

Home (Education) (1916) Department.

Ordinary SERIES.

G.O., No. 1120

DATED 26-10-16

[Despatch Abstract.]

University of Patna.

Communicating to the D.P.I. and the Syndicate of the University of Madras a copy of the Bill with Statement of Objects and Reasons for an expression of opinion.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number	Date.	Original (=O.) or spare copy (=S. O.)	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

Papers of other departments.

Department.	Number.	Date.	Original (= O.) or spare copy (= S.O.).	Initials with date of (1) Referencer of the Chief Secretariat department acknowledging return of the paper concerned or (2) Despatcher to denote the return of the papers to departments outside the Chief Secretariat.



No. 3752.

GOVERNMENT OF INDIA,
Legislative Department.

From

The Hon'ble Mr. A. P. Muddiman, C.I.E., I.C.S.,
Secretary to the Government of India,
Legislative Department.

To

The Secretary to the Government of Madras,
Local and Municipal Department.

Simla, the 10th October, 1916.

Sir,

I am directed to forward herewith -6 copies of the

A Bill to establish and	x	papers noted on the margin,
incorporate a University at	:	and to request that the
Patna, with Statement of Objects	:	Bill and Statement may be
and Reasons.	x	published in the -----

Fort St. George. Gazette in English and in such other
languages as His Excellency the Governor, ^{in Council} may deem proper,
and that the dates of such publication may be communicated to
the Government of India.

2. I am also to state that the Government of India will be
glad to receive any observations which the Local Government
may have to make on the Bill.

3. The reply to this letter, if any, should be sent in by the
31st December, 1916.

I have the honour to be,

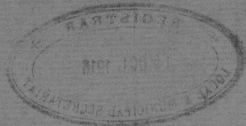
Sir,

Your obedient Servant,

A. P. Muddiman

Secretary to the Government of India.

A. P. Muddiman



3.

A
BILL
TO

Establish and incorporate a University at Patna.

WHEREAS it is expedient to establish and incorporate a University at Patna, to be known as the Patna University; it is hereby enacted as follows:—

1. (1) This Act may be called
Short title and extent. the Patna University
Act, 1911

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

2. In this Act, unless there is anything repugnant in the subject or context—

Definitions.

“College” means any educational institution admitted to the privileges of the University;
“College of the University” means the Patna College, the Training College for teachers at Patna, and any other educational institution admitted as a college of the University in accordance with this Act and the Regulations;

“External College” means the Bihar National College, Bankipur, the Groer Bhumihar Brahman College, Muzafferpore, the Tej Narayan Jubilee College, Bhagalpur, the Ravenshaw College, Cuttack, the St. Columba's College, Hazaribagh, and any other college other than a college of the University;

“Local Government” means the Local Government of Bihar and Orissa;

“Regulations” means the Regulations of the University for the time being in force;

“Senate” means the University Senate;

“Syndicate” means the University Syndicate;

“University staff” means such persons as may be declared by the Regulations to be members of the University staff; and

“University” means the Patna University.

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

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

(3) The University shall be deemed to have been incorporated for the purposes, among others, of making provision for imparting education, of promoting original research, of examining students and conferring degrees, of admitting educational institutions to its privileges, and of supervising and controlling the administration of colleges of the University in all matters of education and discipline, and of inspecting and supervising external colleges.

4. The following shall be the authorities and officers of the University:—

- I.—The Chancellor,
- II.—The Vice-Chancellor,

III.—The Syndicate,

IV.—The Senate,

V.—The Registrar, and

VI.—Such other officers and bodies, as may be provided for by the Regulations.

5. (1) The Chancellor shall be the Lieutenant-Governor of Bihar and Orissa for the time being.

(2) The Chancellor shall, by virtue of his office, be the head of the University, and shall, when present, preside at the meetings of Convocation.

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

(4) The Chancellor shall finally decide any dispute with regard to the election of any person to be a member of the Syndicate or Senate.

(5) If, in the opinion of the Chancellor, an inquiry into any question connected with the administration of the University is, at any time, expedient, the Chancellor may cause such an inquiry to be made by such persons, and in such manner, as he may direct, and, after considering the result thereof, and ascertaining the views of the Syndicate and of any other authority of the University which he may think fit to consult thereon, he may pass such orders as seem to him to be right and proper, and the same shall be binding upon every authority and officer of the University.

(6) The Chancellor shall nominate, upon the expiration (as hereinafter provided for)—

(a) of the first and each succeeding Syndicate—four persons, of whom not less than two shall be members of the University staff, or of the teaching staff of the colleges, to be members of the next succeeding Syndicate, and

(b) of the first and each succeeding Senate—such of the ordinary Fellows as are not required by this Act to be elected.

6. (1) The Vice-Chancellor shall be a whole-time officer of the University, appointed by the Local Government, and shall hold office for five years from the date of his appointment, on the expiration of which period, he may be re-appointed, from time to time, provided that no such re-appointment shall be for a longer period than two years.

(2) The Vice-Chancellor shall be the principal executive officer of the University, and shall, when present, preside at every meeting of the Syndicate or of any other University body (except in the Senate when the Chancellor is present) of which he is a member.

(3) The Vice-Chancellor shall be charged with the due carrying out of the provisions of this Act and of the Regulations.

(4) The Vice-Chancellor shall appoint and control all officers and servants of the University other than the University staff.

(5) The Vice-Chancellor shall have the right of visiting and inspecting the external colleges.

(6) The Vice-Chancellor shall decide finally all matters of discipline in the University, and such

matters of discipline in the colleges of the University as are not delegated to other authorities by the Regulations.

7. (1) The Syndicate shall consist of sixteen members, including the Vice-Chancellor, the Director of Public Instruction in Bihar and Orissa, and the Principal of the Patna College, who shall always be *ex-officio* members thereof.

(2) The ordinary members of the first Syndicate shall be the persons specified in the First Schedule, and shall hold office for such period as may be prescribed by the Regulations.

(3) Upon the expiration of the period of office of the ordinary members of the first Syndicate, the next and every ensuing Syndicate shall include, in addition to the nominated and *ex-officio* members herebefore referred to, nine persons to be elected by the Senate from amongst its members, of whom not less than five shall be members of the University staff or of the teaching staff of the colleges of the University.

(4) Subject to the provisions of this Act and the Regulations, the Syndicate shall have the entire management of, and superintendence over, the affairs, concerns and property of the University; shall control the courses of study, the examinations, the qualifications necessary for ordinary degrees, and all matters of education in the colleges of the University, shall be responsible for the supervision and inspection of such matters in the external colleges, and shall regulate the fees to be charged by the University and the colleges.

8. (1) The Senate shall consist of not less than forty nor more than sixty ordinary Fellows in addition to the following *ex-officio* Fellows, namely:—

(i) the Members of the Executive Council of the Lieutenant-Governor of Bihar and Orissa;

(ii) the Chief Justice of the High Court of Judicature at Patna;

(iii) the Bishop of Chota Nagpur;

(iv) the Director of Public Instruction in Bihar and Orissa; and

(v) the Principal of the Patna College and the Principal of the Ravenshaw College, Cuttack.

(2) The ordinary Fellows of the first Senate shall be the persons specified in the Second Schedule, and shall hold office for such period as may be prescribed by the Regulations.

(3) Upon the expiration of the period of office of the first Senate, the next and every ensuing Senate shall include, in addition to the nominated and *ex-officio* Fellows herebefore referred to in this Act, four ordinary Fellows elected by the Faculties constituted in accordance with the Regulations, and eight elected by the three foregoing classes of Fellows:

Provided that, from such date as the Chancellor may determine, the number of Fellows to be elected by the first three classes shall be reduced to such number as he may, from time to time, prescribe, and the balance shall

thereafter be elected by the registered graduates of the University.

(4) The Senate may (subject to the confirmation of the Chancellor) authorise the conferring of honorary degrees of the University, and may deliberate any question relating to the administration of the University, and come to a resolution thereon. A copy of every such resolution shall be forwarded to, and considered by, the Syndicate, but shall not be binding on that body.

9. (1) No educational institution shall be admitted to any privileges of the University, unless the following conditions are complied with, namely :—

(a) the admission of the institution to such privileges has, on application made, been recommended by the Syndicate, approved by the Senate, and sanctioned by the Local Government ; and

(b) all provisions of the Regulations relating to the admission of educational institutions to such privileges have been complied with.

(2) No educational institution shall be admitted as a college of the University, unless the following conditions are complied with, namely :—

(a) the college buildings are situate within one mile from the Senate House of the University ;

(b) all provisions of the Regulations relating to the admission of educational institutions as colleges of the University have been complied with.

(3) No educational institution shall be admitted as an external college, unless the following conditions are complied with, namely :—

(a) the college buildings are situate in one of the following towns, namely :—Muzaffarpore, Bhagalpur, Cuttack, or Hazaribagh ;

(b) all provisions of the Regulations relating to the admission of educational institutions as external colleges have been complied with.

10. (1) Any member of the Syndicate may bring forward a proposal that a college be deprived of the University, either in whole or in part, of its privileges.

(2) The Syndicate shall, after affording the governing body of the college all reasonable facilities for stating its objections to the proposal, consider the proposal and transmit a copy of its proceedings, including a copy of any representation which may be made by such governing body thereon, to the Senate.

(3) The Senate shall consider the proposal and transmit a copy of the proceedings of the Syndicate and of its own proceedings to the Local Government.

(4) The Local Government, after such further inquiry, if any, as may appear to it to be necessary, shall pass such orders on the proposal as it thinks fit, and such orders shall be binding on the University and the college.

11. Notwithstanding anything in any other law for the time being in force, no University established by Act of the Governor General in Council shall, after the commencement of this Act, admit any college to any privileges whatever, and any privileges granted to any college prior to the commencement of this Act, shall be withdrawn on the commencement of this Act.

12. The University staff shall be appointed by the Chancellor on the recommendation of the Syndicate, who shall transmit its recommendations through the Vice-Chancellor :
Provided that this provision shall not apply in the case of the temporary staff paid from the funds of the University, in which case the appointment shall rest with the Syndicate subject to the sanction of the Chancellor.

13. The accounts of the University shall, once at least in every year, and at intervals of not more than fifteen months, be audited by auditors appointed by the Local Government, and a copy of the accounts, together with the auditor's report, shall be submitted to the Governor General in Council.

14. (1) Subject to the provisions of this Act, the Regulations may provide for all or any of the following matters :—

(a) the duration of the term of office of the ordinary members of the Syndicate and Senate including that of the first members ;

(b) the time and mode of all elections to the Syndicate or the Senate, and the filling of all casual vacancies therein, and all other matters relating thereto ;

(c) the constitution, powers and duties of the Faculties or such other bodies, as it may be deemed necessary, from time to time, to appoint ;

(d) the conditions of appointment and the powers and duties of the Registrar, Professors or other officers of the University, whether being members of the University staff or not ;

(e) the appointment and functions of governing bodies of the colleges ;

(f) the admission of educational institutions as colleges, and the withdrawal of privileges from colleges so admitted ;

(g) the admission of students to the University and their examination ;

(h) the residential arrangements of students of the University ;

(i) the appointment and duties of Examiners ;

(j) the conferment by the University of degrees, diplomas, certificates and other academic distinctions, and the qualifications for the same ;

(k) the withdrawal of degrees, diplomas, certificates and other academic distinctions ;

(l) the general discipline and control of the University and of the colleges of the University;

(m) the accounts to be kept and the use to be made of the funds of the University; and

(n) all other matters relating to the administration of the University.

(2) The first Regulations shall be framed by the Local Government. The Senate may, from time to time, make new or additional Regulations, or may amend or repeal the Regulations.

(3) The Syndicate shall have power to draft and propose to the Senate Regulations to be made by the Senate, and it shall be the duty of the Senate to consider the same.

(4) All new Regulations, or additions to the Regulations, or amendments to, or repeals of, the Regulations, shall require the previous sanction of the Local Government, which may, after the opinion of the Syndicate has been taken, sanction, disallow, or remit the same for further consideration.

THE FIRST SCHEDULE.

[See section 7 (2).]

ORDINARY MEMBERS OF THE FIRST SYNDICATE.

THE SECOND SCHEDULE.

[See section 8 (2).]

ORDINARY FELLOWS OF THE FIRST SENATE.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

A
BILL

TO

Establish and incorporate a University
at Patna.

(The Hon'ble Sir C. Sankaran Nair.)

STATEMENT OF OBJECTS AND REASONS.

This Bill is intended to provide the legislative sanction necessary for the constitution of a University at Patna. A scheme for the establishment of such a University was prepared in 1913 by a large local Committee and published for general criticism. This scheme, after being in some respects modified in the light of public criticism, and the views of the Local Government has received the approval of the Secretary of State, and forms the basis of the present Bill.

The University contemplated by the Bill will be primarily a residential and teaching University located at Patna. In view, however, of the existence of Colleges in other parts of the Province, and the local feeling in favour of their retention, it is provided that, in addition to the Colleges at Patna, the University should comprise Colleges situated at four other centres, and the Bihar National College at Bankipur. The Colleges at Patna, which will be known as Colleges of the University, will be under the direct control of the Syndicate in matters of education, and of a whole-time Vice-Chancellor in matters of discipline, while the other or 'external' Colleges will be subject to general supervision and inspection by the same authorities on lines generally similar to those governing the relation of affiliated Colleges to a University under the Universities Act of 1904.

The constitution of the new University will enable the Province of Bihar and Orissa to obtain a University of its own, and will effect some reduction in the large number of students now under the jurisdiction of the University of Calcutta.

The 21st September, 1916.

C. SANKARAN NAIR.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

NOTES.

ANNEXURE

TO

Bill to establish and incorporate a University at Patna.

(Statement of Objects and Reasons.)

L & M (Legu.) dept.

C No. 2482. From The Govt. of India
(Legu.) No. 3752 d. 10.10.16.

Subject: - The Patna University
Bill.

For the U.S.

The Hindu University
Bill was published in The Fort
St. George Gazette, only in English,
— vide G.O. NO. 14 Leg. R. d. 9.4.15
& the notes connected with it. It
is therefore sufficient to publish the
Patna University Bill also, in English
only. The republication of the Bill
as an extract from the Gazette of
India has separately ^{been} ordered &
the Bill is expected to be published in
the Fort St. George Gazette of 17.10.16.

2. The current may be
transferred u.o. to the Home dept (Educ)
for disposal. The date of the pub
lication of the Bill will be
communicated to that dept. ^{in due course} for
incorporation in their reply to the
Govt. of India.

C No. 3682 E8L
17.10.16

2482-1 Leg.
17-10-16

evg
16.10.16

V.TK
16.10
Home (Educ) u.o

L+H (Legr) Sept

In continuation of L+H (Legr) u.o. note no. 2482-1, d. 17.10.16, transferring to the Home Dept (Educ?) the letter from the Govt of India regarding the Patna University Bill, the Home Dept (Educ?) may be informed that the Bill was published in Part III of The Fort St. George Gazette of the 17th October 1916.

ENR
19.10.16
2/10.16

V.T.K
20/10

Home Dept u.o.

L+H. 2482-2 Leg
20.10.16

CN. 3725 E8
20.10.16

Home Dept.
(Educ.)

The Patna University Bill is a Provincial concern and does not directly affect the educational interests of this Presidency.

The Govt. of India however State that they will be glad to receive any observations which the Local Govt. may have to make on the Bill. Perhaps the Bill may be referred to the D.P.D.

Para 2 of P.C.P.

CN 3725 E8
17.10.16

and the Syndicate of the University
of Madras for an expression of
their ^(opinion) ~~views~~. It may be ^(mentioned) ~~said~~
~~said~~ that the Hindu University
Bill, 1915, at the instigation of the
Govt. of India, referred to the
High Court, the University, the
J. P. S. and to a number of ^(other) ~~officers~~
and gentlemen ^(mentioned) ~~as before mentioned~~
~~Govt.~~ and G. C. No 502 Ed. of the
8th May 1915. In this case the Govt.
of India ~~does not~~ do not suggest
any such ~~statement~~ reference.

2 Subject to advise a draft
referring the Bill to the J. P. S. and
the Syndicate of the Madras
University is submitted. It is
proposed to ask them to send in
their replies by the ^(next) ~~1st~~ Dec. 1915 India
desire to have the local Govt.'s
observations, if any, by the 21st idem.

24.10.16
J.L.
24.10.16

24.10.16
C.A.
24.10.16

24/10

Part I on p. 2 of G.
502 Ed.:
8.5.15

(R)

Necessity of Patna

Home DEPARTMENT.

(Ed. 2)

communicating to the

D. P. S. and the Superintendent of the
Immigration of Madras a copy of the
~~Bill~~ Bill, with Shakti of Shakti
+ Reasons for and expression of
~~the~~ ~~opinion~~ opinion.

READ AGAIN G.O. No., dated 191...

” ” ” ” ” 191

READ ALSO:—

C. No. 3682, } From the 9 of 9, No. 3753 dated 15th / Oct 1916

3725

League Defn:

" " " " " " " " 191

" " " ", " ", " ", " " 191

ORDER

ms

No. 1120, dated 26.10. 1916

A copy of the Bill to establish and incorporate a University at Patna, together with the Statements of Objects and Reasons, will be communicated to the J. P. S. and the Syndicate of the University of Madras for record and expression of their ^(opinion) ~~advice~~ thereon.

2. It is requested that the reply to this request may be submitted ^{not later than} ~~by~~ the 1st December 1946.

$\frac{0.2}{24.10.16}$
 $\frac{Sh.}{24.10.16}$

Ся
24.10.16

To the J. J. J. Page, member of Madras

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

HEAD START G.O., No. 19

DATED

CURRENT No.

ENCLOSURES TO C. H.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH INFO.

PAPERS NOT FILED UP, SENDS HEART FOR DISPATCH
 IN ORIGINAL

F.L.

A = Copy in full.
 B = Not to be copied.
 P = Copy abstract only.
 Q = Copy heading only.

A A A A A A A