

**GOVERNMENT OF WEST BENGAL
LEGISLATIVE DEPARTMENT**

West Bengal Act V of 1980

**THE JADAVPUR UNIVERSITY (TEMPORARY
SUPERSESSION) ACT, 1980.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 27th March, 1980.]

[27th March, 1980.]

An Act to provide for the supersession of the Jadavpur University for a limited period with a view to facilitating its reorganisation for more efficient functioning and for the carrying on its administration during the period of supersession.

WHEREAS it is expedient in the public interest to supersede the Jadavpur University for a limited period with a view to facilitating its reorganisation for more efficient functioning and to provide for the carrying on of its administration during the period of supersession;

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

1. (1) This Act may be called the Jadavpur University (Temporary Supersession) Act, 1980.

Short title
and
commence-
ment.

(2) It shall be deemed to have come into force on the 7th day of November, 1979.

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

Definitions.

- (a) “the Act” means the Jadavpur University Act, 1955;
- (b) “the Council” means the Jadavpur University Council referred to in clause (b) of section 4;
- (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 Jadavpur University constituted under the Act;
- (e) other words and expressions have the meanings respectively assigned to them in the Act.

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(Sections 3-5.)

Supersession
of the
University.

3. (1) With effect from the date of coming into force of this Act, and for a period of one year from such date, the University shall stand superseded.

(2) The State Government may, if it considers necessary so to do, by notification in the *Official Gazette*, extend from time to time the period of supersession referred to in sub-section (1) by any period not exceeding six months at a time, so, however, that the aggregate period of supersession under this section shall not exceed two years.

Conse-
quences of
supersession.

4. With effect from the date of supersession of the University,—

- (a) all the members of the University and of the Academic Council, the Faculties, the Committees, the Boards and all other bodies constituted under the Act or the rules, except the Chancellor, the Vice-Chancellor and the persons referred to in clauses (aa) and (g) of sub-section (4) of section 4 of, and items (ii) to (iv) of the Schedule to, the Act, shall vacate their respective offices, and
- (b) all the powers and duties of the University and of the Academic Council, the Faculties, the Committees, the Boards and all other bodies as aforesaid under the Act or the rules shall, respectively, be exercised and discharged by the Council to be known as the Jadavpur University Council.

Members of
the Council.

5. The following shall be the members of the Council:—

- (a) the Chancellor and the Vice-Chancellor of the University;
- (b) the persons referred to in clauses (aa) and (g) of sub-section (4) of section 4 of, and items (ii) to (iv) of the Schedule to, the Act;
- (c) the President, West Bengal Council of Higher Secondary Education;
- (d) three persons, not being salaried employees of the University, or an Institution established, maintained or managed by or affiliated to the University, of whom—
 - (i) one shall be nominated by the legal representatives of Shri Brajendra Kishore Roy Chowdhury of Gouripur, a founder-donor,
 - (ii) one shall be nominated by the legal representatives of Maharaja Suryya Kanta Acharyya Chowdhury Bahadur of Mymensingh, a founder-donor, and
 - (iii) one shall be nominated by the legal representatives of Raja Subodh Chandra Mallik, a founder-donor;

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- (e) five persons interested in University education, nominated by the Chancellor;
- (f) not less than six and not more than nine persons nominated by the Chancellor in consultation with the Minister from amongst the heads of Departments and teachers of the University;
- (g) one nominee of the All-India Council for Technical Education;
- (h) one of the Principals or Heads of the Institutions established, managed or maintained by or affiliated to the University, nominated by the Chancellor in consultation with the Minister.

6. The Registrar of the University shall act as the Secretary of the Council.

Secretary of the Council.

7. The Council may, with the approval of the Chancellor, delegate any of its powers and duties to such body or bodies as may be constituted by it to carry on the functions of the Academic Council, the Faculties, the Committees, the Boards and all other bodies constituted under the Act or the rules:

Delegation of powers and duties by the Council.

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

8. (1) (a) The Chancellor or, in his absence, the Vice-Chancellor shall preside at the meetings of the Council.

Meetings of the Council and of any body constituted by it.

(b) Twenty-five *per cent.* of the members of the Council shall be a quorum for a meeting of the Council.

(2) Twenty-five *per cent.* 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.

Validation.

10. The provisions of the Act or the rules shall, if in conflict with the provisions of this Act, stand modified to the extent provided in this Act:

The Act and the rules to stand modified.

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

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(Sections 11-15.)

Filling up of
vacancy in
the office of
the Vice-
Chancellor.

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

Filling up of
vacancies in
the Council.

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 and the Vice-Chancellor, in so far as such filling up is not inconsistent with the provisions of this Act.

Power to
remove
difficulties.

13. If, by reason of the provisions of the Jadavpur University Act, 1955, any difficulty arises in giving effect to the provisions of this Act, 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 Act, as appears to it to be necessary or expedient for removing the difficulty.

West Ben.
Act XXXIII
of 1955.

The
University to
continue as a
body
corporate.

14. For the avoidance of doubts, it is hereby declared that nothing in this Act shall effect or imply in any way the dissolution of the University as a body corporate as constituted under the Act.

Repeal and
savings.

15. (1) The Jadavpur University (Temporary Supersession) Ordinance, 1979, is hereby repealed.

West Ben.
Ord. XIII of
1979.

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