GOVERNMENT OF ODISHA
SKILL DEVELOPMENT AND TECHNICLA EDUCATION DEPARTMENT

***

NOTIFICATION

Bhubaneswar, dated the 26th December, 2018

No. HTE-I-39/2017-5802/SDTE,

In pursuance of sub-section (1) of Section 3 of Gandhi Institute of Engineering and Technology University, Odisha Act, 2018 (Odisha Act 23 of 2018), the State Government do hereby establish a University to be known as the Gandhi Institute of Engineering and Technology University, Odisha Gunupur (GIET University) for the purpose of the said Act with effect from the 27th day of December, 2018.

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,

Commissioner-cum-Secretary to Government

Registrar
GIET University
Gunupur

Memo No. 5803/ SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to the Director of Printing & Stationary and Publication, Odisha, Cuttack with a request to issue this Notification in the extra ordinary issue of the Odisha Gazette and supply 100 (one hundred) copies to this Department.

26.12.18
Joint Secretary to Government

Memo No. 5804 / SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to the Additional Secretary, MHRD, Government of India, Shastri Bhawan, New Delhi-110003 for information.

26/12/18

Joint Secretary to Government

Memo No. 5805 / SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to the Chairman, University Grants Commission (UGC), New Delhi-110002 / Chairman, All Indian Council of Technical Education (AICTE), New Delhi-110070 / Director, National Assessment and Accreditation Council (NAAC), Bengaluru-560072 / Chairman, National Board of Accreditation (NBA), New Delhi-110003 for information.

26/12/18

Joint Secretary to Government

Memo No. 5806 / SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to the Additional Secretary to the Hon'ble Governor of Odisha / the Additional Secretary to the Hon'ble Chief Minister/ PS to Hon'ble Minister, SD&TE / OSD to the Chief Secretary, Odisha / PS to DC-cum-ACS for kind information.

26/12/18

Joint Secretary to Government

Memo No. 5807 / SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to the Vice-Chancellor, BPUT, Rourkela / Vice Chancellor, VSSUT, Burla / Vice Chancellor, Berhampur University, Berhampur / Director, Technical Education & Training, Cuttack / Director, IGIT, Sarang / Chairman, OJEE for information.

26/12/18

Joint Secretary to Government

Memo No. 5808 / SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to Hon'ble Chairman, Policy Planning Body / Hon'ble Chairman, Fee Structure Committee for kind information.

26/12/18

Joint Secretary to Government

Memo No. 5809 / SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to the Principal, GIET, Gunupur, Rayagada for information.

26/12/18

Joint Secretary to Government

Memo No. 5810 / SDTE, Bhubaneswar dated the 26th Dec., 2018

Copy forwarded to all Departments of Governments / all Sections of SD&TE Department for information.

Registrar
GIET University
Gunupur

26/12/18

Joint Secretary to Government

THE GANDHI INSTITUTE OF ENGINEERING AND TECHNOLOGY

UNIVERSITY, ODISHA ACT, 2018

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LAW DEPARTMENT

NOTIFICATION

The 3rd November, 2018

No.12089–I-Legis-20/2018/L.—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 28th October, 2018 is hereby published for general information.

ODISHA ACT 23 OF 2018

THE GANDHI INSTITUTE OF ENGINEERING AND TECHNOLOGY UNIVERSITY, ODISHA ACT, 2018

AN ACT FOR CONVERTING THE GANDHI INSTITUTE OF ENGINEERING AND TECHNOLOGY, GUNUPUR INTO A SELF-FINANCED PRIVATE UNITARY UNIVERSITY IN THE STATE FOR PROVIDING HIGH QUALITY EDUCATION AND TO REGULATE ITS FUNCTION AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Legislature of the State of Odisha in the Sixty-ninth Year of the Republic of India as follows:–

CHAPTER I

PRELIMINARY

Short title , and commencement

1. (1) This Act may be called the Gandhi Institute of Engineering and Technology University, Odisha Act, 2018.

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

Definitions. **2.**(1) In this Act, unless the context otherwise requires:—

(a) "Academic Council" means the Academic Council of the University constituted under section 24;

(b) "AICTE" means the All India Council for Technical Education established under section 3 of the All India Council for Technical Education Act, 1987; 52 of 1987.

(c) "Annual Report" means the Annual Report of the University referred to in section 49;

(d) "appointed date" means the date appointed under sub-section (1) of section 3;

(e) "Board of Governors" means the Board of Governors (BOG) of the University constituted under section 22;

(f) "Board of Management" means the Board of Management of the University constituted under section 23;

(g) "BPUT" means the Biju Patnaik University of Technology established under the Biju Patnaik University of Technology Act, 2002; Odisha Act 9 of 2002 .

(h) "College" means Gandhi Institute of Engineering and Technology (GIET), Gunupur;

(i) "Corpus Fund" means Corpus Fund of the University referred to in section 45;

(j) "Dean" means Dean of Schools of the University referred to in section 17;

(k) "Development Fund" means the Development Fund of the University referred to in section 47;

(l) "Distance Education System" means the system of imparting education through any means of information technology and communication such as multimedia, broadcasting, telecasting, online over internet, other interactive methods, e-mail, internet, computer, interactive talk back, e-learning, correspondence course, seminar, contact programmes or a combination of any two or more of such means;

(m) "Employee" means employee appointed by the University and includes teachers and other staff of the University;

(n) "Faculty" means a faculty of the University;

(o) "Finance Officer" means Finance Officer of the University appointed under section 19;

(p) "General Fund" means General Fund of the University referred to in section 46;

(q) "Prescribed" means prescribed by the Statutes;

(r) "President" means the President of the University referred to in section 14;

(s) "Registrar" means the Registrar of the University appointed under section 18;

(t) "Regulatory Body" means a Body established by the Central Government for laying down norms and conditions for ensuring standard of higher education such as University Grants Commission, All India Council for Technical Education and National Council of Assessment and Accreditation, National Board of Accreditation, Distance Education Bureau and other Bodies established by the State Government for the purpose;

(u) "Rules" means the Rules of the University;

(v) "School" means the Schools of Studies of the University as provided in clauses (e) and (f) of section 8;

(w) "Section" means the section of this Act;

(x) "Sponsoring Body" means the Trust;

(y) "State" means the State of Odisha;

(z) " Government" means the State Government of Odisha;

(za) "Statutes" means the Statutes of the University;

(zb) "Teacher" means a Professor, Associate Professor, Assistant Professor, Lecturer or such other person as may be appointed for imparting instruction or training or conducting research in the University;

(zc) "Trust" means the Vidya Bharati Educational Trust, registered under the India Trust Act. 1882; 2 of 1882

(zd) "UGC" means the University Grants Commission established under the University Grants Commission Act, 1956; 3 of 1956.

(ze) "University" means the Gandhi Institute of Engineering and Technology University, Odisha, Gunupur (GIET University) established and incorporated as a University under this Act.

(zf) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 16;

(zg) "Vice President" means the Vice President of the University referred to in section 15; and

(zh) "Visitor" means the Visitor of the University as referred to in section 13.

CHAPTER II

THE UNIVERSITY

Establishment and incorporation.

3. (1) Subject to provisions of section 5 with effect from such date as the State Government may, by notification, appoint in this behalf (herein after referred to as the appointed date), there shall be established in the State of Odisha a non-affiliating Unitary University at Kharling in Gunupur Tahasil in the district of Rayagada by the name of "Gandhi Institute of Engineering and Technology University, Odisha" after Corpus Fund is set up by the Sponsoring Body in accordance with the provisions of section 45.

(2) The University shall be a body corporate by the aforesaid name having perpetual succession and common seal with powers, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable which may have become vested in, or may have been acquired by it, and to contract and to do all things necessary for the purpose of this Act, and shall sue and be sued by the said name.

(3) The headquarters of the University shall be at Kharling in Gunupur Tahasil in the district of Rayagada.

(4) The jurisdiction of the University shall extend over all that is presently comprised of the College to be recognized, restructured and renamed under sub-section (1), to all schools of studies and Departments for which the corresponding degree and other academic distinction are being conferred by the BPUT and the Berhampur University and to all schools of studies and Departments to be established by the University in future with prior permission of the Government.

Effect of establishment.

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

(a) the control and management of the College which is with the Sponsoring Body together with the control and management of all

properties and assets pertaining to the College, shall stand transferred to, and vest in, the University;

(b) all properties and assets pertaining to the College including any cash balance held by the College or on its account, whether in deposit with any Bank or otherwise, shall transferred to, and vest in the University;

(c) save as provided in this section, all rights, powers and privileges, duties, debts and liabilities and obligations of the 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; and

(d) every employee and teacher duly appointed in connection with the affairs of the College and serving in the College as such immediately before the date of notification under sub-section (1) of section 3, shall hold his office or service in the University by the same terms and conditions and with the same rights and privileges.

(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 and were intended to be utilized immediately before the appointed date.

(3) Notwithstanding anything contained in the Biju Patnaik University of Technology Act, 2002 and the Odisha University Act, 1989 and the Statute made there under for the BPUT and the Berhampur University, ─

Odisha Act 9 of 2002.

Odisha Act 5 of 1989.

(a) The College shall, with effect from the appointed date, cease to be affiliated from the BPUT and from the Berhampur University and shall stand transferred to the University;

(b) All schools of studies or programmes of studies or courses of studies, by whatever name called, existing in the college prior to the appointed date shall be integrated into the University;

(c) Any student of the college, who, immediately prior to the appointed date was studying for any examination of BPUT or Berhampur University or for any examination of the College, the college being an Autonomous College, shall continue his studies as a student of the

University and to be permitted to complete his course in preparation there for and be admitted to the examination of the University; and

(d) For students referred to in clause (c), the University shall make arrangement for conferment of the corresponding degree and other academic distinction on the basis of the result of such examination.

Fulfilment of norms and other conditions.

5. Before issue of notification under sub-section (1) of section 3, the State Government on the report of a High Power Committee constituted for the purpose, shall ensure that the College fulfills the norms and other conditions prescribed or imposed by the Regulatory Bodies in relation to Land, Buildings, Library, Laboratory, Equipments, Computers, Furniture and such other Infrastructure facilities as the State Government may decide.

Undertaking .

6. After issue of notification under sub-section (2) of section 1 and before the appointed date, the Sponsoring Body shall give an undertaking,—

(a) to appoint at least one Professor, two Associate Professors and three Assistant Professors/Lecturers on full time basis along with necessary supporting staff in each School or Department or Discipline of the University prior to the date such School or Department or Discipline is vested in the University;

(b) to take up co-curricular activities to foster a proper academic and healthy socio-cultural environment, such as seminars, debates, quiz programmes and extracurricular activities like games, sports, National Service Scheme, National Cadet Corps and such other things which are necessary for the benefit of students as per the norms laid down by the Regulatory Bodies;

(c) to establish welfare programmes for the employees of the University;

(d) to fulfill such other conditions and provide such other information as may be prescribed by the Regulatory Bodies, from time to time;

(e) that the programmes of study leading to a degree or a post graduate degree offered by the University shall conform to the relevant regulations or norms of the UGC or the concerned Regulatory Body, as amended from time to time;

(f) that the admission procedure and fixation of fees shall be in accordance with the norms or guidelines, if any, prescribed by the Regulatory Bodies;

(g) that the admission shall be made strictly on merit basis from All India Examination;

(h) that the University shall accept minimum fifty percent of its students for technical or professional courses coming under Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007 through Odisha Joint Entrance Examination Counseling and priority shall be given to the students of Odisha while filling up of seats; Odisha Act 4 of 2007.

(i) that the teaching staff of the University shall have at least the minimum qualifications prescribed by the UGC or AICTE or other concerned Regulatory Bodies, and be paid appropriate emoluments as per UGC and AICTE guidelines;

(j) that the University shall be open to all persons and shall not discriminate on grounds of gender, caste, creed, religion, race, domicile and it shall not adopt or impose on any person, any test whatsoever of religious belief or any profession in order to entitle one to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student or to enjoy or exercise any privilege thereof;

(k) to fulfill such other conditions and provide such other information as may be prescribed by the Regulatory Bodies; and

(l) that it shall not offer any programme in distance mode or it shall not impart education through Distance Education System.

University not to be entitled to financial assistance.

7. The University shall be multi-disciplined, unitary, private, self-financed, non-affiliating and shall not demand for any grant-in-aid or any other financial assistance from the State Government or any other Body or Corporation owned or controlled by the State Government.

Objects of the University.

8. The objects of the University shall be,—

(a) to disseminate and advance knowledge by providing academic and research facilities in such branches of learning which include Engineering and Technology and Management and subject to the

approval of the Government in any other branches of learning or in any other field of knowledge and education as it may deem fit;

(b) to institute degrees, charters, certificates and other academic distinctions on the basis of examination or any other methods of evaluation;

(c) to collaborate with other colleges, universities, research institutions, industry associations, professional bodies or any other organisation, in India or abroad, to conceptualize, design and develop specific educational and research programmes, training programmes and exchange programmes for students, faculty member and others;

(d) to impart futuristic and holistic education at par with international standards to prepare the youth to face global competition and to participate in shaping India to become a world leader;

(e) to integrate the existing programmes and courses offered by the college into the respective Schools;

(f) to establish any other School as it may deem fit with the approval of the Government apart from the School of Engineering and Technology, the School of Management and other Schools existing in the College and integrated into the University;

(g) to disseminate knowledge through seminars, conferences, executive education programmes, community development programmes, publications, and training programmes;

(h) to undertake programmes for the training and development of faculty members of the University and other Institutions in India or abroad;

(i) to undertake collaborative research with any organization in India or abroad;

(j) to create higher levels of intellectual abilities;

(k) to provide consultancy to industry, Government and Public Organization;

(l) to ensure that the standard of the degrees, charters, certificates and other academic distinctions are not lower than those laid down by University Grants Commission and other Regulatory Bodies, as the case may be;

(m) to do all things necessary or expedient to promote the above objectives; and

(n) to pursue any other objective as may be approved by the State Government.

Powers of the University.

9. Subject to other provisions of this Act, the Statutes or Rules made there under or any other relevant laws for the time being in force, the University shall have the following powers, namely:—

(a) to establish and develop schools as envisaged in clause (f) of section 8;

(b) to carry out all such other activities as may be necessary and feasible in furtherance of the object of the University;

(c) to confer degrees, charters, certificates or other academic distinctions and professional designations as envisaged under section 8 in the manner and under conditions laid down in the Statutes and to withdraw or cancel such degrees;

(d) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;

(e) to demand and receive such fees, bills, invoices and collect charges as may be fixed by the Statutes or Rules, as the case may be;

(f) to make provisions for extra curricular activities for students and employees;

(g) to make appointments of the faculty, officers and employees of the University;

(h) to receive donations and gifts of any kind and to acquire, hold, manage, maintain and dispose of any movable or immovable property, including trust and endowment properties for the purpose of the University;

(i) to institute and maintain halls and to recognize places of residence for students of the University;

(j) to supervise and control the residence, and to regulate the discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their Code of conduct;

(k) to create academic, administrative and support staff and other necessary posts;

(l) to co-operate and collaborate with other domestic and overseas Universities and Institutions in such a manner and for such purposes as the University may determine from time to time;

(m) to organize and conduct refresher courses, orientation courses, workshops, seminars and other programs for teachers, developers of course ware, evaluators and other academic staff;

(n) to determine standards of admission to the University with the approval of the Academic Council;

(o) to make special provision for students belonging to the State of Odisha for admission in any course of the University;

(p) to do all such other acts or things whether incidental to the powers aforesaid or not, as may be necessary for furtherance of the objects of the University;

(q) to prescribe such courses for Bachelor Degree, Master Degree, Doctor or Philosophy, Doctor of Science Degrees and Research and such other Degrees, Charters and Certificates;

(r) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes, Compact Disk, Visual Compact Disk and other software;

(s) to raise, collect, subscribe and borrow with the approval of the Board of Governors whether on the security of the property of the University, money for the purposes of the University;

(t) to enter into, carry out, vary or cancel contracts; and

(u) to do all things necessary or expedient to exercise the above powers.

University open to all classes, castes, creed, religion, language and gender.

10. The University shall be open to all persons irrespective of class, caste, creed, religion, language, domicile, gender, race and descent.

National Accreditation.

11. (1) The University shall seek, obtain and retain accreditation from respective national accreditation bodies and be subject to relevant provisions of the University Grants Commission Act, 1956 and the

Act 3 of 1956.

Regulations or Guidelines made there under from time to time relating to private University.

(2) The University shall obtain prior permission or recognition from the concerned Regulatory Bodies, for conferring graduate or post graduate degrees and for other programmes.

(3) As regards other programmes on technical education, the relevant laws, rules, regulations in the matter of obtaining approval or recognition or maintaining standards shall apply to the University.

CHAPTER III

THE VISITOR AND THE OFFICERS OF THE UNIVERSITY

Officers of the University.

12. The following shall be the officers of the University, namely ; –

(a) The President;

(b) The Vice-President;

(c) The Vice-Chancellor;

(d) The Registrar;

(e) The Deans of Schools;

(f) The Finance Officer;

(g) The Controller of Examinations; and

(h) Such other officers as may be declared by the Statutes to be officers of the University.

The Visitor.

13. (1) The Governor of Odisha shall be the Visitor of the University.

(2) The visitor shall, when present, preside at the convocation of the University for conferring Degrees, Charters, Designations and Certificates.

(3) The Visitor shall have the following powers to be exercised in accordance with the procedure laid down in the Statutes, namely:—

(a)to call for any paper or information relating to the affairs of the University;

(b) on the basis of the information received by the Visitor, if he is satisfied that any order, proceeding, or decision taken by any authority of the University is not in conformity with the Act, Statutes or Rules, he may give such advice to the President or the Vice President as he may deem fit in the interest of the University and basing on the advices of the Visitor, the President and the Vice President shall take a decision which shall be complied with by all concerned.

The President and his powers.

14. (1) The Chairman of the Trust shall be the President of the University.

(2) The President, during his absence, may, by order in writing, designate the Vice- President to act as the President of University, for such period and for such functions and responsibilities as he may specify.

(3) The President shall preside at the meeting of the Board of Governors and in his absence the Vice-President shall preside at the said meeting and any decision resolved in that meeting shall be given effect to only after obtaining the approval of both President and Vice-President.

(4) The President shall have the following powers, namely:—

(a) to preside at the Convocation of the University when the Visitor is not present;

(b) to call for any information or record;

(c) to appoint and remove the Vice-Chancellor; and

(d) such other powers as may be conferred on him by the Act or the Statutes made there under.

The Vice-President and his powers.

15. (1) The Secretary of the Trust shall be the Vice-President of the University.

(2) In absence of the President, the Vice-President shall perform all such functions and exercise all such powers of the President as specified in section 14.

(3) In the absence of the President, the Vice-President shall preside over the meetings of Board of Governors.

(4) The Vice-President of the University shall exercise such powers and perform such functions as delegated to him by the Board of Governors and conferred on him by the Act or the Statutes made thereunder.

The Vice-Chancellor.

16. (1) The Vice-Chancellor shall be appointed by the President in consultation with the Vice-President from a panel of three persons recommended by the Board of Governors and shall hold office for a term of three years and after expiration of the term of three years, the Vice-Chancellor shall be eligible for re-appointment for another term not exceeding three years.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University.

(3) If in the opinion of the Vice-Chancellor it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Act, he may take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officers or authority as would have in the ordinary course dealt with the matter:

Provided that if in the opinion of the concerned authority such action should not have been taken by the Vice-Chancellor, then such case shall be referred to the President, who shall take decision in

consultation with the Vice-President and the said decision shall be final:

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within three months from the date on which such action is communicated to him, an appeal to the Board of Governors and the Board of Governors may confirm or modify or reverse the action taken by the Vice-Chancellor.

(4) If in the opinion of the Vice-Chancellor any decision of any authority of the University is outside the powers conferred by this Act, Statutes or is likely to be prejudicial to the interest of the University, he shall request the concerned authority to revise its decision within seven days from the date of his decision and in case the authority refuses to revise such decision wholly or partly or fails to take any decision within seven days, then such matter shall be referred to the President who shall take decision in consultation with the Vice-President and the said decision shall be final.

(5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be laid down by the Statutes or the Rules.

(6) The President is empowered to remove the Vice-Chancellor after due enquiry and it shall be open to the President to suspend the Vice-Chancellor during enquiry depending upon the seriousness of the charges, with the approval of the Board of Governors:

Provided that in the matter of removal or suspension of the Vice-Chancellor, the President shall consult the Vice –President.

(7) The Vice-Chancellor shall have the power to remove the Registrar, the Deans of Schools, the Finance officer, the Controller of Examinations, if the situation so warrants in the interest of the University with due approval of the Board of Governors.

The Deans of Schools.

17. (1) The Deans of Schools shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed.

(2) The Dean of each school shall be responsible for the due observance of the Rules and Regulations in guiding the research activities of faculties.

(3) The Deans of Schools shall hold office for a term of three years.

The Registrar.

18. (1) The appointment of the Registrar shall be made by the Vice-Chancellor with the approval of the Board of Governors in such manner as may be prescribed.

(2) All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.

(3) The Registrar shall exercise such other powers and perform such other functions as may be prescribed or may be required from time to time, by the Board of Governors.

(4) The Registrar shall be responsible for the due custody of the records and the common seal of the University and shall be bound to place before the President, the Vice- President and the Vice-Chancellor or any other authority, all such information and documents as may be necessary for transaction of their business.

The Finance Officer and the Controller of examination.

19. (1) The Finance Officer shall be appointed by the Board of Governors in such manner and shall exercise such powers and perform such functions as may be prescribed in the Statutes.

(2) The Controller of Examinations shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such functions as may be prescribed in the Statutes.

Other officers.

20. The manner of appointment, terms and conditions of services and powers, duties and functions of other officers of the University shall be such, as may be prescribed in the Statutes.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

Authorities of the University.

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

(a) The Board of Governors;

(b) The Board of Management;

(c) The Academic Council;

(d) The Board of Studies;

(d) The Finance Committee; and

(e) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Board of Governors and its powers.

22. (1) The Board of Governors shall consist of the following members, namely:—

(a) The President;

(b) The Vice-President;

(c) The Vice-Chancellor;

(d) Three persons nominated by the Trust who shall be eminent educationist;

(e) Two experts nominated by the State Government;

(f) One member of the Odisha Legislative Assembly nominated by the Speaker in consultation with the leader of the House and the leader of opposition;

(g) The Secretary to Government, Skill Development and Technical Education Department who shall be the member *ex officio*;

(h) Two Deans of the University by rotation, to be nominated by the President in consultation with the Vice-President; and

(i) One expert of Finance to be nominated by the President in consultation with the Vice-President.

(2) The President shall be the Chairman of the Board of Governors.

(3) The Registrar shall be the *ex officio* Secretary of the Board of Governors.

(4) The Board of Governors shall be the principal executive body and principal governing body of the University and shall have the following powers, namely:—

(a) to lay down policies to be pursued by the University;

(b) to review decisions of other authorities of the University if they are not in conformity with the provision of this Act, or the Statutes or the Rules;

(c) to make new or additional Statutes and Rules or amend or repeal the earlier Statutes and Rules with the approval of the State Government;

(d) to approve the budget and annual report of the University;

(e) to appoint the Statutory Auditors of the University;

(f) to take decision about voluntary winding up of the University;

(g) to approve proposals for submission to the State Government; and

(h) to take such decision and steps as are found desirable for effectively carrying out the objectives of the University.

(5) The Board of Governors shall meet at least twice in a calendar year at such time and at such place as the President, in consultation with the Vice-President, thinks fit.

(6) Save as otherwise provided in this section, the terms of nominated members of the Board of Governors shall be three years from the date of nomination.

(7) Any recommendation or decision of the Board of Governors shall be given effect to only after approval of the President in the consultation with the Vice-President.

The Board of Management.

23. (1) The Board of Management shall consist of the following members, namely:—

(a) The Vice-Chancellor of the University who shall be the *ex officio* Chairman;

(b) The Registrar of the University who shall be the *ex officio* Secretary;

(c) The Finance Officer of the University;

(c) Two members of the Board of Governors, nominated by the Sponsoring Body;

(d) Three deans of the University; and

(e) Two senior Professors of the University.

(2) The powers and functions of the Board of Management shall be such, as may be prescribed.

(3) The term of office of the members other than the *ex officio* members shall be three years.

The Academic Council .

24. (1) The Academic Council shall consist of the following members, namely:—

(a) The Vice-Chancellor of the University who shall be the *ex officio* Chairman.

(b) The Registrar of the University who shall be the Secretary; and

(c) Such other members as may be nominated by the Board of Governors.

(2) The Academic Council shall be the principal academic body the University and shall, subject to the provisions of this Act, the Statutes and the Rules, co-ordinate and exercise general supervision over the

academic policies of the University and shall exercise such other powers and perform such other functions as may be prescribed.

(3) The term of office of the members other than the ex-office members shall be three years.

The Board of Studies.

25. (1) There shall be a 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 such as may be prescribed in the Statutes.

The Finance Committee.

26. (1) The Finance Committee shall consist of the following members, namely:—

(a) The Vice-Chancellor of the University who shall be the *ex officio* Chairman;

(b) The Registrar of the University who shall be the *ex officio* Secretary;

(c) The Finance Officer; and

(d) Such other members as may be nominated by the Board of Governors.

(2) The Finance Committee shall be the principal financial body of the University to take care of the financial matters and shall, subject to the provisions of this Act. Statutes and the Rules, co-ordinate and exercise general supervision over the financial matters of the University and shall exercise such other powers and perform such other functions as may be prescribed.

(3) The term of office of the members other than the *ex officio* members shall be three years.

Other authorities.

27. The constitution, powers and functions of other authorities of the University shall be such, as may be prescribed.

Proceeding not invalidated on account of vacancy .

28. No act or proceeding of any authority of the University shall be invalid merely by reason of the existence of any vacancy or defect in the constitution of the authority.

CHAPTER V

STATUTES AND RULES

Statutes . **29.** Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:–

(a) the constitution, powers and functions of the authorities and other bodies of the University not specified in the Act, as may be constituted from time to time and creation of new authorities of the University;

(b) the operation of the Corpus Fund, the General Fund and the Development Fund;

(c) the terms and conditions of appointment of the Vice-Chancellor, the Registrar and the Finance Officer and their powers and functions;

(d) the mode of recruitment and the conditions of service of other officers, teachers and employees of the University;

(e) the procedure for resolving disputes between the University and its officers, faculty members, employees and students;

(f) creation, abolition or restructuring of departments and faculties;

(g) the manner of co-operation with other Universities or Institutions of higher learning;

(h) the procedure for conferment of honorary degrees;

(i) the provisions regarding grant of freeships and scholarships;

(j) the number of seats in different courses of studies and the procedure of admission of students to such courses.

(k) the fee chargeable from students for various courses of studies subject to the norms, guidelines or law for the time being in force, made by the Regulatory Bodies or the State Government depending on the course in which the students seek admission;

(l) institution of fellowships, scholarships, studentships, freeships, medals and prizes;

(m) procedure for creation and abolition of posts; and

(n) any other matters which may be prescribed.

Procedure for making Statutes.

30. (1) The First Statues shall be made by the Board of Governors and shall be submitted to the State Government for its approval, which may, within three months from the date of receipt by the State Government, give its approval with or without modifications.

(2) Where the State Government fails to take any decision with respect to the approval of the Statute within the period specified in sub-section (1), it shall be deemed to have been approved by the State Government.

Power to amend the Statutes.

31. The Board of Governors may, with the prior approval of the State Government, may make new or additional Statutes or amend or repeal the Statutes.

Rules .

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

(a) the admission of students to the University and their enrolment and continuance as such;

(b) the courses of study to be laid down for all Degrees, Certificates, Charters and other academic distinctions of the University;

(c) the award of Degrees, Certificates and other academic distinctions of the University;

(d) the accounting policy and financial procedure;

(e) the conditions of the award of fellowships, scholarships, studentships, medals and prizes;

(f) the conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners, invigilators, tabulators and moderators;

(g) the fee to be charged for examinations for Degrees, Certificates and other academic distinctions of the University subject to the norms, guidelines or law for the time being in force, made by the Regulatory Bodies or the State Government depending on the course in which the students appear the examination;

(h) revision of fees;

(i) alteration of number of seats in different courses and programs;

(j) the conditions of residence of the students at the University;

(k) maintenance of discipline among the students of the University; and

(l) any other matters not specifically provided in the Statutes.

Procedure for making Rules.

33. (1) The Rules shall be made by the Board of Governors and the Rules so made shall be submitted to the State Government for its approval, which may within two months from the receipt of the Rules give its approval with or without modification.

(2) Where the State Government fails to take any decision with respect to the approval of the rules within the period specified in sub-section (1), it shall be deemed to have been approved by the State Government.

Power to amend Rules.

34. The Board of Governors may, with the prior approval of the State Government, make new or additional Rules or amend or repeal the Rules.

Admission.

35. (1) Subject to the provisions of clause (h) of section 6 and the provisions of the Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007 regulating admission to all courses offered by the University shall be done strictly from All India Examinations on merit basis and in accordance with the norms and guidelines prescribed by the Regulatory Bodies or the UGC as the case may be depending on the course in which students seek admission.

(2) In absence of the guidelines under sub-section (1), admission in the University shall be made strictly on the basis of merit.

(3) Merit for admission in the University may be determined on the basis of marks or grade obtained in the qualifying examination and

achievements in co-curricular and extra-curricular activities and on the basis of marks or grade obtained in the entrance test conducted at State or National level either by an association of the Universities conducting similar courses or by any agency of the State.

Fee Structure.

36. (1) The University may, from time to time, prepare its fees structure in accordance with the norms and guidelines prescribed by the Regulatory Bodies depending on the course in which the students seek admission, subject to adherence to the fee control regulations of the State Government as applicable to Universities.

(2) The University shall not charge any fees, by whatsoever name called, other than for which it is entitled under the provisions of sub-section (1).

(3) The University shall implement a Scheme for providing concession in fees payable to the University by the students belonging to Scheduled Castes, Scheduled Tribes community, Economically Weaker Sections and women from the State of Odisha.

CHAPTER VI

MISCELLANEOUS

Conditions of service of employees.

37. (1) Subject to the provisions of clause (d) of sub-section (1) of section 4, every employee shall be appointed under a written contract, which shall be kept in the University and a copy of which shall be furnished to the employee concerned.

(2) Disciplinary action against the students or employees shall be governed by the procedure as may be prescribed.

Right to appeal .

38. Every employee or student of the University shall, notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed, to the Board of Management against the decision of any officer or authority of the University and thereupon the Board of Management may confirm, modify or change the decision appealed against.

Provident fund and pension.

39. The University shall constitute for the benefit of its employees such provident or pension fund and provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be prescribed.

Disputes as to constitution of University authorities and bodies.

40. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the President who shall take a decision in consultation with the Vice- President.

Constitution of committees.

41. Any authority of the University referred to in section 21, is empowered to constitute a committee of such authority, consisting of such members as such authority may deem fit, and having such powers as the authority may deem fit.

Filling of casual vacancies.

42. Any casual vacancy among the members, other than *ex officio* members, of any authority or Body of the University shall be filled in the same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling the vacancy shall be a member of such authority or Body for the residue of the term for which the person in whose place he fills would have been a member.

Protection of action taken in good faith.

43. (1) No suit or other legal proceedings shall lie against any officer or other employee of the University for anything, which is done in good faith or intended to be done in pursuance of the provisions of this Act, the Statutes or the Rules.

(2) Nothing in sub-section (1) shall be a bar for filling suits, prosecutions or other legal proceedings for anything done in contravention of the provisions of this Act and the Rules or Statute made thereunder.

Transitional provisions .

44. Notwithstanding anything contained in any other provisions of this Act and the Statutes,–

(a) The first Vice-Chancellor shall be appointed by the President in consultation with the Vice-President and the said officer shall hold office for a term of three years;

(b) The first Registrar and the first Finance Officer shall be appointed by the President in consultation with the Vice-President who shall hold office for a term of three years;

(c) The first Board of Governors shall hold office for a term not exceeding three years; and

(d) The first Board of Management, the first Finance Committee and the first Academic Council shall be constituted by the President in consultation with the Vice-President for a term of three years.

Corpus fund. .

45. (1) The Sponsoring Body shall establish a Corpus Fund of Rupees Ten Crores.

(2) The amount of Corpus Fund shall be invested and kept invested until the dissolution of the University in long term securities issued or guaranteed by the State Government.

(3) The University may transfer any amount from the General Fund or the Development Fund to the Corpus Fund.

(4) Excepting in the dissolution of the University, no money can transferred from the Corpus Fund under any other circumstances purposes other than that of the University.

(5) Out of the incomes received from the Corpus Fund amount not exceeding seventy five percentum shall be used for the purpose of development works of the University and the remaining twenty five percentum shall be reinvested in the Corpus Fund.

General Fund.

46. (1) The University shall establish a General Fund to which the following amount shall be credited, namely:—

(a) all fees which may be charged by the University;

(b) all sums received from any other source;

(c) all contributions made by the Sponsoring Body; and

(d) all contributions or donations made in this behalf by any other person or Body, which are not prohibited by any law for the time being in force.

(2) The funds credited to the General Fund shall be applied to meet the following payments, namely:—

(a) the repayment of debts including interest charges thereto incurred by the University for the purpose of this Act and the Statutes, and the Rules made there-under;

(b) the upkeep of the assets of the University;

(c) the payment of the cost of audit of the fund created under this section and section 47;

(d) meeting the expenses of any suit or proceedings to which the University is a party;

(e) the payment of salaries and allowances of the officers and employees of the University, members of the teaching and research staff, and payment of any Provident Fund contributions, gratuity and other benefits of the teaching and research staff;

(f) the payment of traveling and other allowances of the members of the Board of Governors, the Board of Management, Academic Council, and other authorities so declared under the Statutes of the University and of the members of any Committee or Board appointed by any of the authorities of the University in pursuance of any provision of this Act, or the Statutes, or the Rules made thereunder;

(g) the payment of fellowships, freeships, scholarships, assistantships and other awards to students, research associates or trainees eligible for such awards under the Statutes or Rules of the University;

(h) the payment of any expenses incurred by the University in carrying out the provisions of this Act, and the Statutes or the Rules;

(i) the payment of cost of capital, not exceeding the prevailing bank rate of interest, incurred by the Sponsoring Body for setting up the University and the investments made thereof;

(j) the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of the provisions of this Act, and the Statutes, and the Rules; and

(k) the payment of any other expenses including a management fee payable to any organization charged with the responsibility of managing the University on behalf of the Sponsoring Body, as approved by the

Board of Management to be an expense for the purposes of the University:

Provided that no expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year as may be fixed by the Board of Management without the previous approval of the Board of Management:

Provided further that the General Fund shall be applied for the objects specified under this sub-section with the prior approval of the Board of Management of the University.

Development fund.

47. (1) The University shall also establish a Development Fund to which the following amount shall be credited, namely: ─

(a) all sums received from any other source for the purposes of the development of the University;

(b) all contributions made by the Sponsoring Body;

(c) all contributions or donations made in this behalf by any other person or Body which are not prohibited by any law for the time being in force; and

(d) subject to the provisions of sub-section (5) of section 45, incomes received from the Corpus Fund.

(2) The amount credited to the Development Fund from time to time shall be utilized for the development of the University.

Maintenance of fund.

48. The funds established under sections 45, 46 and 47 shall be, subject to general supervision and control of the Board of Governors, be regulated and maintained in such manner as may be prescribed.

Annual Report .

49. (1) The Annual Report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Board of Governors for its approval.

(2) The Board of Governors shall consider the Annual Report in its meeting and may approve the same with or without modification.

(3) A copy of the Annual Report duly approved by the Board of Governors shall be sent to the Visitor and to the State Government on or

before 31st December following closure of the financial year on the 31st March each year.

Account and audit .

50. (1) The Annual Accounts and Balance Sheet of the University shall be prepared under the direction of the Board of Management and all funds accruing to or received by the University from whatever source and all amount disbursed or paid shall be entered in the accounts maintained by the University.

(2) The Annual Accounts of the University shall be audited every year by a chartered accountant, who is a member of the Institute of Chartered Accountants of India.

(3) A copy of the Annual Accounts and the Balance Sheet together with the audit report shall be submitted to the Board of Governors on or before the 31st December following closure of the financial year on the 31st March each year.

(4) The Annual Accounts, the Balance Sheet and the audit report shall be placed before the Board of Governors at its meeting for consideration and approval and the Board of Governors shall forward the same to the Visitor and to the State Government on or before the 31st December each year.

(5) In the event of any observation relating to deficiencies in financial management in the Report of the Chartered Accountant, the State Government may issue directions to the University, and such directions shall be binding on the University.

Mode of proof of University record.

51. A copy of any receipt, application, notice, order, proceeding or resolution of any authority or committee of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding, resolution or document existence of entry in the register and shall be admitted as evidence of the matters and transaction therein recorded where the original thereof would, if produced, have been admissible in evidence.

Dissolution of University.

52. (1) If the Sponsoring Body proposes dissolution of the University in accordance with the law governing its constitution or incorporation, it shall give at least six months notice in writing to the State Government.

(2) On identification of mismanagement, mal-administration, indiscipline, failure in the accomplishment of the objects of the University and economic hardships in the management systems of the University, the State Government shall, subject to and in accordance with relevant law, if any for the time being in force, issue directions to the Sponsoring Body of the University and if the direction are not followed within such time as may be prescribed, the right to take decision for winding up of the University would vest in the State Government.

(3) The manner of winding up of the University would be such as may be prescribed by the State Government in this behalf.

(4) If the State Government considers it necessary to suspend the Board of Management, it shall, by notification published in the Official Gazette, order suspension of the Board of Management and shall make such arrangements in consultation with the Sponsoring Body for the administration of the business of the University till the completion of investigation as it may consider necessary:

Provided that no such action will be initiated without affording a reasonable opportunity to show cause to the Sponsoring Body.

(5) On receipt of the notice referred to in sub-section (1) or on a decision to wind up under sub-section (2), the State Government shall, in consultation with the all India Council for Technical Education, University Grants Commission and other concerned Regulatory Bodies, make such arrangements for administration of the University from the proposed date of dissolution or winding up of the University until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed.

Expenditure of the University during dissolution .

53. (1) The expenditure for administration of the University during the taken over period of its management under section 52 shall be met out of the Corpus Fund, the General Fund or the Development Fund.

(2) If the fund referred to in sub-section (1) are not sufficient to meet the expenditure of the University during the taken over period of its management, such expenditure may be met by disposing of the properties or assets of the University, by the State Government.

Removal of difficulties .

54. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State legislature.

By order of the Governor

SASHIKANTA MISHRA
Principal Secretary to Government

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THE GANDHI INSTITUTE OF ENGINEERING AND TECHNOLOGY UNIVERSITY, ODISHA (AMENDMENT) ACT, 2022

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LAW DEPARTMENT

NOTIFICATION

The 12th August, 2022

No.9102–I-Legis-14/2022/L.– The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 8th August, 2022 is hereby published for general information.

ODISHA ACT 9 OF 2022

THE GANDHI INSTITUTE OF ENGINEERING AND TECHNOLOGY UNIVERSITY, ODISHA (AMENDMENT) ACT, 2022

AN

ACT

TO AMEND THE GANDHI INSTITUTE OF ENGINEERING AND TECHNOLOGY UNIVERSITY, ODISHA ACT, 2018

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

Short title and Commencement

1. (1) This Act may be called the Gandhi Institute of Engineering and Technology University, Odisha (Amendment) Act, 2022.

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

Amendment of section 6.

2. In the Gandhi Institute of Engineering and Technology University, Odisha Act, 2018 (hereinafter referred to as the principal Act), in section 6, clauses (h) and (l) shall be omitted.

Odisha Act 23 of 2018

Amendment of section 8.

3. In the principal Act, in section 8, after clause (a), the following clause shall be inserted, namely:—

"(a -1) to offer continuing and distance education programmes as per norms of the concerned regulatory body ;".

Amendment of section 9.

4. In the principal Act, in section 9, after clause (a), the following clauses shall be inserted, namely: —

"(a-1) to establish off-Campus centers and study centers, as are in the opinion of the University, necessary for the furtherance of its objects in conformity with the provisions of the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 or any other provision as may be applicable for it from time to time;"

"(a -2) to offer continuing and distance education programmes as per the norms of the concerned regulatory body;".

Amendment of section 29.

5. In the principal Act, in section 29, for clause (k), the following clause shall be substituted, namely: —

" (k) the fee chargeable from students for various courses of studies; ".

Amendment of section 32.

6. In the principal Act, in section 32, for clause (g), the following clause shall be substituted, namely: —

"(g) the fee to be charged for examinations for Degrees, Certificates and other academic distinctions of the University including the revision thereof;".

Amendment of section 35.

7. In the principal Act, in section 35, for sub-section (1), the following sub-section shall be substituted, namely: —

"(1) The admission procedure shall be in accordance with the norms and guidelines prescribed by the Regulatory Bodies depending on the course in which students seek admission.".

Amendment of section 36.

8. In the principal Act, in section 36, for sub-section (1), the following sub-section shall be substituted, namely: —

"(1) The University may, from time to time, prepare its fee structure in accordance with the norms and guidelines prescribed by the Regulatory Bodies depending on the course to which the students seek admission. ".

By Order of the Governor

PRATAP KUMAR PATRA

Principal Secretary to Government (I/C)

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