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SECRETARIAT  
OF  
THE ODISHA LEGISLATIVE ASSEMBLY  
NOTIFICATION

The 24th September, 2016

No.8963/L.A.—The following Bill which has been introduced in the Odisha Legislative Assembly on the 24th September, 2016 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, 2016  
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-seventh 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, 2016.

(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 persons 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 along with its explanation 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 the 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.”

Insertion of  
new section  
7A.

4. In the principal Act, after section 7, the following section shall be inserted, namely:—

“The Pro-Chancellor

7A.(1) The Minister, in charge of Skill Development and Technical Education, 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 Statutes; 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.” .

Amendment of section 9.

5. 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.

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

7. In the principal Act, in section 11, for sub-section (1), the following sub-section shall be substituted, namely:—

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

Amendment  
of  
section12.

**8.** 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  
section17.

**9.** In the principal Act, in section 17, in sub-section (1), in clause (ii), for the words, "Industries Department", the words "Skill Development and Technical Education Department" shall be substituted.

Amendment  
of  
section18.

**10.** 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  
section19.

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

(a) in clause (ii), for the words "Industries Department", the words "Skill Development and Technical Education Department", shall be substituted; and

(b) in clause (v), for the words " the Director of Industries", the words "the Director of Employment and State Employment Mission" shall be substituted.

Amendment  
of section 24.

**12.** 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 letter "Selection Committees referred in sub-section (1) and sub-section (1-a)" shall be substituted.

**Amendment  
of section 27.**

**13.** 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.**

**14.** 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 & 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 these difficulties and for smooth functioning of the University. Some of the broad issues included in the proposed amendment Bill are as follows.

1. It has been proposed to redefine the term “constituent college” in the BPUT Act to include 03 new Government Engineering Colleges (namely Government College of Engineering, Kalahandi, Bhawanipatna, ParlaMaharaj Engineering College, Berhampur, Ganjam and Government College of Engineering, Keonjhar) and two Professional Colleges (namely IMIT, Cuttack and CIME, Bhubaneswar) under BPUT fold. The proposed amendment will enable BPUT to regulate their matters more effectively.

2. It is proposed to redefine the conventional posts of Professor, Reader and Lecturer as Professor, Associate Professor and Assistant Professor in line with the instructions of the AICTE.

3. It is proposed to insert the provision of Pro Chancellor which will facilitate for the better functioning of the University.

4. As per the existing provision, the tenure of the office of the Vice Chancellor is for 5 years. The tenure of office of the other Officers of the University and the Vice Chancellors of other Universities is for 3 years. To bring uniformity, it has been proposed to change the term of office of the Vice Chancellor to 3 years.

5. The existing provision of the Act does not have specific mention as to from which category of the officers the post of Registrar shall be filled up. It is proposed to make provision for appointment of an officer belonging to the Odisha Administrative Service, not below the rank of Joint Secretary to Government to the post of Registrar for ensuring better and efficient management of the day to day work of the University.

6. The existing provision of the Act does not have specific mention as to from which rank of the officers the post of Finance Officer of the University shall be filled up.

It has been proposed to make provision that an officer not below the rank of Joint Secretary to Government belonging to the Odisha Finance Service shall be appointed as the Finance Officer for better management of the finance of the University.

7. The Chancellor constitutes selection committees for teaching and non-teaching posts of BPUT which causes delay. It is proposed to provide that the Chancellor shall have power to constitute selection committees for the teaching posts not below the rank of Assistant Professor and the Vice-Chancellor shall have power to constitute separate Selection Committees for the teaching posts below the rank of Assistant Professor and for non-teaching posts.

The above proposed amendment will facilitate the BPUT to function more effectively.

The Bill seeks to achieve the above objectives.

SANJAY KUMAR DAS BURMA  
Member-in-Charge

A.K. SARANGI  
Secretary  
Odisha Legislative Assembly