

**GOVERNMENT OF WEST BENGAL**  
**LEGISLATIVE DEPARTMENT**

**West Bengal Act III of 1978**

**THE KALYANI UNIVERSITY (TEMPORARY  
SUPERSESSION) ACT, 1978.**

*[Passed by the West Bengal Legislature.]*

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 25th March, 1978.]

[25th March, 1978.]

*An Act to provide for the supersession of the University of Kalyani for a temporary period and for carrying on the administration of the said University during the period of supersession.*

WHEREAS it is necessary to provide for the supersession of the University of Kalyani for a temporary period to facilitate reorganisation for more efficient functioning, and for carrying on the administration during the period of supersession;

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

1. (1) This Act may be called the Kalyani University (Temporary Supersession) Act, 1978.

Short title and  
commence-  
ment.

(2) It shall be deemed to have come into force on the 12th day of January, 1978.

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

Definitions.

(a) “the Act” means the Kalyani University Act, 1960;

(b) “the Council” means the Kalyani University Council referred to in clause (b) of section 4 of this Act;

(c) “Minister” means the Minister-in-charge of Higher Education in the Department of Education of the Government of West Bengal;

(d) “the University” means the University of Kalyani as defined in clause (h) of section 2 of the Act.

(Sections 3,4.)

(2) All other words and expressions used in this Act shall have the same meanings as assigned to them in the Kalyani University Act, 1960.

West Ben. Act  
XIII of 1960.

Supersession  
of the  
University.

3. (1) Whereas it is necessary to take action in providing for the supersession of the University of Kalyani, it is hereby declared that the University shall, with effect from the date of coming into force of this Act and for a period of one year thereafter, stand superseded.

(2) The State Government may, by notification in the *Official Gazette*, extend the period referred to in sub-section (1) from time to time but not exceeding a period of six months at a time, and the total period of supersession shall not exceed two years in all.

Consequences  
of superses-  
sion.

4. With effect from the date of coming into force of this Act,—

- (a) all the members of the University except the Chancellor, the Vice-Chancellor and those referred to in clauses (iii), (iv) and (xi) of sub-section (1) of section 8 of the Act, and the members of the Executive Council, the Academic Council, Faculties, Committees, Boards, Councils and other authority or authorities constituted under sub-section (1) of section 7 of the Act or any Statutes, Ordinances, Regulations or Rules made thereunder, shall vacate their respective offices;
- (b) all the powers and duties which may, under the provisions of the Act, or any Statutes, Ordinances, Regulations or Rules made thereunder, be exercised and performed by the University, the Executive Council, the Academic Council and all Committees, Boards and other bodies shall be exercised by the Council to be known as the Kalyani University Council in the manner provided;
- (c) the Council shall consist of the Chancellor, the Vice-Chancellor, members referred to in clauses (iii), (iv) and (xi) of sub-section (1) of section 8 of the Act, the President, West Bengal Council of Higher Secondary Education and not more than fifteen, but not less than seven persons from amongst the teachers of the University,

**III of 1978.]**

*(Section 4.)*

and Principals of colleges nominated by the Chancellor in consultation with the Vice-Chancellor and the Minister:

Provided that the Registrar shall act as the Secretary to the Council;

- (d) the Council so constituted shall carry on the functions of the University, the Executive Council, the Academic Council, Faculties, Boards and other body or bodies constituted under the Act or any Statutes, Ordinances, Regulations or Rules made thereunder:

Provided that the Council may, with the approval of the Chancellor, delegate any of its powers to such body or bodies as may be constituted to carry on the functions of the Executive Council, the Academic Council and other body or bodies which may have been constituted under the Act or any Statutes, Ordinances, Regulations or Rules made thereunder:

Provided further that any vacancy in the Council or body or bodies, if any, constituted by the Council, due to omission in nominating members, death, resignation or otherwise shall not invalidate the proceedings of the Council or the body or bodies constituted:

Provided also that the delegation shall not prevent the exercise of any such powers or performance of any such duties by the Council;

- (e) twenty-five *per cent.* of the members of the Council shall form the quorum for a meeting of the Council and twenty-five *per cent.* of the members of the particular body to which any function may be delegated under clause (d) shall form the quorum for a meeting of that body:

Provided that the Chancellor, or in his absence, the Vice-Chancellor shall preside at meetings of the Council;

- (f) all the provisions in the Act, Statutes, Ordinances, Regulations or Rules made thereunder, shall, if in conflict with the provisions of this Act, stand modified:

(Sections 5-8.)

Provided that nothing in this clause shall affect the powers of the Chancellor or the Vice-Chancellor under the Act, Statutes, Ordinances, Regulations or Rules made thereunder.

Filling up of vacancies.

5. Vacancies in the Council by resignation, death or otherwise during the period of supersession shall be filled up by the Chancellor in consultation with the Vice-Chancellor and the Minister, in so far as it is not inconsistent with this Act.

Power to remove difficulties.

6. If in view of the provisions of the Kalyani University Act, 1960, any difficulty arises in giving effect to the provisions of this Act, the Council shall refer the difficulty to the State Government, which may, make such order or do such thing not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing that difficulty.

West Ben. Act XIII of 1960.

University to continue as a body Corporate.

7. Nothing in this Act shall be construed as effecting or implying in any way the dissolution of the University as a body corporate as described in section 3 of the Act.

Repeal and savings.

8. (1) The Kalyani University (Temporary Supersession) Ordinance, 1978, is hereby repealed.

West Ben. Ord. V of 1978.

(2) Anything done or any action taken under the said Ordinance shall be deemed to have been validly done or taken under this Act.