
Patna University (Amendment) Act, 1995

13 of 1995

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An Act to amend the Patna University Act, 1976. Be it enacted by the Legislature of the State of Bihar in the forty sixth year of the Republic of India as follows:- [Aims & Object.-In accordance with the guidelines of U.G.C. to conduct examination for the appointment of lecturers in the University Constituent Colleges/ Affiliated Colleges, provisions for Bihar Eligibility Test, at par with National Eligibility Test, were made by promulgating the Patna University (Amendment) Second Ordinance, 1995. The object of, this Bill is to enact provisions of the said ordinance.]

1. Short Title And Commencement :-

- (1) This Act may be called Patna University (Amendment) Act, 1995.
- (2) It shall come into force at once.

2. Substitution Of Section 16 Of Bihar Act 24 Of 1976 :-

In the Patna University Act, 1976 (Bihar Act 24, 1976) (hereinafter referred to as the said Act) for Section 16 the following shall be substituted, namely:-

"16. The Registrar.-

- (1) Notwithstanding anything contained in provisions of the Act, if the Chancellor thinks fit, he may request the State Government, Central Government, University Grants Commission or any University to send names of suitable officers for the post of Registrar and in that case the State Government, Central

Government, Registrar Grants Commission or any University may send names of one or more officers for consideration for appointment as Registrar under such terms and conditions of service as he may consider fit and then the Chancellor shall appoint the Registrar from amongst them.

(2) The Registrar shall be a whole time officer of the University and he shall act as Secretary to the Senate, the Syndicate and the Academic Council and he shall:-

(a) be the custodian of the records, the common seal and such other properties of the University as the Vice-Chancellor and the Syndicate shall commit to his charge;

(b) conduct the official correspondence of the University and shall maintain the proper investment of the University;

(c) perform such other duties as may be specified in the Statutes or prescribed by the Act or the Regulation or as may be required from time to time by the Vice-Chancellor, Pro-Vice-Chancellor or the Syndicate;

(d) represent the University in suits or proceedings by or against the University, sign powers of Attorney and verify pleadings or depute his representative for the purpose;

(e) render assistance to the Vice-Chancellor and Pro-Vice-Chancellor in discharge of their duties in regard to the conduct of the examination and the publication of the results;

(f) look after the proper functioning of the Constituent Colleges and the Department of the University and to report to the Vice-Chancellor;

(g) have power to take disciplinary action against the ministerial staff and to suspend them pending inquiry and to administer warning to them or to impose on them the penalty to ensure or withholding of increment, provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

(3) (a) An appeal shall lie to the Vice-Chancellor against the order of the Registrar imposing the penalty of withholding the increment;

(b) In case where the enquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the enquiry, make a report to the Vice-Chancellor alongwith his recommendation for such actions as the Vice-Chancellor may deem fit;

(c) The Register may be transferred by the Chancellor from one University to another University, on the same or on any equivalent

post or within the same University on any other equivalent post.

3. Amendment Of Section 56 Of Bihar Act 24 Of 1976 :-

In the said Act, for sub-section (2) of Section 56 the following shall be substituted, namely:-

"(2) (a) The Bihar State Universities (Constituent Colleges) Service Commission shall hold every year a qualifying test for appointment of Lecturers in the University/Constituent Colleges which shall be known as the Bihar Eligibility Test. For this purpose, it shall invite subject wise application from only such candidates who fulfill the prescribed qualifications as laid down in the statute framed in this regard.

However, such test shall be conducted having regard to any regulation framed or direction issued by the University Grants Commission in this regard;

(b) For appointment of lecturers in the University and the Constituent Colleges the Commission shall invite applications from candidates who have passed the Bihar Eligibility Test and/or have cleared the Eligibility Test for lectureship/Junior Research Fellow conducted by the University Grants Commission/Council for Scientific and Industrial Research and/or have already been awarded Ph.D. degree in the relevant subject and/or have already submitted Ph.D. thesis upto 31st December, 1993 and/or have already been awarded M. Phil, degree by 31st December, 1992 and on the basis of interviews shall prepare subject wise merit list against the vacancies notified by the University/Constituent Colleges and such list shall remain valid for a period of one year from the date of its approval. The subject wise merit list shall consist of twice the number of vacancies, but the Commission shall send in order of merit only one name at a time to the University for appointment against a single vacancy:

Provided that the Commission shall recommend names to the University from the merit list in conformity with the reservation roster prepared and sent by the University in accordance with the law relating to reservation in appointment in force in the State;

(c) The vacancies including the likely vacancies in the next calendar year alongwith the reservation roster shall be intimated to the Commission by the University by 31st of December every year.

4. Repeal And Savings :-

(1) The Patna University (amendment) Second Ordinance, 1995

(Bihar Ordinance No. 13,1995) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of the powers by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing or action was done or taken.