



Babasaheb Bhimrao Ambedkar Bihar University

Muzaffarpur-842001 (Bihar)

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Procedure followed in decision making

17. 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;
- (6) the Finance Committee;
- (7) the Planning and Evaluation committee; and
- (8) such other authorities as may be declared to be the authorities of the

University by the Statutes.

18. The Senate.- The Senate shall consist of the following persons, namely:-

Ex-Officio Members.

- (1) the Chancellor;
- (2) the Vice-Chancellor;
- (3) the Pro-Vice-Chancellor;
- (4) ³[Commissioner and Secretary Higher Education]
- (5) the Director of Higher Education, Bihar;
- (6) the Director of Health Services, Bihar;
- (7) the Director of Technical Education, Bihar;
- (8) the Deans of Faculties;
- ²[(9) Half of such of the Heads of University Departments as are not Deans shall be nominated by the Chancellor in rotation.]
- ²[(10) Ten Principals of Colleges maintained by the University as are not Deans to be nominated by the Chancellor in rotation.]
- ²[(11) Five Professors/Readers admitted to the privileges of the University in the manner prescribed in the Statutes, are not Deans shall be nominated by the Chancellor in rotation.]

Life Members.

- (12) all ex-Vice-Chancellors of the University;

Explanation.-¹[For the purpose of the clause, the expression Vice-Chancellor does not include any ex-Vice-Chancellor who was appointed to fill a casual or temporary vacancy ;

- (13) every person who has given to the satisfaction of the Chancellor whether in one or more instalments, a sum of not less than one lac rupees in cash or in the shape of property of the equivalent value to or for the purposes of the University or of a College:

Provided that for being a life member of the Kameshwar Singh Darbhanga Sanskrit University, the fixed amount shall be twenty-five thousand rupees;

Representative Members.

- ¹[(14) Ten persons to be elected by and from amongst the members of the Bihar Legislative Assembly in such manner as may be prescribed by the Speaker of the Assembly, one of whom shall be from Scheduled



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- Castes, one from Scheduled Tribes and three from other Backward Classes;]
- (15) four persons, to be elected by and from amongst the members of the Bihar Legislative Council in such manner as may be prescribed by the Chairman of the Council ;
- ¹[(16) Fifteen teachers other than Deans, Principals and Heads of University Departments having not less than five years' teaching experience, to be elected by and from amongst the teachers of the colleges and the University Departments, two of whom shall be from Scheduled Castes,two from Scheduled Tribes and three from other Backward Classes ;]
- (17) One person to be elected by each of the Bihar Secondary Teachers' Association, Bihar Hindi Sahitya Sammelan, Bihar Anjuman Taraquie-Urdu, Indian Medical Association (Bihar branch), Institution of Engineers, Bihar Branch and Bihar State Lawyers' Association from the area of the concerned University ;

Provided that in the case of the Lalit Narain Mithila University and the Kameshwar Singh Darbhanga Sanskrit University, there shall be one representative of Maithili Sahitya Parishad in place of one representative of the Institution of Engineers ;

- ²(18) परिनियम में विहित रीति से विष्वविद्यालय एवं महाविद्यालय के कर्मचारियों द्वारा निर्वाचित विष्वविद्यालय एवं महाविद्यालय के कर्मचारियों में से एक कर्मचारी;
- ²[(19) Five students from amongst the students of University to be elected in the manner prescribed in the Statutes, by the members of the Union Council of the University Students' Union;]
- (20) five persons, other than ex-officio and teacher members of the Governing Body of Colleges, shall be elected by and from amongst members of the governing bodies of the University in the manner as may be prescribed in the Statutes;

Nominated Members

- (21) three persons to be nominated by the Chancellor who are persons of scholarly pursuits;
- (22) one meritorious student to be nominated by the Vice-Chancellor in the manner prescribed in Statutes, whose tenure will be of one year;
- (23) one student to be nominated by the Vice-Chancellor in the manner prescribed in the Statutes, who has achieved distinction in sports and extra-curricular activities, will be of one year;
- (24) one person to be nominated by the State Sports Council, who has achieved a distinction in sports;
- (25) Six such registered graduates, other than the teachers of the University or its colleges, as have completed a period of five years after graduation, to be nominated by the Chancellor from the panel of registered graduates prepared by the Vice-Chancellor, one of whom shall be from Scheduled Castes, one from Scheduled Tribes and one from other Backward Classes.]
- ¹[(26) Such members of the Syndicate as are not members of the Senate under the above provisions.]
- ²[(27) Ten persons to be nominated by the State Government who are known for their academic interest, one of whom shall be from Scheduled Castes, one from Scheduled Tribes and three from other Backward Classes.]

Legislative changes (after 1982)- The first change in this section was brought by Ordinance 39 of 1986 (w.e.f. 17.12.1986) by which sub-sections (9), (10), (11),



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and (16) were substituted and this continued by successive Ordinances till Act 3 of 1990 was passed by which the substitution was accorded permanency. Originally these sub-sections read as follows:-

“(9) such of the Head of University Departments as are not Deans;

(10) such of the Principals of Colleges maintained by the University as are not Deans;

(11) half of the total number of Principals of Colleges admitted to the privileges of the University in the manner prescribed in the statutes, who are not Deans, shall be nominated by rotation.

(16) thirty teachers, other than Deans, Principals and Heads of University Departments having not less than five years' teaching experience, to be elected from and by the teaching staff of colleges, and University Departments in such manner, as may be prescribed by the statutes, so that the teaching staff of every College and the teaching staff of every University Department may be represented on the Senate under this sub-head in such number and at such intervals, as may be prescribed by the Statutes:

Provided that for the Kameshwar Singh Darbhanga Sanskrit University seven registered Acharyas of the University, seven representative teachers of the recognized institutions of Madhyama standard, four representative teachers of Tols nominated by the Chancellor, and two representatives of the Sanskrit Literature Association recognized by the State Government, shall be elected in the manner as prescribed in the Statutes;”

Thereafter a series of Ordinances amending different sections of this Act were promulgated but none had anything to do with this section. But Act 17 of 1993 which broke the chain of such Ordinances did touch this section also and substitution of some words in sub-section (4), substitutions of sub-sections (14), (16) and (25) and insertion of sub-section (27) were introduced. Prior to their substitution by Act 17 of 1993 which exist till today, these sub-section, read as follows:-

“(14) ten persons, to be elected by and from amongst the members of the Bihar Legislative Assembly in such manner as may be prescribed by the Speaker of the Assembly;”

“(16) fifteen teachers other than Deans, Principals and Heads of University Departments having not less than five years teaching experience to be nominated by the Chancellor in such manner as may be prescribed by the Statutes;”

“(25) five such registered graduates, other than the teachers of the University or its colleges, as have completed a period of five years after graduation to be nominated by the Chancellor from the panel of registered graduates prepared by the Vice-Chancellor:

Provided that for the Kameshwar Singh Darbhanga Sanskrit University not more than three persons, out of which two having rendered notable service for Sanskrit Education, shall be nominated by the Chancellor in the manner, as may be prescribed in the Statutes;”

19. Term of office of members of the Senate.-¹[(1) The term of office of members of the Senate other than the ex-officio members, the members whose terms has been specified under this Act 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 not being an election or nomination to fill up any casual vacancy under section 64 :

Provided that a member elected, or nominated as a representative of any body shall be deemed to have vacated office with effect from the date on which he ceases to be a member of the body which elected or nominated him:



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²[Provided that the tenure of office of the elected members under sub-section (19) of section 18 shall be one year with effect from the date of their election.]

³[(2) The Senate shall have perpetual succession and any of its acts or proceedings shall not be invalid merely because of any vacancy or vacancies in its membership.]

Legislative changes (after 1982)- By Act 17 of 1993 sub-section (2) was added to this section. Since none of the preceding Ordinances chain of which was broken by this Act contained such insertion, Sub-section (2) is to take effect from the date of passing of Act 17 of 1993.

20. Meetings of the Senate.- ³[(1) The Senate shall meet twice a year, on dates to be fixed by the Vice-Chancellor, which shall be called ordinary meetings of the Senate and one of them shall be declared by the Statutes to be the annual meeting of the Senate in which the Budget of the University for the next year shall be passed.

(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, ³[convene only one special meeting of the Senate in a year.]

21. Powers and duties of the Senate.- (1) Subject to the provisions of this Act and Statutes, the Senate shall be the supreme governing body of the University, and shall exercise control over all the affairs and properties of the University, and shall exercise all such powers as are not otherwise specified by 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 the Statutes and amending or repealing the same;
- (b) of considering the Statutes and the Regulations, and amending or repealing the same;
- (c) of passing resolution after having considered the annual report, the annual account, the financial estimates and audit report on such accounts;
- (d) of exercising the powers for the purpose of control in Colleges and Tols, and of superintendence which include affiliation and disaffiliation of Colleges:

Provide that affiliation or disaffiliation of Colleges or Tols shall not take effect, unless it is approved by the State Government :

Provided further that no medical college shall be affiliated except without the prior approval of the State Government.

Before granting such an approval, the State Government shall consider the financial viability of the College, the nature and form of the proposed management of the college, the viability of the academic standard and all other conditions which are likely to have adverse effect on the interests of students admitted to such a College;

- (e) of instituting and conferring such degrees, titles, diplomas and other academic distinctions as may be prescribed by the Statutes;
- (f) of exercising such other powers and of performing such other duties as are conferred or imposed upon it by this Act or the Statutes.

¹**[22. The Syndicate-**(1) The Syndicate shall be the Executive Council of the University and it shall consist of the following members :-

- (a) Vice-Chancellor;
- (b) Pro-Vice-Chancellor;
- (c) Commissioner-cum-Secretary of Higher Education or his representative not below the rank of the Joint Secretary;
- (d) Director, Higher Education;
- (e) Dean, Students' Welfare, and Proctor;



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- (f) Two Heads of the University Departments, to be nominated by rotation as prescribed by the Statutes, whose term of office shall be for one year from the date of nomination;
- (g) Two Principals of Colleges maintained by the University, to be nominated by rotation as prescribed by the Statutes, whose term of office shall be for one year from the date of nomination;
- (h) Two from amongst Professors and Readers of the University other than the University Heads of Departments and two such Lecturers as have a minimum of five years of teaching experience, to be elected by the teacher members of the Senate by single transferable vote in accordance with the system of proportionate representation, one of whom shall be from other Backward Classes from the rank of Professors and Readers, and one from Scheduled Castes/Scheduled Tribes from the rank of Lecturers;
- (i) Four from amongst the members of the Senate other than teachers, students and employees of University and Colleges, to be elected by the non-teacher members of the Senate by single transferable vote in accordance with the system of proportionate representation, but one of whom shall be from Scheduled Castes/Scheduled Tribes and one from the other Backward Classes;
- (j) One reputed educationist nominated by the Chancellor;
- (k) Three persons to be nominated by the State Government one of whom shall be from Scheduled Castes/Scheduled Tribes/other Backward Classes and one from women having academic interest and in social work elected in aforesaid manner.]

The following is as per the Hindi Text of the Gazette dated 28.8.1993-
राज्य सरकार द्वारा नाम निर्दिष्ट पाँच व्यक्ति जिनमें से एक अनुसूचित जाति/अनुसूचित जनजाति/अन्य पिछड़ा वर्ग से तथा एक विद्यानुरागी और ख्याति प्राप्त समाज सेवी महिला होगी।

(2) The term of office of members, other than the ex-officio member shall be for a period of three years with effect from the date of their respective election or nomination except otherwise provided and shall include any further period which may elapse between the expiry of the said period of three years and the date of the succeeding election or nomination, except in case of an election or nomination to fill up any casual vacancy:

¹[Provided that any member elected or nomination shall be deemed to vacate office with effect from the date on which he ceases to be member of the category from which he has been elected or nominated.]

(3) सिंडीकेट की बैठक अवकाश अवधि को छोड़कर महीने में एक बार साधारणतः होगी। परन्तु यदि कुलपति उचित समझें तो सिंडीकेट की विषय बैठक बुला सकते हैं। उप-समिति की बैठक सिंडीकेट की बैठक के तुरत पहले अथवा बाद में होगी।]

²[(4) The Syndicate shall have perpetual succession and any of its acts or proceedings shall not be invalid merely because of any vacancy or vacancies in its membership.]

Legislative changes (after 1982)- Ordinance 39 of 1986 brought some changes in this viz. words "Chief Executive Body" in sub-section (1) was substituted to "Executive Council" and clauses (g) and (h) of sub-section (1) and proviso to sub-section (2) were substituted. These changes continued by successive Ordinances till Act 3 of 1990 was passed. Prior to their substitution clauses (g), (h) of sub-section (1) and proviso to sub-section (2) read as follows:-

- "(g) One Reader or College Professor of the University or College and two such Lecturers having at least 10 years' teaching experience, to be elected by the Teacher Members of the Senate in accordance with the



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system of proportional representation by means of single transferable votes.”

- “(h) Three members other than teachers, students and other employees of a college or the University, to be elected in accordance with the system of proportional representation by means of single transferable vote by the members of the Senate:

परन्तु सिनेट इसके अन्तर्गत होने वाले निर्वाचन के स्थान पर मनोनयन का अधिकार कुलपति को नहीं दे सकती है तथा यदि निर्वाचन के स्थान पर कुलपति द्वारा मनोनयन हुआ हो तो कुलाधिपति इसका पुनर्विलोकन करेंगे और इस विषय में उनका आदेश अंतिम एवं बन्धनकारी होगा।”

The section again underwent changes when Act 17 of 1993 (w.e.f. 5.8.1993) substituted the whole of sub-section (1) Prior to substitution sub-section (1) (as amended by Ordinance 39 of 1986 followed by successive Ordinances and Act 3 of 1990) read as follows:-

“(1) The Syndicate shall be the Executive Council of the University and shall consist of the following persons, namely:

Ex-officio Members

- (a) The Vice-Chancellor;
- (b) The Pro-Vice-Chancellor;
- (c) The education Commissioner, Bihar, or his representative who shall at least be of the rank of Director (Higher Education) or Joint Secretary of the State Government;
- (d) Dean, Students' Welfare, Proctor and Co-ordinator, College Development Council;

Other Members

- (e) Two Heads of University Department as prescribed by the Statutes and their tenure shall be one year with effect from the date of their nomination;
- (f) Two Principals of colleges under the University by rotation as prescribed by the Statutes and their tenure shall be one year;
- (g) Two from amongst the University Professors, Professors and Readers, other than heads of Departments and two such Lecturers having teaching experience of at least 10 years shall be nominated by the Chancellor;
- (h) Three from amongst the members of the Senate, other than students and employees of College or University shall be nominated by the Chancellor;
- (i) One reputed educationist nominated by the Chancellor;
- (j) If in the foregoing clauses from (a) to (i) there be no ex-officio, nominated and elected Scheduled tribe or Scheduled Caste member, the Chancellor shall nominate a Scheduled Tribe member having academic interest each for the Ranchi and the Bhagalpur University and a Scheduled Caste member having academic interest each for the Lalit Narayan Mishra Mithila, Bihar, Magadh and Kameshwar Singh Darbhanga Sanskrit University:

Provided that if at a later stage a Scheduled Tribe or Scheduled Caste member is available, the term of the Scheduled Tribe or Scheduled Caste member nominated by the Chancellor shall be deemed to have automatically ceased.”

¹[23. Powers and duties of the Syndicate.- The Syndicate shall-

- (a) hold, control and manage the property and funds of the University;
- (b) regulate the use of the common seal of the University;
- (c) subject to the powers conferred, by or under this Act, on the Vice-Chancellor and the Academic Council, determine and regulate all



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- matters concerning the University in accordance with this Act, the Statutes and the Regulation;
- (d) manage any funds placed at the disposal of the University for specified purpose;
 - (e) have power to accept transfers on behalf of the University of any movable or immovable property to and for the benefit of the University or a College;
 - (f) make Ordinances, and shall amend or repeal them, and
 - (g) exercise such other powers and perform such other duties as are conferred or imposed on it by this Act, or the Statues.]

Legislative change (after 1982)- This section was substituted by Ordinance 39 of 1986 and the substitution continued by successive Ordinances till Act 3 of 1993 was enacted

Prior to its substitution this section read as follows :

“(23) Powers and duties of the Syndicate- The Syndicate-

- (a) shall hold, control and manage the property and funds (together with endowments, bequests and donations) of the University and other transfer of property made to colleges for their benefit;
- (b) shall regulate the form, provided 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, and the Regulations;
- (d) shall manage any funds placed at the disposal of the University for specific purposes;
- (e) save as otherwise provided in this Act or the statutes, shall appoint officers (other than the Vice-Chancellor and the Pro-Vice-Chancellor) and teachers of the University and shall define their duties and provide for the filling of temporary vacancies to the posts of such office..... and teachers.
- (f) shall have power, to accept transfers on behalf of the University of any movable or immovable property to and for the benefit of the University or a college;
- (g) shall make the Ordinance, and shall amend or repeal them; and
- (h) shall exercise such other powers and perform such other duties as are conferred or imposed on it by this Act or the Statutes;
- (i) shall take appropriate decision consistent with the Act and, on all matters having financial implication only after obtaining the advice of the Financial Adviser.”

24. The Academic Council.- (1) The Academic Council shall consist of-

- (1) the Vice-Chancellor;
- (2) the Pro-Vice-Chancellor;
- (3) the Deans of Faculties;
- (4) the Director, Higher Education, Bihar;
- (5) all Heads of University Departments;
- ¹[(6) 50 per cent of the Principals maintained by the University to be nominated by the Vice-Chancellor in rotation;]
- (7) all Principals of colleges maintained by the State Government;
- ¹[(8) Five Principals of affiliated colleges to be nominated by the Vice-Chancellor in rotation.]
- (9) ¹[Six]teachers, other than Deans, Professors and Heads of University Departments, who shall in the manner prescribed by the Statues, be elected by the Senate in such a way that each Faculty may get representation;



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- (10) not more than two experts outside the University service, to be co-opted by the Academic Council for specific purposes according to need;
- (11) the President of the University Students' Union elected under sub-section (1) of section 43.
- (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 or nomination 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 or nomination, as the case may be, not being an election or nomination to fill up any casual vacancy :

Provided that any member elected or nominated 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.

Legislative change (after 1986):- The following changes were introduced in this section by Ordinance 39 of 1986 (w.e.f. 17.12.1986) :-

- (a) Substitution of clause (6)
- (b) Substitution of clause (8)
- (c) Substitution of clause (9)

While clauses (6) & (8) prior to their substitution read as follows:-

- “(6) Seven Principals of Colleges maintained by the University who shall be nominated by rotation in the manner prescribed;
- (8) Two Principals of affiliated colleges to be nominated by the Senate by rotation.”

Continued by successive Ordinances till Act 3 of 1993 was enacted the substitution of figure “6” (six) from “12” by Ordinance 39 of 1986 was again substituted to “5” by Ordinance 13 of 1987 (w.e.f. 18.4.1987), but again substituted to “6” by the next Ordinance. 21 of 1987 (w.e.f. 7.8.1987) and finally the last amendment continued till Act 3 of 1993 was enacted.

25. Powers and duties of the 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 and the Statutes;
- (b) have the powers 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 provision of section 29, have powers of general control over the Examination Board, and may review the results of University Examination; and
- (e) exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

26. The Faculties.- (1) The University, other than the Kameshwar Singh Darbhanga Sanskrit University, may include the Faculties of Arts, Science, Commerce, Medicine, Law, Education, Engineering 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.



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(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 ¹[Statutes].

(3) The total number of members of each 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 keeping in view the qualifications of such teacher members.

(b) such members of the Senate as are not teachers, their number in any faculty not exceeding one-fifth of the total number of members of that Faculty, other than the Faculty of Agriculture, Engineering, Law, Medicine, Commerce or Veterinary Science and as may be elected from amongst 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:

Provide that no person shall be a member of more than two Faculties.

¹[5 (i) Dean of Faculty.- (a) The Dean of Faculty shall be appointed by the Vice-Chancellor from amongst the University Professors and the Principals of the rank of University Professors for two years by rotation in the concerned faculty in the manner prescribed in the Statutes:

Provided that where there is no teacher of Principal of the rank of University Professor in the Faculty, the Dean of Faculty shall be appointed by the Vice-Chancellor in rotation for a term of two years from amongst the Heads of Department and the Principals of the rank of Readers in the manner prescribed by the Statutes:

Provided further that where there is no University Department in the Faculty, the Vice-Chancellor shall appoint a Principal of a College of a rank lower than the University Professor to be the Dean of Faculty by rotation for a term of two years in the manner prescribed in the Statutes.]

(b) For being appointed Dean of the Faculty it shall be necessary for the person concerned to be a teacher in the Faculty.

(c) A teacher appointed in accordance with the above provisions shall not be eligible for re-appointment as Dean unless the cycle of rotation prescribed according to the Statutes is completed and there is no other teacher eligible for appointment as Dean.

(d) The term of such Deans as are not eligible according to the provisions of this section shall cease with the enforcement of this Act and for that faculty a new Dean shall be appointed.

(ii) The Dean of Faculty shall be responsible to the Vice-Chancellor for teaching and research work in that Faculty.

(6) (i) Each Faculty shall comprise of such department of teaching as may be prescribed by the Regulations.

²[(ii)- subject to the provisions of this Act and the provisions of the statute made thereunder the head of the Department shall be appointed by the Vice-Chancellor by observing, as far as possible, the principle of rotation. Such appointment's shall reported to the syndicate of the University.]



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³[(iii)- The Head of the Department shall hold office for a period of three years. A person shall not ordinarily be appointed as Head of the Department for a second consecutive term.

(iv)- The principal shall hold office for a maximum period of five years in one college.]

(7) Subject to the provisions of this Act, each Faculty shall have the following powers :-

- (a) to constitute the Board of courses of study of the departments allotted to it, and
- (b) to exercise such powers and perform such duties as may be prescribed by the Statutes.

Legislative change (after 1982)- By Ordinance 29 of 1986 clause (i) of sub-section (5) of section 26 was substituted which continued by successive Ordinances till the passing of Act 3 of 1990.

Prior to its substitution this clause read as follows:-

“(5) (i) Dean of Faculty.- (a) The Dean of Faculty shall be appointed by the Vice-Chancellor, by rotation in the manner prescribed by the Statutes from amongst University Professors or Principals in the rank of University Professor, for a period of two years:

Provided that if there be no University Professor or Principal in the rank of University Professor in the Faculty concerned, Head of a University Department in the rank of Reader may be appointed Dean of the Faculty by the Vice-Chancellor, by rotation in the manner prescribed by Statutes.

In case where there is no University Department, Principal of a college, below the rank of University Professor shall be appointed Dean of the Faculty, by the Vice-Chancellor, by rotation in the manner prescribed by the Statutes.

(b) For being appointed Dean of the Faculty it shall be necessary for the person concerned to be a teacher in the Faculty.

(c) A teacher appointed in accordance with the above provisions shall not be eligible for re-appointment as Dean unless the cycle of rotation prescribed according to the Statutes is completed and there is no other teacher eligible for appointment as Dean.

(d) The term of such Deans as are not eligible according to the provisions of this section shall cease with the enforcement of this Act and for that faculty a new Dean shall be appointed.”

Subsequently in clause (ii) of sub-section (6) of section 26 words “Bihar Public Service Commission” were substituted by the words “Bihar State University (Constituent Colleges) Service Commission” by Ordinance 14 of 1993 and subsequently incorporated in Act 17 of 1993 which repealed Ordinance 14 of 1993.

27. Faculties of the Kameshwar Singh, Darbhanga Sanskrit University.-(1)

The Kameshwar Singh Darbhanga Sanskrit University may include the following Faculties and such other Faculties, as may be prescribed by the Statutes-

- (i) Faculty of Vedas including Agam, Tantra dna karmkand;
- (ii) Faculty of ¹[Dershan] including Budha, Jain and Western Philosophy;
- (iii) Faculty of astrology;
- (iv) Faculty of Ayurved including modern medicine;
- (v) Faculty of Purans including Dharmshashtra, History and Geography;
- (vi) Faculty of literature and linguistics and Faculty of Grammer together with languages other than Sanskrit;
- (vii) Faculty of Sociology including Economics, Political Science and music;

Provided that the Senate shall not create any Faculty in respect of any such branch of learning for which no teaching arrangement is available in any department of the University or in any of its colleges.



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(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 each 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 qualification of such teacher-members;
- (b) such number of members of the Senate, not exceeding one fifth of the total number of members of each Faculty as may be elected by or from the Senate in the manner prescribed by the Statutes; and
- (c) such number of members to be co-opted 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) The Dean of Faculty.- The Dean of Faculty shall be appointed by the Vice-Chancellor by rotation, in the manner prescribed by the Statutes, for a period of two years in the Faculty concerned from amongst ¹[University Professors and Principals, Directors in the rank of University Professors]. He shall not be eligible for re-appointment, unless there is only one University Department/college:

Provided that it shall not be necessary for appointment of a Principal, as the Dean of the Faculty, to be a teacher in the same Faculty.

Provided further that if there be no such Principal, then the senior teacher of that Faculty may be appointed as the Dean of Faculty.

(ii) The Dean of Faculty shall be responsible to the Vice-Chancellor for teaching and research work in that Faculty.

(6) There shall be as many teaching departments in each Faculty as may be prescribed by the regulations.

(7) Subject to the provisions of this Act, each Faculty shall have the following powers :-

- (a) to constitute Board of courses of study for the departments assigned to it;
- (b) to exercise such other powers and perform such other duties, as may be prescribed by the Statutes.

28. Departmental Council.- (1) There shall be Departmental Council for each University Department and each college consisting of the following members-

- (i) the Head of the Department :
- (ii) all teachers of the Department :
- (iii) two students-one nominated by the Vice-Chancellor and the another by the Head of the Department for each academic year.

(2) The Departmental Council shall, from time to time, review the activities of the Department and suggest ways of its improvement.

This Council shall meet at least thrice in a year on dates to be appointed by the Head of the Department. In between its two meeting, there shall not be an interval of more than three months.

29. The Examination Board.- ¹[(1) Subject to the provisions of the Regulation, each..... shall be given in respect of conduct of examinations by the Examination Board. The Examination Board shall consists of the Vice-Chancellor as Chairman and Deans of the Faculties of Arts, Science and Commerce as members.

Provided that it the examination concerns any other faculty, the Dean of that Faculty shall be co-opted as a member for that meeting.]



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(2) The Examination Board shall render advice to the Vice-Chancellor on conduct of examinations and appointment of examiners, setting and moderating question papers, preparation, moderation and publication of examination results, submission of such examination results to the Academic Council, and generally regulating the methods of improvement in the procedure of correct evaluation of achievements of students, and the Vice-Chancellor shall be competent to take final decision :

Provided that the Vice-Chancellor shall appoint the question setters and examiners from the panel submitted by the Examination Board.

²[Provided further that the Vice-Chancellor shall have power to order for reevaluation of the answer books and in case he is satisfied that the evaluation of the answer or answer book has not been fairly done or evaluation has been done in violation of the University Statutes, Regulations, Rules or Orders.]

Legislative changes (after 1982)- Second Proviso was added to sub-section (2) of this section by Ordinance 39 of 1986 which continued by successive Ordinances till Act 3 of 1990 was enacted.

30. Holding of examinations.- (1) The examination of the University shall be held from such date, as may be appointed by the State Government by a notification in the official Gazette :

Provided that where the State Government is satisfied that it is not possible to hold examinations in accordance with the said notification, it shall, in consultation with the Vice-Chancellor, appoint revised dates of examinations and the revised dates shall be notified in the official Gazette.

(2) Results of examinations shall be published within sixty days of the completion of the concerned examination, which may be extended to a period beyond sixty days for reasons to be recorded in writing.

¹[(3) Person appointed for invigilation or any other related work in connection with the conduct of college or University examinations shall be deemed to be a public servant within the meaning of the Indian Penal Code, 1860.]

31. The Planning and Evaluation Committee.- (1) There shall be a Planning and Evaluation Committee for the purposes of preparing plan programme of development and improvements of the University and in its courses of study, examining and evaluating, from time to time, the progress achieved in such plans and programmes, testing and evolving new methods of teaching, and for consultation and exchange of informations with similar organisations, other Universities and research institutes for any of these purposes.

(2) The Committee shall consist of the following members :

- (a) Vice-Chancellor;
- (b) Pro-Vice-Chancellor;
- (c) one person to be nominated by the State Government;
- (d) three Deans of Faculties to be appointed in the manner as prescribed by the Statutes;
- (e) two members of the Syndicate to be nominated by it;
- (f) two members of the Academic Council to be nominated by it;
- (g) three heads of Departments to be nominated by the Vice-Chancellor every year, by rotation; and
- (h) two such members representing academic interests and professions, as may be co-opted by the Committee, either by rotation every year or according to subject or subjects, as may be required.

(3) The Registrar shall act as the Secretary to the Committee.

(4) The term of office of members, other than ex-officio-members, shall be of three year's duration, except where otherwise provided.



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32. The Research Council.- ²[(1) There shall be a separate Post-Graduate, Research Council in each faculty of the University for the registration and proper guidance of research work which shall work under the general control of the Academic Council.]

(2) The Post-Graduate Research Council shall consist of the following persons

:-

- (a) the Vice-Chancellor;
- (b) the Pro-Vice-Chancellor;
- (c) the Dean of the concerned Faculty;
- (d) all University Professors of the concerned Faculties and heads of those Departments which have no University Professors; and
- (e) four teachers of the concerned Faculty to be nominated by the Vice-Chancellor in each academic year.

33. 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.