

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Act XII of 1995

THE KALYANI UNIVERSITY (AMENDMENT)
ACT, 1995.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 28th August, 1995.]

[28th August, 1995.]

An Act to amend the Kalyani University Act, 1981.

WHEREAS it is expedient to amend the Kalyani University Act, 1981, for the purposes and in the manner hereinafter appearing;

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

1. (1) This Act may be called the Kalyani University (Amendment) Act, 1995.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In sub-section (1) of section 17 of the Kalyani University Act, 1981 (hereinafter referred to as the principal Act),—

Amendment of section 17 of West Ben. Act XL of 1981.

(1) under the heading “(a) *ex officio members*”, in clause (ix), for the words “Notified Area Authority;”, the word “Municipality;” shall be substituted;

(2) under the heading “(b) *other members*”,—

(a) in clause (x),—

(i) for the word “three”, the word “four” shall be substituted, and

(ii) the following proviso shall be added at the end:—

“Provided that if there is no Department under any Faculty Council for post-graduate and undergraduate studies, the election of a Professor of a Department under such Faculty Council for post-graduate and undergraduate studies shall be held after the establishment of such Department, and there shall be deemed to be a vacancy in the office of member to be filled up by such Professor until such election takes place;”;

(Section 2.)

(b) in clause (xi),—

- (i) for the word “nine”, the word “ten” shall be substituted, and
- (ii) in sub-clause (b), for the words “Science, and”, the word “Science,” shall be substituted,
- (iii) in sub-clause (c), for the word “Education;”, the words “Education, and” shall be substituted, and
- (iv) after sub-clause (c), the following sub-clause shall be inserted:—

“(d) one shall be from the Departments under the Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology:

Provided that if there is no Department under the Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology, the election of a Teacher of a Department under the said Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology shall be held after the establishment of such Department, and there shall be deemed to be a vacancy in the office of member to be filled up by such Teacher until such election takes place;”;

(c) for clause (xii), the following clause shall be substituted:—

“(xii) five Teachers, not being Principals, of whom not more than one shall belong to any affiliated college, elected by the Teachers of affiliated colleges from amongst themselves;”;

(d) for clause (xiii), the following clause shall be substituted:—

“(xiii) three Principals of affiliated colleges, of whom one shall belong to a college under the Faculty Council for Post-Graduate and Undergraduate Studies in Education and one shall belong to a college under the Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology, elected by the Principals of affiliated colleges from amongst themselves;”;

(e) in clause (xvi),—

- (i) for the word “three”, the word “four” shall be substituted, and

(Sections 3, 4.)

- (ii) before the *Explanation*, the following proviso shall be inserted:—

“Provided that if there is no Department under any Faculty Council for post-graduate and undergraduate studies, the election of a regular student of a Department under such Faculty Council for post-graduate and undergraduate studies shall be held after the establishment of such Department, and there shall be deemed to be a vacancy in the office of member to be filled up by such student until such election takes place.”;

- (f) in clause (xvii), for the words “one regular student prosecuting his studies”, the words “two regular students, not belonging to the same college, prosecuting studies” shall be substituted.

3. In sub-section (1) of section 18 of the principal Act,—

Amendment
of section 18.

- (1) for clause (i), the following clause shall be substituted:—

“(i) to initiate proposals for the establishment of Faculty Councils for post-graduate and undergraduate studies and to establish University Departments, institutions, centres, libraries, laboratories, workshops and museums for study and research;”;

- (2) in clause (ii), after the word “laboratories”, the word “workshops” shall be inserted.

4. In sub-section (1) of section 20 of the principal Act, under the heading “(b) *other members*”,—

Amendment
of section 20.

- (1) in clause (vi),—

(a) for the word “three”, the word “four” shall be substituted, and

- (b) the following proviso shall be added at the end:—

“Provided that if there is no Professor of the University belonging to any Faculty Council for post-graduate and undergraduate studies, the election of a Professor of the University belonging to such Faculty Council for post-graduate and undergraduate studies shall be held after the appointment of such Professor, and there shall be deemed to be a vacancy in the office of member to be filled up by such Professor until such election takes place;”;

(Section 5.)

- (2) in clause (vii),—
- (a) for the words “five post-graduate Teachers”, the words “six Teachers of the University” shall be substituted, and
 - (b) the following proviso shall be added at the end:—

“Provided that if there is no Teacher of the University, other than a Professor, belonging to any Faculty Council for post-graduate and undergraduate studies, the election of a Teacher of the University, other than a Professor, belonging to such Faculty Council for post-graduate and undergraduate studies shall be held after the appointment of such Teacher of the University, other than a Professor, and there shall be deemed to be a vacancy in the office of member to be filled up by such Teacher until such election takes place;”;
- (3) for clause (viii), the following clause shall be substituted:—
- “(viii) two Teachers of the University, other than Professors, not belonging to the same Faculty Council for post-graduate and undergraduate studies, elected by such Teachers as are members of the Court from amongst themselves;”;
- (4) in clause (xiii), for sub-clause (a), the following sub-clause shall be substituted:—
- “(a)(i) two Teachers, other than Principals, of affiliated colleges, elected by such Teachers, other than Principals, of affiliated colleges as are members of the Court from amongst themselves, and
 - (ii) one Principal of an affiliated college elected by such Principals of affiliated colleges as are members of the Court from amongst themselves;”.

Amendment
of section 21.

5. In section 21 of the principal Act,—
- (1) in clause (ii),—
 - (a) after the words “to recommend to the Court”, the words “the initiation of action for the establishment of Faculty Councils for post-graduate and undergraduate studies and,” shall be inserted, and
 - (b) after the word “laboratories”, the word “, workshops” shall be inserted;
 - (2) in clause (v), after the words, “University laboratories,”, the words “University workshops,” shall be inserted;

The Kalyani University (Amendment) Act, 1995.

XII of 1995.]

(Sections 6, 7.)

(3) in clause (vii), after the word "laboratories", the word", workshops" shall be inserted

6. In section 22 of the principal Act,—

Amendment
of section 22.

(1) in sub-section (1), after clause (c), the following clause shall be inserted:—

"(d) the Faculty Council for Post-Graduate and Undergraduate Studies in Engineering and Technology.";

(2) after sub-section (3), the following sub-section shall be inserted:—

"(3A) The Faculty Council for Post-Graduate and Undergraduate studies in Engineering and Technology shall consist of the following members:—

- (i) the Vice-Chancellor—Chairman;
- (ii) the Heads of the Department concerned;
- (iii) the Professor or Professors of the Department or Departments concerned;
- (iv) the Principals of affiliated colleges concerned;
- (v) one Teacher of the University other than Professor from each Department of the Faculty Council elected jointly by such Teachers;
- (vi) three Teachers from affiliated colleges participating in teaching in the subject concerned elected by Teachers of such colleges from amongst themselves;
- (vii) three persons having special knowledge in the subject concerned nominated by the Vice-Chancellor."

7. In clause (vii) of section 23 of the principal Act, after the word "laboratories.", the word "workshops," shall be inserted.

Amendment
of section 23.