

The Tripura Act No.6 of 2015

THE MAHARAJA BIR BIKRAM UNIVERSITY ACT, 2015.

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GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT : AGARTALA

No.F.8(1)-Law/Leg-I/2015

Dated, Agartala 16th September, 2015.

The following Act of the Tripura Legislative Assembly received the assent of the Governor on **15-09-2015** and is hereby published for General Information.

D. M. JAMATIA.
L.R & SECRETARY, LAW.
GOVERNMENT OF TRIPURA

THE MAHARAJA BIR BIKRAM UNIVERSITY ACT, 2015.

AN

ACT

to establish a state university in the State of Tripura and to provide for matters connected therewith or incidental thereto.

WHEREAS, it is required to function more efficiently in teaching particularly upto Post Graduate and higher level, training and research in various branches of learning and courses of study, especially in Humanities, Commerce, Rural Development & Management, Social and Basic Sciences, Medical Science and Engineering-technology and promoting advancement and dissemination of knowledge and learning to meet the further requirement of higher education and research in the subjects and to avail more scope and opportunities of higher education to serve the society and the nation;

AND WHEREAS, in pursuit of enforcing the aforesaid goal, it has become imperative to enact a new legislation;

BE it enacted by the Legislative Assembly of Tripura in the Sixty-sixth Year of the Republic of India as follows:-

**CHAPTER – I
PRELIMINARY**

1. Short title and Commencement:

- (i) This Act may be called ‘The Maharaja Bir Bikram University Act, 2015’;
- (ii) It shall come into force on such date as the State Government by Notification appoints.

2. Definitions:

In this Act and in the Statutes, Ordinances and Regulations made under this Act, unless the context otherwise requires:-

- (i) “Academic Council” means the Academic Council of the University, constituted under section 24 of the Act;
- (ii) “Affiliated” in relation to a College or an Institution means and includes affiliated to the Maharaja Bir Bikram University under this Act;
- (iii) “Affiliated College” means a college referred to in sub-section (ii) of Section 6;
- (iv) “Board of Studies” means the Board of studies of the University, according to sub-section (viii) of section 26 of the Act;
- (v) “Constituent College” means a college established, maintained or recognized by the University and includes a College referred to in sub-section (ii) of Section 6;
- (vi) “Convocation” means a meeting of the Senate for the purpose of conferring degrees, titles, diplomas, certificates or other academic distinctions ;
- (vii) “Department” means a University Department of studies imparting instruction and conducting and guiding research at the post graduate or higher levels;

- (viii) "Distance Education system" means and includes the system of imparting education through any means of communication, such as broadcasting, telecasting, correspondence courses, seminars, contact programme or the combination of any two or more such means;
- (ix) "Employee" in relation to the University means any person employed by the University;
- (x) "Faculty" means one or more Departments of equivalent concept of studies will be in together under single concept, where one subject has relevancy with another, as to be declared by the University;
- (xi) "Financial year" means the year ending on the 31st day of March;
- (xii) "Government College" means a college maintained and managed by the State Government;
- (xiii) "Governor" means the Governor of the State of Tripura ;
- (xiv) " hostel" or "hall" means a unit of residence for students recognized by the University;
- (xv) " Librarian" means, -
 (a) in relation to the University, a Librarian or any other person holding a post of Librarian, by whatever name called, appointed or recognized as such by the University, and
 (b) in relation to an affiliated college, a librarian or any other person holding a post of librarian, by whatever name called, appointed or recognized by the University or appointed by such College;
- (xvi) "Minister" means the Minister-in-charge of Higher Education Department of the State Government;
- (xvii) "Non-teaching staff" means –
 (a) in relation to the University, the non-teaching staff, who are not holding any teaching post or part-time teaching post, appointed or recognized as such by the University, and
 (b) in relation to an affiliated college, the non-teaching staff, who is not holding any teaching post or part-time teaching post, appointed or recognized by the University or appointed by such college, but does not include an officer or a Librarian;
- (xviii) "Officers of the university" means an officer as defined in section 7;
- (xix) "Planning Board" means the Planning Board of the University, as prescribed under section 28 of the Act.
- (xx) "prescribed" means prescribed by Statutes, Ordinances, Regulations or Rules made under this Act;
- (xxi) "Principal" means the head of a College or of an Institution, by whatever name called;
- (xxii) "Professional subject" means any of the following subjects, namely Law, Medicine, Engineering, Teachers' Training, Technology, Agriculture, Journalism, Management studies or such other subject, as may be prescribed by Regulations;
- (xxiii) "Senate" means the senate of the University, constituted under section 19 of the Act;

- (xxiv) "Statutes", "Ordinances", "Regulations" and "Rules" mean the Statutes, Ordinances, Regulations and Rules made under this Act;
- (xxv) "Students' Union", in relation to the University or an affiliated college, means students' Union constituted in the manner prescribed;
- (xxvi) "Syndicate" means the syndicate of the University, constituted under section 22 of the Act;
- (xxvii) "Teacher" means a person employed for imparting instructions or guidance or conduction of research in the University or in a college and includes a Principal;
- (xxviii) "Teacher of the University" means a Professor, Associate Professor, Assistant Professor or any other person appointed or recognized as such by the University, either whole-time or part-time, for the purpose of imparting instruction or conducting research in the University ;
- (xxix) "University" under this Act means the Maharaja Bir Bikram University, as constituted by this Act ;
- (xxx) "University Laboratory", "University Library", "University Museum" or "University Institution" means a laboratory, a library, a museum or an Institution, as the case may be, maintained and managed by the University, whether established by it or not;
- (xxxi) "University Professor", "University Associate Professor" or "University Assistant Professor" means a Professor, Associate Professor or Assistant Professor appointed or recognized as such by the University.

CHAPTER – II

3. (i) There shall be established a University by the name of "Maharaja Bir Bikram University";
- (ii) The headquarters of the University shall be at Agartala and it may also establish campus/Study Centre/Off Campus Study Centre at such other places within the territorial jurisdiction of the State as it may deem fit;
- (iii) (a) The first Chancellor and the first Vice-Chancellor of the University and the first members of the Senaté and the Syndicate, and all persons who may hereafter become the Chancellor or the Vice-Chancellor of the University or the members of the Senate or the Syndicate, so long as they continue to hold such office or membership, shall constitute a body corporate by the name of the Maharaja Bir Bikram University;
- (b) The University shall have perpetual succession and a common seal and shall sue and be sued by the name of the Maharaja Bir Bikram University.
4. (i) The objects of the University shall be to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit and by the example of its corporate life, and, in particular, to make special provisions for studies in tribal life and culture and for integrated courses of Humanities, Commerce and Science in the educational programmes of the University and take appropriate measures for promoting inter-disciplinary studies and research in the University. Being the highest and noblest seat of learning, the University shall provide effective leadership in guiding education and promoting research work in various fields and shall also endeavour to promote study of vocational subjects with a view to providing employment opportunities to the students.

- (ii) The University shall be open to person of whatever race, sex, creed, caste 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 therein as a teacher or student or to hold any office therein or to graduate there at;

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the weaker sections of the people, and, in particular, of the Scheduled Castes and Scheduled Tribes.

5. The University shall have the following powers, namely:-

- (i) to encourage and provide for instruction and training in such branches of learning and courses of study including anthropology and sociology as it may think fit, to make provision for research and to promote the advancement and dissemination of knowledge and learning and the extension of higher education;
- (ii) to establish and develop specialized research centres, inter disciplinary centres or similar institutions for studies and to undertake research in tribal issues, rural development, plantation, forestry, fishery, agriculture and horticulture, cultural studies, language studies, gender issues, religious studies, traditional/indigenous medicines, ethno medicinal aspects;
- (iii) to conduct specialized diploma, degree or post-graduate courses, as the case may be, in such subjects as tribal languages, habitat and customs, rural administration, public administration, policy planning, forestry, floriculture, wild life management, pisciculture, and also in subjects like rural and urban planning, manpower planning, regional resources planning, ecology and environmental studies, agricultural and rural industries, traditional knowledge and in such other subjects, as may be necessary from time to time;
- (iv) to organize short courses after post graduation in Arts, Science and Commerce for those who are otherwise suitable for teaching the non-traditional courses mentioned in clause (iii);
- (v) to make such academic, studies as may contribute to the improvement of economic conditions and welfare of the people in general and the tribal people in particular;
- (vi) to establish, maintain or manage libraries, laboratories, museums and such other institutions as it may consider fit;
- (vii) save as otherwise provided under sub-section (ii) of Section 6 of this Act, to institute degree, titles, diplomas, certificates, and other academic distinctions on persons who –
- (a) shall, unless exempted there from in such manner, as may be prescribed by Statutes, have pursued in an affiliated college or in the University or in an institution or centre recognized by the University, such courses of study and shall have passed such examination of the University as may be prescribed, or
- (b) shall have carried on research under conditions as may be prescribed;
- (viii) to confer honorary degrees or other academic distinctions under such conditions, as may be prescribed;
- (ix) to co-operate with other Universities and educational authorities in such manner and for such purposes as the University may determine;

- (x) to institute and to make appointment to professorship, Associate professorship, Assistant Professorship and other teaching posts required by the University in accordance with regulation notified by the University Grants Commission with regard to minimum qualifications;
- (xi) to institute and award fellowships, scholarship, exhibitions, prizes, medals and other honours and distinctions;
- (xii) to prescribe, demand and receive fees, fines and other charges;
- (xiii) to establish, maintain and manage hostels, halls and other places of residence for the students of the University and teachers, officers and other employees and to recognize such hostels, halls and other places of residence and to withdraw recognition there from;
- (xiv) to provide for the supervision and control of residence and discipline of students of the University and to make arrangements for promotion of their health and general welfare;
- (xv) to provide for supervision, control and discipline of the teaching and non-teaching employees of the University in pursuance of the Statutes, Ordinances and Regulations;
- (xvi) to conduct, co-ordinate, regulate and control the post-graduate research work and teaching in the University;
- (xvii) to prescribe the powers and duties of officers of the University;
- (xviii) to provide for the inspection or investigation into the affairs, of a college or an institution recognized by the University;
- (xix) to create and to make appointment to such administrative, clerical and other posts under the University as it may deem fit;
- (xx) to accept grants from the Central or any State Government or the University Grants Commission and, with the approval of State Government from other sources;
- (xxi) to raise loans or to accept loans from the Central or the State Government and with the approval of State Government from other sources;
- (xxii) to enter into contracts and agreements with the approval of the Syndicate in furtherance of the objects of the University;
- (xxiii) to acquire, hold and dispose of properties, and immovable, for furthering any of the objects of the University;
- (xxiv) to make grants for the maintenance of the National Cadet Corps and the National Social Service;
- (xxv) generally to do all such acts and things as may be necessary or desirable for, or incidental to the advancement of the objects or purposes of the University;
- (xxvi) to recognize any college or institution as a constituent College and to withdraw such recognition in respect of any such college or institution;
- (xxvii) the University may grant in the manner prescribed, to a college which satisfies the conditions prescribed in this behalf, the privileges of varying, for the students receiving instructions in such college, the courses of study prescribed by the University and holding examinations in the courses so varied, subject to the provisions of sub-section (ii) of Section 6 of this Act;

- (xxviii) to recognize an Institution of higher learning or a laboratory or institutions of similar nature for such purposes as the University may determine and to withdraw such recognition;
- (xxix) to organise and to undertake extramural studies, training and extension services;
- (xxx) to provide facilities through the distance education system to such persons as it may determine;
- (xxxi) to organise and conduct Refresher courses, orientation courses and workshops, seminars and other programmes for teachers, evaluators, academic and other staff;
- (xxxii) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;
- (xxxiii) to lay down conditions of service of all category of employees including their code of conduct;
- (xxxiv) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

Jurisdiction of the University :-

- 6. (i) Save as otherwise provided in this Act, the local limits of jurisdiction of the University (hereinafter referred to as the territorial limits of the University), shall extend to the whole of the State of Tripura;
- (ii) Notwithstanding anything contained in this Act, any educational institution or College within the State of Tripura, may be associated in any way with or be admitted to any privilege of the Maharaja Bir Bikram University or may be affiliated under the Maharaja Bir Bikram University subject to the condition that, direction in that regard is issued by the Central Government in writing to the effect that the proviso to sub-section (2) of Section 7 of the Tripura University Act, 2006 (Central Act No.9 of 2007), shall not apply for that educational institution or College.

7. The following shall be the officers of the University :-

- (i) The Chancellor;
- (ii) The Vice-Chancellor;
- (iii) The Deans of Faculties;
- (iv) The Registrar;
- (v) The Finance Officer;
- (vi) The Controller of Examination and
- (vii) such other persons in the service of the University as the University may declare to be Officers of the University.

The Chancellor :-

- 8. (i) The Governor of Tripura shall be the Chancellor of the University;
- (ii) The Chancellor shall by virtue of his office be the Head of the University and shall, if present; preside over the convocations of the University held for conferring degrees and meeting of the Senate,

- (iii) The Chancellor 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 and equipment and of any college or institution maintained by the University or admitted to its privileges, and also of the examinations, teaching and other work conducted or done by the University and to cause an enquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions;
- (iv) The Chancellor shall in every case, give notice of his intention to cause an inspection or inquiry to be made to the University if such inspection or inquiry is to be made in respect of the University College or Institution maintained by it, through the Vice-Chancellor if the inspection or inquiry is to be made in respect of College or any Institution admitted to the privileges of the University not maintained by the University, and the University, shall on receipt of such notice have the right to make such representation to the Chancellor as it may consider necessary;
- (v) After considering the representations, if any, made by the University or the Chancellor may cause to be made such inspection or inquiry as is referred to in subsection (iii) of this Section;
- (vi) Where any inspection or inquiry has been caused to be made by the Chancellor, the University shall be entitled to appoint a representative who shall have the right to be present and be heard at, such inspection or inquiry;
- (vii) The Chancellor, may, if the inspection or inquiry is made in respect of the University or any College or Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Syndicate the views of the Chancellor with such advice as the Chancellor may be pleased to offer upon the action to be taken thereon;
- (viii) The Syndicate shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry;
- (ix) Where the Syndicate does not within any reasonable time take action to the satisfaction of the Chancellor, the Chancellor may after considering any explanation furnished or representation made by the Syndicate, issue such directions, he may think fit and the Syndicate shall comply with such directions;
- (x) Without prejudice to the foregoing provisions of this section, the Chancellor may, by order in writing annul any proceedings of the University which is not in conformity with this Act, the Statutes or Ordinances;

Provided that before making any such order, the Chancellor shall call upon the University to show cause why such an order shall not be made, and if any cause is shown within a reasonable time he shall consider the same;

- (xi) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor;
- (xii) The Chancellor, may, at such intervals as he may decide appoint Committee to recommend the annual grants to be paid to the University for fulfilment of its objectives;
- (xiii) The Chancellor shall exercise such other powers and perform such other functions as may be conferred on or vested in him by or under the provisions of the Act or be prescribed by the Statutes.

The Vice Chancellor :-

9. (i) The Vice-Chancellor shall be a whole-time salaried officer of the University and shall be appointed by the Chancellor from amongst a panel of not less than three eligible names, as per UGC guideline submitted to him in alphabetical order by a Committee consisting the following :-

- (a) A nominee of the Chancellor;
- (b) A nominee of the Syndicate;
- (c) A nominee of the State Government, and
- (d) A nominee of the Chairman, University Grants Commission;

The Chancellor shall appoint one of the members of the Committee as the convener; Provided that none of the members of the panel shall be an employee of the University or a member of any authority of the University or connected with any approved institution or college or institution recognized by or associated with the University.

(ii) (a) The Vice-Chancellor shall hold office for a term of five years or till he attains the age of 65 years, whichever is earlier, unless sooner removed by an order of the Chancellor, and shall subject to the provisions of this section, be eligible for reappointment for another term of five years or till he attains the age of 65 years, whichever is earlier;

Provided that no Vice-Chancellor should be removed from office except by an order passed by the Chancellor on the ground of misbehaviour, mismanagement, incapacity or misuse of powers after due enquiry by a serving or retired Judge of the Supreme Court or High Court appointed by the Chancellor with the approval of the Syndicate;

(b) The Chancellor may, notwithstanding the expiration of the term of the office of the Vice-Chancellor or his attaining the age of 65 years, allow him to continue in office till a successor assumes office, provided that he shall not continue as such for any period exceeding six months;

(iii) The Vice-Chancellor may resign from his office in writing under his hand addressed to the Chancellor,

(iv) if --

(a) the Vice-Chancellor is, by reasons of leave, illness or any other cause, temporarily unable to exercise the powers and perform the duties of his office, or

(b) a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation or expiry of the term of his office or otherwise, then, during the period of such temporary inability, or pending the appointment of a Vice-Chancellor as the case may be, the Chancellor may appoint the senior most Dean of Faculty to exercise the power and perform the current duties of Vice-Chancellor;

(v) The vacancy in the office of the Vice-Chancellor occurring by reason of death, resignation or expiry of the term of his office or otherwise shall be filled up by appointment of a Vice-Chancellor in accordance with the provisions of sub-section (i) within a period of six months from the date of occurrence of the vacancy;

(vi) Arrangement of work during vacancy in the office of the Vice-Chancellor --

(a) during the temporary absence of the Vice-Chancellor by reason of leave, illness or any other cause, the Chancellor may make such arrangements as he deems fit for carrying on the duties of the Vice-Chancellor;

Provided that pending the making of such arrangements by the Chancellor, the Vice-Chancellor may designate the senior most Dean available in the University to be in-charge of the current duties of the Vice-Chancellor for a period not exceeding one month or till arrangements are made by the Chancellor, whichever is earlier;

(b) during the period when a vacancy in the office of the Vice-Chancellor remains unfilled, the senior most Dean available in the University, as the Chancellor may appoint, shall act as Vice-Chancellor and the person so appointed, shall have all the powers and shall be entitled to all the privileges of the Vice-Chancellor and to such emoluments and allowances as may be determined by the Chancellor in accordance with the Statutes, if any, framed in this behalf.

10. (i) The Vice-Chancellor shall be the principal executive and academic officer of the University. He shall by virtue of his office be the ex-officio Chairman of the Syndicate, the Academic Council, the Planning Board and the Finance Committee and also the Chairman of any other authority or body of the University of which he may be a member. He shall, in the absence of the Chancellor, act as the Chairman of the Senate and also preside over at the Convocation of the University held for conferring degrees. He shall also be entitled to be present at and to address any meeting of any other authority or body of the University of which he may not be a member, but shall not be entitled to vote thereat;
- (ii) The Vice-Chancellor shall have the power to convene meeting of the Senate, the Syndicate, the Academic Council and of any other authority or body of the University;
- (iii) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the Statutes, the Ordinances and the Regulations are faithfully observed, and to take such action as may be necessary for this purpose;
- (iv) The Vice-Chancellor shall exercise general control over the affairs of the University and shall give effect to the decisions of the authorities of the University;
- (v) The Vice-Chancellor shall exercise such other powers and discharge such other duties as may be delegated to him by any authority or body of the University or as may be prescribed by Statutes, Ordinances or Regulations;
- (vi) The Vice-Chancellor may take on behalf of the University such action as he may deem expedient in any matter which, in his opinion is either urgent or of an emergent nature and shall report the same for confirmation at the next meeting of the authority or body which, in the ordinary course, would have dealt with the matter;

Provided that if the action taken by the Vice-Chancellor is not approved by the authority or body constituted under this Act, the matter shall immediately be referred to the Chancellor whose decision thereon shall be final;

Provided further that any person in the service of the University, who is aggrieved by the action taken by the Vice-Chancellor under this sub-section, shall have the right to appeal against such action to the Syndicate, within 3(three) months from the date on which decision on such action is communicated to him and thereupon the Syndicate may confirm, modify or reverse the action taken by the Vice-Chancellor;

- (vii) The Vice-Chancellor may, with the approval of the Syndicate, at any time delegate any of his powers other than the powers referred to in sub-section (vi) to any other officer subordinate to him.

- (viii) The Vice-Chancellor shall be empowered to grant leave to any officer of the University other than the Chancellor in accordance with such rules as may be prescribed and to make necessary arrangements for discharge of the functions of such officers during such absence;
- (ix) The Vice-Chancellor shall grant leave of absence of any employee of the University in accordance with the rules framed and he may, if he so desires, delegate this power in relation to non-teaching staff to another officer of the University.

Deans of Faculties.

11. Every Dean of Faculty shall be appointed in such manner and shall exercise powers and perform his duties as may be prescribed by the Statutes. Each Dean of faculty shall be appointed by the Vice-Chancellor from among the Professors in the Faculty for a period of three years and shall be eligible for reappointment.

The Registrar.

12. (i) The Registrar shall be a whole-time officer of the University and shall be appointed by the Syndicate on the recommendation of a Committee consisting of the Vice-Chancellor as Chairman, two nominees of the Syndicate, a nominee of the Chancellor and a nominee of the State Government. He shall be appointed for such period and on such terms and conditions as may be prescribed by the statutes;
- (ii) The Registrar may resign his office by writing under his hand addressed to the Vice-Chancellor;
- (iii) If the Registrar is for any reason temporarily unable to exercise the powers or perform the duties of his office, the Vice-Chancellor may, with the approval of the Syndicate, appoint a teacher of the University or an officer of the University temporarily for a total period not exceeding six months to exercise the powers and perform the duties of the Registrar.

Powers and duties of the Registrar.

13. Subject to the supervision, direction and general control of the Vice-Chancellor, the Registrar shall act as the ex-officio Secretary of the Senate as also of the Syndicate, the Academic Council, the Planning Board, the Maharaja Bir Bikram University and the Boards of Faculties and shall not be deemed to be a member of any of the authorities. He shall exercise such powers and perform such duties as may be prescribed, may be assigned to him by the Vice-Chancellor or delegated to him by or under the provisions of this Act, and the Statutes, the Ordinance or the Regulations, as the case may be.

The Finance Officer.

14. (i) (a) The Finance Officer shall be a whole-time Officer of the University and shall be appointed in accordance with the UGC Regulation by the Syndicate on the recommendation of a Committee consisting of the Vice-Chancellor as Chairman, two nominees of the Syndicate, a nominee of the Chancellor and a nominee of the State Government, or
- (b) he may be brought on deputation from an Organized Accounts Service for a period of not exceeding five years on such terms and conditions as may be prescribed.
- (ii) The Finance Officer shall be the ex-officio Secretary of the Finance Committee or Committees constituted by it, but shall not be deemed to be a member of the Finance Committee;

- (iii) If the Finance Officer is for any reason temporarily unable to exercise the powers or perform the duties of his office, the Vice-Chancellor may, with the approval of the Syndicate, appoint a person temporarily for a total period not exceeding six months to exercise the powers and perform the duties of the Finance Officer.

Powers and duties of the Finance Officer.

15. (i) Subject to the supervision, direction and general control of the Vice-Chancellor, the Finance Officer shall be in charge of the administration of the funds, the finances and the properties of the University and of all trusts and endowments; and he shall take special interest in activities that aim at raising funds for the purpose of the University and augmenting resources of the University;
- (ii) The Finance Officer shall exercise such other powers and perform such other duties as may be prescribed or delegated to him by or under the provisions of this Act and the Statutes, the Ordinances or the Regulations, as the case may be.

Supervisory power of the Registrar.

16. The Registrar, shall be the Principal Administrative Officer of the University;
- Provided that in their respective spheres of duties and subject to supervision, direction and control of the Vice Chancellor, the Registrar shall, subject to the provisions of this Act, have the power of supervision and control over all officers and employees serving in departments under their charge and shall exercise such disciplinary power as may be conferred on them by or under this Act or by Statutes or Ordinances.

Controller of Examinations.

17. The Controller of Examinations shall be a whole-time officer of the University and shall be appointed by the Syndicate on the recommendation of a Committee consisting of the Vice-Chancellor as Chairman, two nominees of the Syndicate, a nominee of the Chancellor and a nominee of the State Government. He shall be appointed for such period and on such terms and conditions as may be prescribed by the statutes.

CHAPTER - III
Authorities of the University

Authorities the University.

18. The following shall be the authorities of the University:-
- (i) The Senate;
 - (ii) The syndicate;
 - (iii) The Academic Council;
 - (iv) The Boards of Faculties;
 - (v) The Finance Committee;
 - (vi) The Planning Board;
 - (vii) Such other authorities as may be established under the Statutes.

The Senate.

19. The Senate shall consist of the following categories of ex-officio members and elected members:-

- (i) **Ex-officio members -**
 - (a) The Chancellor;
 - (b) The Vice-Chancellor;
 - (c) The Deans of the Faculty Councils for Post-Graduate Studies;
 - (d) The Head of the Post-Graduate Department;
 - (e) The Secretary, Education(Higher) Department, Government of Tripura;
 - (f) The Secretary, Finance Department Government of Tripura or his nominee not below the rank of Joint Secretary to the Government of Tripura;
 - (g) The Secretary, Law Department, Government of Tripura;
 - (h) The President, Tripura Board of Secondary Education;
 - (i) The Registrar of the University shall be the Ex officio Secretary of the Senate.
- (ii) **Elected members -**
 - (a) Not more than three professors of the University (other than Heads of Departments) belonging to Departments under separate Faculty Councils for Post-Graduate studies, elected jointly by the Professors of the University (other than Heads of Departments);
 - (b) Not more than three Associate Professors and three Assistant Professors of the University, other than Heads of the Departments, elected by such teachers from amongst themselves;
 - (c) Five teachers other than Principals, elected by the Teachers of affiliated Colleges, if there be any, from amongst themselves;
 - (d) Two Principals of affiliated Colleges, if there be any, from amongst themselves elected by the Principals from amongst themselves;
 - (e) Two members of the Tripura Legislative Assembly elected by the members amongst themselves;
 - (f) One member of the Tripura Tribal Areas Autonomous District Council to be elected by the members amongst themselves;
 - (g) Three regular post-graduate students of the University, of whom at least one shall be a lady student, elected by an electoral college of such students constituted in the manner prescribed;
 - (h) Six (three UR, one female member, one ST, one SC) regular undergraduate students of the affiliated Colleges, if there be any, elected by an electoral College of such students constituted in the manner prescribed;

Explanation I: "Regular post-graduate student" or "Regular under-graduate student" shall mean a student who has been prosecuting his studies in a post-graduate Department of the University under any Faculty for Post Graduate studies or in an affiliated college, as the case may be and who is not in default of payment of the prescribed tuition fees and other dues of the University or the College, as the case may be, till such date as may be notified by the University in this behalf;

Explanation II: Notwithstanding anything contained elsewhere in this Act, a member elected under this clause shall hold office for a period of two years from the date of his election or till he ceases to be a regular post-graduate or under-graduate student of the University whichever is earlier;

- (i) One Research scholar or Research Fellow of the University elected by such Research Scholars and Research Fellows, if there be any, in the manner prescribed;

Explanation I: "Research Scholar" or "Research Fellow" shall mean a whole time Research Scholar or Research Fellow of the University;

Explanation II: Notwithstanding anything contained elsewhere in this Act, a Research Scholar or Research Fellow elected under this clause shall hold office for a period of two years from the date of his election or till he ceases to be a Research Scholar or Research Fellow of the University;

- (j) one member elected by the members of the non-teaching staff of the University from amongst themselves and one member elected by the members of non-teaching staff of the affiliated Colleges from amongst themselves;
- (k) one member elected by the officers of the University from amongst themselves;
- (l) one member elected by the Librarians of the University and of the Colleges affiliated to the University from amongst themselves;
- (m) two persons having special interest in the University, of whom one shall be a person representing the Professions of industry or agriculture and one shall be a person having interest in the welfare of the Scheduled Castes and Scheduled Tribes community nominated by the Chancellor;
- (n) five registered graduates of the University living within the territorial jurisdiction of the University to be elected by such registered graduates from amongst themselves;

Provided that, until any such registered graduate from the Maharaja Bir Bikram University, to be established under this Act is available, the Tripura University's registered graduates living within the territorial jurisdiction of the Maharaja Bir Bikram University shall form the Registered Graduates' constituency;

Explanation I: Since all the Degree Colleges in Tripura have so far been and will remain affiliated to the Tripura University under Tripura University Act, 2006 till the appointed day, the Registered Graduates' Constituency shall consist, initially of the Graduates of the Tripura University set up under Tripura University Act, 2006 and Tripura University set up under Tripura University Act, 1987, that is, until the Maharaja Bir Bikram University Graduates' Constituency is formed;

Explanation II: All elections to the Senate shall be held in the manner prescribed by Statutes.

Powers and functions of the Senate.

20. The Senate shall be an advisory body and subject to the provisions of this Act, it shall have the following powers and functions, namely:-

- (a) to review from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University ;
- (b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report thereon;
- (c) to advise the Chancellor in respect of any matter which may be referred to it for advice and to perform such other duties and exercise such other functions as may be assigned to it by this Act or the Statutes or by the Chancellor;
- (d) to review from time to time the activities of the Syndicate and issue guidelines where necessary.

Meeting of the Senate.

21. (i) The Senate shall meet at least thrice in a financial year, other than for convocation, on dates to be fixed by the Vice-Chancellor. One of such meetings shall be called the Annual Meeting. The Senate may also meet at such other times as it may, from time to time, decide;

(ii) One-third of the total number of members of the Senate plus one shall be a quorum for a meeting of the Senate:

Provided that such quorum shall not be required at convocation.

(iii) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing by not less than one-third of the total number of members of the Senate, convene a meeting of the Senate. A meeting on such requisition shall be held within fifteen days of the receipt of the requisition by the Vice-Chancellor.

The Syndicate.

22. (i) The Syndicate shall consist of the following members:-

(a) The Vice-Chancellor;

(b) Two Deans of Faculties by rotation;

(c) Two Principals of affiliated colleges, if there be any, by rotation one of whom shall be a woman nominated by the Chancellor;

(d) One Professor, one Associate Professor and one Assistant Professor by rotation nominated by the Vice-Chancellor;

(e) A nominee of the Chancellor;

(f) A nominee of the Chairman, U.G.C;

(g) A nominee of the State Government;

(h) Two members of the Senate to be elected by the Senate from among its elected members none of whom shall be an employee of the University or an affiliated college, if there be any, or a recognized institution;

(i) The Registrar of the University shall be the Ex officio Secretary of the Syndicate;

(ii) One-third of the total number of members of the Syndicate shall be a quorum for a meeting of the Syndicate.

Powers and functions of the Syndicate.

23. Subject to the provisions of this Act, the Syndicate shall exercise the following powers and perform the following functions: -

(i) to initiate proposals for the making of Statutes and Ordinances including proposals for amendment or repeal thereof, in the manner hereafter provided;

(ii) to recommend to the Chancellor the establishment of University Departments, institutions, centres, libraries, laboratories and museums for study and research;

(iii) to maintain University Departments, University Institutions, University Libraries, University Laboratories and University Museums;

(iv) to establish, maintain and manage hostels and hall;

(v) to direct the inspection of University Libraries, University Laboratories, University Museums, hostels and halls;

- (vi) to recommend to the Chancellor, after consulting the Academic Council the institutions of fellowships, travelling fellowships, studentships, stipends, bursaries, exhibitions, medals and prizes, the expenses of which shall be met from the University Fund, and to award the same after institution thereof by the University;
- (vii) to recommend to the Chancellor, after consulting the Academic Council, the creation and institution of professorships, Associate Professorships, Assistant professorships as per the UGC guideline and such posts as may be necessary for the establishment of the University Departments, Institutions, Colleges Libraries, Laboratories and museums;
- (viii) to create, with the approval of the State Government, posts of officers, teachers and other employees of the University and to recommend to the Senate for creation of posts of officers and teachers of the University;
- (ix) to appoint teachers and employees of the University and to fix their emoluments and define their duties and other terms and conditions of service in accordance with the Statutes and the Ordinances and to suspend, discharge or otherwise punish in accordance with the Ordinances such teachers, officers and employees;
- (x) to pass appropriate orders on the basis of the recommendation of the Academic Council regarding affiliation of a college or an institution or a centre in one or more subjects or withdrawal of affiliation or recognition of a college or institution or a centre;
- (xi) to make draft of Statutes, on the recommendation of the respective Council for under-graduate studies, for colleges, other than Government Colleges, prescribing the constitution, powers and functions of their Governing Bodies;
- (xii) to determine the terms and conditions of service of Librarians and non-teaching staff;
- (xiii) to make rules for Teachers' Council for Colleges;
- (xiv) to prescribe and collect fees or charges for registration of students and their admission to courses of studies organized by the University for holding examination, for the grant of degrees, diplomas and certificates, and for other like purpose;
- (xv) to recommend to the Chancellor, after consulting the Academic Council, the institution of degrees, titles, diplomas, certificates and other academic distinctions;
- (xvi) to recommend to the Chancellor, on the advice of the appropriate body, the conferment of degrees titles, diplomas, certificates and other academic distinctions on persons who have pursued prescribed course of studies or have been exempted there from in the prescribed manner, and have passed such examination, or have carried on research under such conditions, as may be prescribed;
- (xvii) to recommend to the Chancellor the conferment of honorary degrees and other academic distinctions;
- (xviii) to make regulations regarding the examinations which shall be recognized as the equivalent examinations held by the University;
- (xix) to make regulations regarding the conduct of examinations held by the University and the conditions under which students may be admitted to the different courses of studies of and the examinations held by the University;

- (xx) to make regulations regarding all other matters which may be or are required to be prescribed or provided by regulations;
- (xxi) to provide for co-operation and reciprocity among colleges, institutions and laboratories and the University so as to foster development of academic life and to ensure the fullest utilization of the teaching resources available on the recommendation of the respective faculty Council for undergraduate studies;
- (xxii) to give directions regarding the form, custody and use of the common seal of the University;
- (xxiii) to acquire, hold and dispose of property, movable and immovable, and to administer all assets, properties and funds of the University and to undertake all measures necessary or desirable for the conservation or augmentation of the resources of the University;

Provided that for the purpose of disposing of any property valued at not less than one lakh of rupees previous approval of the Senate shall be necessary;
- (xxiv) to accept and administer gifts, endowments and benefactions for the furtherance of the purpose of this Act;
- (xxv) to accept grants and, with the approval of the State Government, to raise or accept loans on behalf of the University and to make grants or advances from the University Fund or other Special funds maintained by the University;
- (xxvi) to enter into an agreement with State Government or with the approval of the State Government with any person, body or authority for the taking over by the University of the management of any college or institution including its assets and liabilities, or for any other purpose not repugnant to the provisions of this Act on the recommendation of the Faculty Council for post-graduate studies or the Council for under-graduate studies concerned;
- (xxvii) to manage the Press Establishment, the publication Bureau and the Employment Bureau of the University and to exercise general supervision over Students' Unions, University Extension Board and University Sports Board, if any, and other bodies instituted by the University;
- (xxviii) to approve the Annual Statement of Accounts and the Annual Financial Estimates of the University and submit the same to the Senate for consideration;
- (xxix) to prepare the annual report and submit the same to the Senate for consideration;
- (xxx) to make due provisions for the health, welfare, residence and discipline of students and their relationship with the University and to provide for such other training of students as may be considered desirable;
- (xxxi) to co-operate with other Universities, institutions, associations, societies or bodies on such terms and for such purposes, not inconsistent with the purpose of this Act, as it may determine;
- (xxxii) to make rules for the transaction of its own business;
- (xxxiii) The minimum qualifications for the post of Principal, teachers and teachers of the University will be in accordance with the UGC guideline;

- (xxxiv) to hold and conduct University examination leading to degrees, diploma and certificates and to approve and publish the results thereof in accordance with the regulations made in this behalf;
- (xxxv) to exercise all other powers and perform all other functions conferred and imposed on the Syndicate by or under this Act.

Academic Council

24. (i) The Academic Council shall be the principal academic body of the University and subject to the provisions of this Act, the Statutes and the Ordinances –
- (a) Shall have the control and general regulations of and be responsible for the maintenance of standard of instruction, education and research carried on or imparted in the University;
 - (b) May advise the Syndicate on all academic matters including matters relating to examinations conducted by the University; and shall have such powers and duties as may be conferred or imposed upon it by the Statutes;
- (ii) The Academic Council shall consist of the following members, namely –
- (a) The Vice-Chancellor;
 - (b) The Deans of all Faculties;
 - (c) The Registrar of the University shall be the Ex officio Secretary of the Academic Council;
 - (d) All Heads of Departments of the University and where there is no department in a subject in the University, the senior-most teacher from affiliated colleges, representing that subject on the Faculty concerned;
 - (e) All professors of the University who are not Heads of Departments;
 - (f) The Principals of constituent or affiliated colleges, if any;
 - (g) Fifteen teachers of the constituent or affiliated colleges to be nominated by the Vice-Chancellor by rotation according to seniority;
 - (h) Five persons of academic eminence to be nominated by the Chancellor;
- (iii) The term of office of members other than ex-officio members shall be such as may be prescribed by the Statutes.

Powers and functions of the Academic Council.

25. (i) Powers and Functions of the Academic Council shall be –
- (a) to scrutinize and make its recommendations on proposals submitted by the Boards of Studies through the Faculties in regard to the course of study and to recommend principles and criteria on which examiners and the inspectors may be appointed, for consideration of the Syndicate;
 - (b) to report on any matter referred or entrusted to it by the Syndicate;
 - (c) to advise the Syndicate in regard to the Universities and institutions and in regard to their equivalence with the diploma and degrees of the University;
 - (d) to advise the Syndicate in regard to the qualifications required to be possessed by persons imparting instruction in particular subjects for the various degree and diplomas of the University; and

- (e) to perform in relation to academic matters all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act, the Statutes and the Ordinances.
- (ii) The meetings of the Academic Council shall be called under the directions of the Vice-Chancellor.

Provided that, interval in between two meetings shall not exceed six months.

The Faculties.

26. (i) The University shall have such Faculties as may be prescribed;
- (ii) Each Faculty shall comprise such departments of teaching as may be prescribed and each department shall have such subjects of study as may be assigned to it by the Ordinance;
 - (iii) There shall be a Board of each Faculty, the constitution (including the term of office of its members) and powers and duties of which shall be such as may be prescribed;
 - (iv) There shall be a Dean of each Faculty who shall be chosen from amongst the Professors by rotation in order of seniority and shall hold office for three years and their terms and conditions of holding officer shall be prescribed in Statutes;
 - (v) The Dean shall be the Chairman of the Board of Faculty and be responsible for
 - (a) the organization and conduct of the teaching and research work of departments comprised in the Faculty; and
 - (b) the due observance of the Statutes, Ordinance and Regulations related to the Faculty;
 - (vi) In each Department of teaching in the University, there shall be a Head of the Department whose appointment shall be regulated by Statutes;
 - (vii) The Head of Department shall be responsible to the Dean for the organization of teaching in the Department and have such other powers and duties as may be provided in the Ordinance;
 - (viii) There shall be constituted in accordance with the provisions of the Ordinances, Boards of Studies in respect of different subjects of study and more than one subject may be assigned to one Board of Studies..

The Finance Committee.

27. There shall be a Finance Committee with the Vice-Chancellor as the Chairman. The Constitutions, powers and functions of the Finance Committee shall be prescribed by Statutes and its procedure in financial matters, including the delegation of its powers, shall be prescribed by Ordinance.

Planning Board.

28. (i) There shall be constituted in the University a Planning Board which shall be the principal planning body of the University and be responsible for the monitoring of the development of the University on the lines as laid down in the objects of the University;

- (ii) The Planning Board shall be presided over by the Vice-Chancellor and shall include nine other members to be nominated by the Syndicate out of whom six shall be from within the University and three from outside;
- (iii) All members of the Planning Board other than the Vice-Chancellor shall hold office for a term of three years;
- (iv) The Planning Board shall in addition to all other powers vested on it by this Act have the right to advise the Syndicate and the Academic Council on any matter which it may deem necessary for the fulfilment of the objects of the University;
- (v) The Planning Board may constitute Committee or Committees for the Planning or monitoring of the programmes of the University;
- (vi) The Planning Board shall meet at such intervals as it may deem expedient but it shall meet at least thrice a year.

Mode of appointment of teachers.

29. (i) A University Professor shall be appointed by the Syndicate as per the UGC Regulation on the basis of a selection committee consisting of :
- a) Vice-Chancellor, as the Chairman;
 - b) A person, not holding any office of profit under the University and having special knowledge on the subject which the Professor will teach, nominated by the Chancellor;
 - c) two persons, not holding any office of profit under the University and having special knowledge on the subject which the Professor will teach, nominated by the Syndicate;
 - d) The Dean of the Faculty concerned.
- (ii) A University Associate Professor or a University Assistant Professor shall be appointed by the Syndicate as per the UGC Regulation on the basis of a selection committee consisting of:
- a) Vice-Chancellor, as the Chairman;
 - b) A person, not holding any office of profit under the University and having special knowledge on the subject which the Associate Professor or the Assistant Professor as per UGC Regulation will teach, nominated by the Chancellor;
 - c) two persons, not holding any office of profit under the University and having special knowledge on the subject which the Associate Professor or the Assistant Professor will teach, nominated by the Syndicate;
 - d) The Dean of the Faculty concerned.

Procedure for holding meetings of selection Committee.

30. (i) Three members, of whom at least two shall be persons having special knowledge on the subject concerned, shall be a quorum for a meeting of a Selection Committee.
- (ii) If the Syndicate does not accept the recommendation of a Selection Committee, it shall refer the recommendation stating reasons for not accepting it to the Chancellor and the decision of the Chancellor shall be final.

Special Provision for Selection of candidates for teaching posts.

31. (i) Notwithstanding anything contained in section 29 or Section 30, until the constitution of a selection Committee referred to therein, a University Professor or a University Associate Professor or a University Assistant Professor shall be appointed by the Maharaja Bir Bikram University Council, referred to in sub-section (i) of section 58 on the recommendation of a Selection Committee, constituted by the said Council in such manner as it thinks fit, which shall include as its member at least one person not holding any office of profit under the University and having special knowledge of the subject which the Professor or the Associate Professor or the Assistant Professor, as the case may be will teach, nominated by the Chancellor.
- (ii) If the Maharaja Bir Bikram University Council does not accept the recommendations of the Selection Committee the provisions of sub-section (ii) of Section 29 shall apply mutatis mutandis.

Letter of appointment of teachers officers & employees.

32. (i) Every Teacher, every officer and every employee of the University shall, on appointment as such, be provided with letter of appointment containing such terms and conditions of appointment as may be prescribed by Ordinances.
- (ii) A teacher or an officer or an employee appointed against a permanent vacancy shall be on probation ordinarily for a period of one year from the date of such appointment and such period of probation may, at the discretion of the appropriate authority of the University, be extended for a further period not exceeding one year.
- (iii) If, at any time during the period of probation, the probationer's work is not considered satisfactory, the probationer shall be discharged by the authority concerned.
- (iv) On satisfactory completion of the period of probation, a teacher or an officer or an employee, as the case may be, shall be confirmed with effect from the date of his appointment on probation by an order in writing made by the University in this behalf and the fact of such confirmation shall be communicated to the person concerned.

Provided that if, on completion of the period of probation, no such order of confirmation is made and communicated to the persons concerned within a period of two months of the completion of the period of probation, the persons concerned shall be deemed to have been confirmed with effect from the date of his appointment on probation completion of the period of probation, the person concerned shall be deemed to have been confirmed with effect from the date of his appointment on probation.

Termination of service of temporary teacher, officer or employee.

33. The services of a temporary teacher or employee shall not be terminated before expiration of the period for which he is appointed except after serving one month's salary in lieu thereof.

Standing Committee for selection of officers or employees.

34. The Syndicate may Constitute Standing Committee or Standing Committees for selection of persons for appointment to the posts of officers and to the other non-teaching posts and may, subject to the provisions of this Act, prescribed by Ordinances the procedure and the method of such selection.

Tribunal.

35. (i) If in the case of any dispute between the University and any Teacher, Officer or employees of the University no final order has been passed by the University within a period of one year from the date on which the dispute was referred to the University by such Teacher, Officer or employees, such dispute shall on the request of such Teacher, Officer or employee, be referred to a Tribunal consisting of the following members, namely:
- a) A Chairman to be nominated by the Chancellor;
 - b) One person to be nominated by the Syndicate;
 - c) One person to be nominated by the Teacher, officer or employee concerned;
- (ii) Any appeal from an employee of the University in a disciplinary matter shall be referred to the Tribunal and shall be decided and disposed of by the Tribunal;
- (iii) The Tribunal may call for any record, report or other information from the University if in its opinion, such record, report or the information is necessary for efficient discharge of its functions, and the University shall furnish such record report or other information to the Tribunal;
- (iv) The decision of the Tribunal shall be final and no suit or proceeding shall lie in any civil court in respect of the matters decided by the Tribunal;
- (v) Every request under sub-section (i) shall be deemed to be a submission to arbitration upon the terms of this section, within the meaning of the Arbitration Act, 1940, and all the provisions of that Act with the exception of section 2 thereof shall apply accordingly.

CHAPTER - IV

General provisions governing all authorities or other bodies of the University

Disqualifications.

36. (i) No persons shall be qualified for election or nomination as a member of any authority or body of the University or shall continue as such members if he -
- a) is of unsound mind or a deaf-mute or
 - b) is an undercharged insolvent, or
 - c) has been convicted by a court of law for an offence involving moral turpitude.
- (ii) In case of any doubt or dispute, the Chancellor's decision whether a person is disqualified under the provisions of sub-section (i) shall be final.
- (iii) No persons shall be entitled to stand as a candidate for election to any authority or body of the University from more than one constituency.
- (iv) No person shall be entitled to be enrolled as a voter for, or to cast his vote at, an election to any authority or body of the University from more than one constituency:

Provided that this sub-section shall not apply in the case of an election of members of the Senate to the Syndicate, the Faculty Councils for Post-graduate studies, and the Councils for Under-graduate studies.

Terms of office of members.

37. (i) Save as otherwise provided in sub-section (iv) an elected or nominated member of any authority or body of the University shall hold office for a period of four years from the date of his election or nomination, as the case may be :

Provided that in respect of the first elections and nominations under this Act, the said period of four years shall commence from the date of the first meeting of the authority or body held after such elections and nominations;

- (ii) The term of office of members other than ex-officio members of any authority or body of the University shall be held to include any period which may elapse between the expiry of the said term and the date of election of new members to such authority or body to fill vacancies arising by efflux of time;
- (iii) When elections are held on more than one date, the last of such dates shall be taken to be the date of election for the purpose of this section;
- (iv) Any member elected or nominated to fill casual vacancy shall hold office for the unexpired portion of the term of office of the member in whose seat he is so elected or nominated.

Cessation of Membership in certain cases.

38. (i) When a person is qualified to be a member of any authority or body of the University by virtue of his membership of any other authority or body he shall cease to be a member of the authority or body of the University when he ceases to be a member of the other;
- (ii) When a person is elected or nominated as a member of any authority or body of the University from any constituency, he shall cease to be such a member when he ceases to belong to that constituency.

Filling of Vacancies.

39. (i) Any casual vacancy among the elected members of any authority or body of the University shall be filled, in such manner and within such time as may be prescribed, by election by such authority or body of persons representing the interest which the member, whose seat has become vacant, represented;
- (ii) Any vacancy among the nominated member of any authority or body of the University shall be filled, within such time as may be prescribed, by nomination by the person or authority that nominated the member whose seat has become vacant;
- (iii) Vacancies arising by efflux of time in the seats of elected members of authority or body of the University shall be filled by election to be held on such date or dates, not later than six months or such extended period as the Chancellor may, by order made in this behalf, specify so, however, that the aggregate period shall not exceed one year, from the date on which the vacancies arise, as the Vice-Chancellor may fix.

40. No Act or proceeding of the University or of any authority or body of the University shall be deemed to be invalid merely by reason of the existence of vacancy or vacancies among its members or the invalidity of the election of any of the members.

Explanation- For the avoidance of doubt it is hereby declared that when the office of any member of any authority or body of the University cannot be filled up, when such authority or body is constituted for the first time, on account of any selection or appointment not being for any reason feasible, there shall be deemed to be vacancy in the office of such member until such election takes place or such appointment is made.

Election Tribunal.

41. (i) There shall be an Election Tribunal to which shall be referred any question as to whether any person is eligible under this Act for election or nomination or has been duly elected or nominated as, or is entitled to be a member of any authority or body of the University, and the decision of the Election Tribunal on such question shall be final;
- (ii) The constitution of the Election Tribunal shall be prescribed by Statutes;
- (iii) If during the progress of any election of members to any authority or body of the University, the election Tribunal is satisfied that such election is vitiated by fraud or corrupt practices, the Election Tribunal may make an order annulling the proceedings in respect of such election or any part thereof and directing fresh proceedings to be started, in accordance with the provisions of this Act and the Statutes, the Ordinances and the Regulations, from such stage as may be specified in the order and such order of the Election Tribunal shall be final;
- (iv) No suit or proceeding shall lie in any civil court against a decision or order of the Election Tribunal under sub-section (i) or sub-section (iii) as the case may be.

Casting Vote by the Chairman.

42. At a meeting of the Senate, the Syndicate, the Academic Council or any other authority or body of the University the person presiding at the meeting shall not vote in the first instance but shall have, and exercise, a casting vote in the case of any equality of votes.

CHAPTER – V

Funds of the University, Accounts Audit and Inspection

The University Fund.

43. (i) The University shall have a fund to be known as the University Fund to which shall be credited all its income from fees, fines, contributions donations, loans and advances and from any other source whatsoever. The University may also create, by Ordinances made in this behalf, separate special funds of the administration of endowments, trusts or specific grant or grants for other special purposes.
- (ii) Teachers of the University are allowed to apply for any fund related to research or any purpose to any Govt. or Non Govt. Research or for any purpose to any Govt. or non Govt. organisation/statutory bodies. Where the fund will be utilised by the University for the purpose for which it is sanctioned considering the fund are of University.

General limitation of financial powers of the University.

44. (i) The budget of the University showing the receipt and expenditure of the University on different accounts for a financial year shall be submitted to the State Government for approval at least four months before the beginning of such financial year in such form as may be specified by the State Government;
- (ii) The State Government shall, within fifteen days of commencement of the financial year to which the budget relates, communicate its approval or otherwise of the budget to the University;
- Provided that the State Government shall, from time to time, release grants to the University to incur expenditure till the budget is approved;
- (iii) Notwithstanding anything to the contrary contained in this Act, the University shall not, except with the prior approval of the State Government incur any expenditure on any account in excess of the amount specified in the budget on that account.

Provident Fund.

45. Any provident fund instituted by the University for the benefit of its employees shall be governed by the provisions of the Provident Funds Act, 1925 as if such fund were a Government Provident Fund and the Syndicate shall have power to frame Ordinances, not inconsistent with the provisions of that Act, for the administration of the fund.

Annual Accounts and Audit.

46. (i) The Annual Statement of Accounts of the University shall, after examination by the Syndicate, be subjected to such audit as the State Government may direct;
- (ii) Such Annual Statement of Accounts shall, together with copies of the audit report thereon, be submitted to the Senate which shall consider the audited annual accounts at a meeting and may take such action thereon as it thinks fit;
- (iii) The University shall have a continuous internal audit, and the report of such audit shall be submitted to the State Government as soon as possible after the end of every financial year;
- (iv) The State Government may require the University to supply to it any information in regard to the accounts and the budget and the University shall comply with such requisition.

CHAPTER – VI **Statutes, Ordinances, Regulations and Rules.**

Statutes.

47. Subject to the provisions of this Act, statutes may be made to provide for all or any of the following matters:-
- (i) the declaration of posts of officers of the University referred to in clause (vii) of Section 7;
- (ii) the establishment of authorities of the University referred to in clause (vi) of Section 18;

- (iii) the powers, duties and terms and conditions of service of the officers of the University in so far as these have not been specifically provided for in the Act;
- (iv) the constitution, powers and duties of the authorities of the University in so far as these have not been specifically provided for in this Act;
- (v) the rules and procedure for holding elections to the Senate, the Syndicate and other authorities and bodies of the University;
- (vi) the rules and procedures for Student's Union Council for the University students;
- (vii) the terms and conditions of affiliation or recognition of college or institutions, including terms and conditions for continuance of such affiliation or recognition and rules for disaffiliation or withdrawal or recognition of such colleges or institutions;
- (viii) the terms and conditions of recognition of colleges as constituent college or affiliated colleges;
- (ix) the constitution, powers and functions of the authorities of the constituent college or affiliated Colleges;
- (x) the terms and conditions of service and the minimum emoluments for posts of Principals, teachers and such other employees, as the University may deem fit, of all affiliated colleges, other than Government Colleges;
- (xi) the rules for Provident Funds for Teachers of the constituent college or affiliated Colleges;
- (xii) the holding of convocations to confer degrees, titles, diploma, certificates and other academic distinctions, including honorary degrees and distinctions;
- (xiii) the conditions for the registration of graduates, Post Graduate, Ph.D, D.Sc, D. Litt. of the University and for the maintenance of a register for registered students;
- (xiv) the minimum qualifications for the post of teachers and teachers of the University and maintaining of seniority list among the teachers of University and constituent colleges;
- (xv) All other matters which under this Act are required to be or may be prescribed by Statutes.

How to make Statutes.

- 48.** (i) The Syndicate may of its own motion, and shall when required by the Senate, make a draft of any Statute in consultation with the Faculties, if necessary. The draft is to be passed in the Syndicate by two-thirds majority of the members present and voting;
- (ii) A Statute, passed in the manner provided in Sub-Section (i) shall be presented to the Chancellor for assent and shall come into force on being assented to by the Chancellor in consultation with the Government;
- (iii) A Statute shall remain in force until repealed or amended by a new Statute similarly passed and assented to by the Chancellor.

Ordinances.

49. Subject to the provisions of this Act and the Statutes, Ordinances may be made to provide for all or any of the following matters:-

- (i) the admission of students of the University and the constituent college or affiliated colleges and their enrolment as such;
- (ii) the levy of fees in University Laboratories;
- (iii) the conditions of residence and rules of discipline of the students of the University, including students of the constituent college or affiliated colleges and the levy of fees for residence in halls;
- (iv) the appointment of teachers, officers and employees of the University, their emoluments, their duties and other terms and conditions of their service, in so far as these have not been specifically provided for in this Act or in the Statutes;
- (v) rules for the institution of Provident Fund or other funds for the benefit of employees of the University;
- (vi) rules for the establishment, maintenance and management of University Libraries, University Museum, halls and other University Institutions for study, research and residence;
- (vii) rules for the recognition of libraries, laboratories, museum, hostels and institutions for study, research and residence, other than those establishment maintained and managed by the University;
- (viii) rules for the taking over of the management of a constituent college or affiliated colleges or institution, in order to ensure that proper standards of teaching and instruction are maintained therein;
- (ix) rules for the exercise of general supervision and control over the constituent college or affiliated colleges or institutions and for the giving of financial aid to them;
- (x) rules for the inspection or investigation into the constituent college or affiliated colleges, to ensure that proper standards of teaching training and research are maintained therein;
- (xi) rules for the imposition and collection of fees;
- (xii) the duties and functions of the teachers of the University including the Head of Departments;
- (xiii) rules for the registration of students;
- (xiv) the appointment, duties and remuneration of examiners;
- (xv) rules for the administration of gifts, endowments and benefactions and for the institution and award of fellowships, studentships, stipends, bursaries, exhibitions, medals and prizes;
- (xvi) rules and procedure for accepting grants and for raising or accepting loans other than loans from the Central or any State Government;
- (xvii) all other matters which under this Act or the Statutes are required to be or may be prescribed by Ordinances.

How to make Ordinance.

50. (i) The Syndicate shall take into consideration drafts of Ordinances proposed to be passed after notice thereof has been given to the members of the Syndicate at least three weeks in advance of the date fixed for consideration of the same by the Syndicate. The Vice-Chancellor may direct a shorter notice in a matter which in his opinion is of an emergent nature;
- (ii) An Ordinance shall be deemed to be passed if it is agreed to by a majority of the total number of members of the Syndicate existing at the time;
- (iii) The Chancellor may direct that the operation of any Ordinance shall be suspended until such time as the Senate has had an opportunity of considering the same;
- (iv) All Ordinances shall, unless cancelled or modified by the Chancellor, remain in force until repealed or amended by a new Ordinance similarly passed and brought into force.

Regulation.

51. Subject to the provisions of this Act and Statutes and the Ordinances, Regulations may be made to provide for all or any of the following matters:-

- (i) the powers and functions of the Boards of Studies;
- (ii) the functions and duties of Teacher's Councils in the University and in the constituent college or affiliated colleges;
- (iii) the conditions for admission to the different courses of study and examinations of students;
- (iv) the rules for the conduct of University Examination;
- (v) the courses of study and the division of subjects upon the recommendation of the Faculty Council for Post-Graduate studies or the Council for under-graduate studies concerned;
- (vi) all other matters which under this Act or the Statutes or the Ordinances are required to be or may be prescribed by Regulations.

How to make Regulations.

52. (i) The Syndicate or a Committee appointed by it shall take into consideration drafts of Regulations, consistent with this Act and the Ordinances after notice of the proposed Regulations has been given to the members of the Syndicate at least three weeks in advance of the date fixed for consideration of the same by the Syndicate or the Committee appointed by it. The Vice-Chancellor may direct a shorter notice in a matter which in his opinion is of an emergent nature;
- (ii) A Regulation shall be deemed to be passed by the Syndicate, if it is agreed to at a meeting of the Syndicate by a majority of the total number of members of the Syndicate existing at the time. A Regulation shall come into force immediately on being passed unless otherwise directed by the Chancellor;
- (iii) The Senate shall have the power, by a resolution passed by a majority of its total number of members existing at the time, to cancel or modify any Regulation;
- (iv) A Regulation shall, unless cancelled or modified by the senate under Sub-section (iii), remain in force until repealed or amended by new Regulation similarly passed and brought into force.

Rules.

53. Subject to the provisions of this Act and the Statutes, the Ordinances and the Regulations, Rules may be made for the purpose of duly carrying out the provisions of or exercising the powers conferred by, this Act or to provide for matters which, by the Statutes, the Ordinances or the Regulations, are required to be prescribed by Rules.

Laying of the Statutes before the Legislative Assembly.

54. Every such Statute, Ordinance, Regulation and Rules shall be laid, as soon as may be after it is made, before the State Legislative Assembly.

CHAPTER – VII Miscellaneous and Transitory Provisions

55. (i) The Vice-Chancellor or, with the approval of the Vice-Chancellor, the Registrar, may, subject to the provisions of this Act, delegate such of his powers or duties conferred or imposed by or under this Act as may be prescribed by the Statutes or to an Officer of the University under his direct, administrative Control.
- (ii) Subject to the provisions of this Act :-
- (a) the Senate may delegate any of its powers or duties, conferred or imposed by or under this Act to --
 - (i) the Vice-Chancellor,
 - (ii) the Syndicate,
 - (iii) a committee constituted from among its own members, or
 - (iv) a Committee appointed in accordance with the Statutes;
 - (b) the Syndicate may delegate any of its powers or duties, conferred or imposed by or under this Act, to --
 - (i) the Vice-Chancellor,
 - (ii) a Committee constituted from among its own member,
 - (iii) a Committee constituted in accordance with the Statutes or the Ordinance.
 - (iv) Academic Council, or
 - (v) The Finance Committee;
 - (c) Academic Council may delegate any of its powers or duties, conferred or imposed by or under this Act, to --
 - (i) the Vice-Chancellor,
 - (ii) a Committee constituted from among its own members,
 - (iii) a Committee constituted in accordance with the Regulations, or
 - (iv) any of the Boards of Studies;
 - (d) The Finance Committee may delegate any of its powers or duties, conferred or imposed by or under this Act, to-
 - (i) the Vice-Chancellor, or
 - (ii) to a committee constituted from among its own members.

Completion of courses of studies in colleges formerly affiliated to any other University.

56. Notwithstanding anything contained in this Act, the Statutes, the Ordinances and the Regulations, any student of a college affiliated formerly to any other university, who was studying for any examination of such other University, shall, upon admission of such college to the University, be permitted to complete his course in preparation therefore and the University shall hold, for such students examinations in accordance with the curricula of study in force in such other University for such period as may be prescribed.

Transitory Provisions.

57. (i) Within three months from the date of coming into force of this Act, the Chancellor shall appoint, on the recommendation of and on such terms and conditions as may be determined by the State Government, a person to be the Vice-Chancellor and he shall be the first Vice-Chancellor of the University and shall hold office for a period of five years. The first Vice-Chancellor shall exercise all the powers and perform all the duties of the Vice-Chancellor under this Act;
- (ii) The first Vice-Chancellor shall, with the approval of the Chancellor and with the assistance of a Committee consisting of not less than nine members, nominated by the State Government, cause the first Statutes, the first Ordinances and the first Regulations of the University to be framed;
- (iii) The first Vice-Chancellor shall, within one year from the date of his appointment or within such longer period, not exceeding two years from the date of his appointment, as the State Government may, by notification in the Official Gazette, direct, cause arrangements to be made for constituting the Senate, the Syndicate, the Academic Council, the Boards of Faculties and the Boards of Studies in accordance with the provisions of the first Statutes, the first Ordinances and the first Regulations as framed under sub-section (ii), as if they had already come into force;
- (iv) If, for any reason,-
- (a) the constitution of the Senate, the Syndicate and other bodies referred to in sub-section (iii) cannot be completed within the period of office of the first Vice-Chancellor appointed under sub-section (i), then, on the expiry of such period, the Chancellor may, on the recommendation of and on such terms and conditions as may be determined by the State Government, appoint the first Vice-Chancellor whose period of office has expired or another person to be Vice-Chancellor for the purposes of this section for such period not exceeding two years as the Chancellor thinks fit; or
- (b) a vacancy occurs in the office of the first Vice-Chancellor before the expiry of his office, then, the Chancellor may, on the recommendation of and on such terms and conditions, as may be determined by the State Government, appoint another person to be the Vice-Chancellor for the purposes of this Section for the unexpired portion of such period or such further period not exceeding two years, as the Chancellor thinks fit, and references in this Act to the first Vice-Chancellor shall be deemed to include references to the Vice-Chancellor appointed under the sub-section;
- (v) The State Government shall, by notification in the official Gazette, appoint a date and on and from such date the Senate, the Syndicate, the Academic Council, the Boards of Faculty, and the Boards of Studies shall commence to exercise their respective functions, and the first Statutes, the first Ordinances and the first Regulations as framed under sub-section (ii) shall come into force and be first Statutes, the first Ordinances and the first Regulation of the University;

- (vi) The first Statutes, the first Ordinances and the first Regulations of the University shall remain in force until new Statutes, new Ordinances and new Regulations are made under the provisions of this Act;
- (vii) The first Vice-Chancellor may, subject to the approval of the State Government appoint such administrative, clerical and other staff (including technical staff) as he/she deems necessary for giving effect to the provisions of the section;
- (viii) All Government employees employed in any constituent College of the University will continue to function under the University in their existing capacities till such time the posts are actually filled up by the University or the incumbents are posted elsewhere by appropriate Government Orders or Notifications to be issued from time to time in the event of declaring the College as its constituent College. The said Government employees during their tenure in the University will continue to enjoy the same rights and privileges as to pension, gratuity, provident fund, savings cum group insurance scheme and other matters as they would enjoy as the State Government employees;

Provided that the State Government may consider creation of appropriate number of cadre-specific supernumerary posts or shadow posts under the aegis of Higher Education Department or Education Directorate to protect the interest of the aforesaid Government employees.

The Maharaja Bir Bikram University Council.

58. (i) On and from the appointed date till constitution of the Syndicate, the Senate and other Statutory bodies, all powers and functions of the Senate, the Syndicate or other such Statutory bodies, shall be exercised by a Council to be named the Maharaja Bir Bikram University Council, constituted under sub-section (ii) of this section and after constitution of all such bodies the Council shall stand dissolved;
- (ii) The following shall be the members of the council:-
- (a) The Chancellor;
 - (b) The Vice-Chancellor;
 - (c) The Principal Secretary/Commissioner/Secretary, Education(Higher) Department, Government of Tripura;
 - (d) The Principal Secretary/Commissioner/Secretary, Finance Department, Government of Tripura or his nominee not below the rank of Deputy Secretary to the Government of Tripura,
 - (e) The Secretary, Law Department, Government of Tripura;
 - (f) The President, Tripura Board of Secondary Education;
 - (g) All Professors of the Post-Graduate Departments;
 - (h) 14(fourteen) persons to be nominated by the Chancellor on the recommendation of the State Government in the following manner:
 - 1) 4(four) Teachers of the Post-Graduate Departments other than Professors;
 - 2) 3(three) students, one of whom should be a lady student, studying in the Post-Graduate Departments;
 - 3) 1(one) Non-teaching staff of The Maharaja Bir Bikram University office;
 - 4) 2(two) Members of the Tripura Legislative Assembly;
 - 5) 1(one) member of the Tripura Tribal Areas Autonomous District Council (TTAADC) ;
 - 6) 3(three) persons interested in University education;
- (iii) The Registrar of the University shall act as Ex officio Secretary of the Council.

- (iv) The first Registrar, the first Finance Officer and such other Officers of the University (including technical personnel) as may be required to be appointed from time to time shall be appointed by the Council on the recommendation of a Committee consisting of the Vice-Chancellor as Chairman, a nominee of the Council, a nominee of the State Government, and, subject, to the supervision, direction and general control of the Vice-Chancellor, they shall exercise all the powers and perform all the duties conferred and imposed on them by or under this Act, or delegate to them by the Vice-Chancellor;
- (v) The Council may, subject to the approval of the State Government, appoint such administrative, clerical and other staff (including technical staff) as it deems necessary for giving effect to the provision of this section;
- (vi) The council may, with the approval of the Chancellor, delegate any of its powers and functions to such body or bodies as may be constituted by it to carry on the functions of the Senate, the Syndicate, the Faculty Council for Post-Graduate studies, the Councils for Under-graduate studies, the Boards of studies, the Finance Committee and all other authorities to be constituted under this Act or the Statutes or the Ordinances:

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

- (vii) (a) (i) The Chancellor or, in his absence, the Vice-Chancellor shall preside at the meeting of the Council;
- (ii) Twenty-five per cent of the Council shall form quorum for a meeting of the Council;
- (b) Twenty-five per cent of the members of any body constituted by the Council shall be a quorum for a meeting of such body.
- (viii) No act or proceeding of the Council or of any body constituted by it shall be invalid or called in question by reason of the existence of any vacancy, initial or subsequent, in the Council or in any body constituted by the Council, as the case may be.
- (ix) The other provisions of this Act shall, if in conflict with the provisions of this section, stand modified to the extent provided in this section;

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

- (x) If a vacancy occurs in the office of the Vice-Chancellor by reason of death, resignation or expiry of the term of his office or otherwise, the same shall be filled up by the Chancellor on the recommendation of the State Government.
- (xi) Any vacancy in the Council occurring by reason of death, resignation or otherwise shall be filled up by the Chancellor on the recommendation of the State Government, in so far as such filling up is not inconsistent with the provisions of this Section.
- (xii) If, any reason of the other provisions of this Act, any difficulty arises in giving effect to the provisions of this section, the Council shall refer such difficulty to the State Government which may issue such order or do such thing, not inconsistent with the provisions of this section as appears to it to be necessary or expedient for removing the difficulty.

State Government's power of supervision.

59. (i) If, at any time, the State Government is of the opinion that the affairs of the University are not managed in furtherance of the objects for which any grant or donations is specifically made, by the State Government, Public bodies or individuals, University Funds, are misappropriated or misapplied, the State Government may indicate such matter to the Syndicate and seek explanation and call upon that body to offer such explanation, within a reasonable time, as it may desire to offer.
- (iii) If the Council fails to offer any explanation or makes proposal(s) which, in the opinion of the State Government is or are unsatisfactory, the State Government may issue such instructions, as deemed necessary and desirable in the circumstances of the case, and the Syndicate shall give effect to such instructions.

Power of the State Government in exigency.

60. If, at any time, it is considered necessary or expedient for the interest of the University, the State Government with prior consultation of the Chancellor may, by Notification, take over all or any of the powers of management and functions of all or any of the authorities of the University and may exercise such powers by such officer or authority and for such period, as may be considered necessary by the State Government.

Removal of difficulties.

61. (i) If any difficulty arises in giving effect to the provisions of this Act, after its commencement, the State Government may, by order, published in the official gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing such difficulty;

Provided that, no such order shall be made under this section after the expiry of two years from the date of commencement of this Act;

- (ii) Every order made under this section, shall be laid, as soon as may be after it is made, before the State legislature.

D.M. Jamatia.
L.R & Secretary, Law.
Government of Tripura

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