds of the Institute;(b)determine the form, provide for the custody and regulate the use of the common seal of the Institute;(c)determine and regulate all

matter concerning the Institute;(d)administer any funds placed at the disposal of the Board for specific purposes;(e)create posts and appoint officers and other employees of the Institute and define their duties and provide for the filling of temporary vacancies:Provided that no post the total emolument of which exceeds Rs. 1,000 per month shall be created without the previous sanction of the State Government;(f)have power to accept transfers on behalf of the Institute of any movable or immovable property to and for the purposes of the Institute.

7. The Director.

- [(1) There shall be a Director who shall be a whole time officer and his appointments shall be made by the Board of Control on the recommendation of a Selection Committee.(i)The Selection Committee shall consist of the following members:-(1)One member to be nominated by the State Government.(2)One member to be nominated by the Indian Council of Social Sciences Research, New Delhi.(3)One representative of the Board of Control.The Selection Committee shall prepare a panel of three names in order of preference and the Board of Control shall make appointment of Director out of that panel.(ii)The Director shall hold office for a term of three years from the date on which he assumes charge of his office and on the expiry of the said term, he may be reappointed for another term not exceeding three years. No Director can hold office for more than six years in all.](2)The Director shall act as the Secretary to the Board and shall be the principal executive officer of the Institute and all members of the staff shall be responsible to him.(3)The Director shall have power, subject to the provision of clause (e) of sub-section (2) of Section 6, to appoint officers and employees to posts sanctioned by the Board in scales of pay the maximum of which does not exceed Rs. 200 per month.(4)The Director shall be responsible for implementing the resolutions of the Board and he shall exercise such other powers and perform such other duties as may be conferred or imposed on him by this Act or the rules made by the Board thereunder.(5)[No person shall be eligible to hold the post of Director unless he is a person who has attained a place of eminence in the field of social sciences.] [Inserted by 6 of 1989 and Substituted by Act 6 of 1989.](6)[The pay of the Director shall be equivalent to that of the Vice-Chancellor of a University established under the Act of the legislature of the State of Bihar, and other terms and conditions of his appointment shall be determined by the Board of Control.] [Inserted by 6 of 1989 and Substituted by Act 6 of 1989.](7)[Where the person appointed as Director is in the receipt of pension from the Central or State Government, the amount of the pension payable to him shall be treated as part of the salary specified in clause (6).] [Inserted by Act 34 of 1982 [See notes above].]

7A. [Arrangement of work during the vacancy of the post of the Director. [Inserted by Act 34 of 1982 [See notes above].]

- If a vacancy is caused in the office of the Director by reason of his death, resignation or otherwise, the State Government shall make such arrangement as may be deemed fit to look after the work of the Director till the appointment of the Director.] [Substituted by Act 34 of 1982.]

7B. [[Inserted by Act 6 of 1989.]

There shall be a Registrar who shall be a whole-time officer of the Institute for assisting the Director in achieving the academic purposes of the Institute and shall be appointed by the Board on the recommendation of the Selection Committee constituted under sub-section (1) of Section 7 of the Act on such terms and conditions as may be agreed upon between him and the Board: Provided that no person shall be eligible to hold the post of Registrar who is not eligible to be appointed as a Professor in any University established by an Act of the legislature of the State of Bihar.]
[Substituted by Act 6 of 1989.]

7C. [[Inserted by Act 6 of 1989.]

There shall be an Administrator who shall be a whole-time officer of the Institute for assisting the Director in discharging administrative and accounting responsibilities of the Institute and shall be appointed by the Board on such terms and conditions as may be agreed upon between him and the Board: Provided that no person shall be eligible to hold the post of Administrator unless he has at least ten years experience in supervisory capacity of general, financial or personnel administration.]

8. Payment to Institute.

(1) The State Government shall contribute to the institute a sum of two lakhs of rupees in each financial year for the maintenance of the institute. (2) The State Government may contribute from time to time such additional sums of the Institute as it may deem fit for special items of research of educational work, publication, buildings and for the proper maintenance and development of the Institute.

9. The Institute Fund.

(1) There shall be established a Fund to be called the Anugraha Narayan Sinha Institute Fund which shall be vested in the Institute to which shall be credited—(a) the balance, if any, standing to the credit of the Anugraha Narayan Sinha Institute of Social Studies, Patna, on the date of commencement of this Act; (b) all moneys contributed to the Institute by the State Government; (c) all moneys received by or on behalf of the Institute from the Central Government; (d) all moneys received by or on behalf of the Institute by way of grants, gifts, donations, benefactions, bequests or transfers; (e) all interests and profits arising from any transaction on connection with any money belonging to the Institute; (f) proceeds from the sale of the journals, pamphlets and books; and (g) all moneys received by the Institute in any other manner or from any other source. (2) All moneys credited to the Fund shall be deposited or invested in such manner as the Institute may, with the approval of the State Government, decide. (3) The Fund shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its functions under this Act.

10. Budget.

(1)The Director shall, on or before the tenth day of August each year, cause to be prepared and laid before the Board, in such form as may be prescribed by the Board, the budget estimate of the income and expenditure of the Institute for the next financial year.(2)The Board shall, as soon as may be after the tenth day of August but not later than the first day of the following September, examine and approve the estimate with or without modification as it may deem fit and shall forthwith submit a copy thereof to the State Government.(3)The Board may from time to time during the financial year reduce the amount of any item of budget grant or transfer such amount or a portion thereof to any other item of budget grant:Provided that the Board shall have no power to transfer any non-recurring grant for recurring expenditure:[Provided further that the Board shall have no power to transfer from one item to another item an amount exceeding 20 per cent of the original grant under any item.] [Inserted by Act 6 of 1989.]

11. Annual Report.

- The Board shall prepare once every year an annual report giving a true and full account of the activities of the Institute during the year next preceding and forward copies thereof to the State Government and the State Government shall cause the same to be laid before the Legislature of the State.

12. Accounts and audit.

(1)Subject to any rules made by the State Government in this behalf, the accounts of receipts and expenditure of the Institute shall be kept in such manner and in such form as the Board may from time to time prescribe.(2)The Board shall, as soon as may be after closing its annual accounts, prepare an annual statement of accounts in such form as the State Government may from time to time prescribe and forward the same to the Accountant-General, Bihar, by such date as the State Government may, in consultation with the Accountant-General, Bihar, determine.(3)The accounts of the Institute shall be audited by the Accountant-General, Bihar, or some other officer appointed by him in this behalf and the Board shall take suitable action on the matters arising out of the audit report.(3A)[The State Government may call upon the Institute to adopt concurrent audit by the Chief Controller of Accounts and Audit of the State Government.] [Inserted by Act 6 of 1989.](4)The Board shall forward the annual accounts of the Institute together with the audit report thereon to the State Government and the State Government shall cause the same to be laid before the Legislature of the State.

13. Transfer of staff, buildings, out-houses and grounds to the Institute.

(1)With effect from the date of the commencement of this Act, the buildings, out-houses and grounds attached to the Anugraha Narayan Sinha Institute of Social Studies, Patna, together with the articles of furniture, library, books and other equipments shall, at the commencement of this Act, be deemed to have been and are hereby transferred to the maintenance and control of the

Institute: Provided that until arrangements are made by the Institute, the State Government shall be and continue to be responsible for keeping the building including fixtures, fittings and connections in a proper state of repairs, as may from time to time be suggested by the Institute. (2) Nothing in this section shall be deemed to authorise the Institute to sell, lease, exchange or otherwise dispose of any land or buildings transferred to the Institute. (3) The Institute may employ all or any of the officers and servants appointed by the State Government who were in the employ of the Anugraha Narayan Sinha Institute, Patna, immediately before the commencement of this Act, on such terms and conditions as may be determined by the State Government.

14. Returns and information.

- The Board shall furnish to the State Government such returns or other information with respect to its property or activities as the State Government may from time to time require.

15. Consultants.

- There shall be a panel of consultants consisting of experts who shall be nominated by the Board.

16. Power to make rules.

(1) The Board may, by notification in the Official Gazette, after previous publication, make rules not inconsistent with the provisions of the Act, to carry out the purposes of this Act. (2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for- (a) the granting of annuities and gratuities out of the fund of the Institute; (b) the creation and management of a provident fund for compelling contribution thereto on the part of their officers and employees, and for supplementing such contribution out of the Fund of the Institute; (c) for the management of the finances and accounts of the Institute; and (d) for the exercise of such powers and the performance of such duties as may be entrusted by the Board to the Director and other officers and employees of the Board. (3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

17. Power to make regulations.

- The Board may make regulations consistent with this Act and the rules made thereunder for- (a) regulating the meetings of the Board and the procedure for conducting business thereat; (b) determining the qualifications of officers and employees of the Board and prescribing methods of their recruitment; (c) specifying the terms and conditions of service of the employees

appointed by the Board; and(d)regulating the manner in which the advice of the consultants be obtained by the Board.