



Public Information Officer
Odisha Legislative Assembly

THE BIJU PATNAIK UNIVERSITY OF TECHNOLOGY (AMENDMENT) BILL, 2021

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 Seventy-second 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, 2021.

(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.

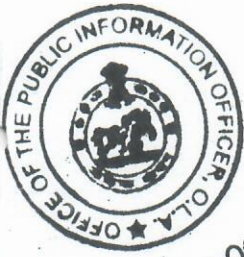
Amendment
of section 2.

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: —

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“(g) ‘Constituent College’ means a College established and controlled by the University; and

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

“(r) ‘Teacher’ means a Professor, Associate Professor, Assistant Professor or of any other designation as may be notified by the Government, from time to time, or such other person imparting instruction or conducting or supervising research either in any of the Departments of the University or in an affiliated college, as the context may imply;”

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 and applied sciences with the prior approval of the Government in accordance with the manner as may be prescribed;

Explanation.— For the purpose of this clause the “affiliated college or Institution” means, a college or an Institution affiliated to the University;”

Insertion of
new sub-
section(10).

4. In the principal Act, section 7 after sub-section (9), the following sub-section shall be inserted, namely:—

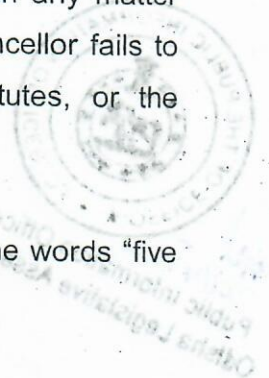
“(10) The Chancellor shall be competent to issue directions or instructions not inconsistent with the provisions of this Act and Statutes on any matter connected with the University when any authority or Vice-Chancellor fails to act in accordance with the provisions of this Act, the Statutes, or the Regulations.”

Amendment
of section 9.

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

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and
 Amendment of section 10.
 6. 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:

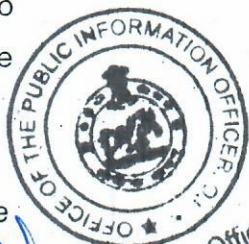
Provided that any student aggrieved by the order passed by the disciplinary committee, may, within thirty days from the date of such order, prefer an appeal before the Vice-chancellor."

Amendment of section 11.
 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 section 12.
 8. In the principal Act, in section 12, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1)The Board shall appoint a person selected from among a panel containing the names of three officers not below the rank of Joint Secretary to Government belonging to the Odisha Finance Service cadre furnished by the Government, as the Finance Officer of the University for such period and on such terms as may be prescribed by the Statutes".



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Amendment
of section 17.

9. In the principal Act, in section 17, in sub-section (1),-

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

(ii) after clause (xiv), the following clause shall be inserted, namely:—

"(xv) One Principal of any of the Government Engineering Colleges to be nominated by the Government."

Amendment of
section 18.

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
section 19.

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 "Director of Industries", the words "the Director of Technical Education and Training, Odisha" shall be substituted.

Amendment of
section 24.

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

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

"(1) The Chancellor shall, in consultation with the Government, constitute, from time to time, separate Selection Committees for the purpose of selection of candidates 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 Government, constitute, from time to time, separate Selection Committees for the purpose of selection of candidates to the teaching posts other than the posts mentioned in sub-section (1).

(1-b) The Vice-chancellor shall, in consultation with the Government, constitute, from time to time, separate Selection Committees for the purpose of selection of candidates to the posts in non-teaching staff of the University and such Selection Committee



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shall be headed by one senior officer of the University as nominated by the Government.”; and

(ii) in sub-section (2), for the words “Selection Committee”, the words, figure, letter and bracket “Selection Committee referred to in sub-sections (1), (1-a) and (1-b)” shall be substituted.

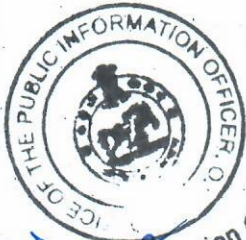
Amendment
of section 29.

13. 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.

Insertion of
new section
37-A.

14. In the principal Act, after section 37, the following section shall be inserted, namely: —

“37-A. On and from the date of commencement of the Biju Patnaik University of Technology (Amendment) Act, 2021, the College of Engineering and Technology, Bhubaneswar shall cease to be a constituent college of the University and shall become an affiliated college.”



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STATEMENT OF OBJECTS AND REASONS

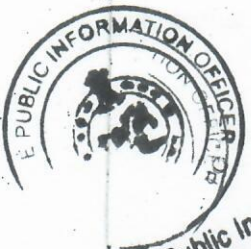
The Biju Patnaik University of Technology Act, 2002 was enacted with a view to establish and incorporate a Technological University in the State of Odisha in order to promote education, research and training in engineering & technology, including information technology and its application, architecture, pharmacy, applied arts and crafts, management and applied sciences for the advancement of knowledge and for the matters connected therewith and incidental thereto. 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.

(a) The State Government have established three new Government Engineering Colleges namely, Government College of Engineering, Kalahandi, Bhawanipatana, Parala Maharaja Engineering College, Berhampur, Ganjam and Government College of Engineering, Keonjhar. Further, two Professional Colleges namely, IMIT, Cuttack and CITE, Bhubaneswar have been brought to the BPUT fold by way of transfer from Utkal University. In order to convert the status of Government engineering colleges from constituent colleges of BPUT and bring them under their respective autonomous Board of Governors for proper administration, it is proposed to amend the definition of "Constituent College" suitably.

(b) The conventional posts of Professor, Reader and Lecturers as teaching posts are to be redefined in three categories, i.e Professor, Associate Professor and Assistant Professor as per the instructions of the AICTE/ UGC.

(c) Earlier, the University had the power to grant autonomy to any affiliated college or institution imparting education in Engineering and Technology, including Information Technology. In order to have control in the process of grant of autonomy particularly to the affiliated colleges, it has been proposed to take prior approval of Government before grant of autonomy. Similar provision has been provided under Section 2(b) of Odisha University Act, 1989.

(d) It has been proposed for insertion of a new section wherein the Chancellor shall be competent to issue direction or instruction not inconsistent



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with the provisions of this Act and Statutes on any matter connected with the University when any authority or Vice-Chancellor fails to act in accordance with the provisions of this Act, Statutes, or Regulations. It is similar to Section 5(9) of Odisha Universities Act.

(e) The term of office of the Vice Chancellors has been proposed to reduce to 4 years so as to bring uniformity in the term of office of the other import functionaries of the BPUT as well as the Vice Chancellors of other Universities of the State.

(f) The existing provisions of the Act do not specifically mention as to which category of the officers shall be appointed as Registrar, it becomes difficult to fill up such post by suitable person on many occasions. Therefore, it is proposed to make provision for appointment of an officer not below the rank of Joint Secretary to Government belonging to Odisha Administrative Service Cadre as Registrar of the University for ensuring better and efficient management of the work of the University.

(g) The Act provides for appointment of Finance Officer from the Odisha Finance Service. But, there is no mention as to from which rank of the officers such post shall be filled up. To manage the financial affairs of such a big Institution, it has been proposed that an officer not below the rank of Joint Secretary to Government belonging to the Odisha Finance Service Cadre shall be appointed as Finance Officer of the University.

(h) It has been proposed that a disciplinary committee consisting of three members headed by a Professor will be constituted by the Vice-Chancellor to finalise disciplinary action against the students of the BPUT, as and when required, and Vice-Chancellor to act as Appellate Authority against the orders of Disciplinary Committee so constituted.

(i) The existing Act empowers the Vice-Chancellor, interalia, to make appointment and to take disciplinary action against the officers below the rank of Assistant Registrar and also take disciplinary action against the students of the BPUT. Though the post with the nomenclature "Assistant Registrar" has been specified in the Act, yet such post has not been created. On the other hand, the post with the nomenclature "Deputy Registrar" has been created. Therefore, to bring clarity, it has been proposed to substitute the words "Deputy Registrar" for the words "Assistant Registrar" by suitably amending the relevant sections.



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(j) It has been proposed to insert a new provision wherein one Principal of any Government Engineering College shall be nominated by Government to the Board of BPUT as a member for better coordination.

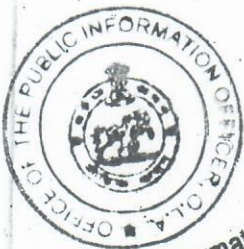
(k) It has been proposed that the Chancellor/ Vice-Chancellor shall constitute Selection Committee for recruitment of teaching/ non-teaching posts of the University with prior approval of the Government.

(l) Since Skill Development & Technical Education Department is the administrative department of BPUT, the words 'Industries Department' appearing in different sections of this Act shall be substituted by 'Skill Development & Technical Education Department'.

(m) No time limit has been provided in the Act for submission of annual report by the University. 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 to the Government for placing the same before the Odisha Legislative Assembly.

(n) Since, the definition of constituent colleges is proposed to be amended and College of Engineering and Technology, Bhubaneswar to be made an autonomous college having its own Board of Governors, besides, University College of Engineering, Burla has turned into an university(VSSUT) in the meanwhile, it is proposed to insert a new section as section 37-A to the effect that on and from the date of commencement of the Biju Patnaik University of Technology (Amendment) Act, 2021, the College of Engineering and Technology, Bhubaneswar shall cease to be a constituent college of the University and shall become an affiliated college.

The Bill seeks to achieve the above objectives.



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PREMANANDA NAYAK

Member-in-Charge

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(v) The Director of Industries

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Constitution of Selection Committee

24. (1) The Chancellor shall, in consultation with the Board, constitute from time to time, separate Selection Committees for the purpose of selection of candidates for recruitment to the posts of-

- (a) Professor and Readers;
- (b) Lecturers and other posts not being of non-teaching staff; and
- (c) Non-teaching staff.

24.(2) The Selection Committee shall consist of such members as may be prescribed by Statutes.

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Financial Estimates

27.(3) The University shall submit such estimates as approved by the Board to the Government, for its sanction.

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Annual report

29. (2) Copies of the annual report and the annual accounts shall be sent to Government and the Government shall place them before the State Legislature.

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