

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1732, CUTTACK, TUESDAY, OCTOBER 26, 2021 / KARTIKA 4, 1943

SKILL DEVELOPMENT & TECHNICAL EDUCATION DEPARTMENT
NOTIFICATION

The 8th October, 2021

No.4578.—SDTE-HTE-HTE-II-0012/2021/SDTE.— In pursuance of sub-section (1) of section 3 of the Odisha University of Technology and Research Act, 2021 (Odisha Act. 17 of 2021), the State Government do hereby establish a University to be known as the Odisha University of Technology and Research, Bhubaneswar by upgrading the College of Engineering and Technology, Bhubaneswar for the purpose of the said Act. with effect from the 8th day of October, 2021.

ORDER

Ordered that notification be published in the Extraordinary issue of the *Odisha Gazette* for general information and copies be forwarded to all the Departments of the Government and placed in the website of skill Development and Technical Education Department.

By Order of the Governor
HEMANT SHARMA
Principal Secretary to Government

THE ODISHA UNIVERSITY OF TECHNOLOGY AND RESEARCH ACT, 2021

PREAMBLE:

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The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.1569,CUTTACK, WEDNESDAY, SEPTEMBER 29, 2021/ ASWINA 7, 1943

LAW DEPARTMENT

NOTIFICATION

The 29th September, 2021

No.10089-I-Legis-19/2021/L.— The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 23rd September, 2021 is hereby published for general information.

ODISHA ACT 17 OF 2021

THE ODISHA UNIVERSITY OF TECHNOLOGY AND RESEARCH ACT, 2021

AN

ACT

TO PROVIDE FOR THE ESTABLISHMENT AND INCORPORATION
OF AN UNITARY UNIVERSITY AT BHUBANESWAR BY THE
NAME OF THE ODISHA UNIVERSITY OF TECHNOLOGY
AND RESEARCH AND FOR MATTERS
CONNECTED THEREWITH AND
INCIDENTAL THERETO.

BE it enacted by the Legislature of the State of Odisha in the Seventy second Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Odisha University of Technology and Research Act, 2021.

(2) It shall extend to the geographical areas of the College of Engineering and Technology, Bhubaneswar and such other areas within Bhubaneswar as the State Government may notify.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (a) “Academic Council” means the Academic Council of the University;
- (b) “alumni” means former students of College of Engineering and Technology, Bhubaneswar;
- (c) “appointed date” means the date appointed under subsection (1) of section 3;
- (d) “Board” means the Board of Management of the University;
- (e) “Board of Studies” means the Board of Studies of the University;
- (f) “BPUT” means Biju Patnaik University of Technology established under the BPUT Act;
- (g) “BPUT Act” means Biju Patnaik University of Technology Act, 2002;
- (h) “Chancellor” means the Chancellor of the University;
- (i) “College” means the College of Engineering and Technology at Bhubaneswar which is owned and controlled by the State Government;
- (j) “Council” means the All India Council for Technical Education established under the provisions of the All India Council for Technical Education Act, 1987;
- (k) “department” means teaching unit of the University in different subjects consisting of teaching and non-teaching staff and undergraduate and post-graduate students including research scholars;
- (l) “employee” means every person in the whole-time employment of the University;
- (m) “Government” means the Government of Odisha;
- (n) “hostel” means a unit of residence for students of the University controlled or recognized by the University;
- (o) “other Universities” means the Universities established under an Odisha Act, or the Universities of State or Union of India and that of Foreign Countries;
- (p) “prescribed” means prescribed by Statutes, Regulations or Rules of the University;

Odisha Act 9
of 2002

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- (q) "School" means a school of studies, special centers and specialized laboratories as may be specified in the Statutes;
- (r) "section" means a section of this Act;
- (s) "State" means the State of Odisha;
- (t) "Statutes", "Regulations" and "Rules" means respectively the Statutes, Regulations and Rules of the University made under this Act;
- (u) "teacher" means a Professor, Associate Professor, Assistant Professor, Workshop Superintendent or such other persons imparting instruction or conducting or supervising research either in the schools or in the departments of the University;
- (v) "University Grants Commission" means the University Grants Commission constituted under the University Grants Commission Act, 1956;
- (w) "University" means the Odisha University of Technology and Research established and incorporated as a University under this Act; and
- (x) "Vice-Chancellor" means the Vice-Chancellor of the University.

3 of 1956.

CHAPTER II

THE UNIVERSITY

Establishment and incorporation of the University.

3. (1) With effect from such date as the State Government may by notification, appoint in this behalf, there shall be established in the State of Odisha a non-affiliating Unitary University at Bhubaneswar by the name of the "Odisha University of Technology and Research".

(2) The University shall be a body corporate by the aforesaid name having perpetual succession and common seal with powers, subject to the provision of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The headquarters of the University shall be at Bhubaneswar in Khurda district of Odisha.

(4) The jurisdiction of the University shall extend over all that is presently comprised of the College of Engineering and Technology, Bhubaneswar.

Effect of establishment of the University.

4. (1) On and from the appointed date —

- (a) The control and management of the College which is with the Government together with the control and management of all properties and assets pertaining thereto, shall stand transferred to, and vest in, the University;

- (b) all properties and assets pertaining to the said College whether acquired or created out of grant from the Government or BPUT or otherwise including any cash balance held by the College or on their account, whether in deposit with any Bank or otherwise, shall stand transferred to, and vest in, the University;
- (c) save as provided in this section, all rights powers and privileges, duties, debts, liabilities and obligations of the said College, contractual or otherwise, arising or accrued or incurred in relation to the affairs of the College, shall stand transferred to, and vest in, the University;
- (d) any doubt or difference in regard to transfer of any asset or liability under foregoing clauses shall be referred to the Government, whose decision thereon shall be final;
- (e) every employee other than teachers, duly appointed in connection with the affairs of the College and serving the College as such immediately before the appointed date, shall hold his office or service in the University by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held if this Act had not been enacted, and shall continue to do so unless and until his employment under the University is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes:

Provided that the tenure, remuneration and terms and conditions of services of any such person shall not be altered to his disadvantage without the previous approval of the Government.

(2) The properties, assets and rights transferred to the University by virtue of sub-section (1), shall continue to be utilized for the purposes for which they were being utilized or were intended to be utilized immediately before the appointed date.

(3) Notwithstanding anything contained in the BPUT Act and the Statutes made thereunder,-

- (a) the college shall, with effect from the appointed date, ceases to be the constituent college of the BPUT and the College so ceased shall stand transferred to the University;
- (b) any student of the College who, immediately prior to the appointed date, was studying for any examination of the BPUT shall continue his studies as a student of the University and be permitted to complete his course in preparation therefor and be admitted to the examination of the University; and
- (c) for the students referred to in clause (b), the University shall make arrangement for conferment of the corresponding degree, diploma and other academic distinction on the basis of the result of such examination.

(4) Every teacher serving in the College as such immediately before the appointed date shall, unless within a period of ninety days from the appointed date or within such further period as the Government may specify, give notice in writing to the University of his intention not to become an employee of the University, become teacher of the University and shall hold his post by the same tenure and upon the same terms and conditions of service and with the same rights as to retirement benefits or other matters as he would have held if this Act had not been enacted until his tenure, remuneration or other terms and conditions of service are duly altered in accordance with this Act or Statutes made thereunder:

Provided that the tenure, remuneration and other terms and conditions of service including pension, if any, of a teacher who opt to be an employee of the University shall not be altered to his disadvantage without previous approval of the Government:

Provided further that, if any, teacher is not willing to serve under the University, he shall have option to retire or to be retrenched from the service:

Provided also that the service of the teachers who are serving in the College as such immediately before the appointed date, shall, till the expiry of the period allowed for exercising the option, be treated as on deputation without any deputation allowance.

5. The objects of the University shall be —

(i) to promote education, research and training in engineering and technology, including information technology and its application, architecture, planning, management and applied sciences for the advancement of knowledge and for the betterment of society;

(ii) to improve the quality of education, research and training in the field of engineering and technology, including information technology and its application, architecture, planning, management and applied sciences for the advancement of knowledge and for the betterment of society;

(iii) to provide facilities and opportunities for graduate and post-graduate education, Ph.D. and research in the field of engineering and technology, including information technology and its application, architecture, planning, management and applied sciences and by instruction, training, research, development and extension and by such other means as the University may deem fit;

(iv) to devise and implement programmes of education in the field of engineering and technology, including information technology and its application, architecture, planning, management and applied sciences that are relevant to the changing needs of society;

(v) to serve as a centre for fostering co-operation and interaction between the academic and research community on the one hand and industry on the other;

(vi) to organize exchange programmes with other institutions of repute in India and abroad with a view to keeping abreast of the latest developments in relevant areas of teaching and research;

(vii) to create and administer a research fund for supporting and facilitating research initiatives and projects of faculty members and students;

(viii) to define an enabling framework for researchers to obtain sponsorships for research projects and which makes the participating researchers responsible for the successful implementation of the project;

(ix) to identify and establish linkages including MOUs for long term relationships with national and international research organizations for widening the scope of research opportunities and funding options available to the teachers and students of the University;

(x) to identify and establish linkages including MOU s for long term relationships with industry bodies and individual companies for creating opportunities for teachers and students of the University to involve themselves in real life research projects and obtaining sponsorships;

(xi) to utilize Institutional resources for industrial manpower training;

(xii) to provide assistance for improving employability including entrepreneurial training, specialized skilled training in soft skill requirement by industries; and

(xiii) to undertake such other activities as may be required to fulfill and furtherance of the above objectives.

Powers
and
Functions
of the
University.

6. Subject to such orders, rules, regulations, guidelines and directions, as may be issued from time to time, by the Central Government, Government of Odisha or the Council under the provisions of the All India Council for Technical Education Act, 1987, the University shall have the following powers and functions, namely :—

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- (i) to establish and maintain Departments in the field of engineering and technology, including information technology and its application, architecture, planning, management and applied sciences on regular or part time basis;
- (ii) to provide for instruction and training in such branches of learning as are in keeping with the objects of the University and to make provision for research and for the advancement and dissemination of knowledge ;
- (iii) to institute degrees, titles, diplomas and other academic distinctions;
- (iv) to grant, subject to such conditions as the University may determine, diplomas or certificates and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of assessment, on deserving persons;
- (v) to confer honorary degrees, or other distinctions on distinguished persons in accordance with the conditions to be prescribed by the Statutes;
- (vi) to withdraw or cancel degrees, titles, diplomas, certificates or other distinctions under such conditions as may be prescribed by the Statutes;

- (vii) to take measures to have constant interaction with industries and other employers of technical manpower for orienting the education and training towards the needs of industries and other employers;
- (viii) to provide common forum for interaction between research institutions, industries and other Universities to ensure transfer of technology from research institutions to industries and to prepare the students of the University for using and disseminating innovative technology;
- (ix) to act in furtherance of the entrepreneurial skills and abilities among students ;
- (x) to assess the needs of the State and the Country in terms of subjects, fields of specialization, level of education and training of technical manpower both on short-term and long- term basis and to introduce or encourage introduction of innovative training programmes and to re-orient existing training programmes to meet such needs;
- (xi) to make arrangements for promoting the health, general welfare and moral well-being of students and take such measures as would foster in them habits of hard work, self-discipline and spirit of service to society;
- (xii) to fix the fees payable to the University and to demand and receive such fees;
- (xiii) to hold and manage endowments and bursaries and award fellowships, scholarships, studentships, medals and prizes;
- (xiv) to institute, raise and provide funds wherever necessary for carrying out the functions of the University;
- (xv) to co-operate with other Universities or institutions or authorities or associations in such manner and for such purposes as the Board may determine;
- (xvi) to establish, maintain, manage and confer recognition to hostels;
- (xvii) to co-ordinate, supervise, regulate and control the teaching, consultancy and conduct of research in the University to the extent deemed necessary;
- (xviii) to determine the powers and duties of the officers and other employees of the University other than those provided in this Act;
- (xix) to institute and establish Professorships, Associate Professorship, Assistant Professorship and any other teaching and research posts required by the University and to appoint persons to such posts; and
- (xx) to do all such acts and things as may be required in furtherance of the objects of the University.

University shall be open to all classes and castes.

7. No person shall, on grounds only of religion, race, caste, sex, descent, residence, language, political opinion or any of them, be ineligible for, or discriminated against in respect of any employment or office under the University or membership of any of the authorities of the University or admission to any course of study or research in the University:

Provided that the University may in consonance with policy of the Government, reserve seats for the members of the Backward Classes of Citizens or Scheduled Castes or Scheduled Tribes or women or any other category of persons, for the purpose of admission as students to any of the courses of the University.

CHAPTER III AUTHORITIES, OFFICERS AND CHANCELLOR OF THE UNIVERSITY

Authorities of the University.

8. The following shall be the authorities of the University, namely:—

- (a) The Board of Management;
- (b) The Academic Council;
- (c) The Board of studies;
- (d) Finance Committee; and
- (e) Such other authorities as may be declared by the Statutes to be the authorities of the University.

Teachers of the University.

9. The following shall be the teachers of the University, namely:—

- (a) Professors;
- (b) Associate Professors or Workshop superintendent;
- (c) Assistant Professors; and
- (d) Such other teachers as may be prescribed to be the teachers of the University.

Officers of the University.

10. The following shall be the officers of the University, namely:—

- (a) The Vice-Chancellor;
- (b) The Registrar;
- (c) The Comptroller of Finance;
- (d) The Controller of Examinations;
- (e) The Dean of Students Welfare;
- (f) The Professor Training Placement;
- (g) The Librarian; and
- (h) Such other officers as may be declared by the Statutes.

The
Chancellor.

11. (1) The Governor of Odisha shall be the Chancellor of the University.

(2) The Chancellor shall by virtue of his office be the Head of the University and shall when present, preside over the convocations of the University convened for the purpose of conferring degrees or for any other purpose.

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

(4) The Chancellor shall decide all disputes with regard to the election or nomination of members of the authorities of the University and such other matters as may be referred to him and his decision shall be final.

(5) The Chancellor shall have the right, —

- (a) to make an inspection or cause an inspection, to be made by such person or persons as he may direct, of the University, its buildings, laboratories, workshops and equipment and Departments or schools of the University and of any examination, teaching or other work conducted or done by the University; and
- (b) to make an enquiry or cause an enquiry to be made, in like manner, in respect of any matter connected with the University, and in every such case, he shall give notice to the Vice-Chancellor of the University to make an inspection or enquiry or to cause an inspection or enquiry to be made and the University shall be entitled to be represented thereat:

Provided that the person entrusted with such enquiry or inspection by the Vice-Chancellor shall not be below the rank of Registrar.

(6) The Chancellor may, with reference to the result of such inspection or enquiry, direct the concerned authority or authorities of the University or the Vice-Chancellor, as the case may be, to take such remedial measures as he deems necessary within such period, not being later than six months from the date of receipt of the direction, as he may fix in that behalf.

(7) The concerned authority or authorities of the University or the Vice-Chancellor, as the case may be, shall report to the Chancellor such action, if any, as they have taken or propose to take consequent upon the result of such inspection or enquiry and such report shall be submitted to the Chancellor within the period fixed by him under sub-section (6).

(8) If the concerned authority or authorities of the University or the Vice-Chancellor, as the case may be, fails to comply with the direction issued by the Chancellor within the period fixed under sub-section (6) or within such further period not being later than three months as the Chancellor may allow in that behalf, the Chancellor may take such remedial measures or pass such order as he deems proper.

(9) The Chancellor shall be competent to issue directions or instructions consistent with the provisions of this Act, Statutes, Regulations or Rules on any matter connected with the University when any authority or Vice-Chancellor fails to act in accordance with the provisions of the Act, Statutes, Regulations or Rules.

(10) The Chancellor may direct or instruct in writing to annul any proceeding of the Board of Management, Academic Council or any other authority which is not in conformity with this Act, Statutes, Regulations, Rules or the directions issued under sub-section (9):

Provided that before making any such order he shall call upon the authority concerned to show cause as to why such an order shall not be made and if any cause is shown within a reasonable time, he shall, after giving an opportunity of hearing as deemed proper, consider the same.

The Vice-Chancellor.

12. (1) The Vice-Chancellor shall be appointed by the Chancellor from among technical education experts from out of a panel of three names, recommended by a Committee appointed by him, who are not members of the Committee :

Provided that the first Vice-Chancellor shall be appointed by the Chancellor from a panel of three names recommended by the Government.

(2) The Committee referred to in sub-section (1) shall consist of three members of whom one shall be nominated by the University Grants Commission, one shall be elected by the Board and the remaining member shall be nominated by the Government, and the Chancellor shall appoint one of the members to be the Chairman of the Committee:

Provided that no person shall be eligible to be a member of the Committee if he is a member of any of the authorities of the University or an employee of the University.

(3) The Committee shall make the required recommendation within a period of three months from the date of its appointment, failing which, another such Committee shall be appointed by the Chancellor to make the required recommendation to the Chancellor, who shall appoint a Vice-Chancellor accordingly.

(4) No person who has completed sixty-five years of age shall be eligible to hold the office of the Vice-Chancellor.

(5) The Vice-Chancellor shall hold office for a term of four years from the date on which he enters upon his office and shall be eligible for reappointment by the Chancellor for another term or till he attains the age of sixty-five, whichever is earlier, without following the procedure specified in sub-section (1).

(6) The remuneration payable to and other conditions of service of the Vice-Chancellor shall be determined by the Chancellor:

Provided that the remuneration and other conditions of service shall not be varied to the disadvantage of the Vice-Chancellor during his tenure as such.

Powers and
duties of
Vice-
Chancellor.

13. (1) The Vice-Chancellor shall be the principal academic and executive officer of the University and all other officers of the University shall be subject to general supervision and control of the Vice-Chancellor.

(2) The Vice-Chancellor shall be the Chairman of the Board and the Academic Council and shall be entitled to be present at, and to address, any meeting of any authority of the University, but shall not be entitled to vote thereat unless he is a member of the authority concerned.

(3) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, the Statutes, Regulations and Rules are observed and he shall have all the powers as necessary for this purpose.

(4) The Vice-Chancellor shall have the right of visiting and inspecting schools and Departments of the University.

(5) If the Vice-Chancellor is of the opinion that any order or decision which is required to be passed or made by any authority of the University is necessary to be passed or made immediately and it is not practicable to convene a meeting of the said authority for that purpose, he may pass such order or take such decision as he deems proper and place the matter before the said authority at its next meeting for ratification, and where the authority differs from the Vice-Chancellor, the matter shall be referred to the Chancellor whose decision thereon shall be final and conclusive.

(6) Subject to the provisions of this Act, Statutes, Regulations and Rules the Vice-Chancellor shall have the power, —

- (a) to make appointment to posts below the rank of Assistant Registrar and of non-teaching employees or to such posts as may be prescribed and specify their duties;
- (b) to suspend, dismiss or otherwise punish any employee of the University below the rank of Assistant Registrar including non-teaching employees; and
- (c) to take disciplinary action against students of the University:

Provided that he may delegate any of the powers under this subsection to the Registrar except the power to dismiss any employee who has been appointed by the Vice-Chancellor.

(7) The Vice-Chancellor shall have the power to convene meetings of the Board or the Academic Council or any other authority of the University.

(8) It shall be the duty of the Vice-Chancellor to ensure that the proceedings of the University are carried on in accordance with the provisions of this Act, Statutes, Regulations and Rules, and where the Vice-Chancellor is of the opinion that any proceeding or order of an authority of the University is violative of any provision of this Act, Statutes, Regulations or Rules he may, by an order in writing, stay the operation of such proceeding or order and send a report and make a reference to the Chancellor for a final decision in accordance with the provisions of sub-section (4) of section 11.

(9) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed in the Statute.

(10) In the event of absence of the Vice-Chancellor from the headquarters or during his inability to act due to reasons like illness, the Chancellor may make such arrangement for performance of the duties of the Vice-Chancellor as he may deem fit.

(11) In the event of the occurrence of vacancy in the office of the Vice-Chancellor by reason of death, resignation or otherwise, the Chancellor may appoint any Professor of University based on seniority to act as Vice-Chancellor until a regular appointment of Vice-Chancellor is made in accordance with the provisions of section 12 :

Provided that the period of such interim arrangement shall not exceed six months.

The
Registrar.

14. (1) The Registrar shall be a whole time officer of the University and shall be appointed by the Board from among a panel containing three names of officers, not below the rank of Joint Secretary to Government belonging to the Odisha Administrative Service cadre furnished by the Government for such period and on such terms and conditions as may be prescribed by Statutes.

(2) The Registrar shall be responsible for, –

- (a) the custody of the records and the common seal of the University;
- (b) maintaining a permanent record of the academic performance of students of the University including the courses taken, grades obtained, degrees awarded, prizes or other distinctions won and any other items pertaining to the academic performance of the students ; and
- (c) execute all contracts on behalf of the University.

(3) The Registrar shall exercise such other powers and perform such other duties as may be imposed on him by Statutes.

(4) All suits and other legal proceedings by or against the University shall be instituted by or against the Registrar.

The
Comptroller of
Finance.

15. (1) The Comptroller of Finance shall be a whole time officer of the University and shall be appointed by the Board from among a panel of three officers not

below the rank of Joint Secretary to Government belonging to the Odisha Finance Service cadre in consultation with the Government from among the officers of the Odisha Finance Service cadre furnished by the Government for such period and terms and conditions as may be prescribe by statute.

(2) The salary, allowances and other dues of the Comptroller of Finance shall be paid by the University.

(3) The Comptroller of Finance shall, subject to the control of the Vice-Chancellor —

- (a) be responsible for the proper investment of the funds of the University;
- (b) exercise general supervision of such funds;
- (c) tender advice with regard to financial transactions of the University;
- (d) be responsible for preparation and presentation of the annual financial estimate and statements of accounts for presentation by the Vice-Chancellor before the Board ;
- (e) ensure that all moneys are expended for the purpose for which they are granted or allotted by the appropriate authority;
- (f) examine the statements of accounts of the University and submit a report on such examination to the Board; and
- (g) shall exercise such other powers and perform such other functions as may be prescribed.

(4) The Comptroller of Finance shall be responsible to the Vice-Chancellor for ensuring that no expenditure outside the budget is incurred by the University other than by way of investments and shall disallow any expenditure which is not permissible under the Statutes.

(5) The Comptroller of Finance shall have the right to speak and otherwise take part in the proceedings of the Board as and when required, and in all such cases, his or her advice shall be recorded in the proceedings of the Board, as the case may be, but he or she shall not be entitled to vote.

The
Controller of
Examinations.

16. (1) The Controller of Examinations shall be appointed by the Board from amongst the Faculty members of the University or of the other Technical Institutes or other Universities for a period of three years only and shall be a whole-time officer of the University.

(2) The Controller of Examination shall perform such duties as may be assigned, from time to time by the Board or the Vice-Chancellor and shall be responsible for the preparation of question papers, fixation of time schedule for the examination, valuation , publication of results, issue of certificates and such other works related to examinations.

(3) The Controller of Examinations shall be in-charge of conduct of examinations of the University and matters relating thereto and shall perform such other duties as may be prescribed or may be required by the Vice-Chancellor.

The Dean of the Students' welfare.

17. (1) The Dean of the Students' welfare shall be a whole-time officer of the University and shall be appointed by the Board.

(2) The selection, terms of office, emoluments and other conditions of service of the Dean of the Students' welfare shall be such as may be prescribed by the Statutes.

(3) He shall exercise such powers as may be prescribed by the Statutes, Rules and Regulations, from time to time.

Appointment of first officers.

18. Notwithstanding anything contained in sections 14 and 15, the first Registrar and the first Comptroller of Finance, shall be appointed by the Chancellor on recommendation of the Government.

Appointment to be notified.

19. The appointments of the Vice-Chancellor, Registrar and Comptroller of Finance shall be notified in the Gazette.

The Board.

20. (1) The Board shall be the apex Executive Body of the University and shall be in-charge of the general management and administration (including the revenue and property) of the University.

(2) The Board shall be composed of the following members, namely : —

(a) *Ex-officio* members:—

- (i) the Vice-Chancellor of the University as Chairman;
- (ii) the Secretary to Government, Skill Development and Technical Education Department;
- (iii) the Secretary to Government, Finance Department;
- (iv) the Director of Technical Education and Training, Odisha;
- (v) the Vice-Chancellor of the Biju Patnaik University of Technology, Odisha ;and
- (vi) The Registrar of the University as Convener-cum-Secretary.

(b) Other members:—

- (i) two persons from among the Professors of the University, nominated by the Vice-Chancellor on seniority cum rotation basis;
- (ii) two faculty members of the Academic Council, elected by the members thereof ;
- (iii) two eminent persons who are Alumni of the College of Engineering and Technology, Bhubaneswar or Odisha University of Technology and Research, Bhubaneswar, as the case may be who have achieved excellence in the fields of academic or technical education or in the field of Industry to be nominated by the Chancellor;

- (iv) one Professor or Director of a premier technical education institution like Indian Institute of Technology, Indian Institute of Engineering Science and Technology or National Institute of Technology nominated by the Chancellor ;
- (v) one official representative of the Council nominated by it ;
- (vi) one official representative of the University Grants Commission; and
- (vii) two members of Odisha Legislative Assembly.

(3) The term of office of the members of the Board, other than the *ex-officio* members, shall be three years from the date of their nomination or election, as the case may be, and they shall not be eligible for re-nomination or re-election for the next consecutive term.

(4) The Secretary to Government in a Department may nominate any officer not below the rank of a Joint Secretary to attend any or all the meetings of the Board and the officer so nominated shall have all the powers and privileges of the members of the Board.

(5) The Board shall ordinarily meet once in six months to transact its business.

(6) Seven members shall constitute the quorum for the meetings of the Board.

Powers and functions of Board.

21. Subject to the provisions of this Act and the Statutes, the Board shall exercise and perform the following powers and functions, namely: —

- (i) to exercise the executive powers of the University including the general superintendence and control over its Schools, and Departments;
- (ii) to make Statutes for the consideration and approval of Government;
- (iii) to hold, control and administer the properties and funds of the University including investment of money in such stocks, funds, shares or securities as deemed fit;
- (iv) to provide buildings, premises, furniture, apparatus and other requisites for carrying on the work of the University and to that end enter into, vary, carry out and cancel contracts on behalf of the University;
- (v) to specify the form and use of the common seal of the University;

- (vi) to establish, maintain and manage departments and other advanced centers of learning as it may, from time to time, deem necessary;
- (vii) to appoint teachers and officers of and above the rank of an Assistant Registrar and to prescribe their duties;
- (viii) to create teaching, technical, administrative, ministerial and other necessary posts;
- (ix) to suspend, discharge, dismiss or otherwise take disciplinary action against teachers and officers of and above the rank of Assistant Registrar;
- (x) to fix and regulate the fees payable by the students subject to such instructions as may be issued by the Central Government or the Council or the University Grants Commission;
- (xi) to create research fellowships, honorary or otherwise;
- (xii) to create fellowships, scholarships, studentships, bursaries, medals and prizes on the recommendation of the Academic Council;
- (xiii) to exercise supervision and control over the residence and discipline of students;
- (xiv) to consider and pass the financial estimates, the annual accounts, together with the audit report and the annual report of the University in accordance with the provisions of the Statutes made in this behalf;
- (xv) to have overall supervision over the conduct of examinations and approval and publication of the results thereof;
- (xvi) to appoint members to the Faculties and Board of Studies;
- (xvii) to delegate any of its powers to the Vice-Chancellor or any other authority or officer as it may deem fit;
- (xviii) to accept grants, endowments, bequests, donations and transfers of movable and immovable properties to the University on its behalf;
- (xix) to negotiate with other Universities for the recognition of the examinations of the University; and
- (xx) to exercise such other powers and perform such other duties as may be prescribed by Statutes.

Academic
Council.

22. (1) The Academic Council shall be the principal academic body of the University and, subject to the provisions of this Act and the Statutes, it shall coordinate and exercise general supervision over the academic programmes and policies of the University and shall be responsible for the maintenance of standards of instruction, research, education and examination within the University and shall exercise such powers and perform such other duties as may be conferred on it by Statutes.

(2) The Academic Council shall consist of the following members, namely:—

(a) *Ex-officio* members:—

- (i) the Vice-Chancellor of the University as Chairman;
- (ii) All the Deans and Head of the Departments or Schools and Controller of Examinations of the University;
- (iii) One Professor from each of the departments by rotation for a period of one year according to seniority;
- (iv) Two Associate professors and two Assistant Professors of the University by rotation for a period of one year according to seniority;

(b) Other members:—

- (i) One Professor from Indian Institute of Technology, Bhubaneswar (to be nominated by the Board);
- (ii) One Professor from National Institute of Technology, Rourkela (to be nominated by the Board);
- (iii) One professor from Biju Patnaik University of Technology, Odisha (to be nominated by the Academic Council);
- (iv) One post-graduate student, two undergraduate students and one outstanding student sports person (to be nominated by the Vice Chancellor on the basis of merit); and
- (v) Dean of Academic Affairs of the University who will be the member secretary.

(3) The term of the nominated members of the Academic Council shall be of two years and one year for the student members.

(4) The Vice-Chancellor shall convene the meetings of the Academic Council at least twice a year or as and when warrants.

23. Subject to the provisions of this Act and of the Statutes, the Academic Council shall have the following powers and functions, namely: —

- (i) to advise the Board on all academic matters ;
- (ii) to make regulations and to amend or repeal the same, on the following matters, namely:—
 - (a) prescribing courses of studies and schemes of examinations;
 - (b) conducting annual review of courses offered, contents of curriculum and prescribing new courses to be introduced keeping in view the needs of the industry and prescribing modifications in curriculum;
 - (c) prescribing qualifications for admission of students to various courses of studies, to research degrees and to the examinations and the conditions under which exemptions may be granted;
 - (d) prescribing the standards of evaluation of the performance of students and classification of students on the basis of their performance in the examinations;
 - (e) prescribing the conditions for admission of candidates for research degrees and the requirements for the award of such degrees;
 - (f) prescribing the qualifications for recognition of teachers and scientists as supervisors for research;
 - (g) prescribing the equivalence of examinations, degrees, diplomas and certificates of other Universities;
 - (h) prescribing the qualifications of teachers in conformity with the recommendations of the Council; and
 - (i) prescribing the norms for the up-gradation of teaching posts.
- (iii) to examine and act upon the recommendations of various Faculties in making Regulations;
- (iv) to determine what degrees, diplomas and other academic distinctions shall be granted by the University and to award the same;
- (v) to institute scholarships and fellowships;
- (vi) to consider the annual reports and to make suggestions thereon to the Board;

- (vii) to recommend to the Board the conferment of honorary degrees and other distinctions ;
- (viii) to delegate such of its powers to such Committees, Standing Committees, Sub-Committees or officers of the University as it may consider necessary for discharge of its functions ; and
- (ix) to exercise such other powers and perform such other functions as may be prescribed by Statutes.

The Board
of Studies.

24. (1) There shall be Board of Studies for each branch or discipline of Study or branches of study as the Academic Council may decide.

(2) The constitution, powers and functions of the Board of Studies shall be prescribed by the Statutes.

Schools.

25. (1) The University shall constitute such number of schools as may be prescribed by the Statutes from time to time and each of such schools shall, subject to control of Academic Council, be responsible for the co-ordination of study and research in the branches coming under its purview.

(2) Subject to the provisions of this Act, each school shall exercise such powers and perform such duties as may be prescribed by the Statutes.

(3) There shall be a Dean for each school, who shall be nominated by the Vice-Chancellor.

(4) The Dean of each school shall be responsible for the due observance of the Statutes, Regulations and Rules in guiding the research activities of faculty.

(5) The Dean of school shall hold office for a term of three years.

CHAPTER IV

STATUTES, REGULATIONS AND RULES

The Statutes.

26. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

- (a) the constitution, function and powers of the Faculties, Board of Studies, Finance Committee, other authorities of the University and such other bodies as may be declared to be authorities of the University;
- (b) the method of recruitment, conditions of service, powers and duties of the officers, teachers and other employees of the University;
- (c) the conferment of honorary degrees ;
- (d) the award of degrees, diplomas, titles, certificates and other academic distinctions;

- (e) the withdrawal of degrees, titles, diplomas, certificates and other academic distinctions;
- (f) the institution of fellowships, scholarships, studentships, exhibitions, Medals and prizes;
- (g) the procedure to be followed at meetings of authorities of the University including the quorum for the transaction of business by them;
- (h) the classification of teachers of the University and other employees;
- (i) acceptance and management of bequests, donations and endowments;
- (j) recognition of examinations of other Universities or educational institutions as equivalent to the examinations of the University;
- (k) fees to be charged for the courses of studies in the University and for admission to the examinations, degrees and diplomas of the University;
- (l) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (m) conduct of examinations, including the terms of office, manner of appointment and the duties of examination bodies, examiners and moderators;
- (n) supervision of students engaged in research and special studies;
- (o) fees to be charged for the service rendered by the University; and
- (p) any other matters which require to be or may be prescribed under this Act by the Statutes.

Procedure for making Statutes.

27.(1) The First Statutes of the University shall be made by the Government by notification and shall continue to be in force until amended or superseded by Statutes made by the Board in accordance with the provisions of this section.

(2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereinafter provided.

(3) No Statutes affecting the powers or duties of any authority of the University shall be made by the Board, unless the draft of such Statutes is referred by the Vice-Chancellor to that authority for expressing its views thereon within such period as may be specified in the reference or within such further period as the Vice-Chancellor may allow and views, if any, so expressed are duly considered.

(4) Statutes passed by the Board shall be submitted to the Government, who may give or withhold its approval thereto or refer it back to the Board for reconsideration with such observations as it may deem fit.

(5) No Statutes passed by the Board shall be valid until approved by Government and it shall come into force on the date of its publication in the Gazette or on such other date as the Government may fix.

Regulations. **28.** (1) The Academic Council may, subject to the approval of the Board, make Regulations consistent with this Act and the Statutes.

(2) The Regulations may provide for the exercise of all or any of the powers and functions enumerated in section 23.

(3) The Regulations shall come into force on the date of their publication in the Gazette or on such other date as the Board may direct.

Rules. **29.** (1) The Academic Council, Board of Studies and the Finance Committee of the University may, subject to the approval of the Board make Rules consistent with this Act, the Statutes and the Regulations.

(2) The Rules may provide for,—

- (a) the giving of notices to the members of each authority, the dates of meetings and the business to be transacted at their meetings and also for keeping a record of the proceedings of the meetings;
- (b) the procedure to be followed at the meetings and number of members required to form the quorum for the meetings;
- (c) all matters solely concerning such authority or the matters not provided for by this Act, the Statutes or the Regulations.

(3) The Board may refuse to approve the Rules submitted to it or may return them to the authority concerned for further consideration or may approve the Rules without modification or subject to such modifications as the Board may deem fit.

(4) Rules made under this section shall come into force on the date of their publication in the Gazette or on such other date as the Board may direct.

CHAPTER V

FINANCE AND ACCOUNTS

University Fund. **30.** (1) The University shall establish a fund to be called the University Fund.

(2) The following shall form part of, or be paid into, the University Fund, namely :—

- (a) any contribution or grant by the Government, Central Government, Council, University Grants Commission, Industrial Undertakings, Corporations, Companies or local authorities;
- (b) income of the University from any source including income from fees, charges and sale proceeds;
- (c) bequests, donations, endowments and other grants, if any, received by the University; and
- (d) miscellaneous receipts.

(3) With the prior approval of the Government, the University may, from time to time, establish such other funds in such name and for such specific purpose or purposes as may be decided by the Board.

(4) Every such fund shall be kept in a Nationalized Bank or Scheduled Bank or invested in such securities as may be decided by the Board.

(5) The funds and all moneys of the University shall be managed in such manner as may be prescribed by Statutes.

(6) The Government may, for the purpose of smooth functioning of the University, make a lump sum grant to it every year.

Power to Borrow. **31.** The University may, with the previous sanction of Government as regards the purpose and amount of loan and subject to such conditions as may be specified by Government as to Security and rate of interest, borrow any sum of money from any Nationalized Bank or Scheduled Bank or any other incorporated body.

Financial Estimates. **32.** (1) The University shall prepare the financial estimates of receipts and expenditure of the University in such manner as may be prescribed by Statutes.

(2) The Board shall consider the estimates so prepared and approve them with or without modification.

(3) The University shall submit such estimates as approved by the Board to the Government, for its sanction.

(4) The Government may pass such orders with reference to the said estimates as it thinks fit and communicate the same to the University which shall give effect to such order.

(5) The Board may, in urgent cases where expenditure in excess of the amounts provided for in the budget is found to be necessary, for reasons to be recorded in writing, incur such expenditure.

Accounts
and Audit.

33. (1) The annual accounts of the University shall be prepared by the Comptroller of Finance under the direction of the Board and all moneys accruing to, or received by, the University from whatever sources and all amounts disbursed and paid by the University shall be entered in the accounts.

(2) The accounts of the University shall, at least once in every year and at an interval of not more than fifteen months, be audited in accordance with the provisions of the Odisha Local Fund Audit Act, 1948 and the provisions of that Act shall apply to such audit.

Orissa Act 5
of 1948.

(3) All reports on audit made under sub-section (2) shall, as soon as may be after they are received from the Examiner of Local Accounts, be laid before the State Legislature for a total period of fourteen days which may be comprised of one or more sessions.

(4) The Government shall have powers to conduct special audit if required in respect of utilization of funds and the University shall comply with the directions issued by the Government on such audit.

(5) The auditors shall also report on any other matter relating to the accounts of the University as may be required by the Government.

(6) The University shall forthwith rectify or remedy any defect or irregularity pointed out by the auditors and reports the action taken to the Government.

Annual
report.

34. (1) The Board shall prepare the annual report of the University containing such particulars as the Government may specify covering each financial year and, before its final approval, it shall be presented to the Academic Council for its review on or before such date as may be prescribed by Statutes.

(2) Copies of the annual report and the annual accounts shall be sent to Government and the Government shall place them before the State Legislature.

CHAPTER VI

SELECTION COMMITTEES

Constitution
of Selection
Committee.

35. (1) The Chancellor shall, in consultation with the Board, constitute from time to time, separate Selection Committees for the purpose of selection of candidates for recruitment to the posts of —

- (a) Professors, Associate Professors, Assistant Professor and Workshop superintendent; and
- (b) Assistant Professors and other posts not being of non-teaching staff.

(2) The Selection Committee shall consist of such members as may be prescribed by Statutes.

(3) No person shall be directly recruited as teacher of the University, except on the recommendation of the concerned Selection Committee constituted under sub-section (1).

(4) The quorum for a meeting of a Selection Committee shall be such as may be prescribed by Statutes subject to the condition that the quorum shall include at least one subject expert and a nominee of Government.

(5) The procedure to be followed by each Selection Committee for selection of candidates shall be such as may be prescribed by Statutes.

(6) Where an oral test is proposed to be conducted by the Selection Committee, it may invite, where it is considered necessary, any person or persons with expert knowledge in particular subject to assist the Selection Committee at the interview but such person or persons shall not be entitled to award marks.

(7) The selection lists prepared by the Selection Committee shall be published in the Notice Board of the University.

(8) The selection list published under sub-section (7) shall remain in force for a period of one year from the date of such publication and all vacancies occurred prior to preparation of such selection list shall be filled up from such list.

(9) Where the Board proposes to make an appointment otherwise than in accordance with the order of merit arranged by the Selection Committee, it shall record its reasons therefor in writing and submit them to the Chancellor who may approve the proposal or return it to the Board for reconsideration.

(10) After reconsideration in pursuance of sub-section (9), if the Board desires to pursue its original proposal, it shall refer the matter again to the Chancellor for his decision and the decision of the Chancellor thereon shall be final and conclusive.

(11) The Chancellor shall have the power to give directions to the Vice-Chancellor to cancel any appointment not made in accordance with the provisions of this section:

Provided that before giving a direction under this sub-section, the Chancellor shall give to the person so appointed a reasonable opportunity to show cause as to why such direction should not be given and shall consider his explanations and objections, if any.

(12) If at any time it is disclosed that a person has, while applying for appointment to any post under the University, made any false statement or declaration before the Selection Committee or in any application submitted by him or has produced any false document, his appointment shall, without prejudice to any other action that may be taken against him, be cancelled by the Vice-Chancellor:

Provided that before cancelling any such appointment, the Vice-Chancellor shall give to the person, so appointed, a reasonable opportunity to show cause as to why the appointment should not be cancelled and shall consider his explanations and objections, if any.

CHAPTER VII

FILLING UP VACANCIES, REMOVAL ETC. OF MEMBERS OF THE AUTHORITIES OF THE UNIVERSITY

Vacancy not to invalidate the proceedings, etc. of authorities.

36. No act or proceedings of the Board, Academic Council or any other authorities of the University shall be invalid merely by reason of any vacancy existing in the authority performing the act or passing the proceedings.

Filling up casual vacancies.

37. All vacancies arising by reason of death, resignation or otherwise among the members of any of the authorities of the University, who were nominated or elected, shall be filled up as soon as convenient may be, by nomination or election, as the case may be, and any person so nominated or elected shall hold office for the unexpired portion of the term of his predecessor in office.

Resignation and removal of members.

38. (1) Any member of any authority of the University may resign from his office by a letter addressed to the Registrar and the resignation shall take effect from the date of receipt of the letter by the Registrar.

(2) The Vice-Chancellor may, on the recommendation of the Board, remove the name of any person, convicted by a court of law of any offence involving moral delinquency or punished by the University for malpractice connected with any University examination, from membership of any authority of the University and for the same reason may withdraw any degree or diploma conferred or granted by the University.

(3) The Vice-Chancellor may, on the recommendation of the Board, also remove any person from the membership of any authority of the University if he becomes mentally unsound or a deaf-mute or has applied to be adjudicated or has been adjudicated as insolvent.

(4) If a member of any authority of the University who is not an *ex-officio* member fails to attend three consecutive meetings of that authority, he shall cease to be a member of such authority, and thereupon the Registrar shall intimate him that he has ceased to be such member :

Provided that such authority may, if satisfied that there was sufficient cause for the failure of the member to attend the meetings, restore him to its membership with an intimation to the Registrar.

CHAPTER VIII

MISCELLANEOUS

Protection
of acts and
orders.

39. No suit or legal proceeding shall be instituted against, or damage claimed from, the University or its authorities or officers, for anything which is, in good faith, done or intended to be done, or for any order passed in good faith, in pursuance of this Act, the Statutes, Regulations or the Rules.

Question
regarding
Interpretation
and dispute
regarding
constitution
of authority.

40. (1) If any question arises regarding the interpretation of any provision of this Act or any Statutes or as to whether a person has been duly appointed or nominated or is entitled to be a member of any authority of the University, the matter may be referred to the Chancellor.

(2) The Chancellor shall, after taking such advice as deemed necessary, decide the question and such decision thereon shall be final.

Registrar to
forward
copies of
Proceedings
to
Government

41. The Registrar shall forward to the Government copies of the proceedings of every meeting of the Board and the Academic Council within two months of the meeting.

Powers of
Government
to cause
inspection
of
University.

42. (1) The Government shall have the right to cause inspection, to be made by such person or persons as it may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipments or any institution maintained by the University and also of the work conducted by the University, and to cause enquiry to be made in respect of any matter connected with the University.

(2) The Government shall, before taking any action under sub-section (1), give notice to the University of its intention to cause such inspection or enquiry to be made and the University shall be entitled to be represented thereat.

(3) The Government shall communicate to the Board the result of any inspection or inquiry made under sub-section (1) and may, after ascertaining the opinion of the Board thereon, convey its views to the Vice-Chancellor and to the Board.

(4) The Government may, after considering the views of the Vice-Chancellor and the Board on the result of any inspection or inquiry made under sub-section (1), advise the University upon the action to be taken in the matter.

(5) The Board shall report to Government the action, if any, which is proposed to be taken or has been taken upon the result of any inspection or inquiry made under sub-section (1).

(6) A report under sub-section (5) shall be submitted to Government with the opinion of the Board thereon within such time as the Government may direct.

(7) Where the Board does not, within a reasonable time, take any action referred to in sub-section (4) to the satisfaction of the Government, the Government may, after considering any explanation furnished by the Board in the matter, issue such directions as it may think fit and the Board shall comply with such directions.

Appointment
of
Commission

43. (1) The Government may, at any time, and shall, on the expiry of five years from the commencement of this Act and thereafter at the expiration of every five years, by an order published in the Gazette, constitute a Commission which shall consist of a Chairman and such other members not exceeding five as the Government may appoint, and such order shall define the procedure to be followed by the Commission.

(2) The Commission constituted under sub-section (1) shall inquire into, and make a report on—

- (i) the working of the University with special reference to quality and relevance of courses of studies and instructions;
- (ii) the financial position of the University;
- (iii) the suitability of the provisions of this Act or the Statutes, Regulations and Rules with a view to bringing about improvements in the affairs of the University; and
- (iv) such other matters as may be referred to it by the Government and make such recommendations to the Government as it thinks fit.

(3) On receipt of the report and the recommendations of the Commission under sub-section (2), the Government shall forthwith refer such report and recommendations to the Board for consideration and report.

Pension,
insurance
and
provident
fund.

44. With the previous approval of Government, the University may make appropriate provisions for the benefit of its officers, teachers and other employees under its control in the matters of pension, insurance and provident fund and for such other benefits as it may deem fit, in such manner as may be prescribed by Statutes.

Removal of
difficulties.

45. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of two years from the commencement of this Act.

Exclusion of
jurisdiction
of BPUT.

46. Notwithstanding anything contained in section 50 of the BPUT Act, the geographical area of the Odisha University of Technology and Research established under this Act shall stand excluded from the jurisdiction of the BPUT, from the date of issue of notification under sub-section (1) of section 3 of this Act.

By Order of the Governor
RADHA KRISHNA PATTANAIK
Principal Secretary to Government