

**GOVERNMENT OF WEST BENGAL
LEGISLATIVE DEPARTMENT**

West Bengal Act XLIII of 1975

**THE RABINDRA BHARATI (TEMPORARY
SUPERSESSION) ACT, 1975.**

[Passed by the West Bengal Legislature.]

*[Assent of the Governor was first published in the Calcutta
Gazette, Extraordinary, of the 5th January, 1976.]*

[5th January, 1976.]

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

WHEREAS it is expedient to provide for the supersession of the Rabindra Bharati University for a temporary period and for the carrying on the administration of the said University during the period of supersession;

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

1. This Act may be called the Rabindra Bharati (Temporary Supersession) Act, 1975. Short title.

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

Definitions.

(a) "the Act" means the Rabindra Bharati Act, 1961;

(b) "the University" means the University as defined in clause (k) of section 2 of the Act.

(2) All other words and expressions used in this Act but not defined shall have the same meanings as assigned to them in the Rabindra Bharati Act, 1961.

3. (1) Whereas circumstances exist which render it necessary to take immediate action in providing for the supersession of the Rabindra Bharati University it is hereby declared that the University shall, with effect from the date of coming into force of the Rabindra Bharati (Temporary Supersession) Ordinance, 1975 and for a period of one year thereafter, stand superseded.

Supersession
of the
University.

(Sections 4, 5.)

(2) The State Government may, by notification in the *Official Gazette*, extend the period referred to in sub-section (1) from time to time so, however, that such extension shall not exceed a period of six months at a time.

Consequences
of super-
session.

4. With effect from the date of coming into force of the Rabindra Bharati (Temporary Supersession) Ordinance, 1975,—

- (a) the Vice-Chancellor of the University, the members of the University except those referred to in clauses (i), (iii), (iv), (v) and (x) to (xiii) of sub-section (1) of section 9 of the Act and the members of the Executive Council, the Academic Council and all Committees, Boards and other subordinate authorities, if any, constituted under the Act, shall vacate their respective offices;
- (b) all the powers and duties which may, under the provisions of the Act or any Statutes, Ordinances, Regulations and Rules made thereunder, be exercised and performed by the University or by the Executive Council, the Academic Council, the Committees, Boards and other subordinate authorities, if any, shall, subject to the control of the Chancellor, be exercised and performed by the Vice-Chancellor appointed under section 5:

Provided that the Vice-Chancellor may, with the approval of the Chancellor and subject to any general or special direction by the Chancellor, delegate all or any of his powers or duties under the Act to such person or persons as he may think fit or to such body or bodies as may be constituted by him:

Provided further that the delegation shall not prevent the exercise of any such power or performance of any such duty by the Vice-Chancellor.

Appointment
of Vice-
Chancellor.

5. As soon as may be after the coming into force of the Rabindra Bharati (Temporary Supersession) Ordinance, 1975, the Chancellor shall, in consultation with the Minister, appoint a person to be the Vice-Chancellor and all the provisions of the Act which apply to a Vice-Chancellor appointed under sub-section (1) of section 16 of the Act shall so far as may apply in relation to the Vice-Chancellor appointed under this section.

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(Sections 6–8.)

6. If any difficulty arises in giving effect to the provisions of this Act, the State Government 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.

Power to remove difficulties.

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

The University to continue as a body corporate.

8. (1) The Rabindra Bharati (Temporary Supersession) Ordinance, 1975, is hereby repealed.

Repeal and savings.

(2) Anything done or any action taken under the Rabindra Bharati (Temporary Supersession) Ordinance, 1975, shall be deemed to have been validly done or taken under this Act as if this Act had commenced on the 28th day of October, 1975.

West Ben.
Ord. XVII of
1975.