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SECRETARIAT

OF

THE ODISHA LEGISLATIVE ASSEMBLY

NOTIFICATION

The 13th December, 2017

No.11893/L.A.—The following bill which has been introduced in the Odisha Legislative Assembly on the 13th December , 2017 is herewith published under rule 68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information:-.

THE AIPH UNIVERSITY, ODISHA, BILL, 2017

A

BILL

TO PROVIDE FOR ESTABLISHMENT AND INCORPORATION OF A PRIVATE UNITARY UNIVERSITY ON PUBLIC HEALTH IN ODISHA IN THE NAME OF AIPH UNIVERSITY, ODISHA AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

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

CHAPTER I PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the AIPH University, Odisha Act, 2017.

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

Definitions.

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

- (a) "Academic Council" means the Academic Council of the University constituted under section 13;
- (b) "Board" mean the Board of Governors constituted under section 10;
- (c) "Deans" mean the Dean of Faculty of the University appointed under section 23,;
- (d) "Finance Committee" means Finance Committee of the University constituted under section 15;
- (e) 'Government' means Government of Odisha;
- (f) "prescribed" means prescribed by the Regulations;
- (g) "President" means the President of the University appointed under section 19;
- (h) "Public health education" in relation to public, means programmes of education, research and training on prevention of disease, promotion of health, social and behavioral sciences on health, nutrition, hospital administration and such other programmes as the Government may, by notification, declare;
- (i) "Registrar" means the Registrar of the University appointed under section 22 ;
- (j) "Regulatory Body" means a body established by or under a Central Act or State Act for laying down norms and conditions of ensuring standard of education such as U.G.C. and includes such body as the Government may, by notification, declare, from time to time;
- (k) "Regulations" means Regulations of the University made under section 34;
- (l) "Sponsoring Body" means Asian Institute of Public Health (AIPH), registered under the Societies Registration Act, 1860; 21 of 1860.
- (m) "University" means AIPH University, Odisha;
- (n) "U.G.C" means University Grants Commission established under the University Grant Commission Act, 1956; and 3 of 1956.
- (o) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 20.

CHAPTER II THE UNIVERSITY

Establishment
and
incorporation
of the
University.

3. (1) Subject to the provisions of this Act, the Government may, by notification, establish a unitary, self-financing, non-affiliating University by the name of AIPH University, Odisha after the Endowment Fund is set up by the Sponsoring Body under section 4:

Provided that no notification shall be issued unless a High Power Committee constituted by the Government for the purpose certifies to the Government that the land for the establishment of the University is available and all other necessary infrastructure including building, equipment, qualified teaching staffs and such other norms as prescribed by the Government and in the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003, as amended from time to time, have been complied.

(2) The Government, if satisfied after considering the recommendation of the High Power Committee that the Sponsoring Body has complied all the necessary requirements as provided under the proviso to sub-section (1), may issue notification under that sub-section to establish the University with the descriptions of location and such other conditions as may be specified in this behalf.

(3) The notification issued under sub-section (1) shall be laid before the State Legislature for a period of fourteen days comprising of one or more session.

(4) 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 AIPH University, Odisha which shall be a body corporate having perpetual succession and common seal, with power, subject to the provisions of this Act, to acquire and hold property, to contract and do all things necessary for the purposes of this Act and shall be sued by the same name.

(5) The University shall be located within Jatni Tahasil, Khurda, Odisha.

(6) In all suits and legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and serviced on, the Registrar.

Endowment
fund.

4. (1) The Sponsoring Body shall establish an Endowment Fund of four crore rupees to be deposited in maximum four equal installments within a span of four years from the date of publication of this Act in the Odisha Gazette.

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

(3) Except in the event of dissolution of the University, no money can be transferred from the Endowment Fund under any circumstance for other purposes.

(4) Out of the income received from the Endowment Fund, the University may utilize such sum of amount as may be determined by the Government for the purpose of development of the University and the remaining amount shall be reinvested in the Endowment Fund.

Object of the
University.

5. The objective of the University shall be,—

- (i) to develop and disseminate knowledge in the field of public health, clinical research, technology and other fields of science and humanities for the advancement of mankind;
- (ii) to develop, educate and conduct research in the fields of epidemiology, health services and health systems, behavioral health, health promotion, occupational and environmental health, health finance, economics and global health;
- (iii) to disseminate, create and preserve knowledge and understanding by teaching, research, training and service and effective demonstration to influence building of a healthy society;
- (iv) to create centers of excellence for providing knowledge, education, training and research facilities of high order in the fields of public health and allied health sciences, technical and other related professional education;
- (v) to create capability for upgrading science and technology infrastructure to the global standards;
- (vi) to develop training facilities in higher education;
- (vii) to provide for inter-relationships for national and global participation in the field of public health, other sciences, humanities and in other fields; and

(viii) to develop patterns of teaching in undergraduate and post graduate level on public health education in all its branches so as to set a high standard of such education.

University opens to all irrespective of caste, creed, class, sex or opinion.

6. No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, caste, class, place of birth, religious belief or political or other opinion:

Provided that for the purpose of admission of students, the University shall reserve seat for candidates of Odisha domicile at such percentum as may be decided by the Government.

National Accreditation

7. The University shall obtain permission or recognition, as the case may be, from the concerned Regulatory Body for conferring graduate or post-graduate degree on public health education.

Powers and functions of the University.

8. Subject to the provisions of this Act and in conformity with the U.G.C norms and norms of other Regulatory Bodies, the University shall exercise the following powers and perform the functions, namely: –

- (i) administer and manage the University and such centers for research, education and instruction as are necessary for the furtherance of the objects of the University;
- (ii) provide for instruction, training and research in such branches of knowledge or learning pertaining to public health, environmental health, occupational health and its allied sciences, technology, humanities and other emerging fields and for their advancement and dissemination;
- (iii) conduct innovative experiments in new methods and technologies in all fields of knowledge of public health in order to achieve international standards in such education, training and research;
- (iv) prescribe courses and curricula for undergraduate, post-graduate and super specialization studies;
- (v) hold examinations or grant such degrees, diplomas, certificates and other academic distinctions and titles in undergraduate and post graduate public health education as may be laid down in the Regulations;

- (vi) withdraw or cancel degrees, diplomas, certificates or other academic distinctions or titles in the manner as may be prescribed in the Regulations;
- (vii) the University shall not undertake any programme under distance mode as per the guidelines prescribed;
- (viii) confer honorary degrees or other distinctions in the manner as may be prescribed in the Regulations;
- (ix) establish Off-campus centers or study centers as are in the opinion of the University, necessary for the furtherance of its objects;
- (x) sponsor and undertake research in all aspects of public health;
- (xi) collaborate or associate with other institutes, Universities and authorities within or outside India in conduct of research and higher education in the field of public health including such other purposes as may be prescribed;
- (xii) develop and maintain relationship with teachers, researchers and domain experts in the fields of public health, allied health science and technology, humanities and such other fields for achieving the objectives of the University;
- (xiii) regulate the expenditure and manage the finances and maintain accounts of the University;
- (xiv) receive funds from industry, national and international organizations or any other sources as gifts, donations, benefactions, bequests, loans and by transfers of movable and immovable properties for the purposes and objects of the University;
- (xv) establish, maintain and manage halls and hostels for the residence of students and staff;
- (xvi) supervise and control the residence and regulate the discipline of students of the University and make arrangements for promoting their health and general welfare and cultural activities;
- (xvii) fix, demand and receive or recover fees and such other charges as may be prescribed by the Regulations:

Provided that the University while fixing the fee shall follow

the fee structure of the norms and guidelines prescribed by Regulatory Bodies in adherence to the fee control regulations of the Government;

- (xviii) award fellowships, scholarships, prizes and medals to worthy individuals and students;
- (xix) purchase or take on lease or accept as gifts or otherwise any land or building or works which may be necessary or convenient for the purpose of the University and on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such buildings or works;
- (xx) sale, exchange, lease, mortgage or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit and consistent with the interest, activities and objectives of the University:

Provided that no portion of the land leased out by the Government shall be put to sale or otherwise transferred without prior approval of the Government.

- (xxi) raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to pay out of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;
- (xxii) invest the funds of the University in or upon such securities and transpose any investment, from time to time, in such manner as it may deem fit;
- (xxiii) admit students for the courses offered by the University in the manner as may be prescribed by the Regulations;
- (xxiv) create teaching, technical, administrative, ministerial and other posts and to make appointments thereto;
- (xxv) regulate and enforce discipline among the employees of the University and to provide for such disciplinary measures as may be prescribed by the Regulations;
- (xxvi) institute professorships, associate professorships, assistant

professorships, lecturerships, instructorships, internships and any other teaching, academic or research posts and to prescribe qualifications and remunerations for them;

(xxvii) prescribe for a degree and the post graduate degree or diploma programmes with the approval of the Academic Council and the Board;

(xxviii) provide to the U.G.C. all the relevant information relating to the degree and post-graduate degree or diploma programmes including the curriculum structure, contents, teaching and learning process, examination and evaluation system and the eligibility criteria for admission of students in the pro-forma prescribed by the U.G.C. prior to starting of these programmes; and

(xxix) do such other acts and things as the University may consider necessary, conducive and incidental to the attainment or expansion of all or any of the objects of the University.

CHAPTER III AUTHORITIES AND OFFICERS OF THE UNIVERSITY

Authorities of
the University.

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

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

Board of
Governors.

10. (1) The Board of Governors of the University shall be the apex executive body and shall consist of the following members, namely: —

- (i) The President who shall be the chairman of the Board;
- (ii) two members of the Sponsoring Body to be nominated by the President;
- (iii) the Vice-Chancellor of the University;
- (iv) one Dean from any discipline of the University, by rotation, to

- be nominated by the Vice-Chancellor;
- (v) Secretary to Government in the Department of Health and Family Welfare who shall be the ex-officio member;
- (vi) two expert academicians in the field of public health to be nominated by the President;
- (vii) two experts in the field of finance, law, management, humanities or civil service, to be nominated by the President;
- (viii) two representatives from any company, corporation, or Public Sector Undertaking under the control of the Government to be nominated by the President; and
- (ix) the Registrar who shall be the Member Secretary of the Board of Governors of the University.

Powers and functions of the Board.

11. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, directions and control of the affairs of the University and shall exercise all the powers of the University, and shall have the power to review the acts of Academic Council and the Finance Committee.

(2) Without prejudice to the provisions of sub-section (1), the Board shall have the following powers and functions, namely:—

- (i) take decision on all questions of policy relating to the administration and working of the University;
- (ii) institute courses of studies at the University;
- (iii) make Regulations;
- (iv) consider and approve the annual report and the annual accounts of the University for every financial year;
- (v) invest monies and funds of the University and take decision on the recommendations of the Finance Committee;
- (vi) publish or finance the publication of studies, books, periodicals, reports and other literature and to sell or arrange for the sales of such things as it may deem fit, from time to time;
- (vii) create or abolish posts of teachers and other employees of the University and fix their remunerations;
- (viii) appoint such committees as it may consider necessary for the exercise of its powers and the performance of its duties under this Act; and

- (ix) exercise such other powers and perform such other functions as may be conferred or imposed upon it by this Act or Regulations and all such other powers for achieving the objectives of the University.

(3) The Board shall, with necessary documentations, apprise the Sponsoring Body all resolutions and decisions it passes, from time to time.

(4) The Board may delegate any of its powers to the President, Vice-Chancellor, Deans, Registrar or any other officer, employee or authority of the University or to a committee appointed by it.

(5) The Board shall meet at least twice in a calendar year at such time and place as the chairman thinks fit.

Terms of office and vacancies among members of the Board.

12. (1) Save as otherwise provided in this section the terms of nominated members of the Board except the ex-officio member shall be three years from the date of nomination.

(2) Any vacancy in the Board in respect of a nominated member occurring before the expiry of the prescribed period shall be filled up by nomination of another person by the President from the same category in which the vacancy occurs.

(3) A member nominated under sub-section (2) shall continue for the remainder of the term of a member, in whose place he is nominated.

(4) A member may resign from his office by giving such notice in writing addressed to the President but, he shall continue in office until his resignation has been accepted by the President.

(5) Non-acceptance of resignation by the authority, within a period of three months from the date it is received by the authority, shall be deemed to have been accepted unless, it is withdrawn before expiry of the said period.

(6) An outgoing member shall be eligible for re-nomination.

Academic Council.

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

- (i) the Vice-Chancellor of the University who shall be the ex-officio Chairman;
- (ii) two academicians to be nominated by the Board;

(iii) two external academicians or professionals in the areas of public health, allied health and of science and technology or other fields to be nominated by the Vice-Chancellor;

(iv) two Deans from any discipline of the University, by rotations, to be nominated by the Vice-Chancellor; and

(v) one Professor from any discipline of the University, by rotation, to be nominated by the Vice-Chancellor.

(2) The Registrar shall be the non-member Secretary of the Council.

(3) An outgoing member shall be eligible for re-nomination.

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

Powers and functions of the Academic Council.

14. Subject to the provisions of this Act and the Regulations, the Academic Council shall have the following powers, namely:—

(i) exercise control and general regulation over the academic policies of the University and be responsible for maintenance and improvement of standards of instruction, education and evaluation in the University;

(ii) consider matters of general academic interest either on its own initiative or on a reference from the Faculty of the University or the Board and to take appropriate action thereon;

(iii) recommend to the Board such Regulations as are consistent with this Act regarding the academic policies and programmes of the University including discipline of students; and

(iv) exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Regulations.

Finance Committee.

15. (1) The Finance Committee who shall be the Principal Finance body and shall consist of the following members, namely: —

(i) the Vice-Chancellor of the University who shall be the ex-Officio Chairman of the Committee;

(ii) one member of the Board to be nominated by the President;

(iii) one representative of the Sponsoring Body to be nominated by the President;

(iv) one Dean of the University, by rotation, to be nominated by the Vice-Chancellor; and

(v) one expert in the field of Finance to be nominated by the President.

(2) The Registrar shall be the non-member Secretary of the Committee.

(3) An outgoing member shall be eligible for re-nomination for the next term.

(4) The term of office of a member, other than the ex-officio member shall be three years.

Powers and functions of the Finance Committee.

16. Subject to the other provisions of this Act, the Finance Committee shall have following powers and functions, namely:—

(i) examine the annual accounts and annual budget estimates of the University and advise the Board thereon;

(ii) review the financial position of the University from time to time;

(iii) make recommendations to the Board on all financial policy matters of the University;

(iv) make recommendations to the Board on all proposals involving raising of funds, receipts and expenditure;

(v) provide guidelines for investments of surplus funds;

(vi) make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or for which expenditure in excess of the amount provided in the budget has been or has to be incurred;

(vii) examine all proposals relating to revision of scales, up-gradation of scales and those items which are not included in the budget, before they are submitted to the Board; and

(viii) exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Regulations.

Board of Examination and its power and function.

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

(a) the Vice- chancellor;

(b) the Dean of the concerned Faculty; and

(c) two members to be nominated from amongst post graduate teachers.

(2) The Board of examination shall have such powers and functions as may be prescribed in the Regulations.

Officers of
the
University.

18. (1) The following shall be the officers of the University, namely:

(a) the President;

(b) the Vice- Chancellor;

(c) the Deans;

(d) the Registrar;

(e) the Comptroller of Finance;

(f) the Controller of Examination; and

(g) such other persons as may be declared by the Regulations to be Officers of the University.

President
of the
University

19. (1) The Secretary of the Sponsoring Body shall be the President of the University and he may designate, by order in writing, any member of the Board to act as the President of the University in his absence for such period as he may specify, who may be called the designated President.

(2) The President shall chair all meetings of the Board.

(3) The President shall preside over the Convocation of the University.

(4) The President shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Regulations.

Vice-
Chancellor

20.(1) The Vice-Chancellor shall be appointed by the Board out of a panel of names recommended from time to time by a Committee consisting of the following members, namely:—

(i) an eminent person in the field of public health to be nominated by the President;

(ii) an eminent educationist to be nominated by the President; and

(iii) one member of the Board to be nominated by the President.

(2) The President shall designate one member as the Chairman of the Committee.

(3) The terms of office of the Vice-Chancellor shall be determined by the Board for a period not exceeding five years.

(4) Where a vacancy in the office of the Vice-Chancellor occurs and it can not be conveniently and expeditiously filled up in accordance with the provisions of sub-section (1) and if there is any emergency, the President, in consultation with the Board, may appoint any suitable person to be the Vice-Chancellor and may, from time to time, extend the term for a period not exceeding one year.

(5) The conditions of service of the Vice-Chancellor, including salary, allowances, leave, pension and Provident Fund shall be such as may be prescribed by the Board and until so prescribed, shall be determined by the President.

Powers and duties of Vice-chancellor.

21.(1)The Vice-Chancellor shall be the Chief Executive and academic officer of the University.

(2) the Vice-Chancellor shall,—

- (i) exercise general supervision and control over the affairs of the University;
- (ii) ensure implementation of the decisions of the authorities of the University;
- (iii) be responsible for imparting instruction and maintenance of discipline in the University; and
- (iv) exercise such other powers and perform such other duties as may be assigned to him under this Act or the Regulations or as may be delegated to him by the Board or the President, as the case may be.

(3) Where any matter is of urgent nature requiring immediate action and the same cannot be immediately dealt with by the President or an authority or a body of the University empowered by this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and he shall forthwith report the action taken by him to the President or authority or body of the University who or which in the ordinary course, would have dealt with the matter:

Provided that if such authority or body is of the opinion that such action should not have been taken by the Vice-Chancellor, it may refer the matter to the President, who may either confirm the action taken by the Vice-Chancellor or annul the same or modify it in such manner as he thinks fit, and, thereupon it

shall cease to have effect or, as the case may be, shall take effect in such modified form, in as much as that such modification or annulment shall be without prejudice to the validity of anything previously done by or under the orders of the Vice-Chancellor.

(4) Where the exercise of the power by the Vice-Chancellor under subsection (3) involves the appointment of any person, such appointment shall be confirmed by the competent authority empowered to approve such appointment in accordance with the provisions of this Act and the Regulations, not later than six months from the date of order of the Vice-Chancellor, otherwise the same shall cease to have effect on the expiration of a period of six months from the date of order of the Vice-Chancellor.

Registrar.

22. (1) The Registrar shall be appointed in such manner and on such terms and conditions as may be prescribed.

(2) The Registrar shall have the following powers and duties, namely:—

- (i) to be responsible for the custody of records, common seal, the funds of the University and all other properties of the University;
 - (ii) to place before the Board and other authorities of the University, all such informations as may be necessary for transaction of its business;
 - (iii) to be responsible to the Vice-Chancellor for the proper discharge of his functions;
 - (iv) subject to the control of the Vice-Chancellor, he shall be responsible for the administration and services of the University and shall conduct the examinations and make all other arrangements necessary therefor and be responsible for the execution of all process connected therewith;
 - (v) attest and execute all documents on behalf of the University;
- and,
- (vi) exercise such other powers and perform such other duties as may be assigned to him under this Act or the Regulations or as may be delegated to him by the Board or the Vice-Chancellor.

Deans. **23.** (1) The Deans of the University shall be appointed by the Vice-Chancellor with the approval of the Chairman of the Board from amongst the Faculties of the University as may be prescribed.

(2) The Deans shall assist the Vice-Chancellor in managing the academic affairs of the University and shall exercise such powers and perform such functions as may be prescribed or be entrusted to them by the Vice-Chancellor.

Comptroller of Finance. **24.** (1) The Comptroller of Finance shall be appointed by the President in consultation with the Finance Committee.

(2) The qualification and experience required, mode of selection, emoluments, other conditions of service, powers, functions, duties and responsibilities etc. for the post of Comptroller of Finance shall be such, as may be prescribed in the Regulation.

Controller of Examinations. **25.** (1) The Controller of Examinations shall be appointed by the Vice-Chancellor in such manner, on such emoluments and such other conditions of services and shall exercise such powers and perform such functions, as may be prescribed in the Regulations.

Other officers. **26.** The manner of appointment, emoluments, power and other conditions of service of such other officers of the University shall be such, as may be prescribed in the Regulations.

CHAPTER IV MISCELLANEOUS PROVISIONS

Funds of the University. **27.** (1) The University shall establish a General Fund to which following amount shall be credited, namely:—

- (i) all monies provided by the Sponsoring Body;
- (ii) all fees and other charges received by the University;
- (iii) all monies received by the University by way of loans, gifts, donations, benefactions, bequests or transfers;
- (iv) all monies received by the University from collaborating with industry in terms of the provisions of the Memorandum of Understanding between the University and the Industry for

establishment of sponsored Chairs, Fellowships and infrastructure facilities of the University; and

- (v) all monies received from national, international philanthropies, and non-governmental agencies within and outside India which are not prohibited by any law for the time being in force.

(2) All Funds of the University shall be deposited in such Banks or invested in such manner as the Board, may decide on recommendation of the Finance Committee.

(3) The Fund established under this section shall, subject to the general supervision and control of the Board be regulated and maintained in such manner as may be prescribed.

(4) The Funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions.

Accounts
and audit.

28. (1) The University shall maintain proper accounts and other records and prepare an annual statement of accounts including the income and expenditure account and the balance sheet, in such form and in such manner, as may be prescribed.

(2) The University shall adopt a proper system of internal checks and balances and controls in the discharge of its finance, accounting and auditing functions as may be prescribed.

(3) The Accounts of the University shall be audited not less than once a year by a statutory Auditor who shall be a Chartered Accountant or a firm of Chartered Accountants as defined in the Chartered Accountants Act, 1949, who³⁸ of 1949. shall be appointed by the Board.

(4) The Accounts of the University shall be certified by the person or firm so appointed or any other person authorized in this behalf, together with the audit report thereon, shall be placed before the Board and the Board may issue such instructions to the University in respect thereof, as it deems fit and the University shall comply with such instructions.

(5) The Accounts of the University shall be audited by an internal auditor who shall be a Chartered Accountant or a firm of Chartered Accountants

appointed by the Board, to ensure audit of all books of accounts, and such periodic internal audit reports shall be placed before the Board for review.

Annual Report.

29. (1) The Annual Report of the University shall be prepared under the direction of the Vice-Chancellor and shall be submitted to the Board for its approval.

(2) The Board 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 shall be sent to the President and to the Government on or before the 31st December following the closure of the financial year on the 31st March each year.

Pensions and Provident Fund

30. (1) The University shall, with the approval of the Board, constitute for the benefit of its officers, teachers and other employees in such manner subject to such conditions, as may be prescribed, such schemes of pension, Provident Funds and insurance as it deem fit and also aid in establishment and support of the associations, institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the University.

(2) Where any such Provident Fund has been so constituted, the provisions of the Provident Fund Act, 1925 shall apply to such funds as if it were a Government Provident Fund. 19 of 1925.

Acts and proceedings not to be invalidated by vacancies.

31. No act or proceeding of the Board or any Authority of the University or any Committee constituted under this Act or by the Regulations shall be questioned on the ground merely of the existence of any vacancy in, or defect in, the constitution of the Board, Authority or Committee of the University.

Returns and information.

32. The University shall furnish to the Regulatory Bodies such reports, returns, statements and other information as may be required by them, from time to time.

Management of University on dissolution.

33. (1) If the Sponsoring Body proposes the dissolution of the University it shall give a notice to that effect in the prescribed manner to the Government, the employees and the students of the University at least one year in advance:

Provided that dissolution of the University shall take effect only after the last batches of students of the regular courses who have been admitted before

issuance of notice have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(2) On dissolution of the University all the assets and liabilities of the University shall vest in the Sponsoring Body, except the land, if any, leased out by the Government which shall be resumed by the Government.

Regulations

34. (1) Subject to the provisions of this Act and in conformity with the norms of the U.G.C., the Board shall have, in addition to all other powers vested in it, the power to make Regulations to provide for the administration and management of the affairs of the University:

Provided that the first set of Regulations shall be prepared by the Board and shall be submitted to the Government for approval:

Provided further that no amendment to the first set of Regulations shall be made by the Board without approval of the Government.

(2) In particular and without prejudice to the generality of the foregoing powers, such Regulations may provide for all or any of the following matters, namely:—

- (i) summoning and holding the meetings of the Authorities of the University other than the first meeting of the Board and the quantum and conduct of business at such meetings;
- (ii) constitution, powers and duties of the authorities, bodies and other committees of the University established under this Act including the qualifications and disqualifications for members of such Authorities, term of office of the members, appointment and removal of members thereof and other matters connected therewith;
- (iii) procedure to be followed by the Board and any Committee or other body constituted under this Act or by the Regulations in the conduct of the business, exercise of the powers and discharge of the functions;
- (iv) procedures to be followed for creation of centers of excellence and management of the centers;
- (v) the admission procedure and fixation of fees in conformity with the norms and guidelines prescribed by the U.G.C.,

- other concerned Regulatory Bodies and in adherence to the fee control regulation of the Government;
- (vi) the procedure to be followed for enforcing discipline in the University;
 - (vii) the management of the properties of the University;
 - (viii) degrees, diplomas, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;
 - (ix) conduct of examinations including the term of office and appointment of examiners;
 - (x) creation of posts of Professors, Associate Professors, Assistant Professors, Readers, lecturers, instructors or equivalent academic designations or posts, officers and employees of the University and the appointment of persons to such posts including the qualifications requisite therefor;
 - (xi) the manner and conditions for constitution of Insurance, pension and provident funds and such other schemes for the benefit of officers, teachers and such other employees of the University;
 - (xii) the terms and conditions applicable for association of the University with other institutions;
 - (xiii) preparation of budget estimates and maintenance of accounts;
 - (xiv) mode of execution of contracts or agreements by or on behalf of the University;
 - (xv) classification and procedure for appointment of officers and staff of the University;
 - (xvi) terms and tenure of appointments, salaries and allowances, contractual services, rules and discipline and other conditions of service of the Vice-Chancellor, other officers, teachers and employees of the University;
 - (xvii) all terms and conditions governing deputation of officers and staff of the University;

- (xviii) the powers and duties of the Vice-Chancellor and other officers, teachers and employees of the University;
- (xix) the terms and conditions governing fellowship, scholarships, stipends, medals and prizes;
- (xx) authentication of the orders and decisions of the Board;
- (xxi) all matters relating to hostels and halls of residence including disciplinary control therein; and
- (xxii) any other matter in relation to administration, management and control of the University.

Filling of casual vacancies.

35. 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, 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 whose place he fills would have been a member.

Protection of action taken in good faith.

36.(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 provision of this Act or the Regulations.

(2) Nothing in sub-section (1) shall be a bar for filing suits, prosecution or other legal proceedings for anything done in contravention of the provision of this Act and the Regulations made thereunder.

Transitory provisions.

37. Notwithstanding anything contained in this Act, the Vice-Chancellor may, with the prior approval of the President and subject to availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the Regulations and for that purpose may exercise any power or perform any duty which, by this Act and the Regulations, are to be exercised or performed by any Authority of the University until such Authority comes into existence as provided by this Act and the Regulations.

Power to issue directions.

38. The Government shall have powers to issue directions, from time to time, as may be required to be followed by the University under the provisions of this Act and the Regulations made thereunder and under any other law for the time being in force.

Financial liability of the Government.

39. The Government shall not bear any financial liability for establishment of the University or for any action of the University or its officers or functionaries

Delegation of powers.

40. Subject to the provisions of this Act and Regulations, any officer or authority of the University may, by order, delegate his or its powers, except the power to make Regulations, to any other officer or Authority under his or its control and subject to the condition that the ultimate responsibility for the exercise of the power so delegated shall continue to vest in the officer or Authority delegating them.

Removal of difficulties.

41. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order make such provisions, not inconsistent with the provision of this Act, as may 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.

STATEMENT OF OBJECTS AND REASONS

To enhance the quality of life of Indians, the availability of Clinical services of the Country and to achieve the Medical advances to the people of this regions, public health approach through setting up of clinical facilities is badly required. For the purpose of disseminating knowledge of public health, clinical research technology and environmental health developing pattern of teaching and resource expertise and facilities, it is proposed for enactment of a law to establish a unitary private University in Odisha for imparting higher education on public health. The University will offer courses which are presently not provided in other Universities in the State. As a result, the students who are going outside the State for higher education in public health will get opportunity to pursue higher grade courses on public health in the State at affordable cost.

Apart from the above, the University will open up employment opportunities in the State catering to the needs and requirement of unemployed youth and the doctors in the State will acquire public health qualification of higher grade so that better healthcare services can be delivered. It is felt expedient to establish and incorporate a Unitary University which will facilitate achieving excellence in the field of public health and research.

The Bill seeks to achieve the above objectives.

PRATAP JENA

Member-in-charge

A.K. SARANGI

SECRETARY

ODISHA LEGISLATIVE ASSEMBLY