

Bihar State Universities (Patna, University of Bihar, Bhagalpur and Ranchi) Act, 1960

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Act 14 of 1960

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Bihar State Universities (Patna, University of Bihar, Bhagalpur and Ranchi) Act, 1960(Bihar Act 14 of 1960)Last Updated 3rd March, 2020[This Act received the assent of the Governor on the 23rd June, 1960, and the assent was first published in the Bihar Gazette, Extraordinary, of the 7th July, 1960.]For Statement of Objects and Reasons, see the Bihar Gazette, Extraordinary, of the 28th April, 1960 ; for report of the Joint Select Committee, see the Bihar Gazette, Extraordinary, of the 26th May, 1960.An Act to Establish and Incorporate Affiliating-Cum-Teaching Universities at Patna, Muzaffarpur, Bhagalpur and Ranchi in the State of Bihar.Be it enacted by the Legislature of the State of Bihar in the Eleventh Year of the Republic of India as follows : -

1. Short title and commencement.

(1)This Act may be called the Bihar State universities (Patna, University of Bihar, Bhagalpur and Ranchi) Act, 1960.(2)It shall come into force on [such date] [This Act was brought into force on the 12th July, 1960, see notification no. 2795-E, dated the 11th July, 1960, published in the Bihar Gazette, Extraordinary, of the 12th July, 1960.] as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context, -(a)"Academic Council" means the Academic Council of the University ;(b)"Annual meeting" means one of the ordinary meetings of the Senate held every year under sub-section (1) of section 19 and declared by the Statutes to be the annual meeting of the Senate ;(c)"Chancellor" means the Chancellor of the University ;(d)"College" means an institution admitted to or maintained by the University, in accordance with the provisions of this Act, in which instruction is given, subject to the provisions

contained in clause (15) of section 4, to the students of the college up to and including a standard below the post-graduate standard under conditions prescribed in the Statutes ;Explanation. - For the purpose of clause (j) of section 30, sub-sections (2) and (3) of section 39 and sections 40, 45 and 47, the expression "college" does not include any college owned and maintained by the State Government and not transferred to the University under sub-section (1) of section 57.(e)"Head of a College department" means the head of any department of a college ;(f)"Head of a University department" means the head of any department maintained by the University for imparting instruction to the students of the University in the post-graduate standard under conditions prescribed in the Statutes, and includes the director or any institute maintained by the University for the promotion of research or for imparting instruction to the students of the University in the post-graduate standard ;(g)"Hostel" means a place of residence for students of the University maintained or recognised by the University either as part of or separate from a college, in accordance with the provisions of this Act ;(h)"Prescribed" means prescribed by this Act or by the Statutes, the Ordinances, the Regulations or the Rules framed thereunder ;(i)"Principal" means the head of a college ;(j)"Professor" means a teacher on the staff of a college possessing such qualifications as may be prescribed by the Statutes ;(k)"Registered graduate" means a graduate of the University entered in the register of registered graduates maintained under the provisions of this Act, on payment of a registration fee of ten rupees to the University by every person admitted to a degree of the University along with the fee for admission to such degree and includes a graduate of the Patna University established and incorporated under the Patna University Act, 1917 (XVI of 1917) who has made a proper application together with a fee of ten rupees, within one year of the commencement of this Act, for being registered as a registered graduate of the University.Explanation. - (i) Any person who is admitted to more than one degree of the University shall not be required to pay such registration fee more than once.(ii)Any person who was or was deemed to be a registered graduate under the Patna University Act, 1951 (Bihar Act XXV of 1951) shall be deemed to be a registered graduate of the University established and incorporated under section 3 within whose jurisdiction the college from which he graduated is situated :Provided that such graduate may, within one year of the commencement of this Act, elect in writing to be treated as a registered graduate of any one of the Universities incorporated and established under section 3 and on such election being made he shall be deemed to be a registered graduate of that University only ;(l)"Senate" means the Senate of the University ;(m)"State Public Service Commission" means the Public Service Commission for the State of Bihar constituted under article 315 of the Constitution of India ;(n)"Statutes", "Ordinances", "Regulations" and "Rules" mean respectively the Statutes, Ordinances, Regulations and Rules of the University for the time being in force ;(o)"Syndicate" means the Syndicate of the University ;(p)"Teacher" includes Principal, University professor, professor, reader, lecturer and other person imparting instruction in a department or institute maintained by the University or in any of the colleges but does not include a research scholar or research Fellow ;(q)"Teacher of the University" means a teacher employed by the University in any of the departments of institutions maintained by it or in any of the colleges transferred to it under sub-section (6) of section 3 or section 57 ;(r)"The University" means the Patna University or the University or the Ranchi University established and incorporation under section 3, as the case may be ;(s)"The University Fund" means the fund of the University established under section 38 ;(t)"University Professor" means a teacher engaged in giving instruction in a department or institute maintained by the University for imparting instruction to the students of the

University in the post-graduate standard and possessing such qualifications as may be prescribed by the Statutes ;(u)"Vice-Chancellor" means the vice-Chancellor of the University ; and(v)"Warden" means the head of a hostel.

3. Establishment and incorporation of Universities.

(1)There shall be established, with effect from the date of commencement of this Act, the following four Universities, namely : -(a)The Patna University with headquarters at Patna and territorial jurisdiction over the whole of the Patna Division ;(b)The University of Bihar with headquarters at Muuzaffarpur and territorial jurisdiction over the whole of the Tirhut Division ;(c)The Bhagalpur University with headquarters at Bhagalpur and territorial jurisdiction over the whole of the Bhagalpur Division ; and(d)The Ranchi University with headquarters at Ranchi and territorial jurisdiction over the whole of the Chotanagpur Division :Provided that the State Government may, by notification in the Official Gazette, alter the territorial jurisdiction of the University.(2)All notifications under the proviso to sub-section (1) shall be laid before the State Legislature, as soon as may be, after they are issued.(3)(i)The first Chancellor, the first Vice-Chancellor, the first members of the Senate, the Syndicate and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership shall constitute a body corporate by the name of the University specified in sub-section (1).(ii)The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.(4)No educational institution beyond the territorial jurisdiction of a University specified in sub-section (1) shall, except by an order of the State Government published in the Official Gazette, form part of or be admitted to the privileges of that University, and no such institution within the said territorial jurisdiction shall similiary from part of or be recognised by or seek admission to any privileges of any other University incorporated by law in India, and any such recognition granted by any such other University to any such institution within the said territorial jurisdiction prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act :Provident that this sub-section shall not effect the provisions of the Kamehwar Singh Darbhanga Sanskrit Vishvavidyalaya Act, 1960 (Bihar Act VI of 1960).(5)With effect from the commencement of this Act, all educational institutions admitted to the privileges of the Patna University established under the Patna University Act, 1951 (Bihar Act XXV of 1951) or of the University of Bihar established under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) and situated within the territorial jurisdiction of the University shall, so far a may b consistent with the provisions of this Act, be deemed to be colleges admitted to the privileges of that University :Provided that if in respect of any educational institution the Syndicate of the University of Bihar established under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) has made for its affiliation a recommendation which is subsisting at the time of commencement of this Act, such institution shall be deemed to be admitted to the privileges of the University within whose territorial jurisdiction is situated, if an order to that effect is made by the State Government.(6)With effect from the date of commencement of this Act the colleges and attached hostels, other buildings together with the articles of furniture, libraries, books, laboratories, stores instruments, apparatus, appliances and equipments of such instrument and buildings transferred to the maintenance and control of the Patna University under the Patna University Act, 1951 (Bihar Act XXV of 1951) or the University of Bihar under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951), shall be deemed to have

been and are hereby transferred to the maintenance and control of the University within whose territorial jurisdiction they are situated, subject to such terms and conditions as were in force immediately before the date of such commencement.

4. Purpose and powers of the University.

- The purposes and powers of the University shall be the following, namely : -(1)To provide -(i)For instruction in such branches of learning as the University may think fit including professional studies and technology ; and(ii)For research and for the advancement and dissemination of knowledge ;(2)To hold examinations and to grant and confer degrees, diploma and certificates and other academic distinctions to and on persons who-(a)Shall have pursued an approved course of study in the University and shall have passed the examinations of the University, under conditions laid down in the Statutes, the Ordinances or the Regulations ;(b)Are teaches, librarians and laboratory assistants in educational institutions or any other persons under such conditions as may be prescribed in the Statutes, the Ordinances and the Regulations and shall have passed the examination of the University, under like conditions ; or(3)To confer honorary degrees or other distinctions on persons ;(4)To provide such lectures and instruction for, and to grant such diplomas to, persons, not being members of the University, as the University may determine ;(5)To inspect all colleges and hostels ;(6)To co-operate with other Universities and authorities in such manner and for such purposes as the University may determine ;(7)To institute Professorships, Readerships, Lecturerships, and and other teaching posts required by the University and to appoint persons to such Professorship, Readerships, Lecturerships and posts;(8)To recognise teachers as qualified to give instruction colleges ;(9)To institute and award Fellowships, including travelling Fellowships, scholarships, exhibitions, medals and prizes in accordance with the Statutes, the Ordinances and the Regulations ;(10)To institute, maintain and manage colleges and hostels and to recognise colleges and hostels not maintained by the University ;(11)To demand and receive such fees as may be prescribed by the Ordinances ;(12)To supervise and control the residence and discipline of students of the colleges and the University and to make arrangements for promoting their health and general welfare and for that purpose to have powers to appoint and constitute such committees as may be prescribed in the Statutes and the Ordinances ;(13)To enter into agreement with other bodies or persons for the purpose of promoting the purposes of this Act including the assuming of the management of any institution under them and the taking over of the assets and liabilities ;(14)To undertake the conduct of post-graduate teaching, research and work in departments maintained by the University or the State Government ;(15)To arrange and provide, whenever the University considers necessary, for post-graduate teaching in any subject in any college and to utilise for the said purpose, the buildings of that college or any portion thereof, and such members of the staff and the articles of furniture, library, books, laboratories, stores, instruments and other equipments of that college as may be prescribed ; and(16)To do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body, and to cultivate and promote arts, science and other branches of learning.

5. University open to all classes, castes and creeds.

- No person shall be excluded from membership of any of the authorities of the University or from admission to any degree or course of study, on the sole ground of sex, race, creed, class, caste or political belief and it shall not be lawful for the University to adopt or impose on any person any test whatsoever relating to religious or political belief or profession, in order to entitle him to be admitted thereto as a teacher or student, or to hold any office or appointment therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except where in respect of any particular benefaction accepted by the University, such test is made a condition thereof by any testamentary or other instrument creating such benefaction.

6. Teaching of the University.

(1) All recognised teaching in connection with the University courses shall be conducted through the colleges, and through departments maintained by the University, subject to the general control of the Academic Council, and shall include lecturing, work in laboratories, or workshops, and other teaching conducted in the University and the colleges by the University professors, professors, readers, lecturers and other teachers thereof in accordance with any syllabus prescribed by the Regulations. (2) The authorities responsible for organising such teaching shall be prescribed by the Statutes. (3) The courses and curricula shall be prescribed by the Regulations. (4) In addition to recognised teaching, tutorial and other supplementary instruction shall be given in the colleges subject to the control of the University or in the departments maintained by the University. (5) It shall not be lawful for the University or for any college to maintain classes for the purpose of preparing students for admission to the University : Provided that the University or any college may maintain classes for preparing students who have passed the matriculation examination or secondary school examination or higher secondary school examination or any equivalent examination held by any other University or body incorporation by law for the time being in force and recognised by the University for admission to a degree course of the University.

7. Officers of the University.

- The following shall be the officers of the University, namely : - (1) The Chancellor ; (2) The Vice-Chancellor ; (3) The Treasurer ; (4) The Registrar ; (5) The Deans of Faculties ; (6) The Finance Officer ; and (7) Such other persons as may be declared by the Statutes to be the officers of the University.

8. The Chancellor.

(1) The Governor of Bihar shall be the Chancellor and shall, by virtue of his office, be the head of the University and the President of the Senate, and shall, when present, preside at meetings of the Senate, and at any convocation of the University. (2) The Chancellor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes, the Ordinances or the Regulations : Provided that, before making any such order, he shall call upon the

University to show cause within the time specified by him why such an order should not be made, and if any cause is shown, he shall consider the same.(3)Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor.(4)Where power is conferred upon him by this Act or the Statutes to nominate persons to authorities and bodies of the University, the Chancellor shall, to the extent necessary and without prejudice to such powers, nominate persons to represent interests not otherwise adequately represented.(5)The Chancellor shall have such other powers as are conferred on him by this Act or the Statutes.

9. The Vice-Chancellor.

(1)No person shall be deemed to be qualified to hold the office of Vice-Chancellor unless such person-(i)Is above forty years of age ; and(ii)Is, in the opinion of the Chancellor, a man noted for scholarship and academic interest.(2)The Vice-Chancellor shall be appointed by the Chancellor on such terms and conditions as may be laid down by the Chancellor.(3)The Vice-Chancellor shall be a whole time officer and shall hold office for a term of three years from the date on which he assumes charge of the office, on the expiration of which term he may be re-appointed for only one more term which shall not exceed three years.(4)(i)The Vice-Chancellor shall be paid a salary of two thousand rupees per mensem and shall be provided by the University with a suitable rent-free house for his residence at the headquarters of the University and where the University is unable to provide him with such house shall be paid a sum not exceeding ten per cent of his salary as house rent.(ii)Where the person appointed as Vice-Chancellor is in receipt of a pension from Government, the amount of the pension payable to him shall be treated as part of the salary specified in clause (i).Explanation. - For the purposes of this sub-section the word "Government" shall include the Central Government and any State Government.(5)The Vice-Chancellor shall be the principal executive and academic officer of the University, Chairman of the Syndicate and of the Academic Council and shall be entitled to be present and speak at any meeting of any authority or other body of the University and shall in the absence of the Chancellor preside at meetings of the Senate and of any convocation of the University ;Provided that the vice-Chancellor shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.(6)The Vice-Chancellor shall, subject to the provisions of this Act, the Statutes and the Ordinances, have power to make appointments to posts within the sanctioned grades and scales of pay and within the sanctioned strength of the clerical staff and other servants of the University, not being teachers and officers of the University, and have control and full disciplinary powers over such staff and servants.(7)The Vice-Chancellor shall have power to convene meetings of the Senate, the Syndicate, the Academic Council and any other authorities of the University :Provided that the Vice-Chancellor may delegate the power under this sub-section to any other officer of the University.(8)It shall be the duty of the Vice-Chancellor to visit and inspect the colleges and buildings, laboratories, workshops and equipments thereof and any other institutions associated with the University and he shall have the right of making an inquiry or causing an inquiry to be made, in like manner, in respect of any matter connected with such colleges and institutions.(9)The Vice-Chancellor may address any Principal of such college with reference to the result of such inspection or inquiry and thereupon it shall be the duty of such Principal to communicate the views of the Vice-Chancellor to the governing body of the college and to report to the Vice-Chancellor such action, if any, taken or proposed to be taken upon the result of such inspection or inquiry.(10)It shall be lawful for the Vice-Chancellor to issue, from time to time,

any direction to the Principal of a college in which post-graduate teaching is conducted under clause (15) of section 4 and such Principal shall comply with all such directions accordingly.(11)The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, dismissal or suspension of an officer or teacher of the University and shall exercise general control over the educational arrangements of the University and shall be responsible for the discipline of the University.(12)If at any time, except when the Syndicate or the Academic Council is in session, the Vice-Chancellor is satisfied that an emergency has arisen requiring him to take immediate action involving the exercise of any power vested in the Syndicate or the Academic Council by or under this Act, the Vice-Chancellor shall take such action as he deems fit, and shall, as soon as may be thereafter, report the action so taken by him to the Syndicate or, as the case may be, to the Academic Council, which may either confirm the action so taken by the Vice-Chancellor or disapprove of it.(13)It shall be the duty of the Vice-Chancellor to see that the proceedings of the University are carried on in accordance with the provisions of this Act, the Statutes, the Ordinances, the Regulations and the Rules and to report to the Chancellor every proceedings which is not in conformity with such provisions.(14)The Vice-Chancellor shall exercise such further powers and perform such other duties as are conferred or imposed on him by this Act, the Statutes, the Ordinances or the Regulations.

10. The Treasurer.

(1)The Treasurer shall be appointed by the Chancellor on such terms and conditions as may be laid down by the Chancellor and shall hold office for a period of three years from the date on which he assumes charge of the office, on the expiration of which term he may be re-appointed for only one more term which shall not exceed three years.(2)He shall be an ex-officio member of the Syndicate and shall-(a)Exercise general supervision over the funds of the University, and advise in regard to its financial policy and be responsible for the preparation and presentation of the annual estimates and statement of accounts to the Senate on behalf of the Syndicate ;(b)Be responsible for seeing that all moneys are expended on the purpose for which they are granted or allotted by the appropriate authority ;(c)Examine statement of accounts of the colleges and submit a report on the result of such examination to the Syndicate ; and(d)Exercise such other powers as may be prescribed by the Statutes and the Ordinances.

11. Arrangement of work during temporary vacancy in the office or absence of Vice-Chancellor or Treasurer.

(1)During the temporary absence of the Vice-Chancellor or the Treasurer by reason of leave, illness or any other cause, which shall be immediately reported to the Chancellor by the Syndicate, the Chancellor shall make such arrangement as he thinks fit for carrying on the office of the Vice-Chancellor or the Treasurer, as the case may be :Provided that until such arrangement is made-(a)In the case of temporary absence of the Vice-Chancellor, it shall be lawful for the Treasurer to exercise the powers and perform the duties of the Vice-Chancellor ;(b)In the case of temporary absence of the Treasurer, the Syndicate shall appoint one of its own members to exercise the powers and perform the duties of the Treasurer.(2)During the period a vacancy in the office of the Vice-Chancellor or the Treasurer remains unfilled, the provisions of sub-section (1) shall apply to

such vacancy.

12. The Registrar.

- The Registrar shall be a whole-time officer and shall act as Secretary to the Senate, the Syndicate and the Academic Council and shall-(a)Manage the property and investments of the University ;(b)Sign all contracts made on behalf of the University ;(c)Exercise and perform such other powers and duties as may be prescribed by the Statutes, the Ordinances, the Regulations and the Rules or as may, from time to time, be conferred and imposed on him by the Senate, the Syndicate and the Academic Council ; and(d)Generally render such assistance to the Vice-Chancellor as may be desired by him in the performance of his duties.

13. The Finance Officer.

- The Finance Officer shall be a whole-time officer and shall act as Secretary to the Finance Committee constituted under sub-section (1) of section 47 and shall exercise and perform such powers and duties as may be prescribed or as may, from time to time, be conferred and imposed on him by the Senate, the Syndicate, the Vice-Chancellor or the Treasurer.

14. Visitation.

(1)The Chancellor shall have, either on his own motion or on the advice of the State Government, the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, workshops and equipments and of any college or hostel 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 University :Provided that the Chancellor shall, in every case, give notice to the University or the college of his intention to cause an inspection or inquiry to be made and the University or the college, as the case may be, shall be entitled to be represented thereat.(2)(a)The Chancellor may address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Syndicate and the Academic Council the views of the Chancellor.(b)The Syndicate and the Academic Council shall report to the Chancellor such action, if any, as they have taken or may propose to take upon the results of such inspection or inquiry, and such report shall be submitted within such time as the Chancellor may direct through the Senate which may express its opinion thereon.(c)Where the Syndicate and the Academic Council do not within a reasonable time take action to the satisfaction of Chancellor the Chancellor may, after considering any explanation furnished or representation made by the Senate, the Syndicate and the Academic Council, issue such direction as he may think fit and the Syndicate and the Academic Council shall comply therewith.

15. Functions of State Public Service Commission in relation to appointments to posts of teachers and officers of the University and disciplinary matters affecting such teachers or officers.

(1) Subject to the provisions of this Act and the Statutes made thereunder, the State Public Service Commission shall, in relation to appointments to posts of teachers and officers of the University (other than the Vice-Chancellor and the Treasurer), discharge, so far as may be, the same functions as have been assigned to it by Article 320 of the Constitution of India in relation to the services of the State. (2) (i) In making recommendations for appointment to every post of teacher of the University the State Public Service Commission shall have the assistance of two experts in the subject for which an appointment is to be made, of whom one shall be nominated by the Syndicate and shall whenever possible be a teacher of the University and the other shall be a person, other than a teacher of the University, to be nominated by the Academic Council : Provided that in making recommendation for appointment to such post by promotion the Commission shall not be entitled to have the assistance of any expert. (ii) In making recommendations for appointment to every post of officer of the University (other than the Vice-Chancellor and the Treasurer) otherwise than by promotion, the State Public Service Commission shall have the assistance of only one expert to be nominated by the Syndicate. (iii) The expert or experts shall be associated with the State Public Service Commission as assessor or assessors whose duty it shall be to give expert advice to the Commission but who shall have no right to vote. (3) Subject to the provisions of sub-sections (1) and (2), the State Public Service Commission shall, wherever feasible, recommend to the Syndicate for appointment to every post of teacher or officer of the University names of two persons arranged in order of preference and considered by the State Public Service Commission to be the best qualified therefor. (4) In making appointment to a post of teacher or officer of the University, the Syndicate shall, within three months from the date of the receipt of the recommendation under sub-section (3), make its selection out of the names recommended by the State Public Service Commission, provided that if the Syndicate, in the first instance, does not consider the names recommended by the State Public Service Commission to be suitable, it shall refer the matter back to the State Public Service Commission for reconsideration and in no case shall the Syndicate appoint a person who is not recommended by the State Public Service Commission. (5) Notwithstanding anything contained in the preceding sub-sections, all teachers of clinical subjects and Pathology in the Prince of Wales Medical College shall, until the hospital attached to the said college is transferred to the University, be appointed in accordance with the provisions of this section from amongst officers nominated by the State Government and all teachers so appointed shall be deemed to be members of the staff of the said hospital. (6) Notwithstanding anything contained in the preceding sub-sections, but always subject to the other provisions of this Act, - (a) When appointment to a post of teacher or officer of the University is made by promotion or transfer from any other service including the service of the University, it shall not be necessary for the University to consult the State Public Service Commission, unless it is proposed, by such promotion or transfer, to fill - (i) A permanent post substantively, or (ii) A permanent post or a temporary post on an officiating or temporary basis for a period exceeding six months : Provided that if an appointment is made for a period not exceeding six months and it is proposed by the University to extend the period so that it will exceed six months in all, the State Public Service Commission shall be consulted ; (b) When appointment to a post of teacher or officer of the University is made otherwise than by promotion or transfer from another service including the service of the University, it shall not be necessary to consult the Commission if the appointment is not expected to continue for more than six months and cannot be delayed without detriment to the interest of the departments or institutions maintained by the University or the colleges transferred to it under section 57 : Provided that if it is proposed to retain the person so

appointed in the same post for a period exceeding six months or to appoint him to another post in the service of the University, the State Public Service Commission shall be consulted ;(c)The State Public Service Commission shall be consulted by the University in all disciplinary matters affecting a teacher or officer of the University (other than the Vice-Chancellor and the Treasurer) and no memorials or petitions relating to such matters shall be disposed of, nor shall any action be taken against, or any punishment imposed on, a teacher or officer of the University otherwise than in conformity with the finding of the State Public Service Commission ;Provided that -(i)If the punishment proposed to be imposed is one of not be passed except by the authority empowered under this Act to appoint such teacher or officer ;(ii)No teacher or officer who is a member of the public services in India and whose services have been lent to the University shall be dismissed, removed or reduced in rank except by an order of the Government ;(iii)If the teaching efficiency of a teacher against whom a disciplinary action is proposed to be taken is in question, two experts in the subject concerned, to be nominated by the Academic Council, shall be associated with the State Public Service Commission as assessors whose duty it shall be to give expert advice to the Commission but who shall have no right to vote.(7)It shall not be necessary to consult the State Public Service Commission where only an order of censure, or an order withholding increment, including stoppage at an efficiency bar, or an order of suspension pending investigation of charges is passes against a teacher or officer of the University.(8)It shall be the duty of the State Public Service Commission to present annually to the University a report as to the work done by the Commission in relation to the University and the University shall prepare and submit to the State Government a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State by the State Government.

16. Authorities of the University.

- The following shall be the authorities of the University, namely: -(1)The Senate ;(2)The Syndicate ;(3)The Academic Council ;(4)The Faculties ;(5)The Examination Board ; and(6)Such other authorities as may be declared by the Statutes to be the authorities of the University.

17. The Senate.

- The Senate shall consist of the following persons, namely, -Ex-officio members.(i)The Chancellor ;(ii)The Vice-Chancellor ;(iii)The Treasurer ;(iv)The Chief Justice of the High Court of Judicature at Patna or any other Judge of that Court nominated by the Chief Justice ;(v)The Advocate-General, Bihar ;(vi)Chairman of the Bihar School Examination Board ;(vii)The Secretary to the Government of Bihar in the Department of Education ;(viii)The Director of Public Instruction, Bihar ;(ix)The Director of Health Services, Bihar, if the University has a medical college as one of its colleges ;(x)The Director of Industries, Bihar, if the University has an engineering college as one of its colleges ;(xi)The Director of Agriculture, Bihar, if the University has an agricultural college as one of its colleges ;(xii)The Director of Animal Husbandry, Bihar, if the University has a veterinary college as one of its colleges ;(xiii)The Deans of Faculties ;(xiv)Not more than one-half of the Principals and of Heads of University departments, other than Deans, by rotation, in the manner prescribed by the Statutes :Provided that the said number shall include all the Principals of Colleges and Directors of

institutes, maintained by the State Government or the University. Life members. (i) All ex-Vice-Chancellors who held the office under the Patna University Act, 1917 (XVI of 1917), the Patna University Act, 1951 (Bihar Act XXV of 1951), the University of Bihar Act, 1951 (Bihar Act XXVII of 1951), and all ex-Vice-Chancellor of the University ; Explanation. - For the purposes of this clauses, the expression "ex-Vice-Chancellor" does not include any ex-Vice-Chancellor who was appointed to fill casual or temporary vacancy ; (ii) Every person who has given, whether in one or more instalments, a sum of not less than one lac of rupees in cash or property of the equivalent value to, or for the purposes of, the University or of a college ; Explanation. - Every person who was or was deemed to be appointed for life to be a member of the Senate of the Patna University established under the Patna University Act, 1951 (Bihar Act XXV of 1951) or the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) shall be deemed to be a life member of the Senate of the University incorporated and established under section 3 within whose territorial jurisdiction he ordinarily resides ; Provided that- (i) Such person may, within six months of the commencement of this Act, elect in writing to be treated as a life member of the Senate of any one of the University incorporated and established under section 3 and on such election being made he shall be deemed to be a life member of the Senate of that University only ; (ii) A person who was deemed to be a life member of the Senate under the Explanation to item (ii) under the heading 'class II-Life members' of section 15 of the Patna University Act, 1951 (Bihar Act XXV of 1951) or under the Explanation to item (iii) under the heading 'class II-Life members' of section 17 of the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) shall be deemed to be a life member only so long as the beneficial interest arising out of any property endowed by such person accrues substantially to the University or to the College. Representative members. (i) Such number of teachers (other than Deans, Principals and Heads of University Departments) having ten years' teaching experience as is equivalent to one-half of the total number of colleges to be nominated by rotation, in the manner prescribed by the Statutes ; (ii) Eight registered graduates, other than teachers of a college or of a University, who have completed ten years after graduation, to be elected by such graduates, in such manner as may be prescribed by the Statutes ; (iii) Three persons, to be elected from and by the members of the governing bodies or managing committees of colleges in the manner prescribed by the Statutes ; (iv) Three persons, to be elected from and by the members of the governing bodies or managing committees of colleges in the manner prescribed by the Statutes ; (iv) Six persons to be elected by and from the members of the Bihar Legislative Assembly in such manner as may be prescribed by the Speaker of the Assembly ; and (v) Two persons to be elected by and from the members of the Bihar Legislative Council in such manner as may be prescribed by the Chairman of the Council ; Nominated member. Not more than five persons to be nominated by the Chancellor of whom two shall be nominated on the ground that they have rendered eminent service to the cause of education.

18. Term of office of members of the Senate.

- The term of office of members of the Senate, other than the ex-officio members and the life members, shall be three years from the date of their election or nomination, as the case may be, and shall include any further period which may elapse between the expiration of the said three years and the date of the next succeeding election or nomination to fill up any casual vacancy under section 53 : Provided that a member elected, or nominated as a representative of any body shall be deemed to vacate office with effect from the date on which he ceases to be a member of the body which elected

or nominated him.

19. Meetings of the Senate.

(1)The Senate shall, on dates to be fixed by the Vice-Chancellor, meet twice in every year, at meetings to be called the ordinary meetings of the Senate, one of which shall be declared by the Statutes to be the annual meeting of the Senate.(2)The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than one-third of the total number of members of the Senate, convene a special meeting of the Senate.

20. Powers and duties of the Senate.

(1)Subject to the provisions of this Act and the Statutes, the Senate shall be the supreme governing body of the University and shall have the entire management of, and superintendence over, the affairs, concerns and property of the University, and shall exercise all the powers of the University, not otherwise provided for, to give effect to the provisions of this Act.(2)In particular and without prejudice to the generality of the foregoing powers, the Senate shall exercise the following powers and perform the following duties, namely : -(a)Of making Statutes, and amending or repealing the same ;(b)Of considering and cancelling Ordinances and Regulations ;(c)Of considering and passing resolutions on the annual reports the annual accounts and the financial estimate ;(d)Of exercising the powers of control and superintendence over colleges including the power of affiliating or disaffiliating such colleges : provided that the power of affiliating or disaffiliating such colleges shall not be exercised except with the previous approval of the State Government ;(e)Of instituting and conferring such degrees, titles diplomas and other academic distinctions as may be prescribed by the Statutes ; and(f)Such other powers and duties as are conferred or imposed upon it by this Act or the Statutes.

21. The Syndicate.

(1)The Syndicate shall be the chief executive body of the University and consist of the following persons, namely :-Ex-officio members.(i)The Vice-Chancellor ;(ii)The Treasurer ;(iii)The Secretary to Government of Bihar, in the Department of Education ;(iv)The Director of Public Instruction, Bihar ;(v)Three Principals, one of whom shall be the principal of a college maintained by the University, and two Heads of University Departments, to be determined in such manner as may be prescribed by the Statutes so as to enable the Principal of every college and the Head of every University Department to have a seal on the Syndicate by rotation at every prescribed interval ;Other members.(i)Five persons other than teachers to be elected from among the non-teacher members of the Senate in the manner prescribed by the Statutes ;(ii)Four teachers other than principals, Deans and Heads of University Departments of whom two shall be nominated by the Chancellor and two shall be co-opted by the Syndicate ; and(iii)One representative of the governing bodies of the college to be nominated by the Chancellor.(2)The term of office of members, other than the ex-officio members, shall be for a period of three years with effect from the dates of their respective election, nomination or co-option and shall include any further period which may elapse between the expiration of the said period of three years and the date of the next succeeding election,

nominated or co-option, as the case may be, not being an election, nominated or co-option to fill up any causal vacancy under section 53 :Provided that any member elected, nominated or co-opted shall be deemed to vacate office with effect from the date on which he ceases to be a member of the body as a representative of which he was elected, nominated or co-opted.

22. Powers and duties of the Syndicate.

- The Syndicate -(a) Shall hold, control and administer the property and funds of the University ;(b) Shall determine the form, provide for the custody and regulate the use of the common seal of the University ;(c) Shall, subject to the powers conferred by or under this Act on the Vice-Chancellor and the Academic Council, determine and regulate all matters concerning the University in accordance with this Act, the Statutes, the Ordinances and the Regulations ;(d) Shall administer any funds placed at the disposal of the University for specific purposes ;(e) Save as otherwise provided by this Act or the Statutes, shall appoint officers (other than the Vice-Chancellor and the Treasurer) and teachers of the University and shall define their duties and provide for the filling of temporary vacancies in the offices of such officers and teachers ;(f) Shall determine, after considering the recommendation of the Academic Council, rates of emoluments of examiners or class of such examiners ;(g) Shall have power to accept transfers on behalf of the University of any movable or immovable property to and for the purposes of the University and the colleges transferred to it under section 57 ;(h) Shall have power to cause the colleges to be inspected by any person or persons authorised by the Syndicate in his behalf, to consider the reports of such person or persons and to issue necessary directions to the Principals of such colleges and, where necessary, to the governing bodies or managing committee of such colleges through the Principals, and secure compliance therewith ;(i) Shall have power to recommend to the Senate all proposals received by it for the affiliation or disaffiliation of educational institutions, the appointment of an authority for the consideration of an appeal from any teacher of the college against whom it is proposed to take any disciplinary action and the allotment of monetary grants to the colleges in accordance with any rules made under sub-section (2) of section 39 ;(j) Shall be competent to call for from the colleges any returns, statements, minutes of proceedings of meeting of the governing bodies or managing committees of such colleges or their annual estimates of income and expenditure and take such action thereon as it may think fit ; and (k) Shall exercise such other powers and perform such other duties as are conferred or imposed on it by this Act or the Statutes.

23. The Academic Council.

(1) The Academic Council shall consist of-(i) The Vice-Chancellor ;(ii) The Deans of Faculties ;(iii) The Director of Public Instruction, Bihar ;(iv) Five Principals and five Heads of University departments as are not Deans to be nominated by rotation, in the manner prescribed by the Statutes :Provided that where the Academic Council is dealing with a subject the Head of the University department or the Head of the College department of which is not on the Academic Council, it may invite the Head of University department of that subject to attend any of its meetings at which it may deal with that subject ;(v) Four teachers, other than Deans, Principals and Heads of University departments be co-opted by the Council ; and (vi) Not more than two experts, preferably not in the service of the University, to be co-opted by the Council for specific purposes, if necessary.(2) The term of office of

members, other than the ex-officio members, shall be for a period of three years with effect from the dates of their respective nomination or co-option and shall include any further period which may elapse between the expiration of the said period of three years and the date of the next succeeding nominated or co-option, as the case may be, not being a nominated or co-option to fill up any casual vacancy under section 53 :Provided that any member nominated or co-opted shall be deemed to vacate office with effect from the date on which he ceases to be a member of the body as a representative of which he was nominated or co-opted.

24. Powers and duties of Academic Council.

- The Academic Council shall be the chief academic body of the University and shall, -(a)Subject to the powers conferred by or under this Act on the Vice-Chancellor and on the Syndicate, determine and regulate all academic matters concerning the University in accordance with this Act, the Statutes and the Ordinances ;(b)Have the power of superintendence and control over, and be responsible for the maintenance of standards of instruction and education including the conduct of post-graduate teaching and the promotion of research work in the University ;(c)Exercise supervision and control over the conduct of teaching in the colleges in such manner as may be prescribed by the Statutes ;(d)Subject to the provisions of section 28, have powers of general control over the Examination Board and be responsible for the publication of results of the University examination ; and(e)Exercise such other powers and perform such other duties as may be conferred or imposed upon it by the statutes.

25. The Faculties.

(1)The University may include the Faculties of Arts, Science Commerce, Medicine, Law, Education, Agriculture, Engineering and Veterinary Science and such other Faculties as may be prescribed by the Statutes ;Provided that no Faculty shall be created by the Senate in respect of any branch of learning for the instruction of which no provision exists in any department of the University or any of its colleges.(2)Each Faculty shall, subject to the control of the Academic Council, have charge of the courses of studies. teaching and research work in such subjects as may be assigned to such Faculty by the Regulations.(3)The total number of members of such Faculty shall not exceed such as may, from time to time, be prescribed by the Statutes.(4)Subject to the provisions of sub-section (3) each Faculty shall consist of-(a)Such number of members of the Senate as are teachers and as may be assigned to each Faculty by the Senate in accordance with the qualifications of such teacher members ;(b)Such number of members of the Senate as are not teachers, not exceeding one-fifth of the total number of members of each Faculty, other than the Faculty of Agriculture, Engineering, Law, Medicine, Commerce or Veterinary Science as may be elected from and by the Senate in the manner prescribed by the Statutes :Provided that in the case of the Faculty of Agriculture, Engineering, Law Medicine, Commerce or Veterinary Science, the number of members of the Senate who are not teachers shall be such as may be prescribed by the Statutes ; and(c)Such number of members, to be co-opted as experts by the Academic Council from amongst persons who are not members of the Senate, as may be prescribed by the Statutes :Provided that no person shall be a member of more than two Faculties.(5)(i)There shall be a Dean of each Faculty appointed by the Vice-Chancellor, by rotation, in the manner prescribed in the Statutes, for a term of two years from

amongst the Heads of University Departments of the Faculty concerned at the end of which he shall not be eligible for re-appointment unless there is only one such Head of University Department in the Faculty :Provided that where there is no Head of University Department of a Faculty, the Principal of a College maintained by Government or the University, in which instruction is imparted in any subject of the Faculty shall be appointed Dean of that Faculty and where there are more such Principals than one the appointment shall be made by rotation in the manner prescribed by the Statutes :Provided further that where there is no such college as is referred to in the first proviso, the provisions of the said proviso shall apply to the Principal of an affiliated college in which instruction is imparted in any subject of that Faculty.(ii)The Dean shall be responsible to the Vice-Chancellor for post-graduate teaching and research.(6)(i)Each Faculty shall comprise such departments of teaching as may be prescribed by the Regulations and the head of every such department shall be the professor of a college department or the University Professor or, if there is no such Professor or University Professor, the Reader of a college department or, as the case may be, the Reader of a University department.(ii)If there are more than one Professor or more than one University Professor or more than one Reader in a department, the Vice-Chancellor, in consultation with the Principal in the case of a college department and in consultation with the Dean in the case of a University department, shall appoint, to be the Head of department, such one of the Professors or University Professors or such one of the Readers, as he thinks fit and the Head of a department shall be responsible to the Principal in case of a college department and to the Dean in the case of a University department for the organisation of the teaching in the department.(iii)Where it is proposed to appoint any teacher to be the Head of a department who is not the senior-most Professor, University Professor or Reader of the department no appointment shall be made under this sub-section except with the prior concurrence of the State Public Service Commission.(7)Subject to the provisions of this Act, each Faculty shall exercise such powers and perform such duties as may be prescribed by the Statutes.

26. Boards of Courses and Studies.

(1)There shall be a Board of Courses and Studies for each subject or group of subjects consisting of-(i)The Head of the University department concerned, who shall be the Chairman and where there is no such Head of the University department, one of the Heads of the College departments mentioned in item (iii) shall be the Chairman, by rotation, in the manner prescribed by the Statutes ;(ii)University Professors, Professors and Readers in the department ;(iii)Three Heads of College departments one of whom shall be the Head of department of a college maintained by the University to be nominated in the manner prescribed by the Statutes ; and(iv)Not more than five other wholtime teachers of the subject of at least ten years' standing to be nominated in such manner as may be prescribed by the Statutes ;with powers to co-opted one member from amongst persons who are not connected with the University.(2)Where it is not feasible to constitute a Board in accordance with the provisions of sub-section (1), the Faculty concerned may, if necessary, constitute a Special Board of Courses and Studies in the manner prescribed by the Statutes.(3)It shall be the duty of the Board to recommend to the Academic Council through the Faculty concerned, the courses of studies and syllabii for all University examinations and to perform such other functions as may be prescribed by the Statutes.(4)The term of office of the members of the Board shall be three years from the date of their nomination or co-option.

27. Council of Post-graduate Studies and Research.

(1) There shall be a Council of Post-graduate Studies and Research consisting of—(i) The Vice-Chancellor who shall be the Chairman, (ii) The Deans of Faculties, (iii) The Principals of colleges in which teaching in post-graduate standard is arranged and provided for by the University, not exceeding three in number, nominated by the Vice-Chancellor, by rotation, in the manner prescribed by the Statutes, and (iv) Not less than one-half of the Heads of University departments, nominated by the Vice-Chancellor, by rotation, in the manner prescribed by the Statutes, the term of office of such members being three years from the date of their nominations. (2) The duties of the Council shall be—(a) To assist the Vice-Chancellor in co-ordinating the post-graduate teaching in the University; (b) To draw up proposals for expansion and development of post-graduate teaching and research and to submit them to the Academic Council; (c) To give instructions to the Board of Studies, wherever necessary; (d) To supervise and control the working of the local committees constituted under sub-section (3); and (e) To Exercise such powers and to perform such duties as may be assigned to the Council by Statutes. (3) For each of the centres of post-graduate teaching other than the headquarters of the University, there may be local committees consisting of the local Heads of post-graduate departments and the Principal of the college which houses the department and subject to the supervision and control of the Council local committees shall attend to day-to-day administration of post-graduate teaching at the respective centres. (4) The Vice-Chancellor shall appoint conveners of local committees who shall ordinarily be the senior-most local Heads of Post-graduate departments.

28. The Examination Board.

(1) Subject to the provisions of the Regulations, all arrangements for the conduct of examinations shall be made by an Examination Board consisting of the Vice-Chancellor as Chairman and the Deans of Faculties as members: Provided that where in any Faculty the Principal of a College maintained by Government or the University is senior to the Dean of that Faculty, such Principal shall be the member instead of the Dean of that Faculty. (2) The Examination Board shall be responsible for conducting the examinations and making all arrangements for the appointment of examiners, setting and moderating question papers, moderating and preparing results of examinations and reporting such results to the Academic Council and generally for formulating ways and means for the purpose of improving the machinery for the true assessment of the attainments of the students of the University.

29. Other authorities of the University.

- The constitution, powers and duties of such other authorities, as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes. Statutes, Ordinances, Regulations and Rules

30. Statutes.

- Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely : -(a)The institution of Fellowships, scholarships, exhibitions, medals and prizes ;(b)The designations and powers of the officers of the University ;(c)The constitution, powers, functions and duties of the authorities of the University ;(d)The admission of educational institutions as colleges and the withdrawal of privileges from colleges so admitted ;(e)The institution of colleges and hostels and their maintenance and management ;(f)The classification and recognition of teachers of the University ;(g)The constitution of pension, insurance or provident fund for the benefit of the officers, teachers and other servants of the University, and the teachers of the colleges ;(h)The maintenance of a register of registered graduates ;(i)The number, qualifications, grades, pay and conditions of service of teachers, officers and other servants of the University including the creation of new posts, after considering the recommendations of the Academic Council and the Syndicate, in the case of posts of teachers, and the recommendation of the Syndicate, in the case of posts of officers and other servants of the University ;(j)The maintenance of accounts of the income and expenditure of the University including the income and expenditure of colleges and the forms and registers in which such accounts shall be kept ;(k)The maintenance of a register of teachers ;(l)The conferment of honorary degrees ; and(m)All other matters which, by this Act, are to be or may be prescribed by the Statutes.

31. Statutes, how made.

(1)The Senate may take into consideration the draft of any Statute either of its own motion or on the submission thereof by the Syndicate :Provided that-(i)No draft of any Statute having the effect of varying the number of posts or the scales or grades of pay of teachers, officers, and other servants of the University shall be taken into consideration by the Senate unless the Chancellor has recommended to the Senate the consideration of the draft ;(ii)The Syndicate shall not propose the draft of any Statute affecting the status, powers and constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the Senate ; and(iii)On matters appertaining to the status, powers, functions or constitution of the Academic Council, it shall be lawful for the Academic Council to initiate the draft of any such Statute and forward it to the Syndicate for transmission to the Senate with such recommendations as the Syndicate may wish to make.(2)Where the draft of any Statute or part thereof submitted by the Syndicate to the Senate has been returned to the Syndicate for reconsideration and the Syndicate after such reconsideration does not agree to any amendments suggested by the Senate, it shall be lawful for the Senate to pass the draft of the Statute or part thereof in such form as it thinks fit and the decision of the Senate shall, subject to the provisions of sub-section (3) and sub-section (4), be final.(3)Where the draft of any Statute has been passed by the Senate, it shall be submitted to the Chancellor who may declare that he assents to the Statute :Provided that the Chancellor may as soon as possible after the presentation to him of the draft of the Statute so passed for assent, return the draft together with a message requesting that the Senate will reconsider the draft and when the draft is so returned, the Senate shall reconsider the draft accordingly and if the draft is passed again by the Senate with or without any amendment and is presented to the Chancellor for assent, the Chancellor shall declare

either that he assents thereto or that he withholds assent therefrom.(4)Where any member of the Senate proposes to the Senate the draft of any Statute, the Senate may refer the same to the Syndicate and it shall thereupon be the duty of the Syndicate to consider the draft and the Syndicate may either recommend to the Senate that the proposal be rejected or submit the draft to the Senate in such form as the Syndicate may approve, and the provisions of this section shall apply in the case of any draft so submitted as they apply in the case of the draft proposed to the Senate by the Syndicate.(5)A Statute passed by the Senate shall have no validity until it has been assented to by the Chancellor.

32. Ordinances.

- Subject to the provisions of this Act and the Statutes, the Syndicate may make Ordinances to provide for all or any of the following matters, namely :-(a)The admission of students to the University and their enrolment as such ;(b)The conditions of residence of the students of the colleges and the University, the levying of fees for residence in hostels maintained by the colleges or recognised by the University and the recognition of hostels not maintained by the University, including the suspension or withdrawal of such recognition ;(c)The fees to be charged for courses of study in the University and for admission to the examination, degrees and diplomas of the University ;(d)The constitution powers and duties of the Committees of the University ;(e)The inspection of colleges by any agency ; and(f)All other matters which by this Act or the Statutes, are to be or may be provided for by the Ordinances.

33. Ordinance, how made.

(1)an Ordinance made by the Syndicate under section 32 shall be submitted as soon as may be to the Senate, and thereupon it shall be the duty of the Senate to consider the Ordinance at its next meeting and the Senate may, by resolution passed by a majority of the members present and voting at such meeting, either reject the Ordinance or approve it with such modifications, if any, and from such date, as it may direct.(2)Where an Ordinance has been approved by the Senate it shall be submitted to the Chancellor who may declare that he assents to the Ordinance.(3)An Ordinance shall have not validity until it has been assented to by the Chancellor under sub-section (2).(4)Notwithstanding anything contained in sub-sections (1), (2) and (3), if at any time, except when the Senate is in session, the Syndicate makes an Ordinance and considers its immediate enforcement necessary, the Syndicate may recommend to the Chancellor accordingly and the Chancellor shall thereupon, by order published in the Official Gazette, direct that the Ordinance shall come into immediate effect, but such Ordinance shall cease to have effect on the expiry of seven days from the date of the next meeting of the Senate unless confirmed by it.

34. Regulations, how made.

(1)Subject to the provisions of this Act, the Statutes and the Ordinances, the Academic Council may make Regulations to provide for all or any of the following matters, namely :-(a)The courses of study to be laid down for all degrees and diplomas of the University ;(b)The conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the

University and shall be eligible for such degrees and diplomas ;(c)The formation of departments of teaching in the Faculties ;(d)The conditions and mode of appointment and duties of examiners and the conduct of examinations ;(e)The Standards of teaching to be maintained in the colleges ; and(f)All matters which by this Act, the Statutes or the Ordinances are to be or may be provided for by Regulations.(2)(i)A Regulation made by the Academic Council under sub-section (1) shall be forwarded, as soon as may be, to the Syndicate for transmission to the Senate, and the Syndicate shall duly forwards the same to the Senate with such recommendations, if any, as it may wish to make and shall have no power to return it to the Academic Council for reconsideration, unless such Regulation, in the opinion of the Syndicate, relates to matters which directly or indirectly the finances of the University.(ii)Such Regulation shall have effect from the date on which it is confirmed by the Senate or from such other date as the Senate may appoint ;Provided that if at any time, except when the Senate is in session, the Academic Council makes a Regulation and considers its immediate enforcement necessary, the Academic Council may recommend to the Chancellor accordingly and the Chancellor shall thereupon, by order published in the Official Gazette, direct that the Regulation shall come into immediate effect, but such Regulation shall cease to have effect on the expiry of seven days from the date of the next meeting of the Senate unless confirmed by it :Provided further that if any Regulation made by the Academic Council under the preceding proviso involves expenditure from the University fund, the Regulation shall be forwarded to the Chancellor through the Syndicate.(3)Where the Syndicate has returned to the Academic Council a Regulation made by it and the Academic Council, on reconsideration of the matter, does not agree with the Syndicate, the Academic Council may refer the matter to the Senate through the Syndicate and thereupon the Senate may either confirm the Regulation or reject it.

35. Rules.

(1)The authorities and the Boards of the University may make Rules consistent with this Act, the Statutes, the Ordinances and the Regulations-(a)Laying down the procedure to be observed at their meetings and the number of members required to form a quorum ;(b)Laying down the procedure to be observed by Committees subordinate to any such authorities and the Boards at their meetings and the number of members required to form a quorum ;(c)Providing for all matters which by this Act, the Statutes, the Ordinances or the Regulations are to be prescribed by Rules ; and(d)Providing for all other matters exclusively concerning such authorities, Committees and Boards and not provided for by this Act, the Statutes, the Ordinances or the Regulations.(2)Every authority of the University shall make Rules providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.(3)The Senate may direct the amendment, in such manner as it may specify, of any Rules made under the section or the annulment of any Rules made under sub-section (1).Hostels.

36. Hostels.

(1)Every hostel maintained by a college or approved and recognised by the University shall conform to such general or special conditions including conditions of residence as may be prescribed by the Ordinances.(2)Wardens and superintending staff of hostels shall possess such qualifications and

shall be appointed in such manner as may be prescribed by the Statutes. Annual Report of the University.

37. Annual report.

- The annual report on the working of the University shall be prepared under the direction of the Syndicate and shall include the annual accounts of the University and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes and shall be considered by the Senate at its annual meeting and the Senate may pass resolutions thereon and communicate the same to the Syndicate for such action, if any, as may be specified in such resolutions : Provided that no decision shall be taken on the annual accounts nor shall there be anything in the resolutions on the annual report which may have the effect of anticipating the report of the auditors on the annual accounts. Finance, Accounts and the Audit of the University.

38. University Fund.

(1) There shall be established—(i) For the Patna University, a Fund to be called the Patna University Fund ; (ii) For the University of Bihar, a Fund to be called the University of Bihar Fund ; (iii) For the Bhagalpur University, a Fund to be called the Bhagalpur University Fund ; and (iv) For the Ranchi University, a Fund to be called the Ranchi University Fund ; which shall be vested in the University for the Purpose of this Act, subject to the provisions therein contained, and there shall be placed to the credit thereof—(a) All sums contributed or granted to the University from the Consolidated Fund of the State of Bihar by the State Government for the purpose of the University or for the purposes of the colleges and all sums borrowed by the University for the purpose of carrying out the provisions of this Act and the Statutes, Ordinances, Regulations and Rules made thereunder ; (b) All moneys received by and on behalf of the institution and departments established and maintained by the University including all sums paid to the University under any provisions of this Act and the Statutes, Ordinances, Regulations and Rules made thereunder ; (c) Such percentage of the balance, if any, standing to the credit of the University of Bihar established and incorporated under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951), immediately before the commencement of this Act as may be determined by the Governor of Bihar having regard to the claims of the Universities established and incorporated under section 3 ; (d) All interests and profits arising from endowments made to the University and all contributions, donations and subsidies received from any local authority or private persons ; (e) All fees payable and levied under this Act and the Statutes, Ordinances and Regulations made thereunder ; and (f) All other sums received by the University, not included in clause (a), (b), (c), (d) or (e). (2) The balance, if any, standing to the credit of the Patna University Fund established under section 37 of the Patna University Act, 1951 (Bihar Act XXV of 1951) on the date of commencement of this Act, shall vest in the Patna University Fund established under clause (a) of sub-section (1). (3) The University Fund shall be kept in such scheduled bank within the meaning of the Reserve Bank of India Act, 1934 (II of 1934), or invested in such securities authorised by the Indian Trusts Act, 1882 (II of 1882), as may, from time to time, be approved by the State Government. (4) Nothing in this section shall in any way affect any obligations accepted by or imposed upon the Patna University established under the Patna University Act, 1917 (XVI of 1917), the Patna University established under the Patna University Act 1951 (Bihar Act XXV of 1951)

or the University of Bihar established under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951), by any declaration of trust executed by or on its behalf or by any scheme settled under the Charitable Endowments Act, 1890 (VI of 1890) for the administration of the trust in so far as such trust or scheme relates to the University or the Colleges.

39. Contribution by Government to the University and Colleges.

(1)(i)The State Government shall contribute annually to the University Fund including the funds of the colleges a recurring grant which shall include all such expenses, not being expenses of a capital or non-recurring nature, as are considered necessary by the State Government for the maintenance of the colleges transferred to the University under sub-section (6) of section 3 and of the departments maintained by the University.(ii)The amount of the annual recurring grant determined by the State Government under clause (i) of sub-section (1) shall be specified in a notification to be published in the Official Gazette, within sixty days from the commencement of this Act, and the amount so determined and specified in the notification shall be final and shall not be questioned in any court of law.(2)All grants-in-aid to the colleges by the State Government shall, after the commencement of this Act, be made available to such colleges through the University Fund in such manner and subject to such conditions as may be specified in the rules made in this behalf by the State Government.(3)The State Government may contribute, from time to time, such additional grants to the University Fund or the funds of the colleges, as the case may be, as it may deem fit having regard to the need of expansion and development of University or the colleges.

40. Annual estimates of income and expenditure of colleges and University.

(1)The Principal of every college shall prepare in the prescribed form an estimate of its probable income including income from endowments and bequests, if any, and expenditure for the next ensuing financial year and the same shall be considered and sanctioned by the governing body or managing committee of the college either without alteration or with such alterations as it thinks fit and a copy of the estimate so sanctioned shall be submitted by the college to the Syndicate on or before such date as may be prescribed by the Statutes.(2)(i)On receipt of the estimate under sub-section (1) it shall forthwith be referred by the Syndicate to the Finance Committee for scrutiny and report and thereupon the Finance Committee shall scrutinise every item of the estimate and in particular the portion of the estimate relating to grants-in-aid to the college and submit a report to the Syndicate within such time as may be prescribed by the Statutes.(ii)The Syndicate shall forthwith take into consideration the report of the Finance Committee and return the estimate to the college for rectification of such defects therein, if any, as to the Syndicate may appear necessary or desirable.(3)The Finance Committee shall prepare the annual estimates of income and expenditure of the University for the next ensuing financial year and shall, on or before such date as may be prescribed by the Statutes, forward the same together with a memorandum containing explanatory notes thereon to the Syndicate which may approve the estimate either without alteration or with such alterations as it thinks fit and the estimates so approved by the Syndicate shall be laid before the Senate at its annual meeting.(4)Every estimate prepared under sub-section (3) shall make provisions for the due fulfilment of all the liabilities of the University including the allotment of grants to the colleges in accordance with the rules framed by the State Government under

sub-section (2) of section 39 and for the efficient administration of the Act and the Statutes, the Ordinances, the Regulations and the Rules made thereunder.(5)Every estimate under this section shall be prepared in such form and shall contain such details as may be prescribed by the Statutes.

41. Consideration of estimates by the Senate.

- The Senate shall consider every estimate laid before it under sub-section (3) of section 40 and shall sanction the same, either without alteration or with such alterations as it may think fit.

42. Restrictions on expenditure not included in the budget.

(1)No sum shall be expended by or on behalf of the University unless the expenditure of the same is covered by a current budget grant or can be met by re-appropriation or by drawing on the closing balance.(2)The closing balance shall not be reduced below such amount as may be prescribed by the Statutes.

43. Objects to which University Fund may be applied.

- The University Fund shall be applicable to the following objects : -(a)To the repayment of debts incurred by the University for the purposes of this Act and the Statutes, the Ordinances, the Regulations and the Rules made thereunder ;(b)To the upkeep of departments established by the University, hostels maintained by it and colleges transferred to it under sub-section (6) of section 3 or section 57 ;(c)To the payment of the salaries and allowances of officers, teachers and other servants of the University, and of any provident fund contributions to any such officers, teachers and other servants ;(d)To the payment of the travelling and other allowances of the members of the Senate, the Syndicate, the Academic Council and any other authorities of the University or the members of any Committees or Boards appointed by any of the authorities of the University in pursuance of any provisions of this Act, and the Statutes, the Regulations and the Rules made thereunder ;(e)To the making of grants to the colleges and other institutions ;(f)To the payment of the cost of audit of the University Fund under section 44 and of the cost of audit of the accounts of any college under section 45 ;(g)To the payment of expenses of any suit or proceeding to which the University is party ;(h)To the payment of any expense incurred by the University in carrying out the provisions of this Act, and the Statutes, the Ordinances, the Regulations and the Rules made thereunder ; and(i)To the payment of any other expense, not specified in any of the preceding clauses, declared by the Senate to be the expense for the purpose of the University.

44. Account and audit of the University Fund.

(1)Subject to the provisions of this Act and the Statutes made thereunder, the annual accounts of the University shall be audited by auditors appointed by the Accountant-General, Bihar.(2)A copy of the annual accounts of the University together with the auditors' report thereon shall be submitted by the Syndicate, within six months of the receipt of the report, to the State Government, the Chancellor and the Senate and the Chancellor shall cause the same to be published in the Official

Gazette.(3)(i) Within six months of the receipt of the auditors' report under sub-section (2), the Senate shall appoint an ad hoc Committee consisting of the Examiner of Local Accounts, Bihar, and eight members of the Senate who are not members of the Syndicate.(ii) The said Committee shall be known as the University Audit Committee and shall have power, for the purpose of examining the auditors' report; to call for explanations from the controlling and disbursing officers and it may-(a) Suggest ways and means to avoid in future any misuse of the University Fund or irregularity in the accounts of the University ;(b) Suggest the recovery of any sum on account of any payment contrary to law from a University authority, officer or servant or from any person making or authorising such payment, of the recovery of the amount of any loss or deficiency against the person responsible therefore or any amount which ought to have been but which is not brought into account against the person failing to account for such amount.(4) The auditors' report together with the University Audit Committee's report thereon shall be submitted to the Senate and the State Government for such action as they think fit.(5) It shall be lawful for the State Government either on the suggestion of the University Audit Committee or on its own motion to require any authority, officer or servant of the University or any other person who is found to have spent or authorised the expenditure of any amount in excess of the amounts provided in the budget or in violation of any provision of the Act, the Statutes, Ordinances, Regulations or Rules or is found to have failed to account for any amount, to reimburse the amount in the manner prescribed by the Statutes :Provided that no order for reimbursement shall be made until the authority, officer, servant or the person concerned has been given a reasonable opportunity of making a representation and the representation has been considered by the State Government.

45. Audit of account of colleges.

(1) The accounts of every college shall be audited and examined annually by a qualified accountant appointed as auditor by the Syndicate.(2) The auditor may, by written notice, require the production before him of any documents or the attendance before him of any person responsible for the preparation of the accounts, to enable the auditor to obtain such information as he may consider necessary for the proper conduct of the audit.(3) After completing the audit, the auditor shall submit a report to the Syndicate :Provided that the auditor may submit an interim report at any time he thinks fit.(4) The cost of the audit of the accounts of a college shall be met from the University Fund.

46. Power of State Government to have accounts of the University or college audited.

- If it so considers necessary, the State Government may cause the accounts of the University or any college to be audited by such agency as it thinks fit and on receipt of the audit report it may, after calling for a report from the University or college on the points raised therein and after considering the same, issue such directions as it thinks fit and thereupon the University or the college, as the case may be, shall comply with such directions within the time specified therein.

47. The Finance Committee.

(1)The Finance Committee shall consist of the Treasurer as the Chairman, an officer of the State Government not below the rank of a Deputy Secretary and four other members not being members of the Syndicate appointed by the Chancellor out of a panel of eight persons recommended by the Syndicate.(2)The term of office of members other than the ex-officio members shall be for a period of three years with effect from the respective dates of their appointment and shall include any further period which may elapse between the expiration of the said three years and the date of the next succeeding appointment, not being an appointment to fill up any casual vacancy under section 53.(3)The Finance Committee shall -(a)Advise the University on any question affecting its finances ;(b)Prepare the annual estimates of income and expenditure of the University including the estimates of the departments of the University and of the colleges maintained by it ;(c)Subject to Statutes, have power to scrutinise the estimates of the colleges ;(d)Subject to Statutes have power to scrutinise every item of new expenditure not provided in the budget estimates of the University and the colleges ;(e)Be responsible for the strict observance of the Statutes relating to the maintenance of accounts of income and expenditure of the University ; and(f)Discharge such other functions of financial nature as may, from time to time, be prescribed by the Statutes or entrusted to it by the Senate or the Syndicate.

48. Inspection of colleges.

(1)Every affiliated college shall furnish such reports, returns and other information as the Syndicate, after consulting the Academic Council, may require to enable it to judge of the efficiency of the college.(2)The Syndicate shall cause every such college to be inspected from time to time.(3)The Syndicate may call upon any college so inspected to take, within a specified period, such action as may appear to it to be necessary in respect of any of the matters specified in any Statutes made under clause (d) of section 30 or under section 49.

49. Relations of affiliated colleges with the University.

- The relations of the affiliated colleges with the University shall be governed by the Statutes to be made in that behalf, and such Statutes shall provide in particular for the exercise by the University of the following powers in respect of the colleges affiliated to the University :-(i)To lay down minimum educational qualifications for the different classes of teachers and tutorial staff employed by such colleges and the conditions of their service ;(ii)To approve the appointments of the teachers made by such colleges ;(iii)To co-ordinate and regulate the facilities provided and expenditure incurred by such colleges in regard to libraries, laboratories and other equipments for teaching and research ;(iv)To require such colleges, when necessary, to confine the enrolment of students to certain subjects ;(v)To regulate conditions of service of teachers of such colleges including the grant of leave with or without allowances and the constitution of pension, insurance and provident funds for the benefit of such teaches ; and(vi)To require satisfactory arrangements for tutorial and similar other work in such colleges and to inspect such arrangements from time to time :Provided that such colleges shall supplement such teaching by tutorial or other instruction or training in a manner to be prescribed by the Regulations to be made by the Academic Council.Enrolment and Degrees.

50. Qualifications for enrolment of students of the University.

- No student shall be enrolled as a student of the University unless he has passed the Higher Secondary School Examination or any equivalent examination held by the University or any other University or body incorporated by any law for the time being in force and recognised by the University. Supplementary provisions.

51. Appointment of Commission to inquire in to working of University.

(1) The State Government may at any time by order published in the Official Gazette, constitute a Commission which shall consist of a Chairman and such other members as the State Government may appoint, and the order shall define the procedure to be followed by the Commission. (2) The Commission constituted under sub-section (1) shall inquire into and report on- (i) The working of the University during the period of inquiry ; (ii) The financial position of the University including the financial position of its colleges and departments ; (iii) Any changes to be made in the provisions of this Act or the Statutes, the Ordinances and the Regulations made thereunder with a view to bringing about improvements in the affairs of the University ; or (iv) Such other matters as may be referred to it by State Government ; and make such recommendations to the State Government as it thinks fit. (3) On receipt of the recommendation of the Commission under sub-section (2), the State Government shall forthwith refer the same to the Senate for consideration and report, and immediately after the Senate has considered the recommendation and submitted its report to the State Government, it shall be the duty of the State Government to take the report into consideration and pass such order thereon as it thinks fit and cause the same to be published in the Official Gazette and thereupon the University shall comply with the order within such time as may be specified by the State Government. Miscellaneous and Transitory Provisions.

52. Disputes as to constitution of University authorities and bodies.

- If any question arises whether any person has duly become, or is entitled to be, a member of the Senate, the Syndicate or the Academic Council, the matter shall be referred to the Chancellor whose decision thereon shall be final.

53. Filling of vacancies.

- All vacancies among the members (other than ex-officio members) of any authority or other body of the University by reason of death, resignation or otherwise shall be filled, as soon as conveniently may be, by the person or body who appointed, nominated, elected or co-opted the member whose place has become vacant, and the person so appointed, nominated, elected or co-opted shall be a member of such authority or body for the unexpired portion of the term for which the member, in whose place such person in appointed nominated, elected or co-opted, would otherwise have continued in office : Provided that pending the appointment, nomination or election of any person to fill any such vacancy in the manner aforesaid, the vacancy (other than a vacancy in the Senate) may, if the authority or body of the University so decides, be filled by the co-option of any person

qualified to fill such vacancy under the provisions of this Act, and any person so co-opted shall hold office as a member of such authority or body until a person is appointed, nominated or selected thereto in accordance with the provisions of this Act.

54. Proceedings of University authorities and bodies not invalidated by vacancies.

- No act or proceeding 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.

55. Conditions of service of officers and teachers of the University.

(1) Every salaried officer of the University Department other than officers and teachers who are members of the public services in India and whose services have been lent to the University under clause (1) of sub-section (2), shall be appointed on a written contract which shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the officer or teacher concerned. (2) Any member of the public services in India whom it is proposed to appoint to a post in the University shall, subject to the approval of such appointment by the Government concerned and the terms thereto, have the option- (i) Of having his services lent to the University and remaining, at any time, liable to recall to the service of the Government at the option of the Government concerned ; or (ii) Of resigning the service of the Government on entering the service of the University ; Provided that where the University, after consultation with the State Public Service Commission, is satisfied that an officer or teacher, being a servant of the Government whose service have been lent to the University deserve the punishment of dismissal, removal or reduction in rank, the University shall forward to the Government the proceedings instituted against such officer or teacher together with all connected papers including the findings of the State Public Commission, and thereupon the Government shall forthwith cause the said officer or teacher to be reverted to the service of the Government and take such action against him as it thinks fit. (3) Notwithstanding anything contained in any law or contract the following provisions shall apply to all officers, teachers and other servants who immediately before the commencement of this Act were in the employ of the Patna University established under the Patna University Act, 1951 (Bihar Act XXV of 1951) or the University of Bihar established under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) :- (a) The State Government shall, as soon as may be, after the commencement of this Act, apportion such officers, teachers and other servants between the different Universities specified in sub-section (1) of section 3. (b) On such apportionment such officers, teachers and servants shall be deemed to have been transferred to the University to which they are allotted under clause (a) with effect from the date of commencement of this Act. (c) The University to which such officers, teachers and servants are deemed to have been transferred under clause (b) shall employ them subject to such terms and conditions as were in force immediately before the commencement of this Act and they shall be subject to such disciplinary control as are for the time being applicable to the officers, teachers and other servants of that University appointed under this Act.

56. Pension, gratuity, insurance and provident funds.

(1)The University shall constitute, for the benefit of its officers, teachers and other servants (other than the officers and teachers who are members of the public services in India and whose services have merely been lent to the University under section 55), in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, gratuity, insurance and provident funds as it may deem fit.(2)Where any such pension, gratuity, insurance or provident fund has been so constituted, the State Government may declare that the provisions of the Provident Funds Act, 1925 (XIX of 1925) shall apply to such fund as if it were a State Provident Fund.

57. Transfer of colleges to the University and other provisions connected with or incidental to such transfer.

(1)The State Government may, as any time after the commencement of this Act, by order published in the Official Gazette, direct that any college owned and maintained by the State Government including the attached hostels and other buildings forming part of such college together with the articles of furniture, library, books, laboratories, stores, instruments, apparatus, appliances and equipments of such college shall, with effect from such date and subject to such conditions as may be specified in the order, be transferred to the University and upon the publication of the said order, such college including the attached hostels and other buildings forming part of such college together with the articles of furniture, library, books, laboratories, stores, instruments, apparatus, appliances and equipments of such college shall be deemed to have been transferred to the maintenance and control of the University as its college :Provided that until arrangements are made by the University, the State Government shall be and continue to be responsible for keeping the buildings of the said college, including fixtures, fittings and connections, in a proper state of repairs, s may from time to time be required by the University.(2)Nothing in this Act shall be deemed to authorise the University to sell, lease, exchange or otherwise dispose of any land or building transferred to the University under sub-section (1) or under sub-section (6) of section 3.(3)Where any college has been transferred to the maintenance and control of the University by an order under sub-section (1), then, notwithstanding anything contained in this Act-(a)The University shall employ on such terms as may be determined by the State Government all members of the teaching staff and other servants of the State Government who, immediately before the date of the publication of the said order, were serving in, or were attached to, that college ;(b)The University shall consider, in consultation with the State Government, the claims to appointment in the service of the University of such teachers employed in any other educational institutions either within or without the territorial limits of the University as were in the service of the Government immediately before the date of such transfer in vacancies which in the event of such vacancies being filled by appointment or promotion of the teachers of the University who were immediately before the date of such transfer in the service of the Government, may involve the supersession of the claims of the teachers employed in the educational institutions referred to above.(4)If the State Government is at any time satisfied that circumstances exist which render it necessary to withdrawn any college transferred to the University under sub-section (1) or under sub-section (6) of section 3 it may, by an order published in the Official Gazette, rescind the transfer and withdrawn such college from the maintenance and control of the University.

58. Removal by Chancellor of difficulties at the commencement of this Act.

- If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first giving effect to the provisions of this Act or the Statutes the Chancellor may, at any time before all the authorities of the University have been constituted, by order make any appointment or do anything consistent, so far as may be, with the provisions of this Act and the Statutes, which appear to him necessary or expedient for the purpose of removing the difficulty, and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act :Provided that, before making any such order, the Chancellor shall ascertain and consider the opinion of the Vice-Chancellor, and of such of the appropriate authorities of the University as may have been constituted, on the proposed order.

59. Transitory provisions.

(1)On the day on which this Act comes into force, the Chancellor shall appoint a person qualified under sub-section (1) of section 9 to be the Vice-Chancellor of the University.(2)Notwithstanding anything contained in this Act, the Vice-Chancellor may, for a period of six months from the commencement of this Act and with the previous approval of the Chancellor and subject to the provision of funds by the State Government or otherwise, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and for that purpose may exercise any powers or perform any duties which by this Act are to be exercised or performed by any officer or authority of the University, not being an officer or authority in existence at the time when such powers are exercised or such duties are performed.

60. Continuance of Statutes, Ordinances, etc., which were in force under the Bihar Acts XXV and XXVII of 1951.

- Until Statutes, Ordinances, Regulations and Rules are made under the appropriate provisions of this Act-(a)In so far as the Patna University mentioned in sub-section (1) of section 3 is concerned-(i)The Statutes, Ordinances, Regulations and Rules which were in force under the Patna University Act, 1951 (Bihar Act XXV of 1951), immediately before the commencement of this Act, shall, subject to such adaptations or modifications as may be made therein by the Vice-Chancellor with the approval of the Chancellor, in so far as they are not inconsistent with the provisions of this Act, be deemed to be Statutes, Ordinances, Regulations and Rules made under the appropriate provisions of this Act;(ii)In respect of matters for which there are no provisions in the Statutes, Ordinances, Regulations or Rules mentioned in sub-clause (i), the appropriate provisions contained in the Statutes, Ordinances, Regulations or Rules which were in force under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) immediately before the commencement of this Act shall, subject to such adaptation or modification as may be made therein by the Vice-Chancellor with the approval of the Chancellor, in so far as they are not inconsistent with the provisions of this Act, be deemed to be Statutes, Ordinances, Regulations and Rules made under the appropriate provisions of this Act ;(b)In so far as the Universities, other than the Patna University, mentioned in sub-section (1) of

section 3 are concerned, the Statutes, Ordinances, Regulations and Rules which were in force under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) immediately before the commencement of this Act, shall, subject to such adaptations or modifications as may be made therein by the Vice-Chancellor with the approval of the Chancellor, in so far as they are not inconsistent with the provisions of this Act, be deemed to be Statutes, Ordinances, Regulations and Rules made under the appropriate provisions of this Act.

61. Vice-Chancellor to take necessary action for election, appointment, nomination and co-option of members to the Senate, Syndicate and the Academic Council.

- The Vice-Chancellor shall take necessary action for elections being held, appointments, nominations and co-option being made, under this Act so that the newly elected, appointed, nominated or co-opted members as the case may be, of the Senate, the Syndicate and the Academic Council as constituted under this Act shall come into office on the date following the expiration of the period specified in sub-section (2) of section 59 and the term of office of the members of the said authorities of the University shall be deemed to commence from the said date.

62. Saving as to certain examinations.

- Notwithstanding anything contained in this Act, the Statutes, Ordinances or the Regulations-(a)Any student who immediately prior to the commencement of this Act was studying for a degree, diploma or certificate of the University of Bihar established under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) in accordance with the Regulations in force under that Act, may until such examination is provided by the University, be admitted to the examination of the University of Bihar established and incorporated under section 3 and be conferred the degree, diploma or certificate of the latter University for which he qualifies on the result of such examination ;(b)Any student who immediately prior to commencement of this Act was studying for a degree, diploma or certificate of the Patna University established under the Patna University Act, 1951 (Bihar Act XXV of 1951) in accordance with the Regulations in force under that Act, shall be admitted to the examination of the Patna University established and incorporated under section 3 and be conferred the degree, diploma or certificate of the latter University for which he qualifies on the result of such examination ; and(c)If the Patna University established under the Patna University Act, 1951 (Bihar Act XXV of 1951) or the University of Bihar established under the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) has held any examination the result of which has been published but the degrees, diplomas or certificates relating thereto have not been conferred or issued, or the result of any such examination has not been published, by the said University, then such examination held by the former University shall be deemed to have been held by the Patna University established and incorporated under section 3 and such examination held by the latter University shall be deemed to have been held by the University of Bihar established and incorporated under the said section.

63. Repeal of certain enactments.

(1)The enactments in the schedule annexed to this Act are hereby repealed.(2)Notwithstanding such repeal, and subject to the provisions of section 64, all appointments made, orders issued, degrees, diplomas or certificates conferred or issued, privileges granted or other things done under any such enactments and in force immediately before the commencement of this Act shall, so far as they are not inconsistent with this Act, be deemed to have been respectively made, issued, conferred, granted or done under this Act ;(3)Notwithstanding the repeal of the Patna University Act, 1951 (Bihar Act XXV of 1951) and the University of Bihar Act, 1951 (Bihar Act XXVII of 1951), the State Government shall have the right to cause the accounts of the Universities established and incorporated under the said Acts to be audited by such agency as it thinks fit and on the receipt of the audit report to take such action thereon as it may consider necessary.

64. Certain appointments, etc., not to have effect unless approved by the State Government.

- Notwithstanding anything contained in this Act or in the Patna University Act, 1951 (Bihar Act XXV of 1951) or the University of Bihar Act, 1951 (Bihar Act XXVII of 1951) any appointment including promotion or grant made or affiliation granted or fee enhanced, after the twenty-third day of May, 1960, by any of the authorities or officers of the Universities established under the said Acts of 1951, shall not have effect unless they are approved by the State Government, and the provisions of this section shall be deemed to have come into force on the said date.

Schedule

(See section 63)

Year.	Number.	Short title.
1951	Bihar Act XXV of 1951 ..	The Patna University Act, 1951.
1951	Bihar Act XXVII of 1951 ..	The University of Bihar Act, 1951.
1954	Bihar Act XXVI of 1954 ..	The Patna University (Amendment) Act, 1954.
1954	Bihar Act XXVII of 1954 ..	The University of Bihar (Amendment) Act, 1954.
1958	Bihar Act IX of 1958 ..	The Patna University (Amendment) Act, 1958.
1958	Bihar Act X of 1958 ..	The University of Bihar (Amendment) Act, 1958.
1959	Bihar Act XXV of 1959 ..	The Patna University and the University of Bihar(Amendment)Act, 1959.
1960	Bihar Act VII of 1960 ..	The Patna University and the University of Bihar(Amendment)Act, 1960.