

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Act VI of 1995

THE WEST BENGAL UNIVERSITY OF ANIMAL AND FISHERY SCIENCES ACT, 1995.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 17th April, 1995.]

[17th April, 1995.]

An Act to provide for the establishment and incorporation of a University of Animal and Fishery Sciences in West Bengal.

WHEREAS it is expedient to establish and incorporate a University in West Bengal for providing facilities for the study of animal and fishery sciences and for conduct of researches in, and extension and development of, those sciences;

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

CHAPTER I.

Preliminary.

1. (1) This Act may be called the West Bengal University of Animal and Fishery Sciences Act, 1995.

(2) It extends to the whole of West Bengal.

(3) It shall be deemed to have come into force on the 2nd day of January, 1995.

Short title,
extent and
commence-
ment.

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

(1) “affiliated” in relation to a college or institution means affiliated to the University;

(2) “animal” or “livestock” includes birds, fish, wildlife, or reptiles;

(3) “appointed day” means the date appointed under sub-section (3) of section 1;

(4) “authority” means any authority of the University specified in section 17;

Definitions.

(Chapter I.—Preliminary.—Section 2.)

- (5) “convocation” means a meeting of the Council for the purpose of conferring degrees, titles, diplomas, certificates or other distinctions;
- (6) “Council” means the Executive Council of the University constituted under section 18;
- (7) “dairy technology” means the science or art of processing of milk, manufacturing of milk products or marketing thereof;
- (8) “employee” in relation to the University means a person employed by the University on whole-time basis;
- (9) “Faculty” means a Faculty Council of the University;
- (10) “financial year” means the year ending on the 31st day of March;
- (11) “fishery sciences” means aquaculture, pisciculture, marine biology, fish biology, study of fish diseases or management or technology relating to development of underwater resources;
- (12) “Governor” means the Governor of the State of West Bengal;
- (13) “hospital” means a veterinary hospital maintained or recognized by the University for the purpose of imparting instruction in veterinary sciences;
- (14) “hostel” means a place of residence for the students of the University maintained or recognized by the University;
- (15) “Ministers” means the Minister-in-charge of the Department of Animal Resources Development, and the Minister-in-charge of the Department of Fisheries, of the Government of West Bengal;
- (16) “non-teaching staff” in relation to the University means the non-teaching staff, not holding any teaching post (including part-time teaching post), appointed or recognized as such by the University;
- (17) “officer” means an officer of the University specified in section 7;
- (18) “prescribed” means prescribed by statutes made under this Act;

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(Chapter I.—Preliminary.—Section 2.)

- (19) “registered graduate” means a graduate registered under this Act, at least three months prior to the date of election of members to the Council, on application in the prescribed form and on payment of a fee of rupees five, and includes a graduate registered under the Calcutta University Act, 1904, or the Calcutta University Act, 1951, or the Calcutta University Act, 1966, or the Bidhan Chandra Krishi Viswavidyalaya Act, 1974;
- (20) “Regulations” means the regulations made under section 35;
- (21) “selection committee” means a committee for the selection of Teachers of the University as may be prescribed;
- (22) “standing committee” means a committee for the selection of officers, or non-teaching staff, of the University as may be prescribed;
- (23) “Statutes” means the Statutes made by the University under section 33 or the first Statutes made by the State Government under section 34;
- (24) “Teacher of the University” means a Professor, Reader, Lecturer or any other person, holding a teaching post including a part-time teaching post, appointed or recognized as such by the University;
- (25) “University” means the West Bengal University of Animal and Fishery Sciences as constituted under this Act;
- (26) “University College” means a college, or an institute, or a college combined with an institute, maintained or managed by the University, whether established by it or not;
- (27) “veterinary and animal sciences” means—
- (a) the art and science of veterinary surgery and medicine, and includes—
 - (i) basic veterinary sciences, and
 - (ii) applied veterinary sciences, or
 - (b) animal husbandry, breeding, management, technology including bio-technology, and practices relating thereto.

8 of 1904.
West Ben.
Act XVIII of
1951.
West Ben.
Act II of
1966.
West Ben.
Act XLIX of
1974.

(Chapter II.—The University.—Sections 3-6.)

CHAPTER II.

The University.

Incorporation of University.

3. (1) With effect from the appointed day, there shall be established a University by the name of the West Bengal University of Animal and Fishery Sciences.

(2) The University shall be a body corporate, shall have perpetual succession and a common seal and shall sue and be sued by the name of the West Bengal University of Animal and Fishery Sciences.

(3) The principal seat of the University shall be located at 37 and 68, Kshudiram Bose Sarani (Old Belgachia Road), Calcutta-700 037, under the Calcutta Municipal Corporation established under the Calcutta Municipal Corporation Act, 1980.

West Ben.
Act LIX of
1980.

Establishment of new college and recognition of institution by University.

4. (1) On and from the appointed day, no new college or institution imparting instruction in veterinary and animal sciences, fishery sciences, dairy technology or allied sciences shall be established except as a college affiliated to the University.

(2) No institution affiliated to, or associated with, or maintained by, any other university, whether within or outside the State of West Bengal, shall be recognized by the University for any purpose except with the prior approval of the State Government and the University concerned.

Objects of University.

5. The University shall have the following objects:—

- (a) to impart education in such branches of veterinary and animal sciences, fishery sciences, dairy technology and allied sciences as the University may determine,
- (b) to further the advancement of learning, and to conduct research, in such sciences, and
- (c) to undertake the development of such sciences and the extension thereof to the rural people in co-operation with the concerned Departments of the Government of West Bengal.

Admission to University.

6. (1) The University shall, subject to the provisions of this Act, be open to all persons.

(2) Nothing contained in sub-section (1) shall require the University—

- (a) to admit to any course of study any person who does not possess the prescribed academic qualifications or standard;

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(Chapter III.—Officers of the University.—Sections 7, 8.)

- (b) to retain on the rolls of the University any student whose academic record is below the minimum standard required for the award of degree, diploma or other academic distinction;
- (c) to admit any person, or retain any student, whose conduct is prejudicial to the interest of the University or the rights and privileges of the students and the employees of the University;
- (d) to admit to any course of study students larger in number, if necessary.

(3) Subject to the provisions of sub-section (2), the State Government may, by order, direct that the University shall reserve such percentage of seats for the students belonging to the Scheduled Castes, Scheduled Tribes, and backward classes of citizens as may be specified in such direction and, where such direction has been given, the University shall make the reservation accordingly.

CHAPTER III

Officers of the University.

7. The University shall consist of the following officers:—

Officers of
University.

- (1) the Vice-Chancellor;
- (2) the Registrar;
- (3) the Finance Officer;
- (4) the Controller of Examinations;
- (5) the Librarian;
- (6) the Director of Research, Extension and Farms;
- (7) such other persons as may be declared by Statutes to be the officers of the University.

8. (1) The Governor shall be the Chancellor of the University.

The
Chancellor.

(2) The Chancellor shall be the head of the University and shall, when present, preside at any convocation of the University and confer degrees, diplomas or other academic distinctions upon persons entitled to receive them.

(3) The Chancellor shall exercise such other powers and perform such other functions as may be conferred or imposed on him by or under this Act.

(Chapter III.—Officers of the University.—Sections 9, 10.)

The Vice-
Chancellor.

9. (1) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the Ministers from a panel of three names of eminent persons in the field of veterinary and animal sciences and allied sciences, elected by the Council in accordance with the system of simple majority of votes.

(2) The Vice-Chancellor shall be a whole-time officer of the University, shall hold office for a period of four years and shall be eligible for re-appointment for a further period of four years:

Provided that no person shall hold the office of the Vice-Chancellor for more than eight years in aggregate:

Provided further that the Vice-Chancellor shall retire from office if, during the term of his office including the term of re-employment, he attains the age of 65 years:

Provided also that the Vice-Chancellor may, by writing under his hand addressed to the Chancellor and after giving two months' notice, resign his office.

(3) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not be varied to his disadvantage after his appointment.

(4) During the temporary absence of the Vice-Chancellor on leave or for any other reason, the Chancellor may appoint any person in consultation with the Ministers to officiate as the Vice-Chancellor.

Powers and
functions of
Vice-
Chancellor.

10. (1) The Vice-Chancellor shall be the principal administrative and academic officer of the University and shall be the *ex officio* Chairman of the Council and the Faculty. He shall, in the absence of the Chancellor, preside at the convocation of the University and confer degrees, diplomas and other distinctions on persons entitled to receive them.

(2) The Vice-Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(3) The Vice-Chancellor shall convene the meetings of the Council and the Faculty.

(4) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act and the Statutes and the Regulations made thereunder, and he shall have such powers as may be necessary for discharging his duties in this behalf.

(5) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimates and annual accounts and balance sheet to the Council.

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(Chapter III.—Officers of the University.—Sections 11, 12.)

(6) The Vice-Chancellor may take any action in an emergency which in his opinion calls for immediate action. He shall, in such cases and as soon as may be thereafter, report such action to the authority which shall ordinarily have dealt with the matter.

(7) Subject to the foregoing provisions of this section, the Vice-Chancellor shall give effect to the orders of the Council regarding the appointment, suspension, and dismissal of officers, Teachers of the University, and other employees.

(8) Where any action taken by the Vice-Chancellor under subsection (6) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the Council within 30 days from the date on which such person has notice of the action taken.

(9) The Vice-Chancellor shall be responsible for the proper administration of the University and for close co-ordination of teaching, research and extension education.

11. (1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Council on the recommendation of a committee appointed for the purpose.

The
Registrar.

(2) The salary and allowances payable to the Registrar shall be such as may be prescribed.

(3) The Registrar shall be responsible for the due custody of the records and the common seal of the University. He shall, by virtue of his being the *ex officio* non-member Secretary to the Council under subsection (2) of section 18, place before the Council all such information as may be necessary for the transaction of business. He shall keep a permanent record of all courses, curricula and other information as may be deemed necessary.

(4) The Registrar shall perform such other functions as may be prescribed or as may be assigned to him by the Council or the Vice-Chancellor.

12. (1) The Finance Officer shall be a whole-time officer of the University and shall be appointed by the Council on the recommendation of a standing committee.

The Finance
Officer.

(2) The salary and allowances and other conditions of service of the Finance Officer shall be such as may be prescribed.

(3) The Finance Officer shall manage the funds and investments of the University and shall advise in regard to its financial policy.

(4) The Finance Officer shall be responsible to the Vice-Chancellor for the preparation of the budget and the statements of accounts of the University.

(Chapter III.—Officers of the University.—Sections 13-16.)

(5) The Finance Officer shall be responsible to the Vice-Chancellor for ensuring that expenses are made in terms of the provisions in the budget. When any revision of the budget is needed in connection with any new programmes or changed requirements or for other reasons, he shall prepare a revised or supplementary budget and cause it to be placed before the appropriate authority for approval. He may disallow any expenditure which may contravene the provisions of any Statute or for which provision is required to be made by a new Statute.

The
Librarian.

13. (1) The Librarian shall be a whole-time officer of the University and shall be appointed by the Council on the recommendation of a standing committee and shall be responsible for all matters concerning the library.

(2) The salary and allowances and other conditions of service of the Librarian shall be such as may be prescribed.

The Deans
of Faculties.

14. (1) There shall be a Dean for each Faculty who shall be chosen in such manner and for such period as may be prescribed.

(2) The Dean shall have such duties, and shall perform such functions, as may be assigned to him by the Statutes.

The Director
of Research,
Extension
and Farms.

15. (1) There shall be a Director of Research, Extension and Farms who shall be a whole-time officer of the University. He shall be appointed by the Council on the recommendation of a standing committee. The Director of Research, Extension and Farms shall be responsible for carrying out the research and extension programmes.

(2) The salary and allowances and other conditions of service of the Director of Research, Extension and Farms shall be such as may be prescribed.

(3) The Director of Research, Extension and Farms shall exercise such other powers and perform such other functions as may be conferred or imposed on him by Statutes.

The
Controller of
Examinations.

16. (1) The Controller of Examinations shall be appointed by the Council on the recommendation of a standing committee, and shall be responsible for all matters concerning examination, admission, maintenance of permanent record of the academic performance of students including the courses taken, grades obtained, degrees awarded, prizes and other distinctions won, and any other items pertinent to their academic performance.

(2) The salary and allowances and other conditions of service of the Controller of Examinations shall be such as may be prescribed.

(3) The Controller of Examinations shall exercise such other powers and perform such other duties as may be prescribed.

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(Chapter IV.—Authorities of the University.—Sections 17, 18.)

CHAPTER IV.

Authorities of the University.

17. The following shall be the authorities of the University:—
- Authorities
of
University.
- (1) the Executive Council;
 - (2) the Faculty Council;
 - (3) the Board of Studies;
 - (4) such other bodies as may be declared by Statutes to be the authorities of the University.
18. (1) The Council shall consist of the following members:—
- The Council.
- (a) the Vice-Chancellor, *ex officio*;
 - (b) the Director of Veterinary Services, Government of West Bengal, *ex officio*;
 - (c) the Director of Animal Husbandry, Government of West Bengal, *ex officio*;
 - (d) the Director of Fisheries, Government of West Bengal, *ex officio*;
 - (e) the Milk Commissioner, Government of West Bengal, *ex officio*;
 - (f) the Deans of Faculties, *ex officio*;
 - (g) the Director of Research, Extension and Farms, *ex officio*;
 - (h) three Teachers of the University, of whom one shall be from each Faculty, elected by the Teachers of the concerned Faculty;
 - (i) one member of the non-teaching staff of the University elected by the members of the non-teaching staff of the University;
 - (j) one member from the regular students of the University elected by the regular students of the University.
- Explanation.*—“Regular student” shall mean a student who has been prosecuting his studies in any department of the University and who is not in default of payment of prescribed tuition fees and other dues of the University till such date as may be notified by the University in this behalf;
- (k) one member of the West Bengal Legislative Assembly elected by the members of the West Bengal Legislative Assembly;
 - (l) one representative of the Indian Veterinary Council nominated by that Council;
 - (m) three members from farmers or producers nominated by the State Government;
 - (n) one representative of the Indian Council of Agricultural Research nominated by that Council.

(Chapter IV.—Authorities of the University.—Section 19.)

(2) The Vice-Chancellor shall be the *ex officio* Chairman, and the Registrar shall be the *ex officio* non-member Secretary, of the Council.

(3) One-third of the total number of members of the Council shall be a quorum for a meeting of the Council:

Provided that no such quorum shall be required at the convocation.

(4) The term of office of the members of the Council, other than *ex officio* members, shall be four years, and a member shall be eligible to be a member of the Council for more than one term.

Powers and
functions of
Council.

19. (1) The Council shall exercise the following powers and perform the following functions:—

- (i) to provide for instruction, training and research in veterinary and animal sciences, fishery sciences, dairy technology and allied sciences;
- (ii) to provide for dissemination of the findings of research and technological information through extension education;
- (iii) to institute degrees, diplomas, certificates and other academic distinctions in veterinary and animal sciences, fishery sciences, dairy technology and allied sciences;
- (iv) to hold examinations and to confer degrees, diplomas, certificates and other academic distinctions on persons who shall have—
 - (a) pursued a prescribed course of study, or
 - (b) carried out research in the University under the prescribed conditions;
- (v) to confer honorary degrees or other academic distinctions in the manner and under the conditions prescribed;
- (vi) to provide for institution, maintenance, and award of scholarships, fellowships, studentships, medals and prizes;
- (vii) to provide for lectures and instructions for field workers, livestock and fish farmers, and other persons not enrolled as regular students of the University, and to grant certificates to them, if necessary;
- (viii) to co-operate with other universities and authorities in such manner and for such purposes as it may determine;
- (ix) to establish and maintain colleges and institutions relating to veterinary and animal sciences, fishery sciences and dairy technology;
- (x) to provide for establishment and maintenance of colleges, hostels, laboratories, experimental farms, libraries, hospitals and other facilities necessary for carrying out the purposes of this Act;

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(Chapter IV.—Authorities of the University.—Section 19.)

- (xi) to affiliate colleges and institutions to the University under the conditions prescribed and to withdraw affiliation of such colleges or institutions;
- (xii) to determine the form, and to direct the use, of the common seal of the University;
- (xiii) to create administrative and other posts with the approval of the State Government;
- (xiv) to approve the recommendations for appointment of Teachers of the University, officers and non-teaching staff of the University;
- (xv) to appoint such committees, either standing or temporary, as it may consider necessary, and to determine the terms of reference thereof within the limits of this Act and the Statutes;
- (xvi) to review and consider the financial requirements and estimates for the University and approve its budget;
- (xvii) to provide for the administration of any fund placed at the disposal of the University for the purpose for which it is intended;
- (xviii) to arrange for the investment and withdrawal of funds of the University;
- (xix) to borrow money for capital improvement and to make suitable arrangements for its repayment;
- (xx) to provide for acceptance, acquisition, holding and disposal of property on behalf of the University;
- (xxi) to make financial provisions for instruction, teaching and training in such branches of learning and courses of study as may be determined by the Faculty Council within the scope of this Act, and also for research and advancement or dissemination of knowledge in such branches of learning;
- (xxii) to accept, on behalf of the University, trusts, bequests and donations;
- (xxiii) to make Regulations regarding the admission of students to the University and to determine the number of students to be admitted;
- (xxiv) to make Regulations relating to the courses of study leading to degrees, diplomas and certificates;
- (xxv) to make Regulations relating to the conduct of examinations and to maintain and promote the standards of examinations;

(Chapter IV.—Authorities of the University.—Section 20.)

- (xxvi) to make rules for the transaction of its business;
- (xxvii) to determine and regulate all policies relating to the University in accordance with this Act or the Statutes;
- (xxviii) to exercise general supervision and control over all Faculties;
- (xxix) to exercise such other powers and perform such other functions as may be necessary for carrying out the purposes of this Act.

(2) The Council shall meet at such times and at such places as it may consider necessary:

Provided that the Council shall hold meetings at least once in every two months.

(3) The Council or the Vice-Chancellor may invite any person having experience or special knowledge on any subject under consideration to attend its meeting. Such person may speak or otherwise take part in the proceedings of such meeting but shall not be entitled to vote. Any person so invited shall be entitled to such allowances as may be prescribed.

Faculties
and Boards
of Studies.

20. (1) The University shall have the Faculties of Veterinary and Animal Sciences, Fishery Sciences, and Dairy Technology, and such other Faculties as may be prescribed.

(2) Each Faculty shall comprise such Departments, and shall deal with such subjects of study, as may be prescribed.

(3) There shall be a Board of Studies for each subject of study at the undergraduate and post-graduate levels, the constitution and powers of which shall be such as may be prescribed.

(4) There shall be a Dean for each Faculty who shall be chosen in such manner and for such term as may be prescribed.

(5) The Dean shall be the academic Head of the Faculty and shall be responsible for the faithful observance of the Statutes and the Regulations relating to the Faculty and for the organisation and conduct of teaching, research and extension work of the Departments comprised therein. In carrying out the research and extension programmes, he shall work in close co-operation with the Director of Research, Extension and Farms.

(6) Each Department shall have a Head who shall be appointed in such manner, and shall exercise such powers and perform such functions, as may be prescribed. He shall be responsible to the Dean for the proper organisation and working of the Department, and to the Director of Research, Extension and Farms for the research and extension programmes entrusted to the Department.

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(Chapter IV.—Authorities of the University.—Sections 21, 22.)

21. (1) Subject to the general supervision and control of the Council, a Faculty shall be in charge of the academic affairs of the University and shall, subject to the provisions of this Act and the Statutes, superintend, direct and control, and be responsible for, the maintenance of standards of instruction, education and examination and other matters connected with the conferment of degrees or award of diplomas, and shall exercise such other powers and perform such other functions as may be conferred or imposed on it by Statutes.

Constitution
of Faculty.

(2) Each Faculty shall consist of the following members:—

- (a) the Vice-Chancellor, Chairman;
- (b) the Dean of the Faculty;
- (c) the Registrar;
- (d) the Director of Research, Extension and Farms;
- (e) the Librarian;
- (f) the Heads of Departments under the concerned Faculty;
- (g) one Lecturer, one Reader and one Professor elected by the Teachers of the concerned Faculty from amongst themselves;
- (h) two representatives of regular students, one of whom shall be a regular post-graduate student, elected by the regular students in the manner prescribed.

Explanation.—“Regular student” has the same meaning as in the *Explanation* to clause (j) of sub-section (1) of section 18;

- (i) the Secretary of the concerned Faculty, *ex officio*;
- (j) such other members as may be prescribed.

(3) Each Faculty shall have a Secretary.

(4) Each Faculty may co-opt not more than five persons as members for such period and in such manner as may be prescribed so as to ensure adequate representation from different fields of Veterinary Sciences, Animal Sciences, Fishery Sciences, and Dairy Technolog.

22. (1) The Faculty shall, subject to the provisions of this Act and the Statutes, have the power to provide by Regulations different courses of study and the curricula, shall have general control over the teaching and other educational programmes of the University, and shall be responsible for the maintenance of standards thereof.

Powers,
functions
and duties of
Faculty.

(2) In particular, and without prejudice to the generality of the foregoing powers, each Faculty shall have the power—

- (a) to advise the Council on all academic matters including the control and management of libraries;

(Chapter IV.—Authorities of the University.—Sections 23, 24.)

- (b) to make recommendations for institution of Professorships, Associate Professorships, Readerships and other posts including posts in connection with research and extension, and to lay down the duties attached to such posts;
- (c) to formulate, modify or revise schemes for the constitution or reconstitution of Departments of teaching, research and extension education;
- (d) to advise the Council in the matter of making Regulations regarding the admission of students to the University and in the matter of determining the number of students to be admitted;
- (e) to advise the Council in the matter of making Regulations relating to the courses of study leading to degrees, diplomas and certificates;
- (f) to advise the Council in the matter of making Regulations relating to the conduct of examinations and publication of the results thereof in accordance with the Regulations made in this behalf;
- (g) to make recommendations regarding post-graduate teaching, research and extension education;
- (h) to make recommendations regarding qualifications to be prescribed for the Teachers of the University;
- (i) to exercise such other powers and perform such other functions as may be conferred or imposed on it by or under the provisions of this Act or the Statutes.

Committees.

23. Every authority shall have the power to appoint committee or committees which may, unless otherwise provided in this Act or the Statutes, consist of such number of members of the authority and such other persons as it may think fit.

Supplemen-
tary
provisions
relating to
membership.

24. (1) Save as otherwise provided in this Act, any casual vacancy among the members, other than *ex officio* members, of any authority or other body of the University shall be filled as soon as possible by the person who, or the authority or the body which, appointed, elected or co-opted the member whose place has fallen vacant, and the person appointed, elected or co-opted to fill the casual vacancy shall be a member of such authority or body for the residue of the period for which the person whose place he fills would have been a member.

(2) The Council may remove any member of any authority or body of the University on the ground that such member has been convicted of an offence involving moral turpitude, provided that no order for the removal of any such member shall be passed without giving him an opportunity of being heard.

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*(Chapter IV.—Authorities of the University.—Section 25.—
Chapter V.—Research and Extension.—Section 26.)*

(3) A person who, being a member of any authority or body of the University, is appointed or elected to be a member of any other authority or body of the University and who cannot retain his membership of the former authority or body on the ground of such appointment or election, shall retain his membership of the former authority or body until his successor is duly appointed or elected.

(4) If any question arises whether any person has been duly appointed or elected or is entitled to be a member of any authority or body of the University subordinate to the Council, or whether any decision of the University is in accordance with this Act or the Statutes, the question shall be referred to the Chancellor whose decision thereon shall be final.

25. (1) No act or proceedings of any authority or body of the University shall be invalid merely by reason of the existence of any vacancy among its members or by reason of any person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

Validation.

(2) Save as otherwise provided in this Act, all acts done and orders passed in good faith by the University or any of its authorities or bodies shall be final and no suit shall be instituted against, and no damage shall be claimed from, the University or any of its authorities or bodies for anything done or purported to have been done in pursuance of this Act or the Statutes or the Regulations.

(3) No suit, prosecution or other proceeding shall lie against any officer or other employee of the University for any act done or purported to have been done under this Act or the Statutes without the previous sanction of the Council.

(4) No officer or other employee of the University shall be liable for any such act in any civil or criminal proceeding, if the act was done in good faith in the discharge of his duties imposed by or under this Act.

CHAPTER V.

Research and Extension.

26. (1) Subject to the provision of this Act and the Statutes, the University shall establish veterinary and animal sciences, fishery sciences, and dairy technology organisations for doing basic research on problems relating to veterinary surgery and medicine, animal husbandry, fishery, dairy technology, and allied subjects for the purpose of aiding the

Research
and
extension.

(Chapter VI.—Appointment of Teachers of the University, officers and other employees.—Section 27.)

development of animal husbandry, fishery and dairy technology, and shall, for such purpose, establish as many veterinary, livestock, dairy and fishery research stations as may be necessary in co-operation with the concerned Departments of the University.

(2) The University shall establish veterinary and animal sciences, fishery sciences, and dairy technology extension education organisations which shall make available the information obtained on the basis of research to students, extension workers, livestock farmers, fish farmers, and fishermen, and shall conduct demonstration and training programme for the benefit of such persons in co-operation with the concerned Departments of the State Government.

(3) The University shall undertake such veterinary and animal sciences, fishery sciences, and dairy technology extension education activities as may be deemed necessary for the purpose of—

- (a) informing and educating by demonstration the livestock farmers, fish farmers and fishermen the findings and developments of research on improved practices essential to uplift the conditions of the rural living;
- (b) increasing animal and fish production with special emphasis on food productions and utilisation; and
- (c) multiplying the new breeds and improved strains of modern technology evolved or introduced by the veterinary, animal husbandry, and fishery research stations.

CHAPTER VI.

Appointment of Teachers of the University, officers and other employees.

Appointment
of Teachers
of
University,
officers, and
other
employees.

27. (1) Subject to the provisions of this Act, the Teachers of the University, officers and other employees shall be appointed by the Council on the recommendation of Selection Committee or Standing Committee as may be prescribed.

(2) The number of Teachers of the University, officers and other employees and the method of their selection shall, unless otherwise provided in this Act, be such as may be prescribed.

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(Chapter VII.—University Funds and Accounts.—Sections 28-31.)

CHAPTER VII.

University Funds and Accounts.

28. The University shall have a general fund to which shall be credited— General fund.
- (a) its income from fees, endowments, grants, donations and gifts, if any,
 - (b) any contribution or grant made by the Central Government or any State Government, or the University Grants Commission established under section 4 of the University Grants Commission Act, 1956, or any like authority or any local authority or the Indian Council of Agricultural Research, and
 - (c) other receipts.
29. The University may have such other funds as may be prescribed by Statutes. Other funds.
30. The funds and all moneys of the University shall be managed in such manner as may be prescribed. Management of funds.
31. (1) The State Government shall, every year, make the following lump sum grants to the University:— Grants.
- (a) a grant being not less than the net expenditure incurred in the previous year in respect of the activities of the institutions of veterinary and animal sciences and allied sciences and such Departments of the State Government relating to veterinary and animal sciences and allied sciences as are transferred to the University;
 - (b) a grant being not less than the estimated expenditure on account of pay and allowances of the employees and contingencies, supplies and services of the University; and
 - (c) a grant to meet such additional items of expenditure, recurring and non-recurring, as the State Government may deem fit for the proper function of the University.
- (2) The University shall furnish such statements, accounts, reports and other particulars relating to any grant made by the State Government and its utilisation as the State Government may require.
- (3) Except where the Chancellor in consultation with the Ministers recommends, no diversion of any fund or grant of the University from one head of account to another shall be made.

*(Chapter VII.—University Funds and Accounts.—Section 32.—
Chapter VIII.—Statutes and Regulations.—Section 33.)*

Annual
accounts.

32. (1) The annual accounts prepared by the Finance Officer shall be submitted to such examination and audit as the State Government may direct, and a copy of the annual accounts and audit report shall be submitted to the State Government.

(2) The University shall settle the objections, if any, raised in the audit report and shall carry out such instructions thereon as the State Government may issue from time to time.

(3) The State Government shall cause the annual accounts and the audit report to be laid before the State Legislature together with its comments thereon.

(4) The Finance Officer shall, before such date as may be prescribed by Statutes, prepare the annual financial estimates for the next year.

(5) The annual accounts and the financial estimates prepared by the Finance Officer shall be placed before the Board together with the remarks of the finance committee, if any, appointed under section 25, for approval at its annual meeting, and the Council may pass resolution with reference thereto and communicate the same to the Finance Officer who shall take appropriate action in accordance with such resolution.

CHAPTER VIII.

Statutes and Regulations.

Statutes.

33. Subject to the provisions of this Act the Statutes may provide for all or any of the following matters:—

- (1) the constitution, powers and duties of the authorities of the University;
- (2) the powers, functions, duties, manner of appointment and terms and conditions of service of the officers other than the Vice-Chancellor;
- (3) the designation, manner of appointment and terms and conditions of service of the Teachers of the University and other employees (other than the officers);
- (4) the conferment and withdrawal of honorary degrees and academic distinctions;
- (5) the establishment, amalgamation, sub-division and abolition of Faculties;
- (6) the establishment of Departments of teaching in the Faculties;
- (7) the procedure of appointment, emoluments and other conditions of service of the Vice-Chancellor;
- (8) the institution of pension, provident fund and insurance scheme for the benefit of the employees;
- (9) such other matters which are required to be or may be prescribed.

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*(Chapter VIII.—Statutes and Regulations.—Sections 34, 35.—
Chapter IX.—Transfer of Faculty and Research Stations.—
Section 36.)*

34. (1) The first Statutes with regard to the matters set out in clauses (1) to (9) of section 33 shall be made by the State Government.

How to
make
Statutes.

(2) Additional Statutes may subsequently be made on all matters required to be prescribed.

(3) Every Statute to be made by the University shall be considered and approved by the Council and the Chancellor.

35. The authorities of the University may make Regulations, not inconsistent with the provisions of this Act or the Statutes, for the purpose of—

Regulations.

- (a) laying down the procedure to be observed at their meetings and the number of members required to form the quorum; and
- (b) providing for matters which by this Act or the Statutes are required to be regulated by Regulations.

CHAPTER IX.

Transfer of Faculty and Research Stations.

36. (1) Notwithstanding anything contained in any other law for the time being in force, on and from the appointed day,—

Transfer of
Faculty to
University.

- (a) the Faculty of Veterinary and Animal Sciences along with the existing eighteen Departments of the Bidhan Chandra Krishi Viswavidyalaya constituted under section 3 of the Bidhan Chandra Krishi Viswavidyalaya Act, 1974 (hereinafter referred to as the former University), shall stand disaffiliated from the former University and transferred to the University as the constituent Faculties of Veterinary and Animal Sciences and Dairy Technology, and
- (b) the part-time teaching in animal husbandry course of Bachelor of Science degree in agriculture with honours and in statistics and agrostology courses of Bachelor of Veterinary Science and Animal Husbandry degree continuing on the day immediately before the appointed day, shall continue till the creation of posts in this behalf and appointment thereto by the concerned University.

West Ben.
Act XLIX of
1974.

*(Chapter IX.—Transfer of Faculty and Research Stations.—
Section 37.)*

(2) Notwithstanding anything contained in any other law for the time being in force, on and from the appointed day,—

(a) the Fishery Research Station of Junput in the district of Midnapore shall stand disaffiliated from the Department of Fisheries, Government of West Bengal, and transferred to the University as its constituent Faculty of Fishery Sciences, and

(b) the research projects related to veterinary sciences, animal sciences and dairy technology of the former University shall stand transferred to, and vest in, the University.

(3) On and from the appointed day, the control and management of the Faculties referred to in sub-section (1) and the Fishery Research Station referred to in clause (a) of sub-section (2) and all properties and assets, movable and immovable, and all liabilities in relation thereto shall stand transferred to, and vest in, the University.

(4) (a) Every student of the Faculty of the former University, referred to in sub-section (1) of section 36, who, immediately before the appointed day, was studying in that Faculty, shall be permitted to complete his course of study in the University, and the University shall make arrangements—

(i) for instruction, teaching, training and holding of examination in respect of such student in such manner as may be determined by the University, and

(ii) for the conferment of degree, diploma or other academic distinction of the University on the qualified student on the results of such examination.

(b) The State Government may, at any time after the appointed day, transfer to the University the control and management of any of its institutions, research centres or farms on such terms and conditions as that Government may deem fit and proper.

New college
or Faculty to
be constituted
as constituent
college or
Faculty.

37. On and from the appointed day, no new college or Faculty imparting education in veterinary and animal sciences, fishery sciences, dairy technology and allied sciences shall be established except as a constituent college or Faculty of the University.

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*(Chapter X.—Amendment.—Section 38.—Chapter XI.—Division of
assets and transfer of teachers and non-teaching staff of the
Bidhan Chandra Krishi Viswavidyalaya.—Section 39.)*

CHAPTER X

Amendment.

West Ben.
Act XLIX of
1974.

38. The Bidhan Chandra Krishi Viswavidyalaya Act, 1974, shall, with effect from the appointed day, stand amended to the extent and in the manner specified in the Schedule.

Amendment
of the
Bidhan
Chandra
Krishi
Viswavidya-
laya Act,
1974.

CHAPTER XI

Division of assets and transfer of teachers and non-teaching staff of the Bidhan Chandra Krishi Viswavidyalaya.

39. (1) The State Government may, by notification in the *Official Gazette*, transfer such assets and liabilities including lands, buildings, books, equipments, laboratories and furniture belonging to the Faculty of Veterinary and Animal Sciences located at Belgachia in Calcutta and Mohanpur in the district of Nadia as may be considered necessary for the proper functioning of the University.

Division of
assets, and
seat of
University.

(2) Any of the assets referred to in sub-section (1) representing immovable properties may be mutually transferred on such terms and conditions, not being less advantageous than what the Faculty of Veterinary and Animal Sciences of the former University was entitled to on the day immediately before the appointed day, as the State Government may determine.

(3) The State Government may constitute a committee consisting of the following members to aid and advise that Government for the purposes of sub-section (1) and sub-section (2):—

- (a) the Vice-Chancellor of the former University,
- (b) the Vice-Chancellor,
- (c) one representative of the Department of Agriculture, Government of West Bengal,
- (d) one representative of the Department of Animal Resources Development, Government of West Bengal,
- (e) one representative of the Finance Department, Government of West Bengal,
- (f) one representative of the Department of Fisheries, Government of West Bengal,
- (g) the Director of Research, Extension and Farms, and
- (h) the Director of Research of the former University.

*(Chapter XI.—Division of assets and transfer of teachers and
non-teaching staff of the Bidhan Chandra Krishi
Viswavidyalaya.—Section 40.)*

(4) Notwithstanding anything contained in sub-section (3) of section 3, during the period of repair and renovation, if any, of the administrative buildings, laboratories, hospital, students' hostel, staff quarters and other essential buildings, the University may function at Belgachia in Calcutta or Mohanpur in the district of Nadia or Junput in the district of Midnapore or at such other place as the concerned Department may decide, and the existing lands, buildings, libraries, laboratories, equipments, hospitals, hostels and staff quarters at any such place may be used for the purpose.

Transfer of
staff.

40. (1) Every person who, immediately before the appointed day, was employed in the Faculty of Veterinary and Animal Sciences of the former University shall, on and from the appointed day, be the employee of the University and shall cease to be an employee of the former University:

Provided that the non-teaching staff of the Faculty of Veterinary and Animal Sciences of the former University may exercise option for retention by the former University, if the former University agrees to retain such non-teaching staff along with the posts held by them on the day immediately before the appointed day:

Provided further that the former University may retain three teaching posts and four non-teaching posts under the Department of Animal Genetics and Breeding, Department of Animal Production Management, and Department of Animal Nutrition at Mohanpur in the district of Nadia and one teaching post at Cooch Behar in the district of Cooch Behar for providing instruction for courses of study in Animal Husbandry.

(2) As soon as may be after the appointed day, the State Government may, by general or special order, direct that—

- (a) (i) such of the employees of the former University other than those mentioned in sub-section (1), and
- (ii) such of the employees employed in the Department of Animal Resources Development, and the Department of Fisheries, Government of West Bengal, on the day immediately before the appointed day,

as the State Government may consider necessary, shall, with effect from such date as may be specified in the order, stand transferred to the University:

Provided that no such order shall be issued without the consent of the employee concerned; and

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*(Chapter XI.—Division of assets and transfer of teachers and
non-teaching staff of the Bidhan Chandra Krishi
Viswavidyalaya.—Section 40.)*

- (b) upon such transfer, the employees shall, with effect from the date specified in the order under this sub-section, be the employees of the University and shall cease to be the employees of the former University or the State Government, as the case may be.

(3) Every person referred to in sub-section (1) and every employee referred to in sub-section (2) shall hold office under the University on the same terms and conditions and remuneration and on the same rights and privileges as to pension and gratuity as were applicable to such persons or employees, as the case may be, on the day immediately before the appointed day or on the date specified in the order under sub-section (2), as the case may be, as if this Act had not been passed.

(4) The liability to pay pension, gratuity and other terminal benefits to the persons referred to in sub-section (1) or the employees referred to in sub-section (2) shall be the liability of the University.

(5) The seniority of the teachers and the non-teaching staff of the former University, on transfer to the University, shall be determined after calculating the total length of recognised services rendered by such teachers and non-teaching staff immediately before such transfer in identical posts or cadres.

(6) The services rendered in, or recognised by, the Bengal Veterinary College, formerly a constituent college of the former University, or the University of Kalyani as constituted under the Kalyani University Act, 1981, or the former University or the State Government shall be recognised by the University for the purposes of this Act.

(7) All promotions, financial benefits, and service benefits, sanctioned by the State Government in favour of the employees of the Bengal Veterinary College as aforesaid, permanently transferred to, and absorbed in, the Faculty of Veterinary and Animal Sciences of the former University shall be given effect to.

(8) The *inter se* seniority and overall seniority of every person referred to in sub-section (1) and every employee referred to in sub-section (2) shall be maintained by the University in accordance with the provisions of the Statutes and the Regulations made in this behalf.

(9) Notwithstanding anything contained in the foregoing provisions of this section, such of the teachers and non-teaching staff of the Bengal Veterinary College as aforesaid as were granted *pro rata* pension (in lump), shall, upon transfer to the University, be eligible for pension and

(Chapter XI.—Division of assets and transfer of teachers and non-teaching staff of the Bidhan Chandra Krishi Viswavidyalaya.—Sections 41, 42.—

*Chapter XII.—Transitory provisions and removal of difficulties.—
Section 43.)*

other terminal benefits, and the recognised services rendered by such teachers and non-teaching staff in the Bengal Veterinary College as aforesaid and the former University shall count towards such pension and terminal benefits.

Transfer of
provident
Fund and
other like
funds.

41. (1) The sums at the credit of the provident fund accounts of the persons referred to in sub-section (1) of section 40 on the day immediately before the appointed day and of the employees referred to in sub-section (2) of that section as on the date specified in the order under the said sub-section (2) shall be transferred to the University, and the liability in respect of the said provident fund accounts shall be the liability of the University.

(2) There shall be paid to the University out of the accumulations in the superannuation fund and other like funds, if any, of the former University or, as the case may be, the State Government, such amounts as have been credited to the superannuation fund or other like funds, if any, on behalf of the persons referred to in sub-section (1), and the employees referred to in sub-section (2), of section 40. The amounts so paid shall form part of the superannuation fund or other like funds, if any, that may be instituted by the University for the benefit of the employees.

Payment of
certain
moneys
to the
University.

42. (1) The former University shall, out of its funds as on the day immediately before the appointed day, pay to the University such amount as the State Government may, in consultation with the former University, specify.

(2) The amount payable under sub-section (1) shall be in addition to the amounts transferred under section 41.

CHAPTER XII

Transitory provisions and removal of difficulties.

Appointment
of first Vice-
Chancellor.

43. Notwithstanding anything contained in sub-section (1), and sub-section (2), of section 9, the first Vice-Chancellor of the University shall be appointed by the Chancellor in consultation with the Minister for a period not exceeding four years on such terms and conditions as the State Government may decide.

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*(Chapter XII.—Transitory provisions and removal of difficulties.—
Sections 44-47.—The Schedule.)*

44. Notwithstanding anything contained in section 11, section 12 and section 15, the first Registrar, the first Finance Officer, and the first Director of Research, Extension and Farms shall be appointed by the State Government for a period not exceeding four years on such terms and conditions as the State Government may decide.

Appointment of first Registrar, first Finance Officer, and first Director of Research, Extension and Farms.

45. If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders, not inconsistent with the provisions of this Act, as may be necessary for the removal of the difficulty.

Removal of difficulty.

46. The Council may, by order, delegate to any officer or authority of the University, any of its powers or functions under this Act, to be exercised or performed by such officer or authority, subject to such conditions or restrictions as may be specified in the order.

Delegation of powers.

47. (1) The West Bengal University of Animal and Fishery Sciences Ordinance, 1994, is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been validly done or taken under the corresponding provisions of this Act.

THE SCHEDULE

(See section 38)

Amendment of the Bidhan Chandra Krishi Viswavidyalaya Act, 1974.

In the Bidhan Chandra Krishi Viswavidyalaya Act, 1974,—

- (1) in the preamble, the words “, animal husbandry” shall be omitted;
- (2) in clause (2) of section 2, the words “livestock production, veterinary and dairy sciences, fisheries” shall be omitted;
- (3) in clause (1) of section 5, the words “veterinary and animal sciences, fisheries,” shall be omitted;
- (4) in sub-section (1) of section 14, for the words “Faculties of Agriculture, Veterinary and Animal sciences,” the words “Faculty of Agriculture” shall be substituted;
- (5) in sub-section (1) of section 41, the words “and the Bengal Veterinary College, Calcutta, stand disaffiliated from the University of Calcutta” shall be omitted.

West Ben.
Act XLIX of
1974.