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SECRETARIAT
OF
THE ODISHA LEGISLATIVE ASSEMBLY
NOTIFICATION

The 9th December, 2013.

No.12875/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 7th December, 2013 is herewith published under Rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

THE BIJU PATNAIK UNIVERSITY OF TECHNOLOGY
(AMENDMENT) BILL, 2013

A
BILL

TO AMEND THE BIJU PATNAIK UNIVERSITY OF
TECHNOLOGY ACT, 2002

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

Short title and commencement.

1. (1) This Act may be called the Biju Patnaik University of Technology (Amendment) Act, 2013.

(2) It shall come into force on such date as the State Government may, by notification, appoint and different dates may be appointed for different provisions of this Act.

Amendment of section 2.

2. In the Biju Patanaik University of Technology Act, 2002 (hereinafter referred to as the principal Act), in section 2, —

Odisha Act 9 of 2002.

(a) for clause (g), the following clause shall be substituted namely: —

(g) “Constituent College” means a College established, managed, maintained and controlled by the University, and includes a College established by the Government, and a College or a Department of any other University, transferred to the management, maintenance and control of the University; and

(b) for clause(r), the following clause shall be substituted, namely:—

(r) “Teacher” means Professor, Associate Professor, Assistant Professor or such other person as may be appointed for imparting instruction or conducting or supervising research either in a Constituent College or in any of the Departments of the University or in an affiliated college and declared by the statutes to be a teacher; .

Amendment of section 5.

3. In the principal Act, in section 5, for clause (iii), the following clause shall be substituted, namely:-

“(iii) to grant autonomy to any Constituent College or affiliated college or Institution imparting education in engineering and technology including information technology and its application, architecture, pharmacy, applied arts and crafts management or applied sciences with prior approval of the State Government in accordance with the manner as may be prescribed;”

“*Explanation.*—For the purpose of this clause the “affiliated college” means, the college which has received the permanent affiliation from the University.”

Amendment of section 8.

4. In the principal Act, in section 8, for clause (i), the following clauses shall be substituted, namely:—

“(i) Pro-chancellor;

(i-a) Vice- chancellor;”

Insertion of new section 8A.

5. In the principal Act, after section 8, the following section shall be inserted, namely:—

“The Pro-Chancellor

8 A.(1) The Minister, in charge of Employment and Technical Education and Training, Odisha shall, by virtue of his office, be the Pro-Chancellor of the University.

(2) He shall exercise such powers and perform such functions of the Chancellor as may be, —

- (a) conferred on or assigned to him by or under this Act and the Statues; and
- (b) delegated to him by the Chancellor by order in writing subject to the restrictions and conditions as may be specified in such order.

(3) In the absence of the Chancellor, the Pro-Chancellor shall preside over and confer degrees at convocation of the University”.

Amendment of section 9.

6. In the principal Act, in section 9, in sub-section (5), for the words “five years”, the words “three years” shall be substituted.

Amendment of section 10.

7. In the principal Act, in section 10, in sub-section (6),—

- (i) in clause (a), for the words “Assistant Registrar”, the words “Deputy Registrar” shall be substituted;
- (ii) in clause (b), for the words “Assistant Registrar”, the words “Deputy Registrar” shall be substituted; and
- (iii) for clause (c), including the proviso thereto, the following clause shall be substituted, namely:—

“(c) to constitute a disciplinary committee consisting of three members headed by a Professor, nominated by him, to take disciplinary action against the student of the University:

Provided that any student aggrieved by the order passed by the disciplinary committee, may, within thirty days from the date of such order, prefer an appeal before the Vice-chancellor”.

Amendment of section 11.

8. In the principal Act, in section 11, in sub-section (1), after the words “appointed by the Board”, before the words “for such period”, the words “,from among a panel containing three names of officers not below the rank of Joint Secretary belonging to Odisha Administrative Service furnished by the Government,” shall be inserted.

Amendment of
section 12.

9. In the principal Act, in section 12, in sub-section (1), for the words “containing the names of officers”, the words “containing three names of officers not below the rank of Joint Secretary” shall be substituted.

Amendment of
section 17.

10. In the principal Act, in section 17, in sub-section (1), in clause (ii), for the words, “Industries Department”, the words “Employment and Technical Education and Training Department” shall be substituted.

Amendment of
section 18.

11. In the principal Act, in section 18, in clauses (viii) and (x), for the words “Assistant Registrar”, the words “Deputy Registrar” shall be substituted.

Amendment of
section 19.

12. In the principal Act, in section 19, in sub-section (2),—

(a) in clause (ii), for the words “Industries Department”, the words “Employment and Technical Education and Training Department”, shall be substituted.

(b) in clause (v), for the words “Director of Industries”, the words “the Director of Employment and State Employment Mission, Odisha” shall be substituted; and

(c) after clause (xv), the following clause shall be inserted, namely:—

“(xvi) two students of the University to be nominated by the Pro-Chancellor for each academic year”.

Amendment of
section 24.

13. In the principal Act, in section 24, —

(a) for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The Chancellor shall, in consultation with the Board constitute, from time to time, separate Selection Committees for selection to the posts not below the rank of Assistant Professor and officers of their equivalent rank.

(1-a) The Vice-Chancellor shall, in consultation with the Board, constitute, from time to time, separate Selection Committees for the purpose of Selection of Candidates to the other teaching posts other than the posts mentioned in sub-section (1) and other non-teaching posts”; and

(b) in sub-section (2), for the words "Selection Committee", the words, figures and letters "Selection Committees referred to in sub-section (1) and sub-section (1-a)" shall be substituted

Amendment of section 27.

14. In the principal Act, in section 27, in sub-section (3), for the word "sanction", the word "approval" shall be substituted.

Amendment of section 29.

15. In the principal Act, in section 29, in sub-section (2), after the word "Government" and before the words "and the Government", the words "within six months from the date of closure of each financial year" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The Biju Patnaik University of Technology Act, 2002 was enacted with a view to establish and incorporate a Technological University in the State of Odisha in order to promote education, research and training in engineering and technology. In the changing scenario, difficulties are being faced in dealing with some of the issues of the University. The proposed Bill aims to bring amendment to some of the provisions of the said Act to obviate the difficulties and for smooth functioning of the University. Some of the broad issues are as follows:

(a) To keep State Government established Engineering/Professional Colleges under the management, maintenance and control of BPUT by redefining the term Constituent College in the Act. (b) As per the instruction of AICTE, the nomenclature of teaching posts shall be categorised as Professor, Associate Professor and Assistant Professor. (c) To grant autonomy (both academic and operative freedom) to the colleges including Constituent Colleges as emphasised by the UGC. (d) To create an office of the Pro-Chancellor for facilitating better functioning of the University. (e) To reduce the term of office of the Vice-Chancellor, BPUT to 3 years so as to bring uniformity with the term of office of the Vice-Chancellors of other universities. (f) The post of Registrar of the University shall be filled up by an officer belonging to the Odisha Administrative Service not below the rank of Joint Secretary to Government. (g) The post of Finance Officer of the University shall be filled up by a senior officer belonging to the Odisha Finance Service not below the rank of Joint Secretary. (i) To facilitate the students to raise their issues in a forum of the BPUT, it has been proposed to nominate two students of the University by the Pro-Chancellor to the Academic Council for each academic year. (j) In order to expedite the process of recruitment to fill up the vacancy as and

when occurred in teaching and non-teaching posts, the Vice-Chancellor has been proposed to be authorised to constitute separate selection Committees for the teaching posts below the rank of Assistant Professor and non-teaching posts and the Chancellor may constitute selection committee for the post of Assistant Professor and above and officers of equivalent rank. (k) It has been proposed to insert a time limit of 6 months for submission of the annual report from the closure of each financial year.

The Bill seeks to achieve the above objectives.

PRATAP KESHARI DEB
Member-in-Charge

A. K. SARANGI
Secretary
Odisha Legislative Assembly