



The Andhra Pradesh Intelligent Global Hub for Digital Pedagogies Act, 2019

Act 10 of 2019

Keyword(s):

CEO, CFO, CLO, Company, Directors, Divisions, Division Head, General Seats, IGHDP, Institution, President, Reserved Seat, Vendor Organizations

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ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 10] AMARAVATI, MONDAY, 18th FEBRUARY, 2019.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 18th February, 2019 and the said assent is hereby first published on the 18th February, 2019 in the Andhra Pradesh Gazette for general information :-

ACT No. 10 of 2019.

AN ACT TO ESTABLISH AND INCORPORATE A GLOBAL DIGITAL HUB TO PROMOTE AND DEVELOP A HOLISTIC APPROACH TO EDUCATION USING CERTIFIED DIGITAL PEDAGOGIES WITH THE AIM TO DEVELOP 21st CENTURY SKILLS, PROVIDE PROGRESS AND HAPPINESS FOR THE PEOPLE OF ANDHRA PRADESH, AS WELL AS THE GLOBAL COMMUNITY AND MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Whereas, Government of Andhra Pradesh initiated the creation of an Autonomous Intelligent Global Hub for Digital Pedagogies;

And whereas, the Intelligent Global Hub for Digital Pedagogies (APIGHDP) is an Institution of importance to the State, National and Global community with the following objectives:

- (1) To help establish Andhra Pradesh as the 'Skill Capital' of not only India but Internationally upskilling teachers and becoming a fountain head of global talent, key element in the State Government of Andhra Pradesh's Vision 2029, which calls for a holistic approach to development towards creating happiness through knowledge and skill for the people of the State;

- (2) To utilize International practice and niche approach to transforming education using digital pedagogies to develop 21st century skills with modern approach to learn, focus on development of intellectual and emotional intelligence, thereby laying the foundation for achieving Andhra Pradesh's 2029 Vision, as well as the global Sustainable Development Agenda 2030;

And whereas, driven by research in the sciences of learning, the Intelligent Global Hub for Digital Pedagogies will improve overall quality of education across primary, secondary schools and higher education,-

- (i) To strengthen linkages between research-driven universities and industry engaged in digital technologies;
- (ii) To catalyse the setup of new companies in Education Technology;
- (iii) To create highly skilled talent pool for multiple global industries;
- (iv) To upskill existing educators for using digital instruction effectively;
- (v) To certify standards for digital learning resources.

And whereas, thousands of jobs will be created as the knowledge, research, educational, and entrepreneurial ecosystem witnesses an increased rate of innovation arising out of learning that promotes intellectual and emotional intelligence in learners;

And whereas, quality education that is more inclusive will help increase the wellbeing of society and therefore increased livelihood opportunities will be an outcome, along with favorable outcomes to health and reduced crime incidents, making for a happier society;

Be it enacted by the Legislature of the State of Andhra Pradesh in the seventieth year of the Republic of India as follows:

CHAPTER - I

PRELIMINARY

Short title
and
commencement.

1. (1) This Act may be called the Andhra Pradesh Intelligent Global Hub for Digital Pedagogies Act, 2019.

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

Definitions.

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

- (1) "Board" means the Board of Directors constituted under section 5;
- (2) "Chairman" means the Chairman of the Board of Directors;

- (3) “CEO” means the Chief Executive Officer of the Institution;
- (4) “CFO” means the Chief Finance Officer of the Institution;
- (5) “CLO” means the Chief Legal Officer of the Institution;
- (6) “Company” means a company incorporated under the companies Act, 2013;
- (7) “Directors” means members of the Board of Directors, other than Nominee Director;
- (8) “Divisions” means the seven separate areas of work that the Institution is being set up for;
- (9) “Division Heads” means the heads of each of the seven Divisions;
- (10) “General Seats” means ten members of the Governing Council, each called a “Member” of the Governing Council;
- (11) “Government” means the Government of the State of Andhra Pradesh;
- (12) “Governing Council” means the Governing Council of the Institution that governs the Board of Directors;
- (13) “IGHDP” means the Intelligent Global Hub for Digital Pedagogies;
- (14) “Institution” means the IGHDP entity of the Institution;
- (15) “Nominee Director” means one nominee from the Government as a member of the Board of Directors;
- (16) “President” means the President of the Governing Council;
- (17) “Reserved Seat” of the Governing Council means one seat permanently reserved, for the Government called a “Permanent Member”;
- (18) “Statutes” and “Ordinances” means, the Statutes and Ordinances of the Institution for the time being, in force;
- (19) “Vendor Organizations” means the external vendor organizations that will be responsible for operating the For Profit Divisions.

CHAPTER - II

ESTABLISHMENT OF INTELLIGENT GLOBAL HUB FOR DIGITAL PEDAGOGIES

- 3 (1) The Government may, by notification in the Andhra Pradesh Gazette appoint, an Institution to be called “The Intelligent Global Hub for Digital Pedagogies”.

Establishment
of IGHDP.

(2) The Institute shall consist of the Governing Council, Chairman, CEO and the Board of Directors and such other persons as may be appointed at such office or as members, so long as they continue to hold such office or membership.

Central Act, No.
18 of 2013.

(3) The Institution shall be a body corporate set up as a Company Limited by shares, as per the Companies Act, 2013, with the name aforesaid, having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract and may, by the said name, sue or be sued.

(4) The Company forming the Institution shall have the Government as the sole shareholder, and shall provide the tangible support for the Institution by way of land, capital and other things specified in Chapter VII of this Act.

(5) The Institution shall carry out all its objectives with permission of competent authorities whomsoever applicable, and shall apply its profits, if any, or other income in promoting its objects and prohibit the payment of any dividend.

(6) The main objective of the Institution shall be to utilize research and evidence from the sciences of learning to build well -designed digital pedagogies to promote education, including special education and employment enhancing vocational skills, in order to transform learning and in the process spawn an innovation ecosystem via the IGHDP in line with the vision 2029 of the Government of Andhra Pradesh and the global Sustainable Developmental Goal agenda on education.

(7) The Institution shall be financially and administratively autonomous and as such shall be self sufficient on capital and operational accounts, having its own governance as well as administrative policies and practices as prescribed from time to time.

(8) The Institution shall have the right to raise investment, grants as well as aid from domestic as well as international institutions in order to support its stated objectives.

Central
Act, No. 43 of
1961.

(9) The Institution shall be registered under the Income Tax Act, 1961 to enable donations to it to be eligible for 50% income tax exemption for the donors under Section 80 G of the said Act.

(10) The Government shall make necessary efforts to set a temporary campus for the institution rent-free with the utilities being paid for by the institution as per actuals;

(11) The Logo of Government of Andhra Pradesh shall be used for branding of Andhra Pradesh IGHDP.

CHAPTER III

The Governance Structure

Structure of
Governing
Council.

4(1) A Governing Council consisting of eleven persons shall form the apex body of the Institution and shall be responsible for the general superintendence and direction of the affairs of the Institution and shall have the power to review the work of the Board.

- (2) The members of the Governing Council shall be identified and selected from Indian citizens as well as from the rest of the world, will be sensitive towards gender balance, as well as a mixture of backgrounds so as to bring diversity of thoughts, skills and experience. They shall be selected for their pre-eminence, their mastery in their fields and their ability and willingness to bring value to the Institution.
- (3) One seat of the Governing Council shall permanently be allotted, to a representative of the Government, the actual person deputed by the Government may change from time to time at their discretion. This member shall be called the "Permanent Member" occupying the "Reserved Seat" of the Governing Council.
- (4) The other ten members shall be called "Members" occupying "General Seats" on the Governing Council.
- (5) All the General Members shall carry one vote, and the Permanent Member shall carry two votes.
- (6) Except for the First Governing Council, each Member shall have a term of 6 years, for a maximum of two terms.
- (7) One third of the Members of the First Governing Council shall retire after six years, being replaced by fresh members, the next one third after seven years and the final one third after eight years. Subsequently, one third of the members of Governing Council shall be replaced every sixth year.
- (8) The Members of the first Governing Council will be identified and approved by the Government. Members of the subsequent Governing Councils shall be nominated and selected by the existing Governing Council.
- (9) In order to have global representation in the Governing Council, the maximum number of Indian citizens on the Governing Council shall be restricted to three, the maximum number of citizens from any one country shall be restricted to two, and sensitivity shall be maintained towards gender balance.
- (10) The President of the Governing Council shall be selected among the Members and shall be approved by the Permanent Member.
- (11) The Governing Council shall meet twice a year, and by video conference another two times a year, Quorum being 3 Members plus the Permanent member.
- (12) The Members of the Governing Council shall give their time to the Institution pro bono, but a policy on reimbursement of travel reimbursement by the Institution, may be provided for in the Statutes, if deemed appropriate.

CHAPTER IV

The Regulatory Structure

- 5(1) An eleven-person Board of Directors under the Governing Council shall legally represent and control the operations of the Institution and shall exercise all the powers of the Institution not otherwise provided for by this Act, the Statutes and Ordinances.

Structure of
Board of
Directors.

- (2) The members of the Board shall be the CEO, CFO, CLO, the seven Division Heads, plus one nominee from the State Government and shall be called Directors.
- (3) The Nominee Director shall be a person of eminence, having relevant experience and global exposure and shall be willing and able to dedicate a minimum of one day a month to the Institution.
- (4) The Chairman of the Board shall be selected by mutual consent of the members of the Board of Directors, and shall have a term of five years.
- (5) The Board shall meet as often as needed, but minimum 6 times a year and also additionally, as needed, to comply fully with the prevailing laws.
- (6) The Board shall operationally independent and shall be authorized to take all routine decisions for spending money, hiring and firing people, contracting work to external parties, maintaining compliance with the laws and all such things needed to keep the Institution operational.
- (7) The Board shall enter into key strategic alliances in consultation with the governing council and the board will oversee the appointment of architects, contractors and key vendors, including the terms of reference of these alliances.

CHAPTER V

Matters Reserved with the Governing Council

Certain matters reserved with the Governing Council.

- 6 (1) The first CEO, CFO and CLO shall be hired through a selective process by the Governing Council overseen by Government of Andhra Pradesh.
- (2) The Governing Council may validate raising sums of money more than Rs 1,00,00,000.00 (Rupees one crore) by way of sponsorship or strategic investment for the Institution by the Board.
- (3) The Governing Council may authorize opening subsidiary under the Institution, converting into “Not for profit” Divisions wholly or partially owned by the Institution, or other non-profit organizations under the Institution.

CHAPTER VI

The Operational Structure

Operations of the Institution.

- 7(1) The Intelligent Global Hub for Digital Pedagogies — IGHDP shall be the legal entity that directs and holds all the operations of the Institution under it, and it shall be headed by the Board of Directors.
- (2) The Institution shall have a global team in order to get the best minds to create the best pedagogies, and is authorized to hire and pay remuneration to citizens of other countries and shall be free to set salaries and compensation levels consistent with their backgrounds.
- (3) It shall have seven functionally and intellectually autonomous divisions under it, as follows:

- (i) Research Centre for Learning — a ‘Not for Profit’ Division
 - (ii) Teacher Training Academy — a ‘Not for Profit’ Division
 - (iii) Global Certification Bureau — a ‘Not for Profit’ Division
 - (iv) Business Incubator — a ‘Not for Profit’ Division
 - (v) 4D School for children with special needs Including Dyslexia, Dyspraxia, Dysgraphia, Dyscalculia — a ‘Not for Profit’ Division
 - (vi) Design University — a ‘For Profit Division’
 - (vii) Skill Development Institution — a ‘For Profit Division’
- (4) Each Division shall appoint its own Head and such person shall be a Director of the Board. The Governing Council and Board of Directors shall be informed in writing of the appointment/ change in any Head of Division.
- (5) The Heads of Divisions shall be appointed as and when their Divisions become operational, and each Division shall be free to create its own advisory and management team and its own governance structure.
- (6) The ‘Not for Profit’ Divisions shall be permitted to become independent, completely or partially owned by the Institution, at a later date if the requirement so arises.
- (7) The ‘For Profit’ Divisions shall be run by a best in class Vendor Organization identified by the Institution. The Institution shall not enter into any profit sharing or equity sharing with these Divisions. It may however, charge suitable rent for the land, infrastructure and services provided, and the said rent can be revised from time to time.
- (8) The Institution, although a not for profit entity, shall nevertheless make all efforts to generate revenues and raise monies so as to become self-sustainable.

CHAPTER VII

The Responsibilities of the Government

- 8(1) The Government shall provide to the Institution an appropriate piece of land measuring about 100 acres on a 99-years lease at a nominal lease amount of Rupee 1 per annum. The said piece of land will be identified by the Government within 60 days from the date of commencement of this Act. Responsibilities
of the
Government.
- (2) The Government shall ensure that the land use of surrounding areas is devoted to such usage as is in keeping with the Global Ambience of the Institution.
- (3) The Government shall, at its cost, provide and maintain, proper road access (at least 4 lanes), lay pipelines of adequate capacity for drinking water and sewerage, electric power lines of suitable capacity and redundant optical fibre connectivity, up to the site.

- (4) The Government shall grant exemption of payment of Stamp Duty, Registration Charges, or any other levies on any document executed by the Institution.
- (5) The Institution shall have the right to build on the land, as well as to lease out the land for others to build upon, or to lease out buildings that it has built, so long as the construction is in line with the objectives of the Institution and approved of by the Governing Council, and it follows the laws of the land.
- (6) The ownership of all buildings shall remain with the Institution for the duration of its 99 years lease, and the Institution shall have the right to offer the buildings as collateral security during the said 99 years lease period, for raising loans, in case so needed.
- (7) The Government may extend tranche loan/grant as deem fit to the institution for the establishment of initial infrastructure, including land development, architectural design, buildings, equipment and other operational needs as per the terms and conditions decided by it.
- (8) The Government shall provide the stature of "Private University" in accordance with relevant laws to the Design University Division of the Institution to enable it to grant Diploma's, Bachelors and Masters Degrees as well as to guide research and award PhD's in the field of Design.
- (9) The Government shall make it mandatory for all B.Ed courses in the State to have 200 hours of digital learning and social emotional learning, developed / prescribed by the "Teachers Training Academy" Division of the Institution.
- (10) The Government shall make it mandatory for government schools and institutes to procure Games and Digital Learning products and services certified by the Institution for the government schools and Institutions on priority basis, when deemed appropriate by the Government.
- (11) The Government shall make necessary efforts to set a temporary campus for the institution rent-free with the utilities being paid for by the institution as per actuals.

CHAPTER VIII

Statutes

- 9 (1) The first Statutes shall be made by the Government within 60 days of the commencement of this Act.
- (2) The Governing Council may, from time to time, make new or additional Statutes, or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Governing Council shall not make, amend or repeal any Statutes affecting the status, power or constitution of any authority of the Institution, until such authority has been given reasonable opportunity of expressing their opinion in writing on the proposed change and any opinion so expressed, within the time specified by the Governing Council and has been considered by the Governing Council.

Making of
Statutes.

- (3) Every new Statute, its amendment or repeal shall require the approval of the Governing Council.
- (4) Subject to the provisions of this Act, Statutes may provide for the following, or similar matters, namely:
- (i) The constitution, powers and functions of the authorities and other bodies of the Institution as may be found to be necessary to be constituted from time to time.
 - (ii) The selection and continuance in office of the CEO, CLO, CFO and members of the authorities and bodies of the Institution.
 - (iii) The manner and appointment of the Officers of the Institution, terms and conditions of their service, their powers, duties and emoluments.
 - (iv) The criteria, manner and appointment as well as terms of reference for Vendor Organizations.

CHAPTER IX

Ordinances

- 10** (1) The first Ordinance shall be made by the initial Members of the Board with the approval of the Government and later, inform to the Governing Council as and when it is constituted. Making of Ordinances.
- (2) The amendment of this first ordinance or its repeal, may be made by the Board, with the approval of the Governing Council.
- (3) Subsequent ordinances may be made by the CEO and shall require the approval of the Board within a period of 120 days.
- (4) Subject to the provisions of this Act and the Statutes, Ordinances may provide for the following, or similar matters, namely:
- (i) Direction of research, creation of content;
 - (ii) Creation of posts as necessary;
 - (iii) Procedures for settlement of disputes;
 - (iv) The criteria, manner and appointment as well as terms of reference for Service Providers/Vendors.

CHAPTER X

Regulations

- 11** The authorities of the Institution may make Regulations consistent with the Act, its Statutes and Ordinances for the conduct of their business and that of the committees, if any, appointed by them and not provided for by the Act, its Statutes and Ordinances. Making of Regulations.

CHAPTER XI

Miscellaneous

Protection of actions taken in Good faith.

12 No suit or other legal proceedings shall lie in any court against the Institution, or against any authority, officer or employee of the Institution or against any person or body or persons acting under the order or direction of any authority or officer or employee of the Institution for anything which is in good faith done, or intended to be done in pursuance of the Act or the Statutes or Ordinances.

Power to remove difficulties.

13(1) If any difficulties arise in giving effect to the provisions of the Act, the Government may, by order, make such provisions, not inconsistent with the provisions of the Act, as appear to them to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of three years from the date of commencement of the Act.

(2) Every order made under this section shall as soon as may be after it is made, be laid before each house of the State legislature.

R. ARAVIND,

Secretary to Government (I/c),
Legal and Legislative Affairs & Justice,
Law Department.