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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 2006-L.—20th August, 1997.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XIX of 1997

THE NETAJI SUBHAS OPEN UNIVERSITY
ACT, 1997.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette*,
Extraordinary, of the 20th August, 1997.]

An Act to establish and incorporate an open university (mukta viswavidyalaya) in the State of West Bengal and to provide for matters connected therewith or incidental thereto.

WHEREAS it is expedient to establish an open university in the State of West Bengal to provide educational opportunities to all those belonging to the backward and weaker sections of society as well as the students who cannot be accommodated in institutions of higher learning owing to socio-economic conditions and other limitations and to promote equality of opportunity for higher education for a large segment of the population, including those who are in employment and women (including housewives), specially in the remote and inaccessible areas, as also adults who wish to upgrade their knowledge in various fields, through correspondence courses, contact programmes, study centres and various forms of mass media, encouraging and providing instruction, teaching, training and research in various branches of learning and courses of study, promoting advancement and dissemination of knowledge and learning and extending higher education to meet the growing needs of society;

It is hereby enacted in the Forty-eighth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

*The Netaji Subhas Open University Act, 1997.**(Chapter I.—Preliminary.—Sections 1, 2.)*

CHAPTER I

Preliminary

Short title,
extent and
commencement

1. (1) This Act may be called the Netaji Subhas Open University Act, 1997.
- (2) It extends to the whole of West Bengal.
- (3) This section and Chapter VII shall come into force at once; and the remaining provisions of this Act shall come into force on such date or dates as the State Government may by notification appoint, and different dates may be appointed for different provisions of this Act.

Definitions

2. In this Act, unless the context otherwise requires,—
 - (1) "Academic Council" means the Academic Council of the University;
 - (2) "academic year" means a period of twelve months commencing on the first day of July or such other period of twelve months, commencing on such date, as the Executive Council may specify in respect of all the study centres and courses of study or any particular study centre or course of study;
 - (3) "Co-ordinator" means the head of a regional centre;
 - (4) "correspondence-cum-contact programme student" means a student enrolled in any one of the study centres;
 - (5) "Department" means a department of studies of the University;
 - (6) "distance education system" means the system of imparting education through correspondence course, broadcasting, telecasting, seminar, contact programme or any other means or combination of means;
 - (7) "employee" means any person appointed by the University, and includes Teachers and other employees of the University;
 - (8) "Executive Council" means the Executive Council of the University;
 - (9) "Finance Committee" means the Finance Committee of the University;
 - (10) "Minister" means the Minister-in-charge of the Higher Education Department of the State Government;
 - (11) "non-teaching employee" means the non-teaching employee, not holding any teaching post (including part-time teaching post), appointed or recognized as such by the University;
 - (12) "notification" means a notification published in the *Official Gazette*;
 - (13) "prescribed" means prescribed by Statutes or Ordinances or Regulations made under this Act;
 - (14) "Regional Centre" means a centre established as such by the University, for maintaining records regarding enrolment of students, despatching teaching materials, making arrangements for holding lectures in the classes in Study Centres, and dealing with other allied matters;
 - (15) "Regulations" means the Regulations made under this Act;
 - (16) "School of Studies" means a School of Studies of the University;
 - (17) "State Government" means the Government of West Bengal in the Higher Education Department;
 - (18) "Statutes" and "Ordinances" means respectively the Statutes and Ordinances made under this Act;
 - (19) "student" means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;
 - (20) "Study Centre" means a centre established, maintained or recognised by the University for the purpose of advising or counselling, or for rendering such other assistance in the activities of the University as may be required by the students;
 - (21) "Teacher" means a Professor, Associate Professor, Reader, Assistant Professor, Lecturer or such other person as may be designated as such by Statutes for imparting instruction or for giving guidance or rendering assistance of academic nature to students for pursuing any course of study;

*The Netaji Subhas Open University Act, 1997.**(Chapter II.—The University.—Sections 3, 4.)*

- (22) "the University" means the Netaji Subhas Open University as constituted under this Act;
- (23) "University Centre" means the place where the administrative offices of the University are situated.

CHAPTER II

The University

The University

3. (1) There shall be constituted a University by the name of the Netaji Subhas Open University which shall consist of the Chancellor, the Vice-Chancellor, the Directors, the members of the Executive Council and the members of the Academic Council.

(2) The University shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the name of the Netaji Subhas Open University.

(3) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

(4) The headquarters of the University shall be located at such place within West Bengal as the State Government may by notification specify.

Objects of the University

4. The objects of the University shall be,—

- (a) to provide opportunities for higher education through (i) correspondence courses, (ii) contact programmes and study centres, and (iii) audio-visual mass-media such as radio and television, presenting special institutional programmes, either live or through cassettes including video cassettes and other softwares;
- (b) to provide opportunities for higher education to men and women (i) being deprived of the benefit of higher education in the normal course owing to socio-economic conditions or other limitations or (ii) being drop-outs or (iii) being brought under the scheme of adult education or (iv) working in homes or engaged in cultivations or employed in factories, offices or schools or engaged in any profession or vocation;
- (c) to organise certificate courses, diploma courses, degree courses, post-graduate courses and research courses for the benefit of the working population in various fields and for the benefit of those who wish to enrich their lives by studying cultural and aesthetic subjects;
- (d) to design and develop distance education programme relevant to the specific needs of the people of the State;
- (e) to design and develop education and training packages to meet the demand for technical and vocational manpower needed for the economic development of the State;
- (f) to establish mechanism through network and other arrangement to share programmes, services, technology and other resources to ensure cost-effectiveness of education and training;
- (g) to make provision for research for innovative course development and for advancement and dissemination of knowledge;
- (h) to collaborate with the Indira Gandhi National Open University established under the Indira Gandhi National Open University Act, 1985, and other open universities in the country in extending educational opportunities to the people, and/or to recognise, or collaborate with, other research institutions in the country for promotion of research activities.