

THE DACCA UNIVERSITY ACT, 1920.
(XVIII OF 1920.)

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THE SCHEDULE.

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ACT NO. XVIII OF 1920.

[PASSED BY THE INDIAN LEGISLATIVE COUNCIL.]

*(Received the assent of the Governor General on the 23rd
March, 1920.)*

An Act to establish and incorporate a unitary
teaching and residential University at
Dacca.

WHEREAS it is expedient to establish and in-
corporate a unitary teaching and residential
University at Dacca; It is hereby enacted as
follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Dacca Uni-
versity Act, 1920.

(2) It shall, save as otherwise expressly provided
herein, come into force on such date as the Governor
General in Council may, by notification in the Gazette
of India, direct.

Definitions.

2. In this Act, and in all Statutes made here-
under, unless there is anything repugnant in the
subject or context,—

(a) "Hall" means a unit of residence for
students of the University provided or
maintained by the University;

(b) "Hostel" means a unit of residence for
students of the University provided other-
wise than by the University, and not
maintained by the University but ap-
proved and licensed by the University in
accordance with the provisions of this
Act;

(c) "Local Government" means the Governor
of Bengal in Council;

(d) "Provost" means the head of a Hall;

(e) "registered

- (e) "registered graduates" means graduates registered under the provisions of this Act;
- (f) "Statutes," "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;
- (g) "teachers" includes Professors, Readers and Lecturers;
- (h) "University" means the University of Dacca; and
- (i) "Warden" means the head of a Hostel.

The University.

3. (1) The first Chancellor and Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of the University of Dacca.

(2) The University shall have perpetual succession and a Common Seal, and shall sue and be sued by the said name.

4. The University shall have the following powers, namely:—

(1) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research and for the advancement and dissemination of knowledge,

(2) to hold examinations and to grant and confer degrees and other academic distinctions to and on persons who—

(a) shall have pursued a course of study in the University, or

(b) are teachers in educational institutions, under conditions laid down in the Ordinances and Regulations, and shall have passed the examinations of the University, under like conditions,

(3) to

(3) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Statutes,

(4) to grant such diplomas to and to provide such lectures and instruction for persons, not being members of the University, as the University may determine,

(5) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine,

(6) to institute Professorships, Readerships, Lectureships and any other teaching posts required by the University, and to appoint persons to such Professorships, Readerships, Lectureships and posts,

(7) to institute and award Fellowships, Scholarships, Exhibitions and Prizes in accordance with the Statutes and the Regulations,

(8) to institute and maintain Halls for the residence of students of the University, and to approve and license Hostels maintained by other persons for the residence of such students,

(9) to demand and receive such fees as may be prescribed in the Ordinances,

(10) to supervise and control the residence and discipline of students of the University, and to make arrangements for promoting their health, and

(11) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body, and to cultivate and promote arts, science and other branches of learning.

University
open to all
classes, castes
and creeds.

5. The University shall be open to all persons of either sex and of whatever race, creed or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except where such test

is

is specially prescribed by the Statutes, or, in respect of any particular benefaction accepted by the University where such test is made a condition thereof, by any testamentary or other instrument creating such benefaction :

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Ordinances to those not unwilling to receive it by persons (whether teachers of the University or not) approved for that purpose by the Executive Council.

6. (1) All recognised teaching in connection with the University courses shall be conducted by the University, and shall include lecturing, laboratory work and other teaching conducted in the University by the Professors, Readers, Lecturers and other teachers thereof in accordance with any syllabus prescribed by the Regulations. Teaching of
the Univer-
sity.

(2) The authorities responsible for organising such teaching shall be prescribed by the Statutes.

(3) The courses and curricula shall be prescribed by the Ordinances and the Regulations.

(4) Recognised teaching shall be supplemented by tutorial instruction given in the University or, under the control of the University, in Halls and Hostels.

(5) It shall not be lawful for the University to conduct courses or maintain classes for the purpose of preparing students for admission to the University.

The Visitor.

7. (1) The Governor General shall be the Visitor of the University. The Visitor.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories, equipment, and of any institutions associated with the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the

the University. The Visitor shall in every case give notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall be entitled to be represented thereat.

(3) The Visitor may address the Chancellor with reference to the results of such inspection or inquiry, and the Chancellor shall communicate to the Executive Council the views of the Visitor and shall, after ascertaining, if he so thinks fit, the opinion of the Executive Council thereon, advise the University upon the action to be taken thereon.

(4) The Executive Council shall report to the Chancellor for communication to the Visitor such action, if any, as it is proposed to take or has been taken upon the results of such inspection or inquiry.

(5) Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council, issue such directions as he may think fit, and the Executive Council shall comply with such directions.

Officers of the University.

Officers of
the Univer-
sity. 8. The following shall be the officers of the University :—

- (I) The Chancellor,
- (II) The Vice-Chancellor,
- (III) The Treasurer,
- (IV) The Provosts,
- (V) The Registrar,
- (VI) The Deans of the Faculties, and
- (VII) Such other officers as may be declared by the Statutes to be officers of the University.

The Chan-
cellor. 9. (1) The Chancellor shall be the Governor of Bengal. He shall by virtue of his office be the head of the University and the President of the Court, and shall when present preside at meetings of the Court and at any Convocation of the University.

(2) The

(2) The Chancellor shall have such powers as may be conferred on him by this Act or the Statutes.

(3) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor.

(4) The Chancellor shall, where committees of selection for Professorships and Readerships are constituted in British India, appoint in the manner prescribed by the Statutes one or more members of every such committee.

10. (1) The Vice-Chancellor shall be appointed by the Chancellor after consideration of the recommendations of the Executive Council, and shall hold office for such term and subject to such conditions as may be prescribed by the Statutes.

The Vice-Chancellor.

(2) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Executive Council shall forthwith report the same to the Chancellor, who shall make such arrangements for carrying on the office of the Vice-Chancellor as he may think fit.

11. (1) The Vice-Chancellor shall be a whole-time officer of the University. He shall be the principal executive and academic officer of the University, and shall, in the absence of the Chancellor, preside at meetings of the Court and at any Convocation of the University. He shall be an *ex-officio* member and Chairman of the Executive Council and of the Academic Council, and shall be entitled to be present and to speak at any meeting of any authority or other body of the University, but shall not be entitled to vote thereat, unless he is a member of the authority or body concerned.

Powers and duties of the Vice-Chancellor.

(2) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes and the Ordinances are faithfully observed, and he shall have all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council and the Academic Council.

(4) In

(4) In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, the Vice-Chancellor shall take such action as he deems necessary, and shall within seven days thereafter report his action to the officer, authority or other body who or which in the ordinary course would have dealt with the matter.

(5) The Vice-Chancellor shall give effect to the orders of the Executive Council regarding the appointment, dismissal and suspension of the officers and teachers of the University, and shall exercise general control over the members of the University. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and the Ordinances.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

The
Treasurer.

12. (1) The Treasurer shall be appointed by the Chancellor upon such conditions and for such period, and shall receive such remuneration (if any) from the funds of the University, as the Chancellor shall deem fit.

(2) Where any temporary vacancy in the office of the Treasurer occurs by reason of leave, illness or other cause, the Executive Council shall forthwith report the same to the Chancellor, who shall make such arrangements for carrying on the office of the Treasurer as he may think fit.

(3) The Treasurer shall exercise general supervision over the funds of the University, and shall advise in regard to its financial policy.

(4) He shall be an *ex-officio* member of the Executive Council, and shall, subject to the control of the Executive Council, manage the property and investments of the University. He shall be responsible for the presentation of the annual estimates and statement of accounts.

(5) Subject to the powers of the Executive Council, he shall be responsible for seeing that all

monies

monies are expended on the purpose for which they are granted or allotted.

(6) All contracts shall be signed by the Treasurer on behalf of the University.

(7) He shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

13. The Registrar shall act as Secretary of the Court and the Executive Council. He shall maintain a register of registered graduates in accordance with the Statutes, and shall exercise such other powers as may be prescribed by the Statutes and the Ordinances. The Registrar.

14. The powers of officers of the University other than the Chancellor, the Vice-Chancellor, the Treasurer and the Registrar, shall be prescribed by the Statutes and the Ordinances. Other officers.

Authorities of the University.

15. The following shall be the authorities of the University :— Authorities
of the
University.

I. The Court,

II. The Executive Council,

III. The Academic Council,

IV. The Faculties, and

V. Such other authorities as may be declared by the Statutes to be authorities of the University.

16. (1) The Court shall consist of the following persons, namely :— The Court.

Class I.—Ex-officio members.

(i) The Chancellor,

(ii) The Vice-Chancellor,

(iii) The Treasurer,

(iv) The Registrar,

(v) The Provosts and Wardens,

(vi) The Professors and Readers, and

(vii) such

(vii) such other *ex-officio* members as may be prescribed by the Statutes.

Class II.—Other members.

(viii) Graduates of the University elected by the registered graduates from among their own body,

(ix) five Lecturers elected by the teachers of the University,

(x) persons appointed by the Chancellor,

(xi) persons appointed by the Chief Commissioner of Assam, whose number shall be determined by the Chancellor,

(xii) ten persons appointed by associations or other bodies approved in this behalf by the Chancellor, and

(xiii) persons (if any) appointed by the Chancellor to be life-members on the ground that they have rendered great services to education or have made substantial donations to the University.

(2) The number of members to be elected or appointed under clauses (viii) and (x) and the tenure of office of members to be elected or appointed under clauses (viii), (x), (xi) and (xii) of sub-section (1) shall be prescribed by the Statutes, and the manner of voting for the election of members to be elected under clauses (viii) and (ix) of sub-section (1) shall be prescribed by the Ordinances.

Meetings of
the Court.

17. (1) The Court shall, on a date to be fixed by the Vice-Chancellor, meet once a year at a meeting to be called the annual meeting of the Court.

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than thirty members of the Court, convene a special meeting of the Court.

Powers and
duties of the
Court.

18. Subject to the provisions of this Act, the Court shall exercise the following powers and perform the following duties, namely:—

(a) of making Statutes, and of amending or repealing the same,

(b) of

(b) of considering and cancelling Ordinances, and

(c) of considering and passing resolutions on the annual report, the annual accounts and the financial estimates,

and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes.

19. The Executive Council shall be the executive body of the University, and its constitution and the terms of office of its members, other than *ex-officio* members, shall be prescribed by the Statutes. The Executive Council.

20. The Executive Council—

(a) shall hold, control and administer the property and funds of the University, and for these purposes shall appoint from among its own members a Finance Committee to advise it on matters of finance. The Treasurer shall be Chairman of the Finance Committee, and at least one member of the Committee shall be a member elected to the Executive Council by the Court; Powers and duties of the Executive Council.

(b) shall direct the form, custody and use of the Common Seal of the University;

(c) shall, subject to the powers conferred by this Act on the Vice-Chancellor, regulate and determine all matters concerning the University in accordance with this Act, the Statutes and the Ordinances:

Provided that no action shall be taken by the Executive Council in respect of the fees paid to examiners and the emoluments of teachers otherwise than on the recommendation of the Academic Council;

(d) shall lay before the Local Government annually a full statement of all the requests received by it for financial assistance from any institution associated with

with the University, together with its views thereon ;

- (e) shall administer any funds placed at the disposal of the University for specific purposes ;
- (f) save as otherwise provided by this Act or the Statutes, shall appoint the officers (other than the Chancellor, the Vice-Chancellor and the Treasurer), teachers, clerical staff and servants of the University, and shall define their duties and the conditions of their service, and shall provide for the filling of temporary vacancies in their posts ;
- (g) shall have power to accept transfers of any moveable or immovable property on behalf of the University ;
- (h) shall publish the results of the University examinations ;
- (i) shall exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes ; and
- (j) shall exercise all other powers of the University not otherwise provided for by this Act or the Statutes.

The Academic Council.

21. The Academic Council shall be the academic body of the University, and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance of standards of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes. It shall have the right to advise the Executive Council on all academic matters. The constitution of the Academic Council and the term of office of its members, other than *ex-officio* members, shall be prescribed by the Statutes.

22. (1) The

22. (1) The University shall include the Facul-^{The Faculties.}ties of Arts, Science, Law, Medicine and Agriculture, and such other Faculties (whether formed by the sub-division or combination of an existing Faculty or Faculties, or by the creation of a new Faculty or otherwise) as may be prescribed by the Statutes. Each Faculty shall, subject to the control of the Academic Council, have charge of the teaching and the courses of study and the research work in such subjects as may be assigned to such Faculty by the Ordinances.

(2) The constitution and powers of the Faculties shall be prescribed by the Statutes.

(3) There shall be a Dean of each Faculty, who shall be elected in the manner laid down in subsection (6); and shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the Faculty.

(4) Each Faculty shall comprise such Departments of teaching as may be prescribed by the Ordinances. The head of every such Department shall be the Professor of the Department or, if there is no Professor, the Reader. If there is more than one Professor or more than one Reader of a Department, as the case may be, the Vice-Chancellor shall appoint such Professor or Reader to be head of the Department as he thinks fit. The head of the Department shall be responsible to the Dean for the organisation of the teaching in that Department.

(5) The Ordinances shall provide for Departments of Oriental Studies (including Departments of Islamic and Sanskritic Studies) in the Faculty of Arts, in which the same degrees shall be conferred as in the other Departments of that Faculty.

(6) The Dean of a Faculty shall be elected by the Faculty from among the heads of Departments of the Faculty. The Dean shall receive in respect of his duties as Dean such additional remuneration (if any) as shall be fixed by the Executive Council, and shall hold office as Dean for such term as may be prescribed by the Statutes.

23. The

Other
authorities
of the
University.

23. The constitution, powers and duties of such other authorities as may be declared by the Statutes to be authorities of the University shall be provided for in the manner prescribed by the Statutes.

University Boards.

University
Boards.

24. The University shall include a Residence, Health and Discipline Board and such other Boards as may be prescribed by the Statutes.

Constitution,
etc., of
Boards to
be pre-
scribed by
Ordinances.

25. The constitution, powers and duties of the Residence, Health and Discipline Board and of all other Boards of the University shall be prescribed by the Ordinances.

Statutes, Ordinances and Regulations.

Statutes.

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

- (a) the conferment of honorary degrees ;
- (b) the institution of Fellowships, Scholarships, Exhibitions and Prizes ;
- (c) the term of office and conditions of service of the Vice-Chancellor ;
- (d) the designations and powers of the officers of the University ;
- (e) the constitution, powers and duties of the Court, the Executive Council, the Academic Council and the Faculties ;
- (f) the institution and maintenance of Halls and the management of Hostels ;
- (g) the mode of appointment of the Professors and Readers of the University ;
- (h) the constitution of a pension or provident fund for the benefit of the officers, teachers, clerical staff and servants of the University ;
- (i) the maintenance of a register of registered graduates ; and
- (j) all matters which by this Act are to be or may be prescribed by the Statutes.

27. (1) The

27. (1) The first Statutes shall be those set out in the Schedule. Statutes how made.

(2) The Statutes may be amended, repealed or added to by Statutes made by the Court in the manner hereinafter appearing.

(3) The Executive Council may propose to the Court the draft of any Statute to be passed by the Court. Such draft shall be considered by the Court at its next meeting. The Court may approve such draft and pass the Statute, or may reject it or return it to the Executive Council for re-consideration, either in whole or in part, together with any amendments which the Court may suggest.

(4) Where any Statute has been passed or a draft of a Statute has been rejected by the Court, it shall be submitted to the Chancellor, who may refer the Statute or draft back to the Court for further consideration or, in the case of a Statute passed by the Court, assent thereto or withhold his assent. A Statute passed by the Court shall have no validity until it has been assented to by the Chancellor.

(5) The Executive Council shall not propose the draft of any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal. Any opinion so expressed shall be in writing and shall be considered by the Court, and shall be submitted to the Chancellor.

(6) Notwithstanding anything contained in this section, no Statute shall be made affecting the proportion or method of Muhammadan representation on the Court, the Executive Council or the Academic Council, save with the previous sanction of the Governor General in Council.

28. Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:— Ordinances.

(a) the courses of study to be laid down for all degrees and diplomas of the University;

(b) the

- (b) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University, and shall be eligible for degrees and diplomas ;
- (c) the admission of students to the University ;
- (d) the conditions of residence of the students of the University, the levying of fees for residence in Halls, and the licensing of Hostels ;
- (e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees, and diplomas of the University ;
- (f) the giving of religious instruction ;
- (g) the formation of Departments of teaching in the Faculties ;
- (h) the constitution, powers and duties of the Boards of the University ;
- (i) the conduct of examinations ; and
- (j) all matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

Ordinances
how made.

29. (1) Save as otherwise provided in this section, Ordinances shall be made by the Executive Council :

Provided that no Ordinance shall be made—

- (a) affecting the admission of students, or prescribing examinations to be recognised as equivalent to the University examinations or the further qualifications mentioned in sub-section (2) of section 34 for admission to the degree courses of the University, unless a draft of the same has been proposed by the Academic Council, or
- (b) affecting the conduct or standard of examinations or any course of study, except in accordance

accordance with a proposal of the Faculty or Faculties concerned, and unless a draft of such Ordinance has been proposed by the Academic Council, or

(c) affecting the conditions of residence of students, except after consultation with the Residence, Health and Discipline Board.

(2) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (1), but may reject it or return it to the Academic Council for re-consideration, either in whole or in part, together with any amendments which the Executive Council may suggest.

(3) All Ordinances made by the Executive Council shall be submitted, as soon as may be, to the Chancellor and the Court, and shall be considered by the Court at its next meeting. The Court shall have power, by a resolution passed by a majority of not less than two-thirds of the members voting, to cancel any Ordinance made by the Executive Council, and such Ordinance shall, from the date of such resolution, be void.

(4) The Chancellor may, at any time after any Ordinance has been considered by the Court, signify to the Executive Council his disallowance of such Ordinance, and, from the date of receipt by the Executive Council of intimation of such disallowance, such Ordinance shall become void.

(5) The Chancellor may direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance. An order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order, or on the expiration of fifteen days from the date of consideration of the Ordinance by the Court, whichever period expires later.

(6) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the
Chancellor,

Chancellor, who may, if he approves the draft, make the Ordinance. An Ordinance made under this subsection shall cease to have effect on the expiry of six months from the making thereof.

Regulations.

30. (1) The authorities and the Boards of the University may make Regulations consistent with this Act, the Statutes and the Ordinances—

- (a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;
- (b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations; and
- (c) providing for all other matters solely concerning such authorities and Boards and not provided for by this Act, the Statutes and the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings, and for the keeping of a record of the proceedings of meetings.

(3) The Executive Council may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the annulment of any Regulation made under sub-section (1):

Provided that any authority or Board of the University which is dissatisfied with any such direction may appeal to the Chancellor, whose decision in the matter shall be final.

Residence, Halls and Hostels.

Residence.

31. Every student of the University shall reside in a Hall or Hostel, or under such conditions as may be prescribed by the Statutes and the Ordinances.

32. The

32. The Halls of the University shall be— Halls.

- (a) the Dacca Hall,
- (b) the Muhammadan Hall,
- (c) the Jagannath Hall, and
- (d) such other Halls as may be prescribed by the Statutes.

33. (1) The Hostels shall be such as may here- Hostels.
after be approved and licensed by the Executive Council on such general or special conditions as may be prescribed by the Ordinances.

(2) The Wardens and superintending staff of Hostels shall be appointed in the manner prescribed by the Statutes.

(3) The conditions of residence in Hostels shall be prescribed by the Ordinances, and every Hostel shall be subject to inspection by any member of the Residence, Health and Discipline Board authorised in this behalf by the Board and by any officer of the University authorised in this behalf by the Executive Council.

(4) The Executive Council shall have power to suspend or withdraw the license of any Hostel which is not conducted in accordance with the conditions prescribed by the Ordinances.

Admission and Examinations.

34. (1) Admission of students to the Univer- Admission
to Uni-
versity
courses.
sity shall be made by an admission committee (in-
cluding at least one Provost and one Warden) appointed for that purpose by the Academic Council.

(2) Students shall not be eligible for admission to a course of study for a degree unless they have passed the Intermediate Examination of an Indian University incorporated by any law for the time being in force, or an examination recognised in accordance with the provisions of this section as equivalent thereto, and possess such further qualifications as may be prescribed by the Ordinances.

(3) The

(3) The conditions under which students may be admitted to the diploma courses of the University shall be prescribed by the Ordinance.

(4) The University shall not, save with the previous sanction of the Governor General in Council, recognise (for the purposes of admission to a course of study for a degree), as equivalent to its own degrees, any degree conferred by any other University, or, as equivalent to the Intermediate Examination of an Indian University, any examination conducted by any other authority.

Examina-
tions.

35. (1) All arrangements for the conduct of examinations shall be made, and all examiners shall be appointed by the Academic Council in such manner as may be prescribed by this Act and the Ordinances.

(2) If during the course of an examination any examiner is for any cause incapable of acting as such, the Vice-Chancellor shall appoint an examiner to fill the vacancy.

(3) At least one examiner who is not a member of the University shall be appointed for each subject included in a Department of teaching and forming part of the course which is required for a University degree.

(4) The Academic Council shall appoint examination committees, consisting of members of its own body or of other persons or of both, as it thinks fit, to moderate examination questions, to prepare the results of the examinations and to report such results to the Executive Council for publication.

Annual Report and Accounts.

Annual
report.

36. The annual report of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Court on or before such date as may be prescribed by the Statutes, and shall be considered by the Court at its annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive
tive

tive Council which shall take such action thereon as it thinks fit.

37. (1) The annual accounts and balance-sheet of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Local Government for the purposes of audit. Annual accounts.

(2) The accounts when audited shall be published by the Executive Council in the Calcutta Gazette, and copies thereof shall, together with copies of the audit report, if any, be submitted to the Court, to the Local Government and to the Governor General in Council. The Executive Council shall also submit to the Court, on or before such date as may be prescribed by the Statutes, a statement of the financial estimates for the ensuing year.

(3) The annual accounts and the financial estimates shall be considered by the Court at its annual meeting, and the Court may pass resolutions thereon and communicate the same to the Executive Council which shall take such action thereon as it thinks fit.

Supplementary Provisions.

38. The Chancellor shall, with the concurrence of not less than two-thirds of the members of the Executive Council for the time being in India, have power to remove the name of any person from the register of registered graduates. Removal of names of registered graduates.

39. If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final. Disputes as to constitution of University authorities and bodies.

40. (1) An appeal may be made by petition to the Chancellor against the order of any officer or authority of the University affecting any class of persons in the University. The Chancellor shall send a copy of any such petition to the officer or authority Appeals to Chancellor.

authority concerned, and shall give such officer or authority an opportunity to show cause why the appeal should not be entertained.

(2) The Chancellor may reject any such appeal or may, if he thinks fit, appoint a commission of persons, not being officers of the University or members of any authority thereof, to inquire into the matter and report to him thereon. On receipt of the commission's report, the Chancellor shall send a copy thereof to the Executive Council. The Executive Council shall take such report into consideration and shall, within three months of the receipt thereof, pass a resolution thereon which shall be communicated to the Chancellor.

(3) A commission appointed under sub-section (2) may require any officer or authority of the University to furnish it with any papers or information which are, in the opinion of the commission, relevant to the matter under inquiry, and such officer or authority shall be bound to comply with such requisition.

Constitu-
tion of com-
mittees.

41. Where any authority of the University is given power by this Act or the Statutes to appoint committees, such committees shall, unless otherwise provided, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

Filling of
casual va-
cancies.

42. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled as soon as conveniently may be by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Proceed-
ings of
University
authorities
and bodies
not invali-
dated by
vacancies.

43. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

44. (1) Every

44. (1) Every salaried officer and teacher of the University shall be appointed on a written contract. The contract shall be lodged with the Registrar of the University, and a copy thereof shall be furnished to the officer or teacher concerned. Conditions of service.

(2) Any member of the public services in India whom it is proposed to appoint to a post in the University shall, subject to the approval of such appointment by the Government, have the option—

(i) of having his services lent to the University for a specified period and remaining liable to recall to Government service at the discretion of the Government at the end of that period ; or

(ii) of resigning Government service on entering the service of the University.

45. Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned, and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such arbitration shall be subject to the provisions of the Indian Arbitration Act, 1899, so far as the same may be applicable thereto. Tribunal of Arbitration.

IX of 1899.

46. (1) The University shall constitute for the benefit of its officers, teachers, clerical staff and servants a pension or provident fund in such manner and subject to such conditions as may be prescribed by the Statutes. Pension or provident fund.

(2) Where such a pension or provident fund has been so constituted, the Governor General in Council may, notwithstanding anything contained in the Provident Funds Act, 1897, by notification in the Gazette of India, declare that the provisions of the said Act shall apply to such fund as if it were a Government Provident Fund.

IX of 1897.

47. Save

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Territorial
exercise of
powers.

47. Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall not extend beyond a radius of five miles from the Convocation Hall of the University. Notwithstanding anything in any other law for the time being in force, no educational institution beyond that limit shall be associated with or admitted to any privileges of the University, and no educational institution within that limit shall be associated in any way with or be admitted to any privileges of any other University incorporated by law in British India, and any such privileges granted by any such other University to any educational institution within that limit prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act :

Provided that nothing in this section shall apply to any agricultural or other technical institution established or maintained in connection with the University with the sanction of the Governor General in Council :

Provided, further, that it shall be lawful for any Faculty, other than the Faculties of Arts and Science, to assemble at Calcutta whenever, in the opinion of the Vice-Chancellor, such a course is necessary.

Transitory Provisions.

Completion
of courses
for students
at Dacca
Colleges.

48. Notwithstanding anything contained in this Act or the Ordinances, any student of the Dacca College, the Dacca Law College, the Dacca Training College, or the Jagannath College at Dacca who immediately prior to the commencement of this Act, was studying for any examination of the Calcutta University higher than the Intermediate Examination shall be permitted to complete his course in preparation therefor, and the University shall provide for such students instruction and examinations in accordance with the Prospectus of Studies of the Calcutta University.

Appoint-
ment of
first Vice-
Chancellor.

49. The first Vice-Chancellor may be appointed at any time after the passing of this Act. Such appointment.

appointment shall, notwithstanding anything contained in sub-section (1) of section 10, be made by the Governor General in Council for such term and on such conditions as he thinks fit.

50. (1) At any time after the passing of this Act and until such time as the authorities of the University shall have been duly constituted—

First appointments of University staff.

(a) the Treasurer may be appointed by the Governor of Bengal;

(b) any other officers of the University may be appointed by the Vice-Chancellor with the previous sanction of the Governor of Bengal;

(c) teachers of the University shall be appointed by the Governor of Bengal after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Public Instruction, Bengal, and such other person or persons, if any, as the Governor of Bengal thinks fit to associate with them.

(2) Any appointment made under sub-section (1) shall be for such period and on such conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made until financial provision has been made therefor by the Local Government or otherwise.

51. At any time after the passing of this Act, the Vice-Chancellor may, with the previous approval of the Chancellor and subject to the provision of funds by the Local Government or otherwise, take such action, consistent so far as may be with the provisions of this Act and the Statutes, as he may think necessary for the purpose of bringing the University into being, and for that purpose may exercise any power which by this Act or the Statutes is to be conferred on any officer or authority of the University.

Extraordinary powers of the Vice-Chancellor.

THE SCHEDULE

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THE SCHEDULE.

THE FIRST STATUTES OF THE UNIVERSITY.

[See section 27 (1).]

Definitions.

1. In these Statutes, unless there is anything repugnant in the subject or context,—

- (a) “the Act” means the Dacca University Act, 1920, and “section” means a section of the Act; and
- (b) “officers,” “authorities,” “Professors,” “Readers,” “Lecturers,” “teachers,” “clerical staff,” “servants” and “registered graduates” mean, respectively, officers, authorities, Professors, Readers, Lecturers, teachers, clerical staff, servants and registered graduates of the University.

Constitution of the Court.

2. (1) In addition to the officers mentioned in subsection (1) of section 16, the following persons shall be *ex-officio* members of the Court, namely :—

- (i) the members of the Executive Council of the Governor of Bengal;
- (ii) the Vice-Chancellor of the University of Calcutta;
- (iii) the Commissioner, the Collector and the District and Sessions Judge of Dacca;
- (iv) the Director of Public Instruction in Bengal or the Secretary (if any) to the Local Government in the Department of Education, and the Director of Public Instruction in Assam;
- (v) the Director of Agriculture for Bengal;
- (vi) the Director of Industries for Bengal;
- (vii) the Civil Surgeon of Dacca;
- (viii) the Superintending Engineer, Eastern Circle, Bengal;
- (ix) the

- (ix) the Assistant Director of Public Instruction for Muhammadan education in Bengal;
- (x) the Chairman of the Dacca Municipality and of the Dacca District Board;
- (xi) the Inspector of Schools of the Dacca Division;
- (xii) the Inspectress of Girls' Schools for the Dacca Circle;
- (xiii) the Proctor of the University;
- (xiv) the Librarian of the University; and
- (xv) the Principals of the Dacca Medical School, the Dacca Madrassah, the Calcutta Madrassah, the Chittagong Madrassah, the Sylhet Madrassah, and the Eden High School, the President of the Saraswat Samaj and the Principals of all educational institutions in the Dacca Division which prepare students for admission to the degree courses of a University.

(2) The number of graduates to be elected as members of the Court by the registered graduates from among their own body shall be thirty, of whom fifteen shall be Muhammadan graduates elected by the Muhammadan registered graduates, and fifteen shall be non-Muhammadan graduates elected by the non-Muhammadan registered graduates.

(3) The number of persons to be appointed by the Chancellor under clause (x) of sub-section (1) of section 16 shall be forty:

Provided that the Chancellor shall, in making such appointments, secure that, as far as possible, fifty per cent of the non-European members of the Court shall be Muhammadans.

(4) Save as otherwise provided, members of the Court other than *ex-officio* members shall hold office for a period of three years:

Provided that members elected by the Academic Council shall hold office so long only within the said period as they continue to be teachers.

3. (1) The

Constitution
of the Execu-
tive Council.

3. (1) The members of the Executive Council, in addition to the Vice-Chancellor and the Treasurer, shall be—

Class I.—Ex-officio members.

- (i) The Commissioner of the Dacca Division ;
- (ii) the Deans of the Faculties ;
- (iii) the Provosts of the Dacca, the Muham-
madan and the Jagannath Halls.

Class II.—Other members.

- (iv) Two non-Muhammadan members of the Court elected by the non-Muhammadan members thereof at its annual meeting ;
- (v) two Muhammadan members of the Court elected by the Muhammadan members thereof at its annual meeting ; and
- (vi) four persons, of whom at least two shall be teachers, appointed by the Chancellor :
Provided that, so long as one-half of the non-European members of the Executive Council, as constituted under this sub-clause but excluding the Vice-Chancellor and the Treasurer, are not Muham-
madans, any person so appointed shall be a Muhammadan.

(2) The Executive Council as constituted under sub-clause (1) shall co-opt as member one Warden.

(3) Members other than *ex-officio* members shall hold office for a period of three years :

Provided that members elected by any body of persons from among their own number shall hold office so long only within the said period as they continue to be members of the body which elected them.

Powers of the
Executive
Council.

4. Subject to the provisions of the Act, the Execu-
tive Council shall have the following powers,
namely :—

- (a) to institute, at its discretion, such Professor-
ships, Readerships, Lectureships, or other
teaching

- teaching posts as may be proposed by the Academic Council ;
- (b) to abolish or suspend, after report from the Academic Council thereon, any Professorship, Readership, Lectureship, or other teaching post ;
 - (c) to appoint, in accordance with the Statutes, teachers, officers, clerical staff and servants ;
 - (d) to delegate, subject to such conditions as may be prescribed by Regulations made by the Executive Council, its power to appoint teachers, officers, clerical staff and servants to such person or authority as the Executive Council may determine ;
 - (e) to manage and regulate the finances, accounts, investments, property and all administrative affairs whatsoever of the University, and for that purpose, to appoint such agents as it may think fit ;
 - (f) to accept bequests, donations and transfers of property to the University :
Provided that all such bequests, donations and transfers shall be reported to the Court at its next meeting ;
 - (g) to provide the buildings, premises, furniture, apparatus, equipment and other means needed for carrying on the work of the University ;
 - (h) after report from the Finance Committee to enter into, vary, carry out and cancel contracts on behalf of the University ; and
 - (i) to invest any monies belonging to the University, including any unapplied income, in any of the securities described in section 20 of the Indian Trusts Act, 1882. or in the purchase of immoveable property in India, with the like power of varying such investments ; or to place on fixed deposit in any bank approved in this behalf

behalf by the Local Government any portion of such monies not required for immediate expenditure.

The Academic Council.

5. (1) The members of the Academic Council, in addition to the Vice-Chancellor, shall be—

Class I.—Ex-officio members.

- (i) The Deans of the Faculties ;
- (ii) the Librarian of the University ;
- (iii) the Professors ; and
- (iv) the Provosts.

Class II.—Other members.

- (v) One Warden nominated by the Vice-Chancellor ; and
- (vi) persons, if any, not exceeding three in number and not being teachers, appointed by the Chancellor on account of their possessing expert knowledge in such subjects of study as may be selected by the Academic Council as constituted under heads (i) to (v).

(2) The Academic Council as constituted under sub-clause (1) shall co-opt as members three Readers and two Lecturers.

(3) The Academic Council as constituted under sub-clauses (1) and (2) shall co-opt as members teachers not exceeding one-tenth of its number as so constituted :

Provided that so long as one-fourth of the total members, including teachers co-opted under this sub-clause, are not Muhammadans, any teacher so co-opted shall be a Muhammadan.

(4) Members other than *ex-officio* members shall hold office for a period of three years :

Provided that Readers, Lecturers or teachers co-opted as such shall hold office so long only within the said period as they continue to be Readers, Lecturers or teachers, respectively.

6. The

6. The Academic Council shall have the following powers, namely :—

Powers of the
Academic
Council.

- (a) to make proposals to the Executive Council for the institution of Professorships, Readerships, Lectureships or other teaching posts, and in regard to the duties and emoluments thereof ;
- (b) to make Regulations for and to award in accordance with such Regulations Fellowships, Scholarships, Exhibitions, bursaries, medals and other rewards ;
- (c) to appoint examiners after report from the Faculties concerned ;
- (d) to control and manage the University Library or Libraries, to frame regulations regarding their use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the Library ;
- (e) to formulate, modify or revise, subject to the control of the Executive Council, schemes for the constitution or re-constitution of Faculties and for the assignment of subjects to such Faculties ;
- (f) to assign teachers to the Faculties ; and
- (g) to promote research within the University, and to require reports on such research from the persons employed thereon.

7. (1) Each Faculty shall consist of—

The faculties.

- (i) the Professors of the Departments comprised in the Faculty ;
 - (ii) such teachers of subjects assigned to the Faculty as may be appointed to the Faculty by the Academic Council ;
 - (iii) such teachers of subjects not assigned to the Faculty but having, in the opinion of the Academic Council, an important bearing on those subjects as may be appointed to the Faculty by the Academic Council ; and
- (iv) such

(iv) such other persons as may be appointed to the Faculty by the Academic Council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty.

(2) The total number of members of each Faculty shall not exceed in the case of the Faculties of Arts and Science thirty, and in the case of any other Faculty fifteen, except with the sanction of the Chancellor given on the request of the Academic Council.

Powers of the Faculties.

8. Subject to the provisions of the Act, each Faculty shall have the following powers, namely :—

- (a) to constitute Committees of Courses and Studies;
- (b) to recommend to the Academic Council, after consulting the Committees of Courses and Studies, the names of examiners in subjects assigned to the Faculty.

Board of Co-ordination.

9. There shall be a Board of Co-ordination composed of the Vice-Chancellor, who shall be Chairman thereof, the Deans of the Faculties and the Registrar, to organise the teaching of the University, and in particular to co-ordinate the work and time-tables of the various Faculties, and to assign lecture-rooms, laboratories, and other rooms to the Faculties.

The Dean.

10. (1) The Dean of each Faculty shall be the executive officer of the Faculty, and shall preside at its meetings. He shall hold office for three years.

(2) He shall issue the lecture lists of the University in the Departments comprised in the Faculty, and shall be responsible for the conduct of teaching therein.

(3) He shall have the right to be present and to speak at any meeting of any committee of the Faculty, but not to vote unless he is a member of the committee.

Hostels.

11. (1) The appointment of the Warden and the superintending staff of a Hostel shall be subject to the approval of the Executive Council.

(2) Every

(2) Every student not residing in a Hall or Hostel shall be attached to a Hall or Hostel for tutorial help and disciplinary supervision, and for such other purposes as may be prescribed by the Ordinances.

12. The Court may, on the recommendation of the Executive Council, by a resolution passed with the concurrence of not less than two-thirds of the members voting, withdraw any degree or diploma conferred by the University. Withdrawal of degrees and diplomas.

13. (1) All proposals for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council, and shall require the assent of the Court before submission to the Chancellor for confirmation: Honorary degrees.

Provided that in cases of urgency the Chancellor may act on the recommendation of the Executive Council only.

(2) Any honorary degree conferred by the University may, with the previous approval of the Court and the sanction of the Chancellor, be withdrawn by the Executive Council.

14. The following persons shall, on payment of such fees as may be prescribed by the Statutes, be entitled to have their names enrolled in the register of registered graduates and to enjoy all the privileges of registration, namely:— Registered graduates.

(a) for a period of five years from the commencement of the Act all graduates of three years' standing or upwards of any other Indian University incorporated by any law for the time being in force, who are not for the time being registered as graduates in any such other University, and who—

(i) have studied at the Dacca College, the Jagannath College at Dacca or the Dacca Law College for at least two years, or at the Dacca Training College for at least one year, and ordinarily reside in the Dacca or Chittagong

Chittagong Divisions of the Bengal Presidency; or

(ii) have graduated at any time from any of the said Colleges,

and apply to the University to be granted *ad eundem* degrees of the University; and

- (b) for a period of seven years from the commencement of the Act all Muhammadan graduates of three years' standing or upwards of any Indian University incorporated by any law for the time being in force, who are not for the time being registered as graduates of any such other University, and who ordinarily reside in the Dacca or Chittagong Divisions of the Bengal Presidency; and
- (c) all graduates of the University of three years' standing and upwards.

Officers.

15. There shall be the following officers, namely:—

(i) a Proctor for the maintenance of the general discipline of the University, to whom the Vice-Chancellor may delegate such of his disciplinary powers as he may think fit; and

(ii) a Librarian for the University Library.

Committees of selection in India.

16. (1) Subject to the provisions of clause (c) of sub-section (1) of section 50 and of clause 17, appointments to Professorships and Readerships shall be made on the nomination of committees of selection constituted for the purposes as follows, namely:—

- (i) the Vice-Chancellor;
- (ii) one member of the Executive Council selected by the Executive Council,
- (iii) two members of the Academic Council selected by the Academic Council on the ground of their special knowledge of, or interest in, the subject or subjects with which the Professor or Reader, as the case may be, will be concerned;

(iv) an

- (iv) an officer of the Local Government appointed by the Local Government, and
- (v) three persons (two of whom shall not be officers or teachers) appointed by the Chancellor :

Provided that, should a committee so constituted not include both a Hindu and a Muhammadan member, the Chancellor shall nominate an additional Hindu or Muhammadan member, or both, as the case may be.

(2) Committees of selection appointed under sub-clause (1) shall report to the Executive Council which shall, if it accepts the nomination of the committee, make the appointment to the post accordingly. If the Executive Council does not accept the nomination of the committee, it shall refer the case to the Chancellor, who shall make such appointment as he thinks fit.

17. (1) Of the Professorships not less than one-third shall be filled in one or other of the following manners, namely :—

Committees of selection in the United Kingdom.

- (a) on the nomination of committees of selection constituted for the purpose in the United Kingdom ; or
- (b) if, in the opinion of the Chancellor, exceptional circumstances justify such a course, by appointment by the Secretary of State for India.

(2) The committees of selection referred to in sub-clause (1) (a) shall be constituted as follows, namely :—

- (i) two members resident in the United Kingdom appointed by the Academic Council,
- (ii) two members resident in the United Kingdom appointed by the Secretary of State for India, one of whom shall be an Indian Member of the Council of India as constituted under the Government of India Act ; and

(iii) one

(iii) one member appointed by the Chancellor.

(3) The Executive Council shall consider the report of a committee of selection constituted under sub-clause (2), and shall, if it accepts the nomination of the committee, make the appointment to the post accordingly. If the Executive Council does not accept the nomination of the committee, it shall refer the case to the Chancellor, who may either appoint the person nominated by the committee, or refer the case to the Secretary of State for India, and, in such case, the Secretary of State for India shall make such appointment as he thinks fit.

(4) Nothing in this clause shall apply to appointments made by the Chancellor under clause (c) of sub-section (1) of section 50.

Appointment
of Lecturers
and other
teachers.

18. Appointments to teaching posts other than Professorships and Readerships shall, subject to the provisions of the Act and the Statutes, be made in the manner prescribed by the Ordinances.