

ACT No. II OF 1857.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 24th of January 1857.)

AN ACT to establish and incorporate an University at Calcutta.

Preamble. WHEREAS, for the better encouragement of Her Majesty's subjects of all classes and denominations within the Presidency of Fort William in Bengal and other parts of India in the pursuit of a regular and liberal course of education, it has been determined to establish an University at Calcutta for the purpose of ascertaining, by means of examination, the persons who have acquired proficiency in different branches of Literature, Science, and Art, and of rewarding them by Academical Degrees as evidence of their respective attainments, and marks of honor proportioned thereunto; and whereas, for effectuating the purposes aforesaid, it is expedient that such University should be incorporated: It is enacted as follows: (that is to say)—

Incorporation.

I. The following persons, namely,

The Right Honorable CHARLES JOHN VISCOUNT CANNING,  
Governor General of India.

The Honorable JOHN RUSSELL COLVIN,  
Lieutenant-Governor of the North-Western Provinces.

The Honorable FREDERICK JAMES HALLIDAY, Lieutenant-Governor of Bengal.

The Honorable Sir JAMES WILLIAM COLVILLE, Knight,  
Chief Justice of the Supreme Court of Judicature in Bengal.

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The Right Reverend DANIEL WILSON,  
Doctor of Divinity, Bishop of Calcutta.

The Honorable GEORGE ANSON, General,  
Commander-in-Chief of the Forces in India.

The Honorable JOSEPH ALEXANDER DORIN,  
Member of the Supreme Council of India.

The Honorable JOHN LOW, Major General,  
Companion of the Most Honorable Order of the Bath, Member of the  
Supreme Council of India.

The Honorable JOHN PETER GRANT,  
Member of the Supreme Council of India.

The Honorable BARNES PEACOCK,  
Member of the Supreme Council of India.

CHARLES ALLEN, Esquire,  
Member of the Legislative Council of India.

HENRY RICKETTS, Esquire,  
Provisional Member of the Supreme Council of India.

CHARLES BINNY TREVOR, Esquire,  
Judge of the Sudder Court in Bengal.

Prince GHOLAM MUHAMMUD.

WILLIAM RITCHIE, Esquire,  
Advocate General in Bengal.

CECIL BEADON, Esquire,  
Secretary to the Government of India.

Colonel HENRY GOODWYN, of the Bengal Engineers,  
Chief Engineer in Bengal.

William

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WILLIAM GORDON YOUNG, Esquire,  
Director of Public Instruction in Bengal.

Lieutenant-Colonel WILLIAM ERSKINE BAKER, of the Bengal Engineers,  
Secretary to the Government of India.

Lieutenant-Colonel ANDREW SCOTT WAUGH, of the Bengal Engineers,  
Surveyor General of India.

KENNETH MACKINNON, Esquire,  
Doctor in Medicine.

HODGSON PRATT, Esquire,  
Inspector of Schools in Bengal.

HENRY WALKER, Esquire,  
Professor of Anatomy and Physiology in the Medical College of Bengal.

THOMAS THOMSON, Esquire,  
Doctor in Medicine, Superintendent of the Botanical Garden at Calcutta.

FREDERICK JOHN MOUAT, Esquire,  
Doctor in Medicine, and Fellow of the Royal College of Surgeons.

Lieutenant WILLIAM NASSAU LEES, of the Bengal Infantry.

The Reverend WILLIAM KAY,  
Doctor of Divinity, Principal of Bishop's College.

The Reverend ALEXANDER DUFF,  
Doctor of Divinity.

THOMAS OLDHAM, Esquire,  
Superintendent of the Geological Survey of India.

HENRY WOODROW, Esquire,  
Inspector of Schools in Bengal.

Leonidas

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LEONIDAS CLINT, Esquire,  
Principal of the Presidency College.

PROSONNO COOMAR TAGORE,  
Clerk Assistant of the Legislative Council of India.

RAMAPERSHAD ROY, Government Pleader in the Sudder Court of Bengal.

The Reverend JAMES OGILVIE, Master of Arts.

The Reverend JOSEPH MULLENS, Bachelor of Arts.

Moulavy MUHAMMUD WUJEEH, Principal of the Calcutta Mudrasah.

ISHWAR CHUNDRA BIDYA SAGUR,  
Principal of the Sanskrit College of Calcutta.

RAMGOPAUL GHOSE,  
Formerly Member of the Council of Education.

ALEXANDER GRANT, Esquire,  
Apothecary to the East India Company.

HENRY STEWART REID, Esquire,  
Director of Public Instruction in the North-Western Provinces,

being the first Chancellor, Vice-Chancellor, and Fellows of the said University, and all the persons who may hereafter become or be appointed to be Chancellor, Vice-Chancellor, or Fellows as hereinafter mentioned, so long as they shall continue to be such Chancellor, Vice-Chancellor, or Fellows, are hereby constituted and declared to be one Body Politic and Corporate by the name of the University of Calcutta; and such Body Politic shall by such name have perpetual succession, and shall have a common seal, and by such name shall sue and be sued, implead and be impleaded, and answer and be answered unto, in every Court of Justice within the territories in the possession and under the Government of the East India Company.

II. The

II. The said body Corporate shall be able and capable in law to take, purchase, and hold any property, moveable or immoveable, which may become vested in it for the purposes of the said University by virtue of any purchase, grant, testamentary disposition, or otherwise; and shall be able and capable in law to grant, demise, alien, or otherwise dispose of all or any of the property, moveable or immoveable, belonging to the said University; and also to do all other matters incidental or appertaining to a Body Corporate.

III. The said Body Corporate shall consist of one Chancellor, one Vice-Chancellor, and such number of ex-officio and other Fellows as the Governor General of India in Council hath already appointed, or shall from time to time, by any order published in the *Calcutta Gazette*, hereafter appoint; and the Chancellor, Vice-Chancellor, and Fellows for the time being shall constitute the Senate of the said University. Provided that, if any person being Chancellor, Vice-Chancellor, or Fellow of the said University, shall leave India without the intention of returning thereto, his office shall thereupon become vacant.

IV. The Governor General of India for the time being shall be the Chancellor of the said University, and the first Chancellor shall be the Right Honorable Charles John Viscount Canning.

V. The first Vice-Chancellor of the said University shall be Sir James William Colvile, Knight. The office of Vice-Chancellor shall be held for two years only; and the Vice-Chancellor herein-before nominated shall go out of office on the first day of January 1859. Whenever a vacancy shall occur in the office of Vice-Chancellor of the said University by death, resignation, departure from India, effluxion of time, or otherwise, the Governor General of India in Council shall, by notification in the *Calcutta Gazette*, nominate a fit and proper person, being one of the Fellows of the said University, to be Vice-Chancellor in the room of the person occasioning such vacancy. Provided that, on any vacancy in the said office which shall occur by effluxion of time, the Governor General of

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of India in Council shall have power to re-appoint the Vice-Chancellor herein-before nominated or any future Vice-Chancellor to such office.

VI. The Lieutenant-Governors of Bengal and the North-Western Provinces, the Chief Justice of the Supreme Court of Judicature at Fort William in Bengal or of any Court of Judicature hereafter to be constituted to or in which the powers of the said Supreme Court may be transferred or vested, the Bishop of Calcutta, and the Members of the Supreme Council of India, all for the time being, shall be ex-officio Fellows of the said University. The whole number of the Fellows of the said University, exclusive of the Chancellor and Vice-Chancellor for the time being, shall never be less than thirty; and whenever the number of the said Fellows, exclusive as aforesaid, shall by death, resignation, departure from India, or otherwise, be reduced below thirty, the Governor General of India in Council shall forthwith, by notification in the *Calcutta Gazette*, nominate so many fit and proper persons to be Fellows of the said University as, with the then Fellows of the said University, shall make the number of such Fellows, exclusive as aforesaid, thirty. But nothing herein contained shall prevent the Governor General of India in Council from nominating more than thirty persons to be Fellows of the said University if he shall see fit.

VII. The Governor General of India in Council may cancel the appointment of any person already appointed, or hereafter to be appointed a Fellow of the University, and as soon as such order is notified in the *Gazette*, the person so appointed shall cease to be a Fellow.

VIII. The Chancellor, Vice-Chancellor, and Fellows for the time being shall have the entire management of and superintendence over the affairs, concerns, and property of the said University; and in all cases unprovided for by this Act, it shall be lawful for the Chancellor, Vice-Chancellor, and Fellows to act in such manner as shall appear to them best calculated to promote the purposes intended by the said University. The said Chancellor, Vice-Chancellor, and Fellows shall have full power from time to time to make and alter any bye-laws and regulations

The appointment of a Fellow may be cancelled.

Chancellor, Vice-Chancellor, and Fellows to superintend the affairs of the University.

Bye-laws.

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tions (so as the same be not repugnant to law, or to the general objects and provisions of this Act) touching the examination for degrees and the granting of the same ; and touching the examination for honors and the granting of marks of honor for a higher proficiency, in the different branches of Literature, Science, and Art ; and touching the qualifications of the candidates for degrees and the previous course of instruction to be followed by them, and the preliminary examinations to be submitted to by them ; and touching the mode and time of convening the meetings of the Chancellor, Vice-Chancellor, and Fellows ; and, in general, touching all other matters whatever regarding the said University. And all such bye-laws and regulations, when reduced into writing, and after the common seal of the said University shall have been affixed thereto, shall be binding upon all persons, members of the said University, and all candidates for degrees to be conferred by the same, provided such bye-laws and regulations shall have been first submitted to and shall have received the approval of the Governor General of India in Council.

IX. All questions which shall come before the Chancellor, Vice-Chancellor, and Fellows, shall be decided at a meeting of the Meetings of the Senate. Senate by the majority of the members present ; and the Chairman at any such meeting shall have a vote, and, in case of an equality of votes, a second or casting vote. No question shall be decided at any meeting, unless the Chancellor, or Vice-Chancellor, and five Fellows, or, in the absence of the Chancellor and Vice-Chancellor, unless six Fellows at the least, shall be present at the time of the decision. At every meeting of the Senate, the Chancellor, or in his absence the Vice-Chancellor, shall preside as Chairman ; and, in the absence of both, a Chairman shall be chosen by the Fellows present, or the major part of them.

X. The said Chancellor, Vice-Chancellor, and Fellows for the time being shall have full power from time to time to appoint, and, as they shall see occasion, to remove all Examiners, Officers, and servants of the said University. Appointment and removal of Examiners and Officers.

XI. The said Chancellor, Vice-Chancellor, and Fellows, shall have power, after examination, to confer the several degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, Licentiate Power to confer degrees. tiate

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tiante of Medicine, Doctor of Medicine, and Master of Civil Engineering ; they shall also have power, after examination, to confer upon the candidates for the said several degrees marks of honor for a high degree of proficiency in the different branches of Literature, Science, and Art, according to rules to be determined by the bye-laws to be from time to time made by them under the power in that behalf given to them by this Act.

Qualification for admission of Candidates for degrees. XII. Except by special order of the Senate, no person shall be admitted as a candidate for the degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, Licentiate of Medicine, Doctor of Medicine, or Master of Civil Engineering, unless he shall present to the said Chancellor, Vice-Chancellor, and Fellows, a certificate from one of the Institutions authorized in that behalf by the Governor General of India in Council, to the effect that he has completed the course of instruction prescribed by the Chancellor, Vice-Chancellor, and Fellows of the said University, in the bye-laws to be made by them under the power in that behalf given by this Act.

Examination for degrees. XIII. The said Chancellor, Vice-Chancellor, and Fellows shall cause an examination for degrees to be held at least once in every year ; on every such examination, the candidates shall be examined either by Examiners appointed for the purpose from among the Fellows by the said Chancellor, Vice-Chancellor, and Fellows, or by other Examiners so to be appointed ; and on every such examination the candidates, whether candidates for an ordinary degree or for a degree with honors, shall be examined on as many subjects and in such manner as the said Chancellor, Vice-Chancellor, and Fellows shall appoint.

Grant of degrees. XIV. At the conclusion of every examination of the candidates, the Examiners shall declare the name of every candidate whom they shall have deemed entitled to any of the said degrees, and his proficiency in relation to other candidates ; and also the honors which he may have gained in respect of his proficiency in that department of knowledge in which he is about to graduate ; and he shall receive from the said Chancellor a certificate, under the seal of the said University of Calcutta and signed by the said Chancellor or Vice-Chancellor, in which the particulars so stated shall be declared.

XV. The



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XV. The said Chancellor, Vice-Chancellor, and Fellows shall have  
power to charge such reasonable fees for the degrees to  
be conferred by them, and upon admission into the said  
University, and for continuance therein, as they, with the approbation of  
the Governor General of India in Council, shall from time to time see fit  
to impose. Such fees shall be carried to one General Fee Fund for the  
payment of expenses of the said University, under the directions and  
regulations of the Governor General of India in Council,  
to whom the accounts of income and expenditure of the  
said University shall once in every year be submitted for such examination  
and audit as the said Governor General of India in Council may direct.

Fees.

Annual accounts.

