

The Patna University Act 1917

(This act came into force on the 1st of October, 1917)

AN ACT TO ESTABLISH AND INCORPORATE A UNIVERSITY AT PATNA

Whereas it is expedient to establish and incorporate a University at Patna. To be known as the Patna University, it is hereby, enacted as follows:—

Short title and commencement.

1. This Act may be called the Patna University Act-1917.
2. It shall come into force on such date as the Governor-General in Council may, by notification in the *Gazette of India*, direct.

Definition

In this Act, unless there is anything repugnant-in the subject or context—

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“Local government” means the local government of Bihar and Orissa.

“Regulations” means Regulations for-the time being in force of the University;

“University” means the Patna University.

“Syndicate” means the University Syndicate;

“Senate” means the University Senate.

incorporaiton

1. The first Chancellor and Vice- Chancellor of the ‘University, and the first ‘members of the Senate, and- all persons who may hereafter become such officers or members, as long as they continue to hold office or membership, are hereby constituted a body corporate by the name of the Patna University.
2. The Patna University shall have perpetual succession and a no common seal, and-shall sue and be sued by the said name.
3. The University shall be deemed to have been incorporated for the purposes, among others, of making provision for impartingl education of promoting original research, of examining students and conferringl degrees, of admitting educational institutions to its privileges and of inspecting/ the colleges and supervising all matters of education and discipline -therein.
4. The following shall be the authorities and officers of the University:-
 1. The Chancellor;
 2. The, Vice Chancellor;
 3. The senate;
 4. The. Syndicate;
 5. The Registrar;

6. Such other authorities and- officers as the Regulations may declare to be authorities or officers of the University.

5.

A) The Chancellor shall be the Governor of Bihar and Orissa for the time being.

B) The chancellor shall, by virtue of his office be the head of the University, and shall, when present, preside at Con- vocation of the University convened for the purpose conferring degrees and for other purposes.

C) Every proposal for the conferment of an honorary degree' shall be subject to the confirmation of the Chancellor.

D) The Chancellor shall finally decide any dispute with regard to the election of any person to be a member of the Senate or Syndicate. The Chancellor shall have the right to' make an inspection, or to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories, workshops and equipment and of any institutions associated with the University, and also of the examinations,- teaching and other work conducted or done by the University, and to make an inquiry or to cause an inquiry to be made in like manner/in respect, of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to make an inspection or inquiry or to cause an inspection or inquiry to be 'made, and the University shall be entitled to be represented thereat,-

E) The Chancellor may, by order in Writing, annul any: proceeding of the University which is not in conformity with this Act and the Regulations:

Provided that, before making any such order, he shall call upon the University to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.

The Vice-chancellor

1. The Vice Chancellor shall be appointed by the Local Government, and shall hold office for three years from the date of his appointment, on the expiration of which period he may be re-appointed from time to time, provided that no such" re-appointment shall be for a longer period than two years.

2. The Vice Chancellor shall, when present, preside at every meeting of any University authority of which he is a member and at Con- vocation of the University when the Chancellor is not present.

3. The Vice Chancellor shall appoint' and control every servant of the University whose aggregate emoluments do not exceed two hundred rupees per mensem.

4. The Vice Chancellor shall have the right of visiting and. inspecting the colleges.

The Senate

The Senate shall consist of the following Fellows, namely:—

CLASS I.-Ex-officio Fellows

A. The Vice Chancellor;

B. The Ministers appointed by the Governor of Bihar and Orissa under sub-section (1) of section 52 of 'the Government of India Act.

C. The Chief Justice of the High Court of Judicature at Patna;

D. The Director of Public Instruction, Bihar and Orissa;

E. The Inspector-General of Civil . Hospitals, Bihar and Orissa;

F. The Director of Industries/Bihar and Orissa;

G. The Principals of colleges in - which instruction, is given to a degree standard;

H. The Principal of the Cuttack Training College;

CLASS II.—Fellows for life.

- a) Such persons, not exceeding five in number, as may be appointed by the Chancellor on the ground that they have rendered eminent services to the cause of education;
- b) All persons who have given, whether in one or more instalments, a sum of not less than one lakh of rupees to or -for the purposes of the University or of a college;

CLASS III.—Representative Fellows.

- a) Twenty-five persons to be elected by the teaching staffs of the colleges, of whom, one at least shall be elected from among themselves by the teaching staff of each college in which instruction is given to a degree standard;
- b) Five persons to be elected by the graduate teachers of schools in which instruction is given to a standard prescribed by the Regulations;
- c) Twenty registered graduates to be elected by such registered-graduates as are not for the time being; included in the electorates referred to in sub-heads (i) and (ii);
- d) Five persons to be elected by such associations or public bodies and in such number by each such association or body as the Chancellor may direct;
- e) Five non-official elected members of the Bihar and Orissa Legislative Council of whom not more than one shall be elected from and by the non-official members of the said Council representing the constituencies in each of the five divisions of the Province.

Provided that the elections under subheads (i) and (in) shall be made subject to such conditions as to the representation, on the Senate of all the Faculties of the University- as may be prescribed by the Regulations and that not less than one- fifth of the -persons , to be elected under each sub-head Of Representative Fellows shall be persons permanently resident in- the Orissa Division; and

CLASS IV—Nominated Fellows.

- a) Not more than fifteen Fellows to be nominated by the Chancellor subject to the Regulations. Subject to the provisions of this Act and the Regulations the Senate 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.

In particular an without prejudice to the generality of the foregoing power

1. It shall determiner

- II. What degrees and diplomas shall be granted by the University;
- III. The courses of study and th duration there of
- IV. The time in a student's shall be taken;
- V. What subjects or groups of subjects shall be regarded as qualifying for each degree
- VI. Whether any new subject of instruction shall be included in the curriculum of any college or whether any subject previously taught shall be omitted therefrom;
- VII. Whether the standard to which instruction is given in any subject shall be raised or lowered; and

2. It shall pass Budget

Save on a reference made to it by not less than Six members of the Syndicate jointly the Senate shall not have power to review any act of the Syndicate duly done in the exercise of its powers under this Act or the Regulations in respect of any of the following matters:—

- a) The appointment of members of the Faculties and Boards of Studies, the determination of the. procedure of such Faculties or Boards, and of the* quorum of members, required -for the transaction of business;
- b) The appointment and remuneration of examiners and the determination of their duties and powers;
- c) The award of scholarships and prizes.

- d) The prescription of text-books for the courses: of study; and,
- e) The general disciplinary control over the students of the University.

The syndicate

The Syndicate shall consist-

- a) the Vice Chancellor, *ex-officio*.
- b) the Director of Public Instruction, Bihar and Orissa, *ex-officio*;
- c) two Principals and two Professors to be nominated by the Chancellor from four different colleges, of which one shall be the Ravenshaw College, if no member of the whole time staff of the said college is elected under clause (iv) (a); and
- d) twelve members to be elected by the Senate from among its members in such manner as may be prescribed by the Regulations, of whom—
- e) five shall be whole time members of the staff of a college and not more than one shall be* elected from any college;
- f) seven shall be persons who are, not members of the, staff of any college or any school and of them at least one shall be permanently resident in to be Orissa Division.

In addition to the matter indicate shall determine, subject to the provisions of section [7 (2)]³ and the Regulations, the standard of proficiency to be required for ordinary degrees, shall control the courses of study [and the I examinations and shall be responsible for the supervision and inspection of the colleges.

No act or -proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of any casual vacancy or vacancies among its members. Admission of No educational institution shall be admitted as a college, unless the following conditions are complied with, namely :-

1. The admission of the institution as a college has, on application made, and after the Syndicate ' has recorded its opinion on such application, been approved by the Senate and the Local Government; and
2. All provisions of the Regulations relating to the admission of educational institutions as colleges have been substantially complied with.

Exclusion of a college from the privileges of the University.

1. Any member of the Syndicate may bring forward a proposal that a the college he deprived either in whole or in part of its privileges;
2. The Syndicate shall, after- affording the governing body of the college all reasonable facilities for stating its objections to the proposal, consider the proposal and transmit a copy of its proceedings, including a copy of any representation which may be made by such governing body thereon, to the Senate.
3. The Senate shall consider the proposal, and shall, if it approves the same either with or without modifications, transmit a copy of the proceedings of the Syndicate and of its own proceedings to the Local Government.
4. The Local Government, after such further inquiry, if any, as may appear to it to be necessary shall, in so far as it agrees, with 'the opinion of the Senate, express its concurrence therewith, and thereupon the college shall be deprived of such privilegesl as the decision of Senate and the Local Government (which shall be communicated to it) may specify.

Notwithstanding anything in any, other law the time being in force no University in British India other than the Patna University shall, after the Bihar and commencement of this Act; admit any educational institution in the Province of Bihar and Orissa to any privileges whatever, and any such privileges granted by any such other University to any educational institution in that Province prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act.

Provided that any educational institution which, in accordance with the provisions of this section, has been deprived of any such privileges shall, notwithstanding the provisions of section 9, be deemed to have been granted the like privileges by the Patna University.

University staff.

The officers of the University other than the Vice Chancellor shall be appointed by the Chancellor after considering the recommendations of the Syndicate and the Senate. Provided that in the case of a person paid from the funds of the University whose term of appointment does not extend beyond a total period of six months, the appointment shall rest with the Syndicate subject to the sanction of the Chancellor.

Audit of accounts

The accounts of the University shall, once at least in every year and at intervals of not more than fifteen months be audited by auditors appointed by the Local Government, and a copy of the accounts, together with the auditors' report, shall be published in the local official Gazette.

Central board at Patna

There shall be a Central Board at Patna consisting of the Vice Chancellor, each Principal of a college at Patna and eight members appointed by the Syndicate from the governing bodies of such colleges of whom four shall be and four shall not be, members of the staff of a college.

The Central Board shall be subordinate to the Syndicate. (S) The Central Board shall have the following powers in respect of the colleges at Patna, namely:

- A. to arrange for inter-collegiate lectures
- B. to promote the health and the general welfare of the students;
- C. to promote the corporate life of the students.

Subject to the provisions of this Act the Regulations shall provide for the following matters :-

- A. The election and all matters connected therewith of Representative Fellows of the Senate and so as to include provisions for the adequate representation of all the Faculties of the University among the Fellows to be elected by the registered graduates and by the teaching staffs of the colleges;
- B. The election and all matters connected therewith of the elected members of the Syndicate;
- C. The duration of, the term of office of the Fellows of the Senate and the members of the Syndicate, other than life and *ex-officio* Fellows and *ex-officio* members;
- D. The maintenance for the purpose of constituting the electorates referred to in subheads (i), (ii) and (iii) of Class III of section of register of college teachers, school teachers and graduates including for such period as may be there by prescribed, graduates of any other University who are ordinarily resident in Bihar and Orissa, and the condition subject to which entries may be made therein; and
- E. The procedure to be followed at meetings of the Senate and Syndicate and the quorum of Fellows or members required to be present for the transaction of business;

and May provide for all or any of the following matters

- A. The constitution powers and duties of the Faculties, Boards of Studies or such other authorities or bodies, as It may be deemed necessary from time to time to appoint;
- B. The conditions of appointment and the powers and duties of the officers (other than the Vice Chancellor) and servants of the University;
- C. The constitution and functions of the governing bodies of the colleges;

- D. The admission of the educational institutions as colleges, and the withdrawal of privileges from colleges so admitted;
- E. The admission of students to the University and their examination;
- F. The residential arrangements for students of the University;
- G. The mode of appointment and duties of examiners ;
- H. The conferment and withdrawal - by the University of degrees diplomas certificates, and other academic distinctions;
- I. The general discipline and control of the University;
- J. The accounts to be kept and the use to be made of the funds of the University;
- K. Generally for carrying out the provisions of this Act.

The senate may, from time to time, make new or additional regulations, or may amend or repeal the regulations.

The Syndicate may from time to time, lay before the Senate any proposals for new Regulations, or may amend or repeal of any of the existing Regulations and it shall be the duty of the Senate duly to consider all such proposals;

All new Regulations, or additions to the Regulations,, or amendments to, or repeals of, the Regulations shall require the previous sanction of the Local government, which may sanction, disallow, or remit the same for further consideration.

The Patna University (Amendment Act), 1922

BIHAR AND ORISSA ACT I OF 1922

(The 8TH March, 1922.)

Validation of past action

Any act done' by or under the orders action of the Governor of Bihar and Orissa as Chancellor of the Patna; University prior to the commencement of this Act which, if this Act had been in force, could have been validly done by the said Governor as Chancellor of the said University is hereby validated,

TRANSITORY PROVISIONS CONTAINED IN THE PATNA UNIVERSITY (AMENDMENT) ACT, 1932. BIHAR AND ORISSA ACT 1932

Termination of office of fellows and members of existing senate and syndicate

1. Notwithstanding anything office of Fellows contained in the provisions inserted in and sections 7 and 8 of the said Act¹ by this Act², the terms of office of the Fellows of the Senate and members of the Syndicate—who are holding office under the provisions of the said Act¹, which are repealed or amended by this Act², shall expire on such dates, as the Local Government may appoint for each of the said bodies.
2. The Vice Chancellor shall make arrangements for holding elections under the provisions of the said Act¹, as amended by this Act², so that the newly elected Fellows' of the Senate and members of the Syndicate, as constituted under the said provisions, shall come into office on the dates appointed under sub-section (1), and the terms of office of the *ex-officio* Fellows and members of the said bodies shall be deemed to commence from the said date.