

18. The Senate.—The Senate shall consist of the following persons, namely:—

Ex-Officio Members.

- (1) the Chancellor;
- (2) the Vice-Chancellor;
- (3) the Pro-Vice-Chancellor;
- (4) ³[Commissioner and Secretary Higher Education]
- (5) the Director of Higher Education, Bihar;
- (6) the Director of Health Services, Bihar;
- (7) the Director of Technical Education, Bihar;
- (8) the Deans of Faculties;
- ²[(9) Half of such of the Heads of University Departments as are not Deans shall be nominated by the Chancellor in rotation.]
- ²[(10) Ten Principals of Colleges maintained by the University as are not Deans to be nominated by the Chancellor in rotation.]
- ²[(11) Five Professors/Readers admitted to the privileges of the Univer-

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1. Subs. by Act 68 of 1982.
 2. Subs. by Act 3 of 1990.
 3. Subs. by Act 17 of 1993.

sity in the manner prescribed in the Statutes, are not Deans shall be nominated by the Chancellor in rotation.]

Life Members.

(12) all ex-Vice-Chancellors of the University;

Explanation.—¹[For the purpose of the clause, the expression -Vice-Chancellor does not include any ex-Vice-Chancellor who was appointed to fill a casual or temporary vacancy ;

(13) every person who has given to the satisfaction of the Chancellor whether in one or more instalments, a sum of not less than one lac rupees in cash or in the shape of property of the equivalent value to or for the purposes of the University or of a College:

Provided that for being a life member of the Kameshwar Singh Darbhanga Sanskrit University, the fixed amount shall be twenty-five thousand rupees;

Representative Members.

¹[(14) Ten persons to be elected by and from amongst the members of the Bihar Legislative Assembly in such manner as may be prescribed by the Speaker of the Assembly, one of whom shall be from Scheduled Castes, one from Scheduled Tribes and three from other Backward Classes;]

(15) four persons, to be elected by and from amongst the members of the Bihar Legislative Council in such manner as may be prescribed by the Chairman of the Council ;

¹[(16) Fifteen teachers other than Deans, Principals and Heads of University Departments having not less than five years' teaching experience, to be elected by and from amongst the teachers of the colleges and the University Departments, two of whom shall be from Scheduled Castes, two from Scheduled Tribes and three from other Backward Classes ;]

(17) One person to be elected by each of the Bihar Secondary Teachers' Association, Bihar Hindi Sahitya Sammelan, Bihar Anjuman Taraquie-Urdu, Indian Medical Association (Bihar branch), Institution of Engineers, Bihar Branch and Bihar State Lawyers' Association from the area of the concerned University ;

Provided that in the case of the Lalit Narain Mithila University and the Kameshwar Singh Darbhanga Sanskrit University, there shall be one representative of Maithili Sahitya Parishad in place of one representative of the Institution of Engineers ;

²(18) परिनियम में विहित रीति से विश्वविद्यालय एवं महाविद्यालय के कर्मचारियों द्वारा निर्वाचित विश्वविद्यालय एवं महाविद्यालय के कर्मचारियों में से एक कर्मचारी;

²[(19) Five students from amongst the students of University to be elected in the manner prescribed in the Statutes, by the members of the Union Council of the University Students' Union;]

(20) five persons, other than *ex-officio* and teacher members of the Governing Body of Colleges, shall be elected by and from amongst

1. Subs. by Act 17 of 1993.

2. Subs. by Act 68 of 1982.

3. Subs. by Act 16 of 2008.

members of the governing bodies of the University in the manner as may be prescribed in the Statutes;

Nominated Members.

- (21) three persons to be nominated by the Chancellor who are persons of scholarly pursuits;
- (22) one meritorious student to be nominated by the Vice-Chancellor in the manner prescribed in Statutes, whose tenure will be of one year;
- (23) one student to be nominated by the Vice-Chancellor in the manner prescribed in the Statutes, who has achieved distinction in sports and extra-curricular activities, whose tenure will be of one year;
- (24) one person to be nominated by the State Sports Council, who has achieved a distinction in sports;
- ¹[25] Six such registered graduates, other than the teachers of the University or its colleges, as have completed a period of five years after graduation, to be nominated by the Chancellor from the panel of registered graduates prepared by the Vice-Chancellor, one of whom shall be from Scheduled Castes, one from Scheduled Tribes and one from other Backward Classes.]
- ¹[26] Such members of the Syndicate as are not members of the Senate under the above provisions.]
- ²[(27) Ten persons to be nominated by the State Government who are known for their academic interest, one of whom shall be from Scheduled Castes, one from Scheduled Tribes and three from other Backward Classes.]

Legislative changes (after 1982)—The first change in this section was brought by Ordinance 39 of 1986 (w.e.f. 17.12.1986) by which sub-sections (9), (10), (11), and (16) were substituted and this continued by successive Ordinances till Act 3 of 1990 was passed by which the substitution was accorded permanency. Originally these sub-sections read as follows:—

“(9) such of the Head of University Departments as are not Deans;

(10) Such of the Principals of Colleges maintained by the University as are not Deans;

(11) half of the total number of Principals of Colleges admitted to the privileges of the University in the manner prescribed in the statutes, who are not Deans, shall be nominated by rotation.

(16) thirty teachers, other than Deans, Principals and Heads of University Departments having not less than five years' teaching experience, to be elected from and by the teaching staff of colleges, and University Departments in such manner, as may be prescribed by the statutes, so that the teaching staff of every College and the teaching staff of every University/Department may be represented on the Senate under this sub-head in such number and at such intervals, as may be prescribed by the Statutes:

Provided that for the Kameshwar Singh Darbhanga Sanskrit University seven registered Acharyas of the University, seven representative teachers of the recognised institutions of Madhyama standard, four representative teachers of Tols nominated by the Chancellor, and two representatives of the Sanskrit Literature Association recognised by the State Government, shall be elected in the manner as prescribed in the Statutes;”

Thereafter a series of Ordinances amending different sections of this Act were promulgated but none had anything to do with this section. But Act 17 of 1993 which broke the chain of such Ordinances did touch this section also and substitution of some words in sub-section (4), substitutions of sub-sections (14), (16) and (25) and insertion of sub-section (27) were introduced. Prior to their substitution by Act 17 of 1993 which exist till today, these sub-sections, read as follows:—

“(14) ten persons, to be elected by and from amongst the members of the Bihar Legislative Assembly in such manner as may be prescribed by the Speaker of the Assembly;”

1. Ins. by Act 68 of 1982.
2. Ins. by Act 17 of 1993.

"(16) fifteen teachers other than Deans, Principals and Heads of University Departments having not less than five years teaching experience to be nominated by the Chancellor in such manner as may be prescribed by the Statutes;"

"(25) five such registered graduates, other than the teachers of the University or its colleges, as have completed a period of five years after graduation to be nominated by the Chancellor from the panel of registered graduates prepared by the Vice-Chancellor:

Provided that for the Kameshwar Singh Darbhanga Sanskrit University not more than three persons, out of which two having rendered notable service for Sanskrit Education, shall be nominated by the Chancellor in the manner, as may be prescribed in the Statutes;"

19. Term of office of members of the Senate.—¹[(1) The term of office of members of the Senate other than the *ex-officio* members, the members whose terms has been specified under this Act and the Life members, shall be three years from the date of their election or nomination, as the case may be, and shall include any further period which may elapse between the expiration of the said three years and the date of the next succeeding election or nomination not being an election or nomination to fill up any casual vacancy under section 64 :

Provided that a member elected, or nominated as a representative of any body shall be deemed to have vacated office with effect from the date on which he ceases to be a member of the body which elected or nominated him:

²[Provided that the tenure of office of the elected members under sub-section (19) of section 18 shall be one year with effect from the date of their election.]

³[(2) The Senate shall have perpetual succession and any of its acts or proceedings shall not be invalid merely because of any vacancy or vacancies in its membership.]

Legislative changes (after 1982)—By Act 17 of 1993 sub-section (2) was added to this section. Since none of the preceding Ordinances chain of which was broken by this Act contained such insertion, Sub-section (2) is to take effect from the date of passing of Act 17 of 1993.

20. Meetings of the Senate.—³[(1) The Senate shall meet twice a year, on dates to be fixed by the Vice-Chancellor, which shall be called ordinary meetings of the Senate and one of them shall be declared by the Statutes to be the annual meeting of the Senate in which the Budget of the University for the next year shall be passed.

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than one-third of the total number of members of the Senate, ³[convene only one special meeting of the Senate in a year.]

21. Powers and duties of the Senate.—(1) Subject to the provisions of this Act and Statutes, the Senate shall be the supreme governing body of the University, and shall exercise control over all the affairs and properties of the University, and shall exercise all such powers as are not otherwise specified by this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, the Senate shall exercise the following powers and perform the following duties, namely—

- (a) of making the Statutes and amending or repealing the same;
- (b) of considering the Statutes and the Regulations, and amending or repealing the same;

1. Re-numbered by Act 17 of 1993.
 2. Ins. by Act 68 of 1992.
 3. Subs. by *ibid.*

- (c) of passing resolution after having considered the annual report, the annual account, the financial estimates and audit report on such accounts;
- (d) of exercising the powers for the purpose of control in Colleges and Tols, and of superintendence which include affiliation and disaffiliation of Colleges:

Provided that affiliation or disaffiliation of Colleges or Tols shall not take effect, unless it is approved by the State Government :

Provided further that no medical college shall be affiliated except without the prior approval of the State Government.

Before granting such an approval, the State Government shall consider the financial viability of the College, the nature and form of the proposed management of the college, the viability of the academic standard and all other conditions which are likely to have adverse effect on the interests of students admitted to such a College;

- (e) of instituting and conferring such degrees, titles, diplomas and other academic distinctions as may be prescribed by the Statutes; and
- (f) of exercising such other powers and of performing such other duties as are conferred or imposed upon it by this Act or the Statutes.