

EXTRAORDINARY

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LAW DEPARTMENT

NOTIFICATION

The 17th February, 2016

No. following Act of the Odisha Legislative Assembly having assented to by the Governor on the 5th February, 2013 is hereby published for general information.

ODISHA ACT 10 OF 2016

THE BIRLA GLOBAL UNIVERSITY, ODISHA ACT, 2015

AN ACT TO ESTABLISH AND INCORPORATE A SELF-FINANCED PRIVATE UNITARY UNIVERSITY IN THE NAME OF BIRLA GLOBAL UNIVERSITY, ODISHA

FOR PROVIDING HIGH QUALITY EDUCATION AND TO REGULATE ITS FUNCTION AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

BE ENACTED BY THE LEGISLATURE OF THE STATE OF ODISHA IN THE SIXTY-SIXTH YEAR OF THE

Republic of India as follows:—

CHAPTER - I PRELIMINARY

Short title and
commencement.

4... (1) This Act may be called the Birla Global University, Odisha Act., 2015.

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

Definition of

2. (1) In this Act, unless the context otherwise requires,

(a) "Academic Council" means the Academic Council

of the University constituted under section 21;

(b) "AJCTE" means the All India Council for Technical

Education established under section 3 of the All

India Council for Technical Education Act, 1987; or 52 of 1937.

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-2-

(c) 'Annual Report' means the annual report of the university referred to in section 45;

(d) 'Board of Bursars' means Board of

Governors of the University constituted under section 19;

(e) 'Board of Management' means the Board of

MM4ementof the'Universityconstiüedunder
section20;

(f) "Chdrnm"meanstheChairmantheUniversity
asreferredin secüT ;

(g) Charcdlor*meansthe •C}wwellor•ofthe
Uliversity*,referråitoinsation9;

(h)"Dean'meanst'ieDeenOfSchodoftheUniverSity
refa•redtoin 14,;

(i)"Development' fund"means'theDevelopment fund
oftheUnivetétyreferedto-insedion43;

(j)•"Distance Education System" nwnsthesystem of.
impartingeducationthroughany Df
informationedit•dcgyendconynunication suchas:
multimedia,broadcasting online•over
internet,dher mefrods,e-mail,intemel,
computer, interactive talks,. + bezning,
correspondercecourse,seminar,. contact
programmes or•a-corbinationofqnytwoor n•lWe
ofsuchmeans;

(kj) "Employee" meansemplyeeappointdiby the
UniversityandincuesteachersandOherstaffof
the University;

"EndowmentFund"nwnsEndowmentFundofthe
Universityreferredtoinsection41:

(m)"Faculty". meansafacultyofdieUniversity;

(n)"Gener Furd"meansGeneral Fundofthe'
Universityreferredtojn section42;

(o)'OffæmpusCentre*meansacentreofthe
University,e±bkishedbyitoutsidethe main

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campus,within•theStateof Odishaoperatedand
maintainedasitscorstituentunit,haülthe
l.nversity'smmplementof,facilijes,facultyand
Staff;

(p)"Prescribed* meanspresribedbytheStatutesor
Rules;

(q)"Registrart meansthe oftheUniversny
apwnted undersection13;

3. (1) Subordinate to the provisions of this Act, the State Government may, by notification, establish a unitary University by the name of the Birla Global University, Odisha, and the endowment fund is set up by the Sponsoring Body in accordance with the provisions of section 41.

(2) The Sponsoring Body shall,—

(a) provide 29.4 acres of land in the Industrial Estate, Chandaka in Gollage Gottepatna P.S.-Chandaka, Tahasil-Bhambeswar in the district of Khurda which shall be the Campus of the University;

(b) assign a minimum built-up area of thirty thousand square metres to the University for the purpose of building and other structures, including the existing built-up area of the Trust, for administrative and academic purposes which shall not be used for any other purpose other than that for which the same is assigned;

(c) purchase of books and journals at least Rs. 15 lakhs of the

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-5-

Regulatory Bodies, whichever is higher, in the first year and to invest not less than Rs. fifty lakhs or as per norms of the Regulatory Bodies, whichever is higher, on books, Journals, computer networking and other facilities to make the library facilities adequate for contemporary teaching and research in the first three years of the existing library books, journals, computer networking and other facilities of the Trust shall be to the requirements;

purchase of equipments, computers, furniture, other movable and immovable assets and infrastructure facilities to be built or referred to as the worth Rs. thirty lakhs or as the norms of Regulatory Bodies, whichever is higher, and under the grant to procure within the first year, equipments, computers, furniture, other movable and immovable assets, and infrastructure facilities other than buildings, referred in clause (b) worth not less than Rs. one crore or more per annum of the

Recuratory eddies, whichever is higher and be
 existing equipments, computers, furniture, other
 movable and immovable assets and infrastructure
 facilities other than buildings shall constitute part of
 the requirement.

(e) give an undertaking;—

(i) to appoint at least one Professor,
 two Associate professors
 number of Assistant Professors or lectures
 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 started;

(ii) to take up co-curricular activities
 to foster a proper academic and healthy

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socio-cultural, extracurricular, sports;
 seminars, debates, programmes, and
 extracurricular activities like sports;
 National Service Scheme, National Cadet
 Corps and such other for the
 benefit of the students laid
 down by the Regulatory Bodies;
 (ii) to establish welfare programmes
 for the employee; of the University;
 (iv) to fulfil such
 and provide such other as may
 be prescribed by the Regulatory Bodies,
 noting
 (v) that the programmes of study
 leading to a degree or post-graduate
 degree or diploma offered by the University
 shall conform to the relevant laws or
 norms of the UGC and then proceed

Regulatory Body, as amended, from time to

time:

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

(vi) that the teaching staff of the
 University shall at least be minimum
 qualifications prescribed by the UGC or other
 Regulatory Bodies, and be paid
 appropriate emoluments;

(viii) the University shall be open

to all persons and shall not be discriminated

on the ground of gender, caste, creed, religion,

race, colour and its descent, or on any other

ground, to any person, or to any class of persons,

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any, test whatsoever of religious belief for any

profession in order to do so, or to any person

appointed as a teacher in the University or to hold any other

office therein or to be admitted

as a student or to enjoy any special privilege

thereof; and

(ix) to fulfill such other conditions and

provides such other information as may be prescribed by the

Regulatory Bodies,

(3) The Sponsoring Body after fulfillment of the requirements and conditions specified in

(2) shall make a report of compliance to the State Government within

a maximum period of two years from the date of commencement

of this Act. Provided that the State Government may allow extension of such period as it may deem fit on consideration of the progress in fulfilling the conditions specified under

(4) The State Government if satisfied after considering the compliance reports submitted by the Sponsoring Body under sub-section (2) that the Sponsoring Body has complied with the provisions of sub-section (2), it may issue a notification under sub-section (1) to establish the University within the specified area of location, jurisdiction and such other conditions as may be specified in this behalf;

Provided that no notification shall be made unless a High Power Committee constituted by the Government certifies that the Sponsoring Body has complied with the provisions of sub-section (2) and that the provisions of the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003, as amended from time to time, and regulations and guidelines of regulatory bodies have been fully complied with by the Sponsoring Body.

(5) On and from the date of issue of such notification, it shall be deemed to have been established and incorporated as a University by the name of Birla Global University,

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-8-

(6) The notification issued under sub-section (1) shall be

laid before the State Legislature for a period of fourteen days

commencing from the date of its receipt by the Legislature.

(7) The University shall be a body corporate having

perpetual succession and common seal with Timers, subject to

the provisions of this Act, to acquire, own and dispose of

Property, and to contract with all things necessary for the purposes of this Act; and shall sue or be sued by the same name.

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

(9) The University shall be located at Gothapatna, PS-Clwroaka under Bhl. baneswat, Tal. S1, in the district of Khurda.

University and to

4. The University shall be a self-financed endowment not liable to any grant-waiver or any other financial

assistance.

assistance from the State Government or any other body or Corporation owned or controlled by the State Government.

Objects of the University.

5. The objectives for which the University is established are as follows:—

branches of and Technology,

- (a) to disseminate advanced knowledge by providing academic and research facilities in learning which includes Humanities and Social Science, Management, Law, Medical Science and Genetics, Vocational Education and Training, Tribal and Development Studies and in fields as it may deem fit;
- (b) to institute Degrees, Diplomas, Charters; Designations; Certificates and other academic distinctions on the basis of examination or any other method of evaluation;

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- (c) to offer continuing and distance Education programmes as per norms of the Distance Education Council of the Government of India or other body constituted by the State Government;
- (d) to collaborate with other colleges or Universities, research institutions, industrial associations, professional associations or any other organization, in India or abroad;
- (e) to conceptualize, design and develop specific educational and research programmes, training programmes, and exchange programmes for students, faculty members and others;

(f) to establish the
namely:—

School of the University,

(i) School of Management;

(ii) School of Architecture and Planning

(iii) School of Social Science and

Humanities;

(iv) School of Law;

(v) School of Natural Sciences;

(vi) School of Fine Arts;

(vii) School of Communication; and

(viii) Subject to the approval of the State.

Government, any other School as it may

deem fit

Provided that the existing programmes or courses

offered by the institutions in respect of

schools.

(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;

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-10-

undertake collaboration with any

organization in or abroad;

(j) to reach high level of intellectual abilities;

(k) to provide consultancy to industry, Government

and Public Organizations;

(l) to ensure that the standard of the grades,

diplomas, degrees, certificates and other

awards are not lower than those

issued by the University

Commission and other Regulatory Bodies; as

the case may be;

(m) to do all things necessary or expedient to

promote the objectives; and

(n) to pursue any other objectives as may be

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6. Subiæto ether provisionsofthisAd,the Statutesor

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Government State or Reg"cyedy, fre
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(a) toestablishStudyCenters,asare in the

opinion-of University;næesary fw•the

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fre oftie UniverStyGrants

Commission (Establishment of
t&ntenance • of Standards. in
Universities)Regulatin. 2003;

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(c)to carryoutsuchather•activiiesasmaybé

necessaryorfeasible
oblætothe University;

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(d) to conferDegrees.Diplanas,Charters,

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professionaldesignatorsas envisagedunder
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(e)toinstituteandawardfellowships,scholarships

endprizes,in wit) the Statutes;

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andcollect diargesasmaybe bythe
Statutes OfRules,aslheæse be;

(g)tomakeprovisiors fore)draicu« activities

for studentsandemployees;

tomakeappintments of the fæulty,'officers

andemployees oftheUniversity OrStudy

Centres;

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University or Study Centre;

(j) to irEfituie and maintain to recognize
places of residence for students of

University;

(k). to supervise, and contd the and to

regulate the dis.#ineanong fre students and

all categories of employees end to lay down

of serif* such empic»es,

including thär code of conduct;

to aeate ædemic• administrative and support

å« and neoessavyppsks*,

(m) to and collaborate with other

don-stic did overseas Universities and

Institutions in *Ch a manner and for such

purposes as the University may determine,

from time to time;

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-12-

(n) to organize and , refresher co US\$,

orientation courses,, workshops, seminars and

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n.rse ware, evaluäors• and academic

.(o) to detenine standrds• of aånissio to the

University the approval of t'BA ædemic

Council;

(p) . to make specid proisim fot students

belonging to the State of Odisha for admission

in anya: wrse of the University;

(q) to doells such other acts

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University;

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(r} to prescribe such courses for Badnelor's

Degræ, %étefs Degræ, Dmtor of

Pli!osophy, Master of Philosophy, Degrees

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to receive nominations or periodic study
in the part of Universities,
in other places of higher learning.
as equivalent to examinations of
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University money
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-13-
{w} to receive grants for conducting research and
Shri Sir B. M. Non-Government sources; and
(x) to do all necessary or expedient
exercise the powers.
7. The University shall not to persons and shall
not discriminate on grounds of gender, race, caste, religion or
domestic and shall not be liable for the University to accept or
of any profession in order to entitle one to be *Pointed as a
teacher of the University or to hold any office therein or to
be a student or to enjoy or exercise any privilege
thereof:
Provided that for the admission of student,
University shall provide reservation of fifteen per cent for
the students of Odisha who are to satisfy the minimum
standard for admission tests and interviews:
Provided further that any seats remaining vacant due to
non-availability of percentage of SC and ST of Odisha,
those may be filled by other students with prior permission of
State Government.
8.(1) The University shall seek, obtain and retain
accreditation from the respective national or State accreditation
bodies and subject to regulations and guidelines made

thereunder, from time to time, relating to private Universities

(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 matter of obtaining approval or recognition of standards shall apply to the University.

CHAPTER

CHANCELLOR AND OFFICERS OF THE UNIVERSITY

The

9. (f) The Governor of Odisha shall be the Chancellor of the University.

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

(3) The Chancellor shall have the powers to be exercised in accordance with the provisions laid in the Statutes namely:—

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

(b) on basis of information received by the Chancellor, if 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 Council as he

may deem fit in the interests of the University and

may, on such advice, direct the Chancellor, the Chairman

shall take any action which shall be considered with by the

Council

10. The following shall be the officers of the University

University-

namely

(a) The Chancellor;

(b) The Vice-Chancellor;

(c) The Registrar;

(d) The Deans of Schools;

(e) The Controller of Examinations;

(f) The Controller of Examinations; and

(g) Such other officers as may be deemed by

the Statutes to be officers of the University.
 (1) The Chairman, T. N. S. Shali, Chairman
 of the University.

(2) The Chairman during his absence may, by order
 writing, designate any other person from among the Board of
 University to act as Chairman of the
 University.
 For and for such functions and responsibilities as he may
 specify in that order, may be called Designated
 Chairman,

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-15-

(3) The Chairman or the Designated Chairman may refer to in
 (2) Shall preside at the meeting of the Board of Governors
 and the Chairman shall, when the Chancellor is not
 present, preside at the meeting of the University for conferring
 Degrees, Diplomas, Designations or Certificates.
 (4) The Chairman shall have the following powers, namely,—
 (a) to call for any information or record;
 (b) to appoint or remove the Vice-Chancellor in
 consultation with the Board of Governors; and
 Such other powers as may be conferred on him
 by the Act or the Statutes made thereunder. (5)
 The Designated Chairman shall perform all functions and exercise all
 powers, specifically delegated to him in writing by the Chairman.
 2. (1) The Chancellor shall be appointed by the
 Chairman with the approval of the Board of Governors and shall hold
 office for a term of three years and after expiration of the term, he shall
 be eligible for reappointment for another
 term, not exceeding three years.
 (2) The Vice-Chancellor shall be the Chief Executive
 and academic officer of the University, who shall exercise
 general supervision and control over the affairs of the
 University and give effect to the decisions of the
 University.

the authority of
 If in the opinion of the Vice-Chancellor, it is
 necessary to take immediate action in any matter for
 powers are conferred on any other authority by or under this
 Act, he may take such action as he deems fit and shall
 at the earliest opportunity thereafter report this action to such
 officer of the authority as would have been, with the matter.

of the course of the

Provided that, if in the opinion of the concerned
 authority such action should not have been taken by the Vice-
 Chancellor, then such cases shall be referred to the Chairman,
 whose decision shall be final.

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-16-

Provided further that where any such action taken by

the, Vice-Chancellor or any person in the service of the University, shall, 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 appealed by the Vice-Chancellor.

If the Vice-Chancellor, or any authority of the University is satisfied that the powers conferred by this Act, Statutes or Regulations are likely to be prejudicial to the interests of the University, he shall, within seven days from the date of his decision and in writing, refer the matter to the Chairman and his decision shall be final.

(5) The powers and other duties as may be prescribed in the Statutes or the Rules.

The Vice-Chancellor shall preside at the convocation of the University in the absence of both the Chancellor and the Chairman, for the award of Degrees, Diplomas, Charters, Designations or Certificates.

(7) The Chairman is empowered to remove the Vice-Chancellor on a recommendation of the Council and to enquire into the conduct of the Chairman and to suspend the Vice-Chancellor on the basis of the enquiry.

Registrar. 13. (1) The appointment of the Registrar shall be made by the Chairman in the manner as may be prescribed.

(2) All contracts shall be signed and all documents and 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 as may be required, from time to time by the Board of Governors.

(4) The Registrar shall be responsible for the due

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custody of the records and the seal of the University and shall be removed before the Chairman, the Vice-Chancellor or any other authority, and all such information and documents, as may be necessary, for the transaction of their

business.

14. 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.

School.

15. The Controller of Finance shall be appointed by the Board of Governors in such manner as may be prescribed.

Board of Governors in such manner as may be prescribed.

16. The Comptroller 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.

17. The number of appointment, terms and conditions of service, and duties and functions of other officers of the University shall be such as may be prescribed.

CHAPTER

AUTHORITIES OF THE UNIVERSITY

18. The following shall be the authorities of the University:

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

19. (1) The Board of Governors shall consist of the following members:

- (a) the Chairman;
- (b) the Vice-Chancellor;
- (c) three representatives of the Trust nominated by the Chairman of the Trust;
- (d) The Secretary to Government of Odisha, Higher Education Department and Secretary to Government of Odisha, Employment and

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-187

Te & Information & Training Department

- (e) two academicians out of whom one to be nominated by the sponsor and another to be nominated by the State Government;
- (f) two Deans of University by rotation, to be nominated by the Vice-Chancellor;
- (g) the Officer-in-Charge who shall be the Member Secretary; and

(h) three members of the Odisha Legislative Assembly to be nominated by the Speaker in consultation with the Leader of the House and the Leader of the Opposition.

(2) The Chairman shall be the Chief Minister of the State or the Governor.

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

(4) The Board of Governors shall be the principal body and the principal body at the University shall be the Board of Governors and all have full powers.

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

(b) to review the decisions of other authorities of the University, if they are in conformity with the provisions of this Act or the Statutes and Rules;

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

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

(e) to appoint the Auditor of the University;

(f) to take decision about voluntary winding up of the University with the approval of the State Government;

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

(h) to take such decisions and steps as may be deemed desirable for the effective carrying out of the objects of the University;

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-19-

(5) The Board of Governors shall meet at least twice

in a calendar year at

Chairman thereof.

time and at such places as he

(6) As provided in this section,

the term of nominated members of the Board of Governors shall be three years from the date of such nomination.

The Board

20. (1) The Board of Management shall consist of;

(a) the Vice-Chancellor who shall be the ex-officio Chairman;

(b) two members of the Board of Governors, nominated by the Sponsoring Body.

(c) two distinguished academicians nominated by the

(d) one distinguished

professional from the

Industry, nominated by the Chairman of the Trust;

(e) two former Vice-Chancellors from any other University;

(f) one faculty member from amongst Professors and Associate Professors, nominated by the Vice-Chancellor

and

(g) he. Registrar who shall be the ex-officio Secretary

(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 of the Board shall be three years.

The Academic Council-

21; (i) The Academic Council shall consist of,—

(a) the Vice-Chancellor shall be ex-officio Chairman;

(b) the Registrar who shall be ex-officio Secretary;

three of the members of the University by rotation, to be nominated by the Vice-Chancellor;

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(d) one senior Professor of the University by rotation to be nominated by the Vice-Chancellor; and

and

(e) such other members as may be prescribed.

(2) The Academic Council shall be the principal

academic body of the University and shall, in accordance with the provisions of this Act, the Statutes and the Rules, coordinate and exercise general supervision over the academic policies of the University and shall exercise such other powers and functions as may be prescribed.

(3) The term of office of the members of the Council shall be three years.

The Finance Committee-

(1) The Finance Committee shall consist of,—

(a) the Vice-Chancellor who shall be ex-officio Chairman;

(b) the Registrar who shall be ex-officio

(c) the Controller of Finance; and

such other members as may be prescribed.

(2) The Finance Committee shall be the principal financial body of the University to take care of financial matters and shall be subject to the provisions of this Act, Statutes and

Rules of the University and shall 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 members of the Board, members other than the

ex-officio members shall be tireless.

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

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shall be invalid merely by reason of the existence of any vacancy or defect in the constitution of authority,

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-21-

CHAPTER V

STATUTES AND RULES

Statde\$.

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

(a) the constitution, powers and functions of the authorities and other bodies of the University not in the Ad., as may

be constituted, from time to time, and creation of new authorities of the University;

(b) the operation of the Endowment Fund, the Gervel 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 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) the creation, abolition or 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 free and scholarships;

(1) the number of students in different courses of study and the procedure of admission of students to such courses;

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

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(l) the institution of fellowships, scholarships,

studentships, free ships, and prizes;

(m) the procedure for appointment of posts; and

(n) any matters which may be referred.

Procedure for 26. (1) The first Statute shall be by the Board of.

Statutes

shall be referred to the State Government for

its approval, within three months from the date of receipt of the Statutes, give its approval with or without modifications.

(2) If the State Government fails to take any

decision with

in the approval of the Statutes within the

specified time, it shall be deemed to

have approved by the State Government.

27. The Board of Governors may, with the prior approval

of the

the State Government make new Statutes

or amend or repeal the Statutes.

28. The provisions of the following

shall provide for the following, namely:

(a) the admission of students to the University

and the termination of continuance as

such;

(b) of students to be laid down for

Degrees, Diplomas, Certificates, Charters

and the distinction of the University;

(c) the award of Degrees, Diplomas, Certificates

and other academic distinctions of the University;

(d) the academic

procedure;

policy and financial

(e) the conditions of the award of

scholarships, stipends, medals and

prizes;

(f) the conditions

of the

conditions and mode of appointment and

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-23-

duties, examining, Degrees, Diplomas, and

awards, stipends, medals and moderators;

(g) the fee to be charged for examination or

Degrees, Diplomas, and

academic distinctions of the University

including the revision thereof;

the revision of fees;

(i) the alteration of number of seats in different

courses and programs;

(j) the conditions of service of the faculty

at the University;

(k) the maintenance of the

students of the University; and

(l) any other matters specified in the

Statutes.

Provision
Rubs.

29.(1) The Rules shall be made by the Board of Governors

and Rules so made shall be subject to the State

Government for its approval, which may, within two months

from the date of 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 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,

30. The Board of Governors may, with the prior approval

of the State Government, make new or additional Rules, or

amend or repeal the Rules.

MITison.

31.(1) The admission procedure shall be in accordance

with the norms and guidelines prescribed by the UGC or other

Regulatory Bodies, as the case may be, depending on the

course in which students seek admission.

(2) In absence of the norms and guidelines under sub-

section, admission in the University shall be

strictly on the basis of merit

(3) Merit for admission in the University may

determined on the basis of marks grade obtained in the

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-24-

gudiMngexamination and achievements in co-curricular

extra-curricular on basis of marks or grade

obtained in conducted State level

an association of the Universities/ies similar or.

by any agency of State,

Fee structure.

32. (1) The University may, from time to time, prepare its

fee structure in accordance with the norms and guidelines

prescribed by UGC and other Regulatory Bodies.

on the course in which the student

is enrolled.

(2) The University may, whenever

it may deem fit, provide for the provision of section

which is entitled under the

(3). The University shall implement a Scheme

to be framed by State Government for providing

scholarship to students of University

students belonging to Scheduled Castes, Scheduled

Tribes Community, Social and Educationally

Backward Classes and other weaker sections and economically

weaker sections, women from the State of Odisha.

Explanation.— For the purpose of this section the

expression 'weaker section' means

students whose parent's total annual income does not

exceed rupees one lakh twenty thousand or such higher

amount as the State Government may determine, by

order, from time to time.

CHAPTER VI

MISCELLANEOUS

of
of

33. (1) Every employee shall be appointed under the

which shall be in accordance with

shall be furnished to the employee concerned.

(2) Discipline and action against the employees or

employees shall be governed by the procedure as may be

prescribed.

1.0 appeal.

Every employee or student of the University shall,

notwithstanding anything to the contrary, be entitled to

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-25-

appeal, within such time as may be prescribed, to the Board of Management. If the decision of any officer or authority of the University is confirmed, modified or changed, the decision appealed against shall be confirmed, modified or changed accordingly.

Provident Fund
and Pension.

35. The University shall constitute for the benefit of its employees such fund or pension fund and shall insure the same in such manner and subject to such conditions as may be prescribed.

Notwithstanding
of
affirmative
and binding

36. 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 question shall be referred to the Chairman. Whose decision shall be final.

Constitution of
Committees.

37. Any authority of the University referred to in section 18

may constitute a committee for, consisting of such members and having such powers as may be conferred by it.

38. Any vacancy arising by reason of death, resignation

vacancies.

or otherwise among the members of any of the authority of the University, other than the ex-officio members shall be filled up as soon as may be convenient by the same member and the member so appointed shall hold office for the unexpired portion of the term of office.

of the predecessor in

Protection of
action taken in

39. (1) No suit or other legal proceedings shall lie

good faith.

against any officer, 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, or the Statutes or

the Rules,

(2) Nothing in sub-section (1) shall be a bar for filing

suits, prosecutions or other legal proceedings for anything

done in contravention of the provisions of this Act and the

Rules or Statute made thereunder and any other law for the time being in force.

Transitional
provisions

40. Notwithstanding anything contained in this Act and

the Statutes—

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-26-

the first Vice-Chancellor shall be appointed

by the Chairman and the said officer shall

hold office a term of three years;

(b) the first Registrar and the first Controller of Finance shall be appointed by the Finance Committee and 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

the first Board of Management, the first Finance Committee and the first Academic Council shall be constituted by the Chairman for a term of three years.

End Note: Find.

41. (1) The Sponsoring Body shall establish an Endowment Fund of Rupees twenty-five Crores,

(2) The amount of Endowment Fund shall be deposited in a bank and kept invested until the dissolution of the University in long term security,

(3) The University shall transfer any amount from the Endowment Fund to the Development Fund.

(4) Except in the dissolution of the University, no money can be transferred from the Endowment Fund to any other account for the University.

that of the

(5) Out of the income received from the Endowment Fund, an amount not exceeding seventy-five per cent shall be used for the purposes of development work of the University and the remaining twenty-five per cent shall be reinvested in the Endowment Fund.

Gavel

Fund.

42. (1) The University shall establish a Fund.

The following amounts shall be credited, namely: —

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

(b) amounts received from any other source;

contributions made by the University Body;

end

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-27-

(d) All contributions or donations made in the name of

by any person or body which are

prohibited by any law for the time being in force.

(2) The amount credited to the general Fund shall be

applied to meet the payments, namely: —

(a) the repayment of debt including interest

- charges thereto incurred by the University for the purposes of this Act and the Statutes, and the Rules made thereunder.
- upkeep and assets of the University;
- (c) the payment of the cost (audit of the fund created under this section 43;
- (d) meeting the expenses of any suit or proceedings to which the University is a party; the payment of salaries and allowances of officers and employees of the University members of teaching and research staff, and payment of any Provident Fund contributions, gratuity and other benefits to any such officers, employees, members of the teaching and research staff;
- (f) the payment of travelling and other allowances of the members of the Board of Governors, the Board of Management, Academic Council, and other authorities so under the Statutes of the University and of the members of any Committee or Board appointed by any of the authorities of the University pursuant to any provisions of this Act, or the Statutes, or the Rules made thereunder
- (g) the payment of fellowships, research fellowships, 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 provisions of this Act, and the Statutes or the Rules;
- (i) the payment of cost of capital, not exceeding the prevailing rate of interest, incurred by the Sponsoring Body for setting up the University and the thereof

Investments made

- (j) the payment of interest 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
- (Other payment of any other expenses including management fee payable to any organization entrusted with the responsibility of managing

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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 of the total recurring expenditure allowed total income recurring expenditure for the year may be fixed by the Board of Management the previous Board of Management that the general Fund shall be applied for the objects specified in this section of the University, approved by the Board of Management of the University,

Development—

Fund.

43.(1) The University shall also establish a Development

Fund which the following amount shall be credited to it, namely:—

(a) development fees which may be received from students;

(b) amount received from any other source for the purposes of the development of the University;

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29.

any other source of income of the University

(d) all contributions

of donations made in this

by any other person or body which are not prohibited by any law for the time being in force; and

(9) subject to provision of sub-section (5) of section 41, income received from the Endowment Fund

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

of the University

4 The Funds established under sections 41, 42 and 43 shall, subject to general supervision and control of the Board of Governors, be regulated and maintained in such manner, as may be prescribed.

Report 45.(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

(3)A the Annual Remrt duly approved by the
30rd of Governor shall sent to the Chancellor and to the
State Government on or before the 31st December following
closure of the financial year on the 31st each year. The
annual report be laid in House of Legislative
Assembly,

Account and Audit.

46.(1) The annual accounts and Balance Sheet of the
University shall be prepared under the direction of the Board of
management and funds accruing to or by the
University from whatever source and all amounts disbursed or
paid shall be entered in the accounts maintained by the
University.

(2) The annual account of the University shall
be audited every year by a Chartered Accountant who is member of
Institute of Chartered Accountants of India

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-30-

(3) A copy of 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
closure of the financial year on the 31st March every year,

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

(5) In the event of any deficiency 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.

Make of

University Record.

of 47, A copy of any receipt, application, order.

proceeding or reduction of any authority of the committee of the

University or other documents in possession of the University
or entered in any register by the University, if
certified by the Registrar, shall be as prima facie
evidence in such receipt, application, order, proceeding,

resolution or document of the existence of entry thereto
shall admit the existence of the matters and

therein recorded

the of HUI, if

produced, admissible evidence.

of
University. 48. (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 three months notice in
writing to the State

(2) On receipt of a notice from the

administration, in discipline, failure in the accomplishment of
the objects of the University or economic hardships in the
management of the University, the State

Government shall, subject to and in accordance with
the relevant law, if any, for the time being in force, issue
directions to the body of the University and the

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-31-

directions are not followed within such time as may be
prescribed, the right to take decision, for dissolution of
the University shall vest in the State Government

(3) The manner of dissolution of the University shall

be such, as may be prescribed by the State Government in
the behalf,

(4) If the State Government considers it necessary

to suspend the Board of Management, it shall, by
suspension of the Board of Management and shall make
arrangements in consultation with the Sponsoring

Body for the administration of the business of the University
till the completion of investigation as may consider.

necessary:

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

(5) On receipt of a notice referred to in sub-section

or a decision to dissolve under sub-section (2), the

State Government in consultation with the All India
Council for Technical Education, University Grants
Commission and other concerned Regulatory Bodies of
Central or State Government makes such arrangements
administration of the University from the proposed date of

dissolution 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
University during
dissolution.

49. (1) The expenditure for administration of the University during the taken over period of its management under section 48 shall be met out of the Endowment Fund, the General Fund or the Development Fund, if the fund referred to in subsection (1) is not sufficient to meet the expenditures of the University during the taken over period of its management. The expenditure may be met by disposing of the properties or assets of the University by the State Government.

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-32-

Removal of
difficulty-

50. (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 be necessary or expedient for removing the difficulty :
Provided that such order shall be made after the expiry of two years from the date of commencement of this Act.
(2) Every order made under sub-section (1) shall, as soon as it is made, be laid before the State legislature.

By Order of the Governor

BIBHU PRASAD ROU TRAY

Principal Secretary to Government

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