Registered No. WB/SC-247 **No. WB(Part-III)/2018/SAR-5**

The Kolkata Gazette

Extraordinary
Published by Authority

PAUSA 19] TUESDAY, JANUARY 9, 2018 [SAKA 1939

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 26-L.—9th January, 2018.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act L of 2017

THE WEST BENGAL GREEN UNIVERSITY ACT, 2017.

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary,* of the 9th January, 2018.]

An Act to provide for constitution and incorporation of the West Bengal Green University in the State of West Bengal and for certain matters incidental thereto and connected therewith.

WHEREAS it is expedient to establish and incorporate a State-aided University by the name of the West Bengal Green University with the view to establish a Centre of Excellence devoted to the teaching, learning and research in various branches of study attached to the environmental studies, surface management studies, bio-diversity management aiming to reduce the bad effect of pollution both in land, water, surface, noise and sight. The proposed University will be developed with all modern facilities by using all natural resources in order to sensitize and educate people at large the need of maintaining a pollution free world along with the emerging field of study of science, arts, laws and other related field of studies.

The West Bengal Green University Act, 2017.

(Chapter I.—Preliminary.—Sections 1, 2.)

It is hereby enacted in the Sixty-eighth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

CHAPTER I
Preliminary

Short title and commencement.

1. (1) This Act may be called the West Bengal Green University Act, 2017.

(2) This section and sections 62, 63 and 64 shall come into force at once; and the remaining provisions of this Act shall come into force on such date or dates as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

Definitions.

2. In this Act, unless the context otherwise requires,—

(1) "appointed day" means the date referred to in sub-section (5) of section 62;

(2) "college" means the constituent or affiliated college of the University;

(3) "convocation" means a meeting of the Governing Board for the purpose of conferring degrees, titles, diplomas, certificates or other academic distinctions;

(4) "distance education" means instruction imparted through correspondence or distance mode as recognized by the appropriate authority;

(5) "employee" in relation to the University means a person employed in the University;

(6) "financial year" means the year ending on the 31 st day of March;

(7) "Governor" means the Governor of the State of West Bengal;

(8) "Librarian" means a Librarian or any other person holding a post of Librarian, by whatever name called, appointed or recognized as such by the University;

(9) "Minister" means the Minister-in-Charge of the Higher Education, Science and Technology and Biotechnology Department, Government of West Bengal, appointed as such by the Governor;

(10) "non-teaching staff" means the non-teaching staff appointed or recognized as such by the University and not holding any teaching, officer of the post of Librarian, by whatever name called;

(11) "officer" means an officer of the University;

(12) "prescribed" means prescribed by rules made under this Act;

(13) "registered graduate" means a graduate registered under this Act on making an application in the prescribed form and on payment of such fees as may be determined by the University from time to time;

(14) "State Government" means Government of West Bengal in the Higher Education, Science and Technology and Biotechnology Department;

(15) "Statutes", "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances , Regulations of the University made under this Act;

(16) "Student" means a student of the University and includes any person enrolled by the University for pursuing any Undergraduate or Post-graduate course of study or in research works of the University;

(17) "Students' Council" means the Students' Council of the University constituted in the manner prescribed;

(18) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor, or any other person, holding a whole-time permanent, substantive teaching post, appointed or recognized as such by the University for the purpose of imparting instruction and conduction of research in the University;

(19) "University" means the West Bengal Green University constituted under this Act;

(20) "University Laboratory", "University Library", "University Museum", or "University Institution" mean a laboratory, a library, a museum or an institution, as the case may be, maintained and managed by the University, whether established by it or not;

(21) "University Professor", "University Associate Professor" or "University Assistant Professor" mean a Professor including Distinguished Professor, Chair Professor, Adjunct Professor, Associate Professor and Assistant Professor respectively, appointed or recognized as such by the University;

(22) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER II

The University and its Officers

The University.

3. (1) There shall be constituted and incorporated a State-aided Unitary University by the name of the West Bengal Green University in the District of Hooghly.

(2) The Vice-Chancellor and the members of the Governing Board, so long as they continue to hold such office or membership, shall constitute a body corporate by the name of the West Bengal Green University.

(3) The University shall have perpetual succession and common seal and shall have power to sue and be sued by the name of the West Bengal Green University.

(4) The Headquarter of the University shall be located at Hooghly.

(5) The territorial jurisdiction of the University shall extend to the whole of the State of West Bengal.

(6) The University will be a non-affiliating unitary University.

Objects of the University.

4. The following shall be the objects of the University, namely to:—

(1) promote, propagate and cause further development of study and research on environmental management and its allied branches;

(2) act as an optimum blend of the modern system of learning and modern research methodology from occidental point of view;

(3) impart higher education in various branches of learning as well as in Environmental Ethics (Policy and Law), Green Environmental Economics and Sustainable Development, Climate Studies and Green Politics , Environmental informatics, Bio-Diversity, Modeling and Management, Water Resources Management (Surface water—Groundwater—Wetland—Lake-Coastal Areas, Development Policy, Watershed Management);

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(Chapter II.—The University and its Officers.—Section 5.)

(4) provide facilities for the advanced studies in various mode of environmental studies aiming to a pollution free earth;

(5) explore the ideas of nourishing and nurturing the Green house management in every human dwelling in the Globe;

(6) promote research in Green Architecture, Bio-diversity Resources, Waste Management, Urban Policy and Governance, Demographic Studies and Migration, Green Energy, Energy Audit, Occupational Health, Forestry and Farm Management, and in such other allied branches of study;

(7) take measures for preservation of earth surface, natural water, solar energy, noise pollution and sight pollution;

(8) publish books on the works of Green House studies, as well as books written by various environment politician and laureates;

(9) provide facilities for the study and research in the environmental diversities of India and Globe;

(10) establish for the use of Scholars and the students a comprehensive data base of published works and ongoing research works on Environmental management and bio-diversity management relating to earth sciences from all over the world;

(11) Pursue studies in various branches of studies in Science, Humanities, Commerce, Languages, Law, Social studies and other related branches of study.

Powers of the University.

5. The University shall have the following powers, namely:—

(1) to provide for instruction, teaching, training and research in, and promote extension of higher education with special emphasis on providing high quality education in Green Architecture, Bio-diversity Resources, Waste Management, Urban Policy and Governance, Demographic Studies and Migration, Green Energy, Energy Audit, Occupational Health, Forestry and Farm Management, and in such other allied branches of study and such other subject of studies at the Undergraduate, Post-graduate and higher levels as may be determined by the State Government;

(2) to establish, maintain and manage libraries, laboratories, workshops, museums, schools, centres and such other institutions for study and research as it may deem necessary;

(3) to provide for study and research in specialized and emerging areas in such schools and centres and to take all necessary steps in this regard,

(4) to establish, maintain linkage and enter into collaborative agreement with other Universities, research institutions, societies and organizations within as well as outside India in matters that relate to the furtherance of the objectives of the University;

(5) to take measures for maintenance of standards and enhancement of quality in higher education in the fields relevant to the University;

(6) to confer degrees, titles, diplomas, certificates and other academic distinctions;

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(Chapter II.—The University and its Officers.—Section 5.)

(7) to hold examinations and to confer degrees, titles, diplomas, certificates and other academic distinctions on persons who shall have pursued an approved course of study in the University, unless exempted therefrom in the manner provided and shall have passed the prescribed examinations of the University, or shall have carried on research under conditions prescribed;

(8) to withdraw or to cancel degrees, titles, diplomas, certificates or other academic distinctions under such conditions as may be provided by Statutes and after giving the person affected a reasonable opportunity to present his case;

(9) to confer honorary degrees or other academic distinctions under conditions prescribed;

(10) to institute Professorships including Distinguished Professorship, Chair Professorship, Adjunct Professorship, Associate Professorship, Assistant Professorship and other teaching posts required by the University with prior approval of the State Government and to appoint persons to such posts or to recognize persons as Professors, Associate Professors, Assistant Professors of the University, or as holders of other teaching posts of the University for the purpose of imparting instruction and for conducting research in the University;

(11) to create posts, as and when required, of officers and employees of the University besides those provided for in this Act subject to the concurrence and prior approval by the State Government;

(12) to provide, subject to the provisions of this Act, the constitution, powers and duties of the Boards of Studies, the Finance Committee, and other bodies as may be constituted;

(13) to provide, subject to the provisions of this Act, the terms and conditions of service, duties and responsibilities including the rules of conduct and discipline and the emoluments for all categories of posts of the University;

(14) to make provisions for Provident and other funds for all categories of the employees of the University;

(15) to provide fees and other charges for admission, registration and examinations and such other purposes, and to demand and receive the fees or other charges so provided;

(16) to enter into an agreement with the Government or with any person, body or authority for taking over by the University of the management of any college or institution, including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act, and with prior approval of the State Government;

(17) to acquire, hold and dispose of property, movable and immovable and to make grants and advances for furthering any of its objectives;

(18) to accept and administer gifts, endowments and benefactions, for the furtherance of any of its objectives for the University or for or on behalf of any school or centre established by or recognized by the University, and to institute awards, fellowships, traveling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes;

(19) to accept grants and to raise loans or to accept loans from the Central or any State Government or the University Grants Commission, and with the prior approval of the State Government also from the other sources;

(20) to co-operate and collaborate with other Universities, institutions and educational authorities in matters that relate to and furtherance of the academic objectives of the University;

(21) generally to do all such acts and things as may be necessary or desirable for, or incidental to, the advancement of the objects or purposes of the University;

(22) to introduce interdisciplinary and multidisciplinary integrated courses in selected subjects;

(23) to initiate collaborative teaching and research programme with other Universities, institutions and to provide modalities for Credit Transfer and Award of Joint Degrees if deemed necessary;

(24) to do such other act and perform such other functions consonant with the objectives of the University.

Teaching in the University.

6. (1) All recognised teachings in connection with the degrees, diplomas and certificates of the University shall be conducted by the teachers of the University or of any affiliated or constituted institution, as the case may be, under the general control of the Governing Board.

(2) The courses of study, the curricula and the authorities responsible for organising such teaching shall be such as may be provided by Regulations.

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

7. The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be appointed as a Teacher of the University or to hold any office therein or to be admitted as a student in the University, or to enjoy or exercise any privilege thereof.

Jurisdiction.

8. (1) The University shall primarily be a non-affiliating State-aided Unitary University.

(2) Notwithstanding anything contained elsewhere in this Act or in sub-section (1) or in any other law for the time being in force, the State Government, may by notification in the *Official Gazette* allow the University to affiliate colleges and institutions imparting course of studies similar or closely connected with the academic principles of the University and with effect from such date as the State Government may, appoint in this behalf,—

(A) all colleges and educational institutions, whether Government administered or Government-aided or self-financed, imparting education specially in literature, sciences, social sciences, cognitive science, and such other branches of studies, as the State Government may, from time to time determine, for the advancement of learning and dissemination of knowledge in such branches and affiliated to any other University in the State—

(i) shall be deemed to be affiliated to the University for such period and subject to such terms and conditions, as may be imposed by the University, not inconsistent with the provisions of this Act or any other law for the time being in force, and

(ii) shall cease to be affiliated to the University to which any such college or institution may have been affiliated before the said date;

(B) any Principal, teacher, or other employee, or any member of the Governing Body, by whatever name called, or any student, of any such affiliated college or institution, holding, by virtue of his being such Principal, teacher, or other employee, or member or student, any office in or under any University or any of the authorities of such University to which such college or institution was affiliated before the said date, shall cease to hold such office and the vacancy so caused shall be deemed to be a casual vacancy for the purposes of any law under which that University was established;

(C) whenever the University issues directions in addition to the requirements stipulated in sub-clause (i) of clause (A), the affiliated institution shall be bound to comply with such terms and conditions as may be incorporated in the directions of the University within such reasonable time as may be determined by the University;

(D) the University shall have power to alter or withdraw the affiliation deemed to have been granted under this section, if the affiliated institution does not comply with all the terms and conditions of such affiliation;

(E) for the purpose of deemed affiliation under this sub-section, it shall be competent for the University to satisfy itself in such manner as it may decide, if an affiliated institution was validly affiliated to any University established before the said date.

(3) Notwithstanding anything contained in any other law for the time being in force, no college or institution providing courses of study or programmes of education, research or training in the field of engineering, technology, management or teachers' training, education planning and administration and situated in West Bengal, but not admitted to the privileges of the University, shall be admitted to the privileges of any other University except with the prior approval of the State Government:

Provided that nothing in this sub-section shall, save as otherwise provided in this Act, apply to—

(a) any constituent college, institution, Faculty or Department of any other University or of any institution for higher education deemed to be a University under section 3 of the University Grants Commission Act, 1956, directly managed, controlled and financed by such University or such institution for higher education deemed to be a University under section 3 of that Act, or 3 of 1956.

(b) any other college or institution affiliated to any other University mainly providing courses of study in subjects other than literature, dance, drama, sculpture, humanities, science, commerce, cognitive science and such branches of study as the State Government deems appropriate for the advancement of learning and dissemination of knowledge in such branches.

Explanation.— For the avoidance of doubt it is hereby declared that the State Government shall have powers to decide whether a college or institution provides mainly the courses of study in subjects other than mentioned under clause (b) of sub-section (3) will be admitted to the privileges of the University or not.

Delegation of Powers.

9. The University may delegate such of its powers as it may deem expedient to any of its authorities referred to in section 24 or to any of its officers, and may, at any time, withdraw at its discretion any power so delegated.

The Chancellor.

10. (1) The Governor shall, by virtue of his office, be the Chancellor of the University. He shall be the head of the University and the President of the Governing Board and shall, when present, preside over the meetings of the Governing Board.

(2) The Chancellor shall exercise such powers as may be conferred on him by or under the provisions of this Act.

(3) Where power is conferred upon the Chancellor to make nominations to any authority or body of the University, the Chancellor shall, to the extent necessary, nominate persons in consultation with the Minister to represent interests not otherwise adequately represented.

(4) Every proposal to confer any honorary degree shall be subject to confirmation by the Chancellor.

(5) The Chancellor can issue any direction upon the University not inconsistent with the provisions of this Act, to which the University shall comply.

Officers of the University.

11. The following shall be the officers of the University :—

(1) the Vice-Chancellor;

(2) the Pro-Vice-Chancellor;

(3) the Registrar;

(4) the Deans of Schools;

(5) the Director of School of Studies;

(6) the Finance Officer;

(7) the Law Officer;

(8) the Controller of Examinations;

(9) Inspector of Colleges;

(10) Deputy Registrar;

(11) Assistant Registrars;

(12) Secretaries of various Schools;

(13) Accounts Officer;

(14) the Sports Officer;

(15) the Development Officer;

(16) the University Librarian; and

(17) such other persons holding such other posts as may be declared by Statutes to be the posts of officers of the University.

The Vice-Chancellor.

12. (1) (a) The Vice-Chancellor shall be a distinguished academic with proven competence and integrity, and having a minimum of ten years of experience in a University system of which at least five years shall be as professor or ten years of experience in a reputed research or academic administrative organization of which at least five years shall be in an equivalent position of professor.

(b) The Vice Chancellor shall be appointed by the Chancellor out of the panel of three names recommended in order of preference by the Search Committee constituted by the State Government. While preparing the panel, the Search Committee must give proper weightage to academic excellence, exposure to the higher education system in the country and abroad and adequate experience in academic and administrative governance and reflect the same in writing while submitting the panel to the Chancellor.

The West Bengal Green University Act, 2017.

(Chapter II.—The University and its Officers.—Section 12.)

(c) The Search Committee shall be constituted in the following manner:—

(i) an academician, not below the rank of the Vice-Chancellor of a Central or State-aided University or the Director of a National institute of higher learning, to be nominated by the Chancellor in consultation with the Minister, who shall be the Chairperson of the Committee;

(ii) an academician, not below the rank of a Professor of a Central or State-aided University or National institute of higher learning, to be nominated by the State Government;

(iii) an academician not below the rank of a Professor of a Central or State-aided University or National institute of higher learning, to be nominated by the Governing Board:

Provided that the nominees, as mentioned under sub-clause (i), (ii) and (iii) shall not be the persons associated with the concerned University for which the Search Committee is constituted.

(2) (a) The Vice-Chancellor shall hold office for a term of four years or till he attains the age of sixty-five years, whichever is earlier, and shall be eligible for re-appointment for another term of four years or till he attains the age of sixty-five years, whichever is earlier.

(b) The Chancellor may, notwithstanding the expiration of the term of the office of the Vice-Chancellor or his attaining the age of sixty-five years, allow him to continue in office till a successor assumes office, provided that he shall not continue as such for any period exceeding six months.

(3) The Vice-Chancellor shall be a whole-time officer of the University and shall be paid from the University Fund such salary and allowances as the Chancellor may decide in consultation with the State Government.

(4) The Vice-Chancellor may resign his office by writing under his hand addressed to the Chancellor.

(5) If—

(a) the Vice-Chancellor is, by reasons of leave, illness or other cause, temporarily unable to exercise the powers and perform the duties of his office, or

(b) a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation, removal, expiry of term of his office or otherwise, then, during the period of such temporary inability or pending the appointment of a Vice-Chancellor, as the case may be, the Chancellor in consultation with the Minister may appoint a person to exercise the powers and perform the duties of the Vice-Chancellor.

(6) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provision of sub-section (1) within a period of six months from the date of occurrence of the vacancy, and such period shall be held to include any period for which a Vice-Chancellor is allowed to continue in office under clause (b) of sub-section (2), or a person is appointed by the Chancellor in consultation with the Minister to exercise the powers and perform the duties of the Vice-Chancellor under sub-section (5).

(7) The Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,—

(a) has become insane and adjudged by a competent court to be of unsound mind; or

(b) has become an undischarged insolvent and stands so declared by a competent Court; or

(c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability ; or

(d) has willfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or

(e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or

(f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or

(g) has been convicted by a court for any offence within the concept and meaning of the Code of Criminal Procedure, 1974; or 2 of 1974.

(h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office:

Provided that the Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d), (e), (f), (g) and (h).

Explanation.— For the purpose of sub-clause (h), whether any party is a political party or any association is a political association or any act of the Vice-Chancellor is partisan, the decision of the Chancellor thereon shall be final.

Powers and duties of the Vice-Chancellor.

13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor, preside over the meeting of the Governing Board. He shall, by virtue of his office, be a member and the Chairman of all the Schools of Post-graduate and Undergraduate Studies and also the Chairman of any other authority or body of the University of which he may be a member. He shall also be entitled to be present at and to address any meeting of any other authority or body of the University of which he may not be a member, but shall not be entitled to vote thereat.

(2) The Vice-Chancellor shall have the power to convene meetings of the Governing Board, the Schools of Post-graduate and Undergraduate Studies and of any other authority or body of the University.

(3) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, and the Statutes, the Ordinances and the Regulations, are faithfully observed and to take such action as may be necessary for this purpose.

(4) The Vice-Chancellor shall have the power to exercise general control and supervision over all other officers of the University and over all teachers and employees of the University and generally over all the affairs of the University.

(5) The Vice-Chancellor shall exercise such other powers and discharge such other duties as may be delegated to him by any authority or body of the University or as may be provided by Statutes, Ordinances or Regulations.

(6) The Vice-Chancellor may take on behalf of the University such action as he may deem expedient in any matter which, in his opinion, is either urgent or of an emergent nature and shall report the same for confirmation at the next meeting to the authority or body which, in the ordinary course, would have dealt with the matter:

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(Chapter II.—The University and its Officers.—Section 14.)

Provided that if the action taken by the Vice-Chancellor is not approved by the authority or body concerned, the matter shall immediately be referred to the Chancellor whose decision thereon shall be final.

(7) The Vice-Chancellor may, with the approval of the Governing Board, delegate any of his powers, to any other officer subordinate to him.

Pro-Vice-Chancellor.

14. (1) The Pro-Vice-Chancellor shall be a distinguished academic with proven competence and integrity, and having a minimum of ten years of experience in a University system of which at least five years shall be as professor or ten years of experience in a reputed research or academic administrative organization of which at least five years shall be in an equivalent position of professor.

(2) The Pro-Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister. The term of his office shall be for four years and he shall be eligible for re-appointment for another term of four years but shall not hold office beyond the age of sixty-five years.

(3) The Pro-Vice-Chancellor may resign his office by writing under his hand addressed to the Chancellor.

(4) If—

(a) the Pro-Vice-Chancellor is, by reason of leave, illness or other cause, temporarily unable to exercise the powers and perform the duties of his office, or

(b) a vacancy occurs in the office of the Pro-Vice-Chancellor by reason of death, resignation, expiry of term of his office, removal or otherwise,

then, during the period of such temporary inability or pending the appointment of a Pro-Vice-Chancellor, as the case may be, the Chancellor in consultation with the Minister and the Vice-Chancellor, may appoint a senior teacher of the University or an officer of the University to exercise the powers and perform the duties of the Pro-Vice-Chancellor.

(5) The vacancy in the office of the Pro-Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office, removal or otherwise shall be filled up by appointment of a Pro-Vice-Chancellor in accordance with the provisions of sub-section (2).

(6) The Pro-Vice-Chancellor may be removed from his office by the Chancellor if he is satisfied that the incumbent,—

(a) has become insane and adjudged by a competent court to be of unsound mind; or

(b) has become an undischarged insolvent and stands so declared by a competent Court; or

(c) has been physically unfit and incapable of discharging function due to protracted illness or physical disability; or

(d) has wilfully omitted or refused to carry out the provisions of this Act or has committed breach of any of the terms and conditions of the service contract or has abused or misused the powers vested in him or if the continuance in the office of the Vice-Chancellor is detrimental to the interest of the University; or

(e) has been proved to be guilty of criminal breach of trust or criminal negligence or gross financial irregularity or impropriety or gross negligence of duty; or

(f) has shown incompetence to perform or has persistently made default in the performance of the duties imposed on him by or under this Act; or

(g) has been convicted by a Court for any offence within the concept and meaning of the Code of Criminal Procedure, 1974; or 2 of 1974.

(h) is a member of, or otherwise associated with, any political party or acts in any partisan manner while in office:

Provided that the Pro-Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clauses (d),(e),(f),(g)and(h).

Explanation.—For the purpose of this sub-clause, whether any party is a political party or any association is a political association or any act of the Pro-Vice-Chancellor is partisan, the decision of the Chancellor thereon shall be final.

Powers and functions of the Pro-Vice-Chancellor.

15. (1) The Pro-Vice-Chancellor shall be an administrative and academic officer of the University and shall, by virtue of his office, be a member of the Governing Board and the Academic Council and shall also be the member of any other authority or body of the University. He shall also be entitled to be present at and to address any meeting of any other authority or body of the University of which he may not be a member, if the Vice-Chancellor considers it necessary but shall not be entitled to vote thereat.

(2) Subject to the general control of the Vice-Chancellor, the Pro-Vice-Chancellor shall exercise such powers and discharge such duties as may be delegated to him by any authority or body of the University or as may be provided by the Statutes.

The Registrar.

16. (1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Governing Board on the recommendation of a Committee consisting of the Vice-Chancellor as Chairman, a nominee of the Chancellor, two nominees of the Governing Board and a nominee of the State Government, and on such terms and conditions, as may be prescribed.

(2) The Registrar may resign his office by writing under his hand addressed to the Vice-Chancellor.

(3) If the Registrar is for any reason temporarily unable to exercise the powers or perform the duties of his office, the Vice-Chancellor may with the approval of the Governing Board appoint a teacher of the University or an officer of the University, temporarily for a period not exceeding six months, to exercise the powers and perform the duties of the Registrar.

Powers and Duties of the Registrar.

17. Subject to the supervision, direction and general control of the Vice-Chancellor, the Registrar shall act as the Secretary of the Governing Board and shall exercise such powers and perform such duties as may be provided in the Statutes, or delegated to him by or under this Act.

The Law Officer.

18. (1) There shall be a Law Officer in the University, to be appointed by the State Government, on deputation from amongst the member of the West Bengal Legal Service.

(2) The Law Officer shall assist the University in all legal issues and shall represent the University in all legal proceedings before the Court of Law.

(3) The Law Officer shall have such powers and functions as may be provided by the Statues.

The West Bengal Green University Act, 2017.

(Chapter II.—The University and its Officers.—Sections 19-23.)

The Finance Officer.

19. (1) The Finance Officer shall be a whole-time officer of the University. He shall be appointed by the Governing Board on the recommendation of a committee consisting of the Vice-Chancellor as the Chairman, a nominee of the Chancellor, two nominees of the Governing Board and a nominee of the State Government for such period and on such terms and conditions as may be prescribed.

(2) The Finance Officer may resign his office by writing under his hand addressed to the Vice-Chancellor.

(3) If the Finance Officer is for any reason temporarily unable to exercise the powers and perform the duties of his office, the Vice-Chancellor, with the approval of the Governing Board, may appoint a person temporarily for a period not exceeding six months to exercise the powers and perform the duties of the Finance Officer.

Powers and duties of the Finance Officer.

20. (1) Subject to the supervision, direction and general control of the Vice-Chancellor, the Finance Officer shall be in charge of the administration of the funds, the finances and the properties and assets of the University and of all trusts and endowments; and he shall take special interest in activities that aim at raising funds for the purposes of the University and for augmenting the resources of the University.

(2) The Finance Officer shall exercise such other powers and perform such other duties as may be provided or delegated to him by or under the provisions of this Act, the Statutes, the Ordinances or the Regulations, as the case may be.

Controller of Examinations.

21. (1) The Controller of Examinations shall be a whole-time officer of the University. He shall be appointed by the Governing Board on the recommendation of a committee consisting of the Vice-Chancellor as the Chairman, a nominee of the Chancellor, two nominees of the Governing Board and a nominee of the State Government for such period and on such terms and conditions as may be provided by or under this Act.

(2) The Controller of Examinations may resign his office by writing under his hand addressed to the Vice-Chancellor.

(3) If the Controller of Examinations is for any reason temporarily unable to exercise the powers and perform the duties of his office, the Vice-Chancellor, with the approval of the Governing Board, may appoint a person temporarily for a period not exceeding six months to exercise the powers and perform the duties of the Controller of Examinations.

Powers and duties of the Controller of Examinations.

22. (1) Subject to the supervision, direction and general control of the Vice-Chancellor, the Controller of Examinations shall be in charge of the conduct of examinations and tests of the University and declarations of their results.

(2) The Controller of Examinations shall exercise such other powers and perform such other duties as may be provided or delegated to him by or under the provisions of this Act, the Statutes, the Ordinances or the Regulations, as the case may be.

Supervisory powers of the Registrar, Law Officer, Finance Officer, and Controller of Examinations.

23. In their respective spheres of duties, the Registrar, the Law Officer, the Finance Officer, and the Controller of Examination shall, subject to the provisions of this Act, have the power of supervision and control over all officers and employees serving in Departments under their charge and shall exercise such disciplinary power as may be conferred on them by or under this Act or by the Statutes or Ordinances or the Regulations, as the case may be.

(Chapter III.—Authorities of the University.—Sections 24, 25.)

CHAPTER III

Authorities of the University.

Authorities.

24. The following shall be the authorities of the University:—

(i) the Governing Board;

(ii) the Schools for Post-Graduate and Undergraduate Studies;

(iii) the Boards of Studies;

(iv) the Finance Committee;

(v) such other authorities as may be declared and established under the Statutes.

The Governing Board.

25. (1) The Governing Board shall consist of the following members:—

(a) Ex-officio members—

(i) the Chancellor;

(ii) the Vice-Chancellor;

(iii) the Pro-Vice-Chancellor;

(iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

(v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal;

(vi) the Chairman, West Bengal State Council of Higher Education or his nominee;

(vii) a nominee of the Chairman of the University Grants Commission; and

(viii) the Law Officer;

(b) Representatives of Departments and Teachers—

(ix) two Deans of the Schools of Post-graduate and Undergraduate Studies;

(x) three Heads of Departments by rotation for one year in alphabetical order of the Department to be selected by the Vice-Chancellor,

(xi) two teachers from each Faculty Council for Post-graduate and Undergraduate Studies of whom at least one shall be a Professor and they shall be elected by the teachers of concerned School from amongst themselves in the manner as may be provided by Statutes;

(c) Nominated Members—

(xii) (1) two members to be nominated by the Chancellor from amongst the persons interested in the University education;

(2) three members to be nominated by the State Government from amongst the persons interested in the University education;

(3) four members to be nominated by the outgoing University Council or outgoing Governing Board, as the case may be, of whom at least two shall be eminent scholars:

Provided that no such member shall be nominated for more than two terms in the Governing Board:

Provided further that in all the cases no employee of the University or of a College or institution being managed by the University shall be eligible to be a member;

(d) Special Invitee—

(xiii) any official or expert in any field or eminent educationist, alumnus whom the Governing Board may require for advice, consultation or assistance, may be invited to attend the meeting without any power to cast vote;

(xiv) one Student representative and one Research Scholar to be nominated by the Vice Chancellor from amongst the members of the Student Council of the University without any power to cast vote:

Provided that the student representative or the research scholar referred under this clause shall not be permitted to take part in any meeting of the Governing Board in which, in the opinion of the Board, any of the minutes of any such meeting may prejudicially affect the general interest of the students or the research scholars, as the case may be.

(2) A member of the Governing Board shall hold office for a period of four years, if not expressly provided otherwise in this Act. Any vacancy among the members of the Governing Board shall be filled up immediately by the concerned authority.

(3) The Registrar shall act as the Secretary of the Governing Board.

(4) No act or proceedings of the Governing Board or of any body constituted by the Governing Board shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Governing Board or in any body constituted by the Governing Board, as the case may be.

Powers and duties of the Governing Board.

26. Subject to such condition as may be provided by or under the provisions of this Act, the Governing Board shall exercise the following duties and responsibilities and perform the following functions, namely to:—

(i) establish University Departments, institutions, centres, libraries, laboratories and museums for study and research;

(ii) create, with the approval of the State Government, posts of officers, teachers and other employees as may be necessary for the establishment of the University Departments, institutions, centres, libraries, laboratories etc.;

(iii) institute degrees, titles, diplomas, certificates and other academic distinctions;

(iv) institute fellowships, traveling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes to be awarded out of the University fund after consulting the respective Schools of Post-graduate and Undergraduate studies;

(v) confer degrees, titles, diplomas, certificates and other academic distinctions on persons who—

(a) pursue prescribed courses of studies;

(b) carry on research in accordance with such conditions as may be prescribed;

(vi) withdraw or cancel degrees, titles, diplomas, certificates or other academic distinctions under such conditions as may be provided by Statues and after giving the person affected a reasonable opportunity to present his case;

(Chapter III.—Authorities of the University.—Section 26.)

(vii) confer honorary degrees or other academic distinctions;

(viii) initiate proposals for the making of Statutes and Ordinances including proposals for amendment or repeal thereof, in the manner hereinafter provided;

(ix) maintain University Departments, University Institutions, University libraries, University laboratories and University museums;

(x) establish, maintain, manage and recognize halls and hostels;

(xi) direct the inspection of University libraries, University laboratories, and hostels;

(xii) appoint officers, teachers and other employees of the University and define their duties and other terms and conditions of service in accordance with the Statutes and the Ordinances and suspend, discharge or otherwise punish such teachers, officers and other employees in accordance with the Statutes and the Ordinances;

(xiii) determine and collect fees or charges for the registration of students and their admission to courses of studies organized by the University, for holding examinations, for the grant of degrees, diplomas and certificates, and for other like purposes;

(xiv) approve the constitution or reconstitution of the respective Department of teaching in the University on the recommendation of the respective Schools of Post-graduate and Undergraduate studies;

(xv) make regulations regarding the courses of studies and the division of subjects after obtaining and considering the recommendation of the Schools of Post-graduate and Undergraduate studies in this regard;

(xvi) make regulations regarding the examinations which shall be recognized as the equivalent examinations held by the University;

(xvii) make regulations regarding the conduct of examinations held by the University and the condition under which students may be admitted to the different courses of studies held by the University;

(xviii) make regulations regarding all other matters which may be or are required to be provided for by regulations;

(xix) give directions regarding the form, custody and use of the common seal of the University;

(xx) acquire, hold and dispose of property, movable and immovable, with the approval of the State Government, and administer all assets, properties, and funds of the University, and undertake all measures necessary or desirable for the conservation or augmentation of the resources of the University;

(xxi) accept and administer grants, gifts, donations, endowments and benefactions for the furtherance of the purposes of this Act;

(xxii) with the approval of the State Government, raise or accept loans on behalf of the University and make grants or advances from the University fund or other special funds maintained by the University;

(xxiii) enter into an agreement with the State Government, or with the approval of the State Government, with any other Government or with any person, body or authority for the taking over by the University of the management of any institution, including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act on the recommendation of the Schools of Post-graduate and Undergraduate studies concerned;

(Chapter III.—Authorities of the University.—Sections 27, 28.)

(xxiv) exercise general supervision over Students' Council, University Sports Board and other bodies instituted by the University;

(xxv) approve the Annual Statement of Accounts, the Audit Report in respect of the Annual Statement of Accounts, the Internal Audit Report and the Annual Budget of the University;

(xxvi) make due provision for the welfare and discipline of students and their relationship with the University and provide for such other training of students as may be considered desirable;

(xxvii) make provision for research, advisory services and exchange programme and for that purpose enter into agreement with other Universities, institutions, associations, societies or bodies on such terms and for such purposes, not inconsistent with the purposes of this Act, as it may determine;

(xxviii) make rules for the transaction of its own business;

(xxix) exercise all other powers and perform all other functions conferred by or under this Act;

(xxx) exercise general supervision over the Schools of Post-graduate and Undergraduate studies and give such directions to these Schools for the due discharge of their respective duties as it may consider necessary.

Meetings of the Governing Board.

27. (1) The Governing Board shall meet at least once in a quarter, other than for convocation on such dates to be fixed by the Vice-Chancellor. One of such meetings shall be held before March and shall be called the Annual meeting. The Governing Board may also meet at such other times as it may decide.

(2) One-third of the total number of members shall be a quorum for a meeting of the Governing Board. Such quorum shall not be required at the convocation.

(3) The Vice- Chancellor may, whenever thinks fit, and shall upon a requisition in writing signed by not less than fifty percent of the total number of members of the Governing Board, convene a meeting of the Governing Board. A meeting on such requisition shall be held within fifteen days of the receipt of the requisition by the Vice-Chancellor.

The Schools of Post-graduate and Undergraduate Studies.

28. (1) There shall be the following Schools of Post-graduate and Undergraduate Studies :—

(a) the Schools of Post-graduate and Undergraduate Studies in Environment Studies, Environmental Ethics and Environmental Economics;

(b) the Schools of Post-graduate and Undergraduate Studies in Climate Studies, Environmental informatics and Water Resources Management;

(c) the Schools of Post-graduate and Undergraduate Studies in Science and Technology;

(d) the Schools of Post-graduate and Undergraduate Studies in Humanities, Social Sciences, Law and Legal Studies;

(e) the Schools of Post-graduate and Undergraduate Studies in Professional and Vocational Studies;

(f) the Schools of Post-graduate and Undergraduate Studies in Information Sciences and Media Studies;

(Chapter III.—Authorities of the University.—Section 29.)

(g) any other Schools which may be established by the competent authority in this regard in the manner as provided in the Statutes.

(2) Each School of Post-graduate and Undergraduate Studies shall consist of the following members:—

(i) the Vice-Chancellor—Chairman;

(ii) the Pro-Vice-Chancellor,

(iii) the Dean of the School concerned;

(iv) the Head or Heads of the Department or Departments concerned, if any;

(v) the Professor or Professors of the Department or Departments concerned, if any;

(vi) five teachers of the University, other than Professors belonging to the School concerned, to be elected by such teachers from amongst themselves;

(vii) not more than three persons having special knowledge in the subject or subjects concerned nominated by the Vice-Chancellor from a panel of six persons recommended by the Governing Board;

(viii) the School concerned may co-opt such Dean or Deans from any other School as it may considered necessary.

(3) Each School for Post-graduate and Undergraduate Studies shall have a Secretary. The Secretary shall be a member of the School:

Provided that in the absence of the Secretary, the Registrar or a Deputy Registrar or an Assistant Registrar, as may be nominated by him, shall act as the Secretary of the School.

(4) One-third of the total number of members of a School for Post-graduate and Undergraduate studies shall be a quorum for a meeting of the School.

Powers and duties of the Schools of Post-graduate and Undergraduate Studies.

29. Subject to the provisions of this Act, and the Statutes, the Ordinances and the Regulations, Schools of Post-graduate and Undergraduate Studies shall exercise the following powers and perform the following duties, namely:—

(i) to make proposals to the Governing Board for the establishment of University Departments, Schools, Centres, any such institutions, libraries, laboratories and museums for study and research to be maintained by the University;

(ii) to recommend to the Governing Board the creation and institution of Professorships including Distinguished Professorship, Chair Professorship, Adjunct Professorship, Associate Professorship, Assistant Professorship, and other teaching posts and the duties and emoluments thereof;

(iii) to make proposals to the Governing Board for the promotion of research and, through special committees, if any constituted for the purpose, to call for reports on such research work from persons engaged therein, and to make recommendations to the Governing Board thereon;

(iv) to prescribe after consulting the Governing Board the minimum qualifications for posts of Teachers of the University; as per guidelines of the State Government;

(Chapter III.—Authorities of the University.—Section 29.)

(v) to make proposals to the Governing Board regarding provisions to be made for enabling the University to undertake specialization of studies and for organization of common laboratories, libraries, museums, institutes of research and other institutions, maintained by the University;

(vi) to make proposal to the Governing Board for constituting or reconstituting the departments of teaching in the University;

(vii) to make provisions for lectures and instructions for students of University Departments, Schools and Centres and University Laboratories and also for other persons who are not such students;

(viii) to advise the Governing Board on the institution of degrees, titles, diplomas, certificates and other academic distinctions;

(ix) to fix the date of commencement of, and to hold and conduct, subject to general supervision by the Governing Board, University Examinations at the Post-graduate and Undergraduate stages and publish the results thereof in accordance with the Regulations made in this behalf;

(x) to consider and approve results of examinations leading to Post-graduate and Undergraduate degrees, diplomas and certificates;

(xi) to recommend to the Governing Board the conferment of Post-graduate and Undergraduate degrees, diplomas and certificates;

(xii) to delegate to the teaching departments, research units, and Boards of Studies attached to it the responsibility for such academic matters as may concern such departments, units and Boards;

(xiii) to provide for the inspection or the investigation into the affairs of any University Departments, Schools, Centres and any such institution and submit report to the Governing Board;

(xiv) to have general supervision over the Boards of Studies attached to the School in accordance with the rules framed for this purpose;

(xv) to frame rules relating to the courses of Post-graduate and Undergraduate Studies and the division of subjects in regard thereto including interdisciplinary and multidisciplinary integrated courses in selected subjects and to recommend to the Governing Board for making of Regulations in this behalf;

(xvi) to appoint, if required by the Governing Board, after considering the views of the Boards of Studies attached to the School, Boards of Examiners in the subject or subjects relating to Post-graduate and Undergraduate Studies, the subject for doctoral thesis and for prizes and medals;

(xvii) to call for such reports or information as the School may consider necessary for efficient discharge of its duties from the teaching departments, research units or Boards of Studies;

(xviii) to consider any academic matter relating to the School and to arrive at decisions or make recommendations pertaining thereto to the appropriate authority or officer;

(xix) to maintain contact with other School for the purpose of sharing ideas and ensuring co-ordination;

(xx) to submit each year its Annual Report to the Governing Board;

(xxi) to make rules for the transaction of its own business;

(xxii) to exercise all other powers and perform all other functions conferred and imposed on it by or under this Act;

(xxiii) to abide by, and implement promptly, the decisions that may be arrived at the Governing Board from time to time in regard to the School;

(xxiv) to supply promptly such information, returns, reports and other materials as may be required by the University;

(xxv) to have general responsibility for maintenance of standard and enhancement of quality in relation to Post-graduate and Undergraduate studies with which the School is concerned.

Dean.

30. (1) There shall be a Dean for each and every School of Post-graduate and Undergraduate Studies in the University who shall be appointed by the Vice-Chancellor of the University on recommendation of the Selection Committee duly constituted for this purpose.

(2) The Selection Committee shall be constituted by the State Government for each and every occasion of selection of Dean of the University:

Provided that every such committee shall select Deans for all or any School of Post-graduate and Undergraduate Studies in the University.

(3) The Selection Committee shall consist of the following members:—

(a) nominee of the Chancellor, who shall be the Vice-Chancellor of a State-aided University other than the concerned University and who shall be the head of the Committee;

(b) nominee of the State Government, who shall be an eminent academician and who is not related with the concerned University in any manner;

(c) nominee of the Vice-Chancellor, who shall not be below the rank of a Professor of any other University.

(4) The Selection Committee shall consider the names of eligible professors of that University for the post of Dean and give proper weightage of academic excellence and adequate experience in academic and administrative governance while preparing the panel of two Professors in order of their preference for each and every Schools of Post-graduate and Undergraduate Studies:

Provided that no person shall be eligible for the post of Dean more than one term in his service tenure in the same University.

(5) The Registrar of the University shall provide secretariat assistance to the Selection Committee for preparing the panel and the Committee shall have power to call for any record of the University relating to any Professor for the purpose of such selection.

(6) The Selection Committee shall finalize the panel within such time as may be directed by the State Government, and immediately thereafter the committee shall send its recommendations in writing to the State Government, along with reasoned record of assessment of the persons so considered:

Provided that the State Government may, for reasons to be recorded in writing, extend the said period of selection in case of exigencies.

(7) The State Government shall thereafter forward the panel to the Vice-Chancellor of the University for appointment of Dean.

(8) Every Dean appointed as per provisions of this Act shall hold the office for three years or until he retires or vacates his office for any other reasons:

Provided that a Professor shall only be eligible for empanelment for the post of Dean who has at least three years of service left in his account before the age of superannuation.

(9) The Vice-Chancellor shall, in the event of any temporary vacancy of the office of Dean, select a senior most Professor of that University according to the date of their joining in the same University for a period not more than six months:

Provided that such selection of dean on temporary vacancy shall be communicated forthwith to the State Government for the purpose of reconstitution of Selection Committee.

(10) Every Dean shall be the Vice-Chairman of the respective Schools of Post-graduate and Undergraduate Studies and shall have such powers and functions as may be provided for by Regulations.

(11) The Dean of every Schools of Post-graduate and Undergraduate Studies may be removed from his office for such reasons and in such manner as may be provided for by Regulation.

The Board of Studies.

31. There shall be Boards of Studies attached to every Schools- of Post-graduate and Undergraduate Studies. The constitution and powers and functions of the Boards of Studies shall be provided by Statutes.

The Finance Committee.

32. There shall be a Finance Committee with the Vice-Chancellor as the Chairman. The constitution, powers and functions of the Finance Committee including the procedure in financial matters and delegation of its powers shall be provided by Statutes.

Selection Committee for Teachers of the University.

33. (1) A University Professor or a University Associate Professor or a University Assistant Professor shall be appointed by the Vice-Chancellor, upon prior ratification by the Governing Board, on the recommendation of a Selection Committee, and the constitution of such Selection Committee as well as the procedure for holding its meetings shall be in consonance with the Recruitment Rules framed by the State Government from time to time.

(2) The nominee of the Vice-Chancellor shall be the head of the Selection Committee, which shall send its recommendations in writing to the Vice-Chancellor along with reasoned record of assessment of the persons appeared before it for selection.

(3) Notwithstanding anything contained in sub-section (1), the Governing Board shall hold the powers of punishment to any teachers of the University in prescribed manner.

Procedure for holding meetings of Selection Committee.

34. (1) At least five members, including two outside subject experts, shall constitute the quorum for a meeting of the Selection Committee.

(2) If the Vice-Chancellor does not accept the recommendation of a Selection Committee, it shall refer the recommendation back to the Selection Committee with reasons for reconsideration and if the Vice-Chancellor does not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reasons and views, and the decision of the Chancellor shall thereon be final.

Appointment of teachers by the West Bengal Green University Council.

35. (1) Notwithstanding anything contained in section 34, until the constitution of a Selection Committee referred to therein, a University Assistant Professor, Associate Professor or Professor shall be appointed by the West Bengal Green University Council, referred to in sub-section (1) of section 63 on the recommendation of a Selection Committee constituted by the State Government and consisting of the Vice-Chancellor as Chairman, a nominee of the Chancellor, a nominee of the State Government, and a nominee of the Council, who shall be the subject expert having special knowledge of the subject which the Professor or the Associate Professor or the Assistant Professor, as the case may be, will teach.

(2) If the West Bengal Green University Council does not accept the recommendation of the Selection Committee the provision of sub-section (2) of section 34 shall apply *mutatis mutandis*.

Letter of appointment of Teachers, officers and employees.

36. (1) Every teacher, every officer and every employee of the University shall, on appointment as such, be provided with a letter of appointment containing such terms and conditions of appointment and duties and responsibilities as may be provided by Ordinances.

(2) A Teacher or an officer or an employee appointed against a permanent vacancy shall be on probation ordinarily for a period of one year from the date of such appointment and such period of probation may, at the discretion of the appropriate authority of the University, be extended for a further period not exceeding one year.

(3) If, at any time during the period of probation, the probationer's performance is not considered satisfactory, the probationer shall, in consultation with the State Government, be discharged by the concerned appointing authority.

(4) On satisfactory completion of the period of probation, a Teacher or an officer or an employee, as the case may be, shall be confirmed with effect from the date of his appointment on probation by an order in writing made by the University in this behalf and the fact of such confirmation shall be communicated to the person concerned:

Provided that if, on completion of the period of probation, no such order of confirmation is made and communicated to the person concerned within a period of two months of the completion of the period of probation, the person concerned shall be deemed to have been confirmed with effect from the date of his appointment on probation:

Provided further that if, prior to the completion of the period of probation, a Teacher or an officer or an employee, as the case may be, desires to extend the period of probation, the Governing Board may extend it further by any period depending on the circumstances of the case.

Termination of services of temporary Teacher, officer or employee.

37. The services of a temporary teacher or officer or employee shall not be terminated before the expiration of the period for which he is appointed except after serving one month's notice or paying him one month's salary in lieu thereof.

The West Bengal Green University Act, 2017.

(Chapter III.—Authorities of the University.—Sections 38, 39.—Chapter IV.—General Provisions Governing All Authorities or Other Bodies of the University.—Section 40.)

Standing committee for selection of officers and non-teaching employees.

38. The Governing Board may, subject to the provisions of this Act, provide by Statutes the constitution of a standing committee or standing committees for selection of persons for appointment to the posts of officers and to the other non-teaching posts of the University and the procedure and the method of such selection.

Tribunal.

39. (1) If in the case of any dispute between the University and any Teacher, officer or employee of the University, no final order has been passed within a period of one year from the date on which the dispute was referred to the University by such Teacher, officer or employee, such dispute shall on the request of such Teacher, officer or employee, be referred to a Tribunal consisting of the following members, namely:—

(i) a Chairman, to be nominated by the Chancellor in consultation with the Minister;

(ii) one person to be nominated by the Governing Board;

(iii) one person to be nominated by the Teacher, officer or employee concerned.

(2) An appeal from an employee of the University in a disciplinary matter shall be referred to the Tribunal and shall be decided and disposed of by the Tribunal.

(3) The Tribunal may call for any record, report or other information from the University if, in its opinion, such record, report or other information is necessary for efficient discharge of its functions, and the University shall furnish such record, report or other information to the Tribunal.

(4) The decision of the Tribunal shall be final and no suit or proceeding shall lie in any civil court in respect of the matters decided by the Tribunal.

(5) Every request under Sub-Section (1) shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Arbitration and Conciliation Act, 1996, and all the provisions of that Act with the exception of Section 2 thereof shall apply accordingly. 26 of 1996.

CHAPTER IV

General Provisions Governing All Authorities or Other Bodies of the University

Disqualifications.

40. (1) No person shall be qualified for election or nomination as a member of any authority or body of the University or shall continue as such member if he:—

(i) is of unsound mind, or

(ii) is an undischarged insolvent, or

(iii) has been convicted by a court of law for an offence involving moral turpitude.

(2) In case of any doubt or dispute the Chancellor's decision whether a person is disqualified under the provisions of sub-section (1) shall be final.

(3) No person shall be entitled to stand as a candidate for election to any authority or body of the University from more than one constituency.

(4) No person shall be entitled to be enrolled as a voter for, or to cast his vote at an election to any authority or body of the University from more than one constituency:

Provided that this sub-section shall not apply in the case of an election of members of the Governing Board and the Schools of Post-graduate and Undergraduate Studies.

The West Bengal Green University Act, 2017.

(Chapter IV.—General Provisions Governing All Authorities or Other Bodies of the University.—Sections 41-44.)

Part-time Teachers or part-time non-teaching staff not to be entitled to be enrolled as voters or to be nominated.

41. Notwithstanding anything contained elsewhere in this Act, no person shall,—

(a) if he is a teacher, not holding any whole-time teaching post, or appointed for a specified period, or

(b) if he is a member of the non-teaching staff, not appointed on a regular scale of pay, or not holding any whole-time non-teaching post, be entitled to be enrolled as a voter for, or to cast his vote at, an election to any authority or body of the University.

Explanation.—"regular scale of pay" shall mean pay which, subject to any condition prescribed by the University, rises by periodical increment from a minimum to a maximum.

Term of office of members.

42. (1) Save as otherwise provided in sub-section (4), an elected or nominated member of any authority or body of the University shall hold office for a period of four years from the date of his election or nomination, as the case may be:

Provided that in respect of the first elections and nominations under this Act, the said period of four years shall commence from the date of the first meeting of the authority or body held after such elections and nominations.

(2) The term of office of members other than *ex-officio* members of any authority or body of the University shall be held to include any period which may elapse between the expiry of the said term and the date of election of new members to such authority or body to fill vacancies arising by efflux of time.

(3) When elections are held on more than one date, the last of such dates shall be taken to be the date of election for the purposes of this section.

(4) Any member elected or nominated to fill a casual vacancy shall hold office for the unexpired portion of the term of office of the member in whose seat he is so elected or nominated.

Cessation of membership in certain cases.

43. (1) When a person is qualified to be a member of any authority or body of the University by virtue of his membership of any other authority or body, he shall cease to be a member of the authority or body of the University when he ceases to be a member of the other.

(2) When a person is elected or nominated as a member of any authority or body of the University from any constituency, he shall cease to be such a member when he ceases to belong to that constituency.

Filling up of vacancies.

44. (1) Any casual vacancy among the elected members of any authority or body of the University shall be filled, in such manner and within such time as may be prescribed, by election by such authority or body of a person representing the interest which the member, whose seat has become vacant, represented.

(2) Any vacancy among the nominated members of any authority or body of the University shall be filled, within such time as may be prescribed, by nomination by the person or authority that nominated the member whose seat has become vacant.

(3) Vacancies arising by efflux of time in the seats of elected members of any authority or body of the University shall be filled by election to be held on such date or dates, not later than six months or such extended period as the Chancellor may, by order made in this behalf, specify, from the date on which the vacancies arise, as the Vice-Chancellor may fix.

The West Bengal Green University Act, 2017.

(Chapter IV.—General Provisions Governing All Authorities or Other Bodies of the University.—Sections 45-47.—Chapter V.—Funds of the University, Accounts, Audit and Inspection.—Sections 48, 49.)

Proceedings of the University or the authorities or bodies of the University not invalidated by vacancies.

45. No act or proceedings of the University or of any authority or body of the University shall be deemed to be invalid merely by reason of the existence of a vacancy or vacancies among its members or the invalidity of the election of any of the members.

Explanation.—For the removal of doubt, it is hereby declared that where the office of any member of any authority or body of the University cannot be filled up, when such authority or body is constituted for the first time, on account of any election or appointment not being for any reason feasible, there shall be deemed to be a vacancy in the office of such member until such election takes place or such appointment is made.

Election Tribunal.

46. (1) There shall be an Election Tribunal to which shall be referred any question as to whether any person is eligible under this Act for election or nomination or has been duly elected or nominated, or is entitled to be, a member of any authority or body of the University, and the decision of the Election Tribunal on such question shall be final.

(2) The constitution of the Election Tribunal shall be provided by Statutes.

(3) If, during the progress of any election of members to any authority or body of the University, the Election Tribunal is satisfied that such election is vitiated by fraud or corrupt practice, the Election Tribunal may make an order annulling the proceedings in respect of such election or any part thereof and direct fresh proceedings to be started, in accordance with the provisions of this Act and the Statutes, the Ordinances and the Regulations, from such stage as may be specified in the order and such order of the Election Tribunal shall be final.

(4) No suit or proceeding shall lie in any civil court against a decision or an order of the Election Tribunal under sub-section (1) or sub-section (3) as the case may be.

Casting the vote by the Chairman.

47. At a meeting of the Governing Board, the Schools of Post-graduate and Undergraduate Studies or any other authority or body of the University, the person presiding at the meeting shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

CHAPTER V

Funds of the University, Accounts, Audit and Inspection

The University Fund.

48. The University shall have a fund to be known as the University Fund to which shall be credited all its income from fees, fines, contributions, grants, donations, loans and advances and from any other source whatsoever. The University may also create, by Ordinances made in this behalf, separate special funds for the administration of Students' Welfare, Endowments, Donations and Gifts, Trust or specific grants or grants for other special purposes.

General limitations on financial powers of the University.

49. (1) The budget of the University showing the receipt and expenditure of the University on different accounts shall be submitted to the State Government at least three months before the end of the financial year for approval.

(2) The State Government may, from time to time, release grants to the University to incur expenditure till the budget is approved.

(3) Notwithstanding anything to the contrary contained in this Act, the University shall not, except with the prior approval of the State Government, incur any expenditure on any amount in excess of amount specified in the budget on that account:

Provided that no such prior approval shall be necessary in respect of any expenditure on any scheme not provided in the budget, if such expenditure is met by the University out of its own resources.

The West Bengal Green University Act, 2017.

(Chapter V.—Funds of the University, Accounts, Audit and Inspection.—Sections 50-52.)

Provident Fund.

50. Any provident fund instituted by the University for the benefit of its Teachers, officers, or employees shall be governed by the provisions of Provident Funds Act, 1925, as if such fund were a Government Provident Fund and such fund shall have to be maintained in the Government Treasury, and the Governing Board shall have power to frame Ordinances, not inconsistent with the provisions of that Act, for the administration of the fund. 19 of 1925.

Annual Accounts and Audit.

51. (1) The Annual Statement of Accounts shall, after examination by the Executive Council, be subjected to such audit as the State Government may direct.

(2) Such Annual Statement of Accounts shall, together with copies of the audit report thereon, be submitted to the Governing Board and to the State Government and shall thereupon be published by the Governing Board.

(3) The University shall have a continuous internal audit, and the report of such audit shall be submitted to the State Government as soon as possible after the end of every financial year.

(4) The State Government may require the University to supply to it any information in regard to the accounts and the budget and the University shall comply with such requisition.

Inspection.

52. (1) The State Government shall have the right—

(a) to cause an inspection to be made, by such person or persons as it may direct,—

(i) of the University, its buildings, laboratories, libraries, museums, press establishment, workshops and equipment,

(ii) of any institution maintained by the University, and

(iii) into all affairs of the University and of such institution including examination and other work conducted or done by the University or such institution; and

(b) to cause an enquiry to be made into the income, expenditure, properties, assets and liabilities of the University and of any such institution maintained by the University.

(2) The State Government shall, in every such case of inspection or enquiry, give previous notice to the University of its intention to cause such inspection or enquiry.

(3) The State Government shall communicate to the Governing Board its views on the results of such inspection or enquiry and may, after considering the opinion of the Governing Board thereon, advise the University regarding the action which the State Government considers fit to be taken by the University in the matters concerned and the University shall report to the State Government, within such time as the State Government may direct, the action which is proposed to be taken or has been taken by the University to give effect to such advice of the State Government.

(4) The State Government may, after considering the report referred to in sub-section (3), advise the University to take such further action in the matters concerned, as may, in the opinion of the State Government, be necessary, and the University shall take or cause to be taken such further action within such time as may be specified in that behalf by the State Government.

CHAPTER VI

Statutes, Ordinances and Regulations

Statutes.

53. Subject to the provisions of this Act, Statutes may be made to provide for all or any of the following matters:—

(a) the declaration of posts as posts of officers of the University referred to in clause (17) of section 11;

(b) the establishment of authorities of the University referred to in clause (v) in section 24;

(c) the powers, duties, and terms and conditions of service of the officers of the University in so far as these have not been specifically provided for in this Act;

(d) the constitution, powers and duties of the authorities of the University in so far as these have not been specifically provided for in this Act;

(e) the rules and procedure for holding elections to the Governing Board and other authorities and bodies of the University;

(f) the holding of convocations to confer degrees, titles, diplomas, certificates and other academic distinctions, including honorary degrees and distinctions;

(g) the conditions for the registration of graduates of the University and for the maintenance of a register for registered graduates;

(h) the minimum qualifications for teachers and officers of the University;

(i) all other matters which under this Act are required to be or may be provided by Statutes.

How to make Statutes.

54. (1) The Governing Board shall take into consideration the draft Statutes proposed to be passed, after notice thereof has been given to the members of the Governing Board at least three weeks in advance of the date fixed for consideration of the same by the Governing Board. The Vice-Chancellor may direct a shorter notice in a matter which in his opinion is of emergent nature. The Statutes shall be deemed to have been passed by the Governing Board if it is agreed to by a majority of total number of members of the Governing Board at the time.

(2) A Statute, passed in the manner provided in sub-section (1), shall be presented to the Chancellor for assent and shall come into force on being assented to by the Chancellor in consultation with the Minister.

(3) A Statute shall remain in force until repealed or amended by a new Statute similarly passed and assented to by the Chancellor.

Ordinances.

55. Subject to the provisions of this Act and the Statutes, Ordinances may be made to provide for all or any of the following matters:—

(a) the admission of students to the University and their enrolment;

(b) the levy or fees in University Departments, Schools, Centres and in University Laboratories;

(c) the conditions of residence and rules of discipline of the students of the University and the levy of fees for residence in halls and hostels;

(d) the appointment of Teachers, officers and employees of the University, their emoluments, their duties and other terms and conditions of their service, in so far as these have not been specifically provided for in this Act or in the Statutes;

(e) rules for the institution of Provident Fund or other funds for the benefit of the Teachers, officers and employees of the University;

(f) rules for the establishment, maintenance and management of University Libraries, University Museums, halls and other University institutions, for study, research and residence;

(g) rules for the recognition of libraries, laboratories, museums, hostels, and institutions for study, research and residence, other than those established, maintained and managed by the University;

(h) rules for the imposition and collection of fees, fines and other dues payable to the University;

(i) the duties and functions of the Teachers of the University including the Heads of Departments;

(j) rules for the registration of students;

(k) the appointment, duties and remuneration of examiners;

(l) rules for the administration of gifts, endowments and benefactions, and for the institution and award of fellowships, travelling fellowships, scholarships, studentships, stipends, bursaries, exhibitions, medals and prizes;

(m) rules and procedure for accepting grants and for raising or accepting loans other than loans from the central or any state Government or the University Grants Commission;

(n) all other matters which under this Act or the Statutes are required to be or may be provided by Ordinances.

How to make Ordinances.

56. (1) The Governing Board shall take into consideration drafts of Ordinances proposed to be passed, after notice thereof has been given to the members of the Governing Board at least three weeks in advance of the date fixed for consideration of the same by the Governing Board. The Vice-Chancellor may direct a shorter notice in a matter which in his opinion is of an emergent nature.

(2) An Ordinance shall be deemed to be passed by the Governing Board if it is agreed to by a majority of the total number of members of the Governing Board existing at the time.

(3) An Ordinance passed by the Governing Board in the manner provided hereinbefore in this section shall be submitted to the Chancellor for assent and shall come into force on being assented to by the Chancellor.

(4) An Ordinance shall, unless cancelled or modified by the Chancellor, remain in force until repealed or amended by a new Ordinance similarly passed and brought into force.

Regulations.

57. Subject to the provisions of this Act and the Statutes and the Ordinances, Regulations may be made to provide for all or any of the following matters:—

(a) the powers and functions of the Boards of Studies;

(b) the functions and duties of Teachers' Councils in Universities;

(c) the conditions for admission to the different courses of study and examinations of students;

(d) the rules for the conduct of University examinations;

(e) the courses of study and the division of subjects upon the recommendations of the Schools of Post-graduate and Undergraduate Studies concerned;

(f) the minimum qualifications for the Teachers of the University as per guidelines of the University Grants Commission or any other appropriate authority;

The West Bengal Green University Act, 2017.

(Chapter VI.—Statutes, Ordinances and Regulations—Sections 58, 59.—Chapter VII.—Miscellaneous and Transitory Provisions.—Section 60.)

(g) all other matters which under this Act or the Statutes or the Ordinances are required to be or may be provided by Regulations.

How to make Regulations.

58. (1) The Governing Board or a Committee appointed by it shall take into consideration drafts of Regulations, consistent with this Act and the Statutes and the Ordinances after notice of the proposed Regulations has been given to the members of the Governing Board at least three weeks in advance of the date fixed for consideration of the same by the Governing Board or the Committee appointed by it. The Vice-Chancellor may direct a shorter notice in a matter which in his opinion is of an emergent nature.

(2) A Regulation shall be deemed to be passed by the Governing Board if it is agreed to at a meeting of the Governing Board by a majority of the total number of members of the Governing Board existing at the time. A Regulation shall come into force immediately on being passed unless otherwise directed by the Chancellor.

(3) A Regulation brought in force under sub-section (2) shall remain in force until repealed or amended by a new Regulation similarly passed and brought into force.

Rules.

59. (1) The State Government may make rules for the purpose of carrying out any of the provisions of this Act.

(2) Every rules made under this Act shall, as soon they are made, be laid down before the State Legislature while it is in session.

CHAPTER VII

Miscellaneous and Transitory Provisions

Delegation.

60. (1) The Vice-Chancellor or, with the approval of the Vice-Chancellor, the Registrar, may, subject to the provisions of this Act, delegate such of his powers or duties conferred or imposed by or under this Act as may be provided by the Statutes to an officer of the University under his direct administrative control.

(2) Subject to the provisions of this Act:—

(a) the Governing Board may delegate any of its powers or duties, conferred or imposed by or under this Act, to—

(i) the Vice-Chancellor,

(ii) the Pro-Vice-Chancellor,

(iii) a committee constituted from among its own members, or

(iv) a committee appointed in accordance with the Statutes;

(b) the Schools of Post-graduate and Undergraduate Studies may delegate any of its powers or duties, conferred or imposed by or under this Act, to—

(i) the Vice-Chancellor,

(ii) the Pro-Vice-Chancellor,

(iii) a committee constituted from among its own members,

(iv) a committee constituted in accordance with the Regulations, or

(v) any of the Board of Studies;

(c) the Finance committee may delegate any of its powers or duties, conferred or imposed by or under this Act, to—

(i) the Vice-Chancellor,

(ii) the Pro-Vice-Chancellor, or

(iii) a committee constituted from among its own members.

Completion of courses for students formerly registered to other University.

61. Notwithstanding anything contained in this Act, the Statutes, the Ordinances and the Regulations, any student of any college or institution affiliated formerly to any other University, who was studying for any examination of such University, shall upon entering into the privileges of this University be permitted to complete his course and in preparation thereof and appear for examinations conducted by the such other former University or this University shall hold for such students, examinations in accordance with the curricula of study in force in the former University for such period as may be notified.

Transitory provisions and repeal.

62. (1) The Chancellor shall, within three months from the date of publication of this Act in the *Official Gazette*, appoint a person to be the Vice-Chancellor under sub-section (4) of section 63, and he shall be the first Vice-Chancellor of the University and shall hold office for a period of one year, which may be extended by one year by the Chancellor in consultation with the Minister. The first Vice-Chancellor shall exercise all the powers and perform all the duties of the Vice-Chancellor under this Act.

(2) The first Vice-Chancellor shall, with the approval of the Chancellor and with the assistance of a committee consisting of not less than nine members nominated by the State Government, cause the first Statutes, the first Ordinances and the first Regulations of the University to be framed.

(3) The first Vice-Chancellor shall within one year from the date of his appointment or within such longer period, not exceeding two years from the date of his appointment, as the State Government may, by notification in the *Official Gazette*, direct, cause arrangements to be made for constituting the Governing Board, the Schools of Post-graduate and Undergraduate Studies and the Boards of Studies in accordance with the provisions of the first Statutes, the first Ordinances and the first Regulations of the University as framed under sub-section (2), as if they had already come into force.

(4) If, for any reason,—

(a) the Constitution of the Governing Board and other bodies referred to in sub-section (3) cannot be completed within the period of office of the first Vice-Chancellor appointed under sub-section (1), then on the expiry of such period, the Chancellor may in consultation with the Minister, on such terms and conditions as he thinks fit, appoint the first Vice- Chancellor whose period of office has expired or another person to be the Vice-Chancellor for the purpose of this section for such period not exceeding two years as the Chancellor thinks fit, or

(b) a vacancy occurs in the office of the first Vice-Chancellor before the expiry of the period of his office, then, the Chancellor may, in consultation with the Minister, on such terms and conditions as he thinks fit, appoint another person to be the Vice-Chancellor for the purposes of this section for the unexpired portion of such period or such further period not exceeding three years as the Chancellor thinks fit, and references in this Act to the first Vice-Chancellor shall be deemed to include references to the Vice-Chancellor appointed under this sub-section.

(5) The State Government shall, by notification in the *Official Gazette*, appoint a date and on and from such date the Governing Board, the Schools of Post-graduate and Undergraduate Studies and the Boards of Studies shall commence to exercise their respective functions and the first Statutes, the first Ordinances and the first Regulations of the University as framed under sub-section (2) shall come into force and shall be the first Statutes, the first Ordinances and the first Regulations of the University.

(6) The first Statutes, the first Ordinances and the first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act.

(7) The first Vice-Chancellor may, subject to the approval of the State Government, and until constitution of the West Bengal Green University Council, appoint such administrative, clerical and other teaching staff as he deems necessary for giving effect to the provisions of this section.

(8) On and from the appointed day—

(a) section 63 shall stand repealed and thereupon the West Bengal Green University Council referred in sub-section (1) of the said section, and all bodies and all committees constituted by the said Council, shall stand dissolved.

(b) all affairs, functions or activities of the University, including studies and examinations, commenced and in progress before the appointed day, shall be deemed to be in progress as if they had been commenced by the University under this Act;

(c) all things done or deemed to have been done, and all actions taken or deemed to have been taken under any law in force for the time being, shall be deemed to be things done or actions taken by the University under this Act as if this Act had been in force when such things were done or actions taken provided that until the appointed day references to the Vice-Chancellor under any such law shall be deemed to be references to the first Vice-Chancellor under this Act.

(9) In construing the provision of section 25 and section 28, and in construing the provisions of the first Statutes, the first Ordinances and the Regulations of the University in relation to the constitution, under this section, of the Governing Board, the Schools of Post-graduate and Undergraduate studies, and the Boards of Studies, references to the Heads of departments of teaching of the University, the University Professors, University Associate Professors, University Assistant Professors, and teachers of the University shall be deemed to be references to the persons holding offices respectively as the Heads of teaching Departments, Professors, Readers or Associate Professors, Lecturers or Assistant Professors and teachers of the College, if any, immediately before the date of appointment of the first Vice-Chancellor.

(10) The provisions of the section shall have effect notwithstanding anything to the contrary contained elsewhere in this Act or in any other law.

The West Bengal Green University Council.

63. (1) With effect from such date as the State Government may, by notification in the *Official Gazette*, appoint, and until the appointed day all the powers and functions of the University, the Governing Board, the Schools of Post-graduate and Undergraduate Studies, the Boards of Studies, the Finance Committee and all other authorities to be constituted under this Act or the Statutes or the Ordinances shall, respectively, be exercised and performed by a Council to be known as the West Bengal Green University Council.

The West Bengal Green University Act, 2017.

(Chapter VII.—Miscellaneous and Transitory Provisions.—Section 63.)

(2) The following shall be the members of the Council:—

(i) the Chancellor,

(ii) the Vice-Chancellor,

(iii) the Pro-Vice-Chancellor,

(iv) the Secretary, Higher Education Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal,

(v) the Secretary, Finance Department, Government of West Bengal or his nominee not below the rank of Joint Secretary to the Government of West Bengal,

(vi) Chairman, West Bengal State Council of Higher Education or his nominee,

(vii) the President, West Bengal Board of Secondary Education,

(viii) the President, West Bengal Council of Higher Secondary Education,

(ix) not less than ten and not more than fifteen persons nominated by the Chancellor in consultation with the Minister from amongst the persons interested in University education, Principals and teachers of colleges affiliated to other Universities and teachers of the University.

(3) The Registrar of the University shall act as the Secretary of the Council.

(4) The first Vice-Chancellor shall be appointed by the Chancellor in consultation with the Minister on the basis of recommendation made by a Search Committee comprising three eminent educationists constituted for this purpose by the State Government.

(5) The first Registrar, the first Finance Officer and such other officers of the University (including technical personnel) as may be required to be appointed from time to time shall be appointed by the Council on the recommendation of a committee consisting of the Vice-Chancellor as Chairman, a nominee of the Council, a nominee of the Chancellor and two nominees of the State Government, and subject to the supervision, direction and general control of the Vice-Chancellor, they shall exercise all the powers and perform all the duties conferred and imposed on them by or under this Act, or delegated to them by the Vice-Chancellor.

(6) The Council may, subject to the approval of the State Government, appoint such administrative, clerical and other staff (including technical staff) as it deems necessary for giving effect to the provisions of this section.

(7) The Council may, with the approval of the Chancellor, delegate any of its powers and functions to such body or bodies as may be constituted by it to carry on the functions of the Governing Board, the Schools of Post-graduate and Undergraduate Studies, the Boards of Studies, the Finance Committee and all other authorities to be constituted under this Act or the Statutes or the Ordinances:

Provided that such delegation shall not prevent the exercise of any such power or discharge of any such functions by the Council.

(8) (a) (i) The Chancellor, or in his absence the Vice-Chancellor, shall preside over the meetings of the Council;

(ii) Twenty-five *percent* of the members of the Council shall be a quorum for a meeting of the Council;

(Chapter VII.—Miscellaneous and Transitory Provisions.—Section 64.)

(b) Twenty-five *percent* of the members of any Body constituted by the Council shall be a quorum for a meeting of such body.

(9) No act or proceeding of the Council or of any Body constituted by it shall be invalid or called in question by reason of the existence of any vacancy , initial or subsequent, in the Council or in any Body constituted by the Council, as the case may be.

(10) The other provisions of this Act shall, if in conflict with the provisions of this section, stand modified to the extent provided in this section:

Provided that nothing in this sub-section shall affect the power of the Chancellor or the Vice-Chancellor under this Act.

(11) If a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation or expiry of his office or otherwise, the same shall be filled up by the Chancellor in consultation with the Minister.

(12) Any vacancy in the Council occurring by reason of death, resignation or otherwise shall be filled up by the Chancellor in consultation with the Minister, in so far as such filling up is not inconsistent with the provisions of this section.

(13) If, by reason of the other provisions of this Act, any difficulty arises in giving effect to the provisions of this section, the Council shall refer such difficulty to the State Government which may make such order or do such thing, not inconsistent with the provisions of this section, as appears to it to be necessary or expedient for removing the difficulty.

Removal of Difficulties.

64. If on account of any lacuna or omission in the provisions of this Act, or for any other reason whatsoever, any difficulty arises as to the first constitutions of any authority or the University under this Act, or otherwise in giving effect to the provision of this Act, the State Government, as occasion may require, may by order or notification do anything which appears to it to be necessary for the purpose of removing the difficulty notwithstanding anything to the contrary contained elsewhere in this Act or in any other law.

By order of the Governor,

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Law Department.

Published by Law Department, Government of West Bengal and
Printed at Saraswaty Press Ltd.(Government of West Bengal Enterprise), Kolkata 700 056.