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## **Patna University (Amendment) Act, 2008**

**15 of 2008**

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## **Patna University (Amendment) Act, 2008**

**15 of 2008**

An Act to amend the Patna University Act, 1976 (Bihar Act 24, 1976) Preamble.-Be it enacted by the Legislature of the State of Bihar in the fifty ninth year of the Republic of India as follows:- 1. Published in Bihar Gazette (Ex-ord.), dated 23.4.2008.

### **1. Short Title And Commencement :-**

- (1) This Act may be called the Patna University (Amendment) Act, 2008
- (2) It shall come into force at once.

### **2. Substitution Of Section 19(16) Of The Bihar Act 24,1976 :-**

In the said Act Section 19(6) shall be substituted, by the following:-

"(16) Bihar State lawyers association shall be substituted by Bihar

State Bar Council."

**3. Substitution Of Section 27(6)(B) Of The Bihar Act 24,1976 :-**

In the said Act the sub-section 6(b) shall be substituted, by the following:-

"(b) subject to the provisions of this Act and the provisions of the statute made thereunder the Head of the department shall be appointed by the Vice-Chancellor by observing, as far as possible, the principle of rotation. Such appointments shall be reported to the Syndicate of the University."

**4. Addition Of Section 27 (6) (C) And 27(6)(D) Of The Bihar Act 24,1976 :-**

The following shall be added after Section 27 (6)(b) of the Patna University Act, 1976(Bihar Act 24, 1976):-

"(c) The Head of the Department shall hold office for a period of three years. A person shall not ordinarily be appointed as Head of the Department for a second consecutive term."

"(d) The principal shall hold office for a maximum period of five years in one college."

**5. Substitution Of Proviso In Section 36(6) Of The Bihar Act 24,1976 :-**

Proviso to Section 36 (6) shall be substituted by the following:-

"Provided that if there be any financial implication which may arise under the statute, it shall not be enforceable unless prior approval of State Government has been obtained."

**6. Addition Of New Section 36 (7) Of The Bihar Act 24,1976 :-**

The following new Section 36(7) shall be added after Section 36(6) of the Patna University Act, 1976 (Bihar Act 24,1976):-

"(7) Notwithstanding anything contained in the above clause, if at any time, the Chancellor is satisfied that it is necessary to frame Statute of any subject of common interest, after obtaining the advice of the Committee of three Vice-Chancellors constituted by the Chancellor, shall send the Draft Statute to all the Vice-Chancellors for opinion, who shall send their opinion within ten days from the receipt of draft. The Chancellor shall give assent to the

Statute with such amendment as he may deem necessary in the light of the opinion of the Vice-Chancellors. The Statute shall be deemed to come into force in the Universities from the date of assent:

Provided that the State Govt. may also suggest the Chancellor to frame Statute on any subject for the Patna University."

**7. Addition Of New Proviso In Section 38(3) Of The Bihar Act 24, 1976 :-**

The following new Proviso shall be added to Section 38(3) of the Bihar Act 24, 1976:-

"Provided that any ordinance having financial implication shall not be enforceable unless prior approval of State Government has been obtained."

**8. Addition Of New Proviso In Section 39(2)(Ii) Of The Bihar Act 24,1976 :-**

The following new Proviso shall be added to Section 39(2)(ii) of the Bihar Act 24, 1976:-

"Provided that any regulations having financial implication shall not be enforceable unless prior approval of State Government has been obtained."

**9. Substitution Of Section 56 (I)(4) Of The Bihar Act 24,1976 :-**

In the said Act Section 56(i)(4) shall be substituted by the following:-

"(4) Three experts not connected with the University to be nominated by the Vice-Chancellor from a panel of not less than ten names approved by the Academic Council for each post out of which, at least one member should belong to Scheduled Caste/Scheduled Tribes and two members shall be from out-side the State. The Academic Council shall send name of not less than two members belonging to Scheduled Caste/Scheduled Tribes category."

**10. Addition Of Proviso In Section 56(I) Of The Bihar Act 24,1976 :-**

The following new Proviso shall be added to Section 56(i) of the Bihar Act 24,1976:-

"Provided that if there is no representation of Woman or extremely backward class (Schedule-1) or both in the selection committee then it may be open to the State Government to nominate additional members from amongst Woman or extremely backward class (Schedule-I) or both as the case may be."

**11. Saving :-**

Notwithstanding substitution of section-19(16), 26 (6) (ii) and 56 (i) (4) of the Act, anything done or decision or action taken or shall be deemed to have been validly taken and shall not be open to question on the ground of substitution of Sections 19 (16), 26(6) (ii) and 56 (i)(4) of the Act.