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LAW DEPARTMENT

NOTIFICATION

The 27th November, 2017

No.14461–I-Legis-38/2016/L.—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 23rd November, 2017 is hereby published for general information.

ODISHA ACT 22 OF 2017

THE ODIA UNIVERSITY ACT, 2017

AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND INCORPORATION OF A UNIVERSITY IN THE STATE OF ODISHA FOR PROMOTION OF STUDY AND RESEARCH OF ODIA LANGUAGE AND LITERATURE 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

1. (1) This Act may be called the Odia University Act, 2017.
- (2) It shall come into force on such date as the State Government may, by notification, appoint.

Short title
and
commence
ment.

Definitions

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

- (a) “Academic Council” means the Academic Council of the University constituted under section 16;
- (b) “Authorities” means the Authorities of the University provided in section 13;
- (c) “Board” means the Board of Management of the University constituted under section 14 ;
- (d) “Board of Studies” means the Board of Studies of the University specified in section 18;
- (e) “Chancellor” means the Chancellor of the University described in section 6;
- (f) “Department” means teaching units of the University in different subjects consisting of teaching and non-teaching staff and Post Graduate Students including research scholars;
- (g) “Employee” means any person appointed by the University including teachers, officers and other staff of the University;
- (h) “Government” means the Government of Odisha;
- (i) “Other Universities” means the Universities established under the Universities Act of any States or Union of India and that of Foreign Countries but excluding the technical Universities;
- (j) “Prescribed” means prescribed by the Statutes, Ordinances, Regulations made under this Act;
- (k) “School” means a School of Studies or its coordination branches of the University;
- (l) “Statutes”, “Ordinances” and “Regulations” means, respectively, the Statutes, Ordinances and Regulations of the University made under this Act;
- (m) “Student’ means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;
- (n) “Teachers” means teachers of the University appointed under section 19;
- (o) “University” means the Odia University established and incorporated under this Act; and
- (p) “Vice-Chancellor” means the Vice Chancellor of the University appointed under section 8.

CHAPTER II

THE UNIVERSITY

Establishment
and
incorporation
of the
University.

3. (1) There shall be established in the State of Odisha a non-affiliating unitary University by the name of the Odia University.

(2) The territorial limits of the University shall extend to the entire State of Odisha.

(3) The headquarters of the University shall be at Bhubaneswar.

(4) The University shall be a body corporate by the aforesaid name having perpetual succession and a common seal with powers, subject to the provisions of this Act to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue and be sued.

Objects of
the
University.

4. The objects of the University shall be,—

- (a) to facilitate widespread use of Odia language in all walks of society such as administration, communication, education, health and general services for improving quality of life and livelihood;
- (b) to impart education at the Post Graduate level on different areas of Odia literature, Odia language and linguistics, comparative literature, Odia criticism, antique, ancient record, evolution of Odia language scripts, history scripts, tribal language study, regional language study, epigraphy, archaeology and museology, and translation into and from Odia;
- (c) to undertake research programmes on specific areas within the overall context of Odia language and literature for making Odia scripts more adaptable to computer technology and to equip Odia to express advanced knowledge in Science and Technology;
- (d) to develop the Odia language further and create knowledge, through the medium of Odia, in modern disciplines like literary criticism, pedagogy, history and historiography, philosophy, law, economics, geology, management, sciences, commerce, engineering and medical sciences;

- (e) to make comparative study in Odia script and literature with that of other ancient scripts like Sanskrit, Prakrit, Pali and other ancient scripts and to publish palm leaf manuscripts and rare ancient books in odia;
- (f) to develop and to make in-depth studies on various regional Languages and tribal languages in Odisha so as to comprehend their impact on the Odia Language;
- (g) to set up Schools, broader in scope, inter-disciplinary in nature and comprising multiple departments of primary units for teaching and research; and
- (h) to undertake such other activities as may be required to fulfil the above objects.

Powers
and
functions of
the
University.

- 5.** The University shall have the following powers and functions, namely:-
- (i) to provide for instruction in Odia language including various methods of learning and to make provision for research and advancement of knowledge in Odia language, literature, translation, comparative literature, media studies with modern technical knowledge and allied branches as the University may deem fit;
 - (ii) to establish such other units for research and instructions as are necessary for furtherance of its objects;
 - (iii) to organise and to undertake teaching, research and extension programmes;
 - (iv) to hold examinations and confer degrees, diplomas and grant certificates or other academic distinctions or recognitions on persons and to withdraw any such diplomas, certificates and other academic distinctions for good and sufficient cause;
 - (v) to confer honorary degrees or other academic distinctions in the manner laid down in the Statutes;
 - (vi) to create such teaching, administrative and other posts as the University may deem necessary from time to time, and to fill up such posts with the permission of the Government;

- (vii) to appoint persons as Professor, Associate Professor or Assistant Professor or otherwise as teachers and other teaching and research posts of the University;
- (viii) to institute and award fellowships, scholarships, medals, prizes and such other awards;
- (ix) to establish and maintain Departments or Schools and administrative set up to recognise, guide, supervise and control over the movable and immovable properties;
- (x) to regulate and enforce discipline among students, teachers, officers and employees of the University and to take such measures as may be deemed necessary in this regard;
- (xi) to make arrangements for promoting health and general welfare of students and the employees of the University;
- (xii) to determine standards for admission to the University which may include examination, evaluation or any other method of testing;
- (xiii) to make contract for the purpose of transfer of technology either in whole or in part with any other Institution or any other university , on such terms and conditions as may be required, from time to time, to raise funds for the University;
- (xiv) to co-operate or associate with any other University, authority, in or outside the University area which may have been formed for advancement of learning, research for the dissemination of Knowledge, or for the physical and moral welfare of students, in such manner and for such purpose as the University may prescribe from time to time;
- (xv) to enter into any agreement with any other institution or any other university to transfer knowledge through distance mode;
- (xvi) to demand, and receive fees and other charges as may be fixed by the University, from time to time;
- (xvii) to receive donations and to acquire, hold, manage and dispose of any property movable or immovable;

- (xviii) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions or any other University as the University may deem necessary;
- (xix) to provide for the printing, reproduction and publication of research and other work which may be issued by the University;
- (xx) to undertake research for making Odia script adaptable for computer use and to enrich Odia language for expressing new ideas in science and technology; and
- (xxi) to do all such acts and things, as may be required in furtherance of the objects of the University.

CHAPTER III

THE CHANCELLOR AND OFFICERS OF THE UNIVERSITY

The
Chancellor.

6. (1) The Governor of Odisha shall, by virtue of his office, be the Chancellor of the University.

(2) The Chancellor shall be the head of the University and shall when present, preside at the meeting of the convocations of the University.

(3) All authorities of the University shall be sub-ordinate to the Chancellor.

(4) Every proposal for conferment of an honorary degree shall be subject to confirmation by the Chancellor.

(5) The Chancellor shall decide all disputes with regard to the election, nomination or selection of members of the authorities of the University and his decision thereon shall be final.

(6) The Chancellor shall have the right,—

- (a) to make an inspection or cause an inspection, to be made by such person or persons as he may direct, of the University, its buildings and institutions associated with the University and of any examination, teaching or other work conducted or done by the University; and

- (b) to make an enquiry or cause an enquiry to be made in like manner in respect of any matter connected with the University, and in every such case, he shall give notice to the Vice-Chancellor of his intention to make an inspection or enquiry or to cause an inspection or enquiry to be made and the University shall be entitled to be represented thereat:

Provided that the person entrusted with such enquiry or inspection shall not be below the rank of Registrar.

(7) The Chancellor may, with reference to the result of such inspection or enquiry, direct the concerned authority or authorities of the University or the Vice-Chancellor, as the case may be, to take such remedial measures as he deems necessary within such period not being later than six months from the date of receipt of the direction as he may fix in that behalf.

(8) The concerned authority or authorities of the University or the Vice-Chancellor, as the case may be, shall report to the Chancellor such action, if any, as they have taken or propose to take upon the result of such inspection or enquiry and such report shall be submitted to the Chancellor within the period fixed by him under sub-section (7).

(9) If the concerned authority or the Vice-Chancellor, as the case may be, fails to comply with the direction issued by the Chancellor within the period fixed under sub-section (7) or within such further period not being later than three months as the Chancellor may allow in that behalf, the Chancellor may take such remedial measures or pass such order as he deems proper.

(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 the Act, Statutes or the Regulations.

(11) The Chancellor may, by order in writing, annul any proceeding of the Board, Academic Council or any other authority which

is not in conformity with this Act, the Statutes, the Regulations or the directions issued under sub-section (10):

Provided that before making any such order he shall call upon the authority concerned to show cause as to why such an order shall not be made and if any cause is shown within a reasonable time, he shall, after giving an opportunity of hearing, as deemed proper, consider the same.

(12) An appeal shall lie to the Chancellor against any order of dismissal passed by the Board or the Vice Chancellor against any employee in the service of the University.

(13) The Chancellor may, at any time, by an order in writing remove the Vice-Chancellor from office if, in his opinion, it appears that his continuance in office is detrimental to the interests of the University:

Provided that no such removal shall be made without holding an enquiry being conducted by a Committee consisting of at least three members not below the rank of Secretary to Government appointed by the Chancellor for the purpose, after giving a reasonable opportunity of hearing.

(14) From the date specified in the order made under sub-section (13), the Vice-Chancellor shall be deemed to have relinquished the office and the office of the Vice-Chancellor shall fall vacant.

The Officers
of the
University.

- 7.** The following shall be the officers of the University, namely:–
- (a) the Vice-Chancellor;
 - (b) the Registrar;
 - (c) the Comptroller of Finance;
 - (d) the Controller of Examinations; and
 - (e) such other officers as may be declared by the Statutes to be officers of the University.

The Vice-
Chancellor

- 8.** (1) The Vice-Chancellor shall be a whole-time officer of the University and shall be appointed by the Chancellor from a panel of three names recommended by a Committee consisting of seven persons of whom, one shall

be nominated by the Chancellor, one by the Board, one by the University Grants Commission, and the remaining four members shall be nominated by the Government and the Chancellor shall appoint one of the four members so nominated by the Government to be the Chairman of the Committee:

Provided that the first Vice-Chancellor shall be appointed by the Chancellor on the recommendation of the Government for a term not exceeding two years.

(2) The Committee shall forward to the Chancellor the panel of three names prepared by it, having regards to norms and guidelines, if any, issued by the University Grants Commission, from time to time, together with a concise statement showing the academic qualifications and other distinctions of each of the persons included in such panel, but shall not indicate any order of preference and if the Chancellor is of the opinion that none of the three persons out of the said panel is suitable for appointment as Vice-Chancellor, he may direct the Government to constitute another Committee to give a fresh panel of three names and shall appoint one of the persons named in fresh panel as the Vice-Chancellor.

(3) Wherever a vacancy occurs or is likely to occur in the office of the Vice-Chancellor, the Committee constituted under sub-section (1) shall, as far as may be, at least sixty days before the date on which a vacancy in the office is due to occur, prepare a panel of three names, who are in its opinion, suitable to hold the said office.

(4) No person who has completed sixty-five years of age shall be eligible to hold the office of the Vice-Chancellor.

(5) No person shall be eligible to be a member of the Committee, if he is,—

- (a) a member of any of the authorities of the University, or
- (b) an employee of the University, or
- (c) an employee of any college or institution maintained or recognized by or affiliated to any other University in the State of Odisha.

(6) The business of the Committee shall be conducted in such manner as may be determined, from time to time, by the Chancellor in that behalf.

(7) The term of office of the Vice-Chancellor shall be three years from the date he assumes office as such and any person holding such office shall subject to provision of sub-section(1), also be eligible for reappointment:

Provided that no person shall be appointed as Vice-Chancellor for more than two terms.

(8) The Chancellor may extend, from time to time, the term of office of the Vice-Chancellor for a total period not exceeding six months without following the procedure laid down in sub-section (1).

(9) In case the office of the Vice-Chancellor falls vacant due to the absence of the Vice-Chancellor on leave, the Chancellor shall appoint a person on such terms and conditions as he deems necessary to act as the Vice-Chancellor and such person shall be entitled to all emoluments attached to the office.

(10) In case the office of the Vice-Chancellor falls vacant due to death, resignation or otherwise, the vacancy shall be filled up in the manner specified in sub-section (1) and the person appointed to fill up such vacancy shall be eligible for re-appointment in accordance with the provisions contained in sub-section (7):

Provided that where it is not reasonably practicable to fill up the vacancy in the manner aforesaid immediately after it occurs, the Chancellor may appoint a person to act as the Vice-Chancellor for such period, not exceeding six months, as he may fix and the person so appointed shall exercise the powers and perform the functions of the Vice-Chancellor and shall be entitled to all emoluments attached to the office.

(11) The Executive Authority of the University shall vest in the Vice-Chancellor.

(12) The Vice-Chancellor of the University shall, when present, preside over the meetings of the Board and the Academic Council or in every meeting of any other authority of which he is a member and, in the absence of the Chancellor, shall also preside over the Convocations of the University.

(13) The salary, allowances and other conditions of service of the Vice-Chancellor shall be such as may be prescribed.

(14) Subject to availability of funds in the budget, the Vice-Chancellor shall have power to sanction, after obtaining the opinion of the Comptroller of Finance, expenditure up to such sum as may be prescribed during the course of a financial year and shall make a report of all such expenditure to the Board at the earliest opportunity:

Provided that it shall be competent for the Vice-Chancellor to differ from the opinion of the Comptroller of Finance, if he deems it so fit, after recording his reasons therefor.

(15) If the Vice-Chancellor is of the opinion that any order or decision in respect of any matter, which is required under the provisions of this Act or the Statutes to be passed or made by any authority of the University, is necessary to be passed or made immediately and it is not practicable to convene a meeting of the concerned authority for that purpose, he may pass such order or take such decision, as deems proper and place the same before the concerned authority at its next meeting for ratification, and where the authority differs from the Vice-Chancellor, the matter shall be referred to the Chancellor, whose decision thereon shall be final:

Provided that if the matter involves any financial transaction, the Vice-Chancellor shall, before passing such order or taking such decision, obtain the opinion of the Comptroller of Finance, but the

Vice-Chancellor is at his discretion to differ from such opinion, if he deems it so fit, after recording his reasons thereof.

(16) The Vice-Chancellor shall review the performance of teachers and officers of the University annually and submit a report thereon to the Chancellor in the manner prescribed.

(17) The Vice-Chancellor shall have the power—

- (a) to require the teachers of the University to report him all academic aspects including the conduct of examination; and
- (b) to give such directions to the Officers-in-Charge of such examinations, as he deems necessary, in consultation with the Controller of Examination.

The Registrar.

9. (1) The Registrar shall be a whole time officer of the University and shall be appointed by the Chancellor for a period of three years on the recommendation of the Government.

(2) No person shall be appointed as a Registrar of the University unless, he is holding the post of a Professor or Senior Reader or any equivalent post in any University with at least fifteen years of experience in research, teaching or administration in the field of education including five years teaching experience in postgraduate classes or, he is a member of the Indian Administrative Service or the Odisha Administrative Service in a rank not below the rank of Deputy Secretary to Government.

(3) The Registrar shall subject to the control of the Vice-Chancellor,—

- (a) manage the properties and investments of the University;
- (b) keep the properties and funds of the University in his custody;
- (c) keep the records, the common seal and such other property of the University as the Vice-Chancellor shall commit to entrust him, in his custody;
- (d) sign all contracts made on behalf of the University;

- (e) exercise and perform such other powers and duties as may be prescribed by the Statutes and the Regulations and as may, from time to time, be assigned to him by the Board and the Academic Council;
- (f) be the head of the University Office.

(4) The Registrar shall generally, render such assistance to the Vice-Chancellor, as may be required by him in the performance of his duties.

(5) The Registrar shall have the right to speak and otherwise take part in the proceedings at a meeting of any of the authorities of the University but shall not be entitled to vote at any such meeting.

(6) All suits and other legal proceeding by or against the University shall be instituted by or against the Registrar.

The
Comptroller
of Finance.

10. (1) The Comptroller of Finance shall be appointed by the Chancellor in consultation with the Government from among the officers of the Odisha Finance Service and shall be a whole time officer of the University.

(2) The salary, allowances and other dues of the Comptroller of Finance shall be paid by the University.

(3) The Comptroller of Finance shall, subject to the control of the Vice-Chancellor,—

- (a) be responsible for the proper investment of the funds of the University;
- (b) exercise general supervision of such funds;
- (c) be responsible for preparation and presentation of the annual financial estimate and statements of accounts for presentation by the Vice-Chancellor before the Board;
- (d) ensure that all moneys are expended for the purpose for which they are granted or allotted by the appropriate authority;

- (e) examine the statements of accounts of the University and submit a report on such examination to the Executive Council; and
- (f) exercise such other powers and perform such other functions as may be prescribed.

(4) The Comptroller of Finance shall be responsible to the Vice-Chancellor for ensuring that no expenditure outside the budget is incurred by the University other than by way of investments and shall disallow any expenditure which is not permissible under the Statutes.

(5) The Comptroller of Finance shall have the right to speak in, and otherwise take part in the proceedings of the Board as and when required, and in all such cases, his advice shall be recorded in the proceedings of the Board but he shall not be entitled to vote.

(6) The Advice of the Comptroller of Finance on all financial matters shall be taken before they are given effect to and, save as provided in the proviso to sub-sections (14) and (15) of section 8, wherever a decision is taken to the contrary in respect of any expenditure exceeding thirty thousand rupees, it shall be reported to the Chancellor whose decision thereon shall be final.

Appointment
of first
Officers.

11. Notwithstanding anything contained in sections 9 and 10, the first Registrar and the first Comptroller of Finance, shall be appointed by the Chancellor on the recommendation of the Government.

The Controller
of
Examination.

12. (1) The Controller of Examinations shall be appointed by the Board from amongst the Readers of the other University or Readers of the Odisha Education Service for a period of 3 (three) years and shall be a whole-time officer of the University.

(2) The Controller of Examination shall perform such duties as may, from time to time, be assigned to him by the Board and the Vice-Chancellor and shall be responsible for the preparation of question

papers, fixation of time schedule for the examination, valuation, publication of results, issue of certificates and such other works related to examinations.

(3) The Controller of Examination shall be in-charge of conduct of examinations of the University and matters relating thereto and shall perform such other duties as may be prescribed by the Statute or as Ordinance or may be required by the Vice-Chancellor.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

Authorities of the University.

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

- (a) The Board;
- (b) The Academic Council;
- (c) The Board of Studies; and
- (d) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Board.

14. (1) The Board shall be the apex Executive Body of the University and shall be in charge of general management and administration of the University.

(2) The Board shall be composed of the following members, namely:—

- (a) The Vice-Chancellor of the University;
- (b) The Secretary to Government, Higher Education Department;
- (c) The Secretary to Government, Finance Department;
- (d) The Secretary to Government, General Administration Department;
- (e) The Secretary to Government, Law Department;
- (f) The Director, Higher Education;
- (g) The Vice-Chancellor, Sri Jagannath Sanskrit University;
- (h) The Vice-Chancellor, Odisha State Open University;

- (i) The Director, Central Institute of Classical Odia, Bhubaneswar;
- (j) The Vice-Chancellor, National University of Educational Planning and Administration;
- (k) The Registrar of the University as Convenor-cum-Secretary;
- (l) The Dean of Students Welfare of the University;
- (m) The Comptroller of Finance of the University;
- (n) The Controller of Examination of the University;
- (o) The Librarian of the University;
- (p) All Deans of Schools;
- (q) Two Vice-Chancellors from amongst the Language Universities of India, to be nominated by the Chancellor;
- (r) One official representative of the University Grants Commission;
- (s) Four members of the Odisha Legislative Assembly to be nominated by the Speaker, Odisha Legislative Assembly; and
- (t) Five persons nominated by the Chancellor representing learned professions, linguist, Industry, Commerce and Agriculture.

(3) The Board shall ordinarily meet once in six months to transact its business.

(4) Seven members shall constitute the quorum for meeting of the Board.

(4) Members under clauses (a) to (j) of sub-section (2) shall be ex-officio members and the term of members under clauses (l) and (m) thereof shall be for a period of three years with eligibility for re-nomination.

Powers and
Functions of
the Board.

15. Subject to the provisions of this Act and the Statutes, the Board shall exercise and perform the following powers and functions, namely:-

- (i) to exercise the executive powers of the University including the general superintendence and control over its Department or Schools and to review policies and programmes of the University and suggest measures for its improvement and development;
- (ii) to constitute schools of the University with prior approval of the Government;
- (iii) to make Statutes and Regulations for consideration and approval of the Government;
- (iv) to hold control and administer the properties and funds of the University including investment of money in such stocks, funds, shares or securities as deemed fit;
- (v) to provide buildings, premises, furniture, and other requisites for carrying on the work of the University and to that end enter into, carry out and cancel contracts on behalf of the University;
- (vi) to specify the form and use of the common seal of the University;
- (vii) to establish, maintain and manage departments and institutions of research and other advanced centres of learning as it may, from time to time, deem necessary;
- (viii) to appoint teachers and officers and to prescribe their duties;
- (ix) to create teaching, administrative, ministerial and other necessary posts with the approval of the Government;
- (x) to suspend, discharge, dismiss or otherwise take disciplinary action against teachers, officers and employees of the University;
- (xi) to fix and regulate the fees payable by the students;
- (xii) to create research fellowships, honorary or otherwise;

- (xiii) to create fellowships, scholarships, studentship, bursaries, medal and prizes;
- (xiv) to exercise supervision and control over the residence and discipline of students;
- (xv) to consider and pass the financial estimates, the annual accounts together with the audit report and the annual report of the University in accordance with the provision of the Statutes;
- (xvi) to have overall supervision over conduct of examinations and approval and publication of the results thereof;
- (xvii) to appoint members to the faculties and Board of Studies;
- (xviii) to delegate any of its powers to the Vice-Chancellor or any other authorities or officers as it may deem fit;
- (xix) to accept grants, endowments, bequests, donations and transfers of movable and immovable properties of the University on its behalf ;
- (xx) to negotiate with other Universities and Institutions of the country for the recognition of the examinations of the University; and
- (xxi) to exercise such other powers and perform such other functions as may be prescribed by the Statutes.

The Academic Council.

16. (1) The Academic Council shall be apex academic body of the University, and subject to the provision of this Act and the Statutes, shall co-ordinate and exercise general supervision of the academic programmes and policies of the University and shall be responsible for maintenance of standards of instruction, research, education and examination within the University, and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

(2) The Academic Council shall consist of the following members, namely:-

(a) Ex-officio Members :—

(i) The Vice-Chancellor of the University as Chairman;

- (ii) All Deans and all Head of Departments or Schools and the Controller of Examinations of the University;
- (iii) One Professor, two Associate Professors and two Assistant Professors of the University by rotation for a period of one year according to seniority;

(b) Other Members :—

- (i) Two Professors from other Universities of Odisha to be nominated by the Board;
- (ii) One Professor to be nominated by Sri Jagannath Sanskrit University;
- (iii) Two Professors from the Language Universities of India, to be nominated by the Board;
- (iv) Two Post Graduate Students of the University to be nominated by the Vice-Chancellor on their merit;
- (v) One member of the Regional Institute of Education, Bhubaneswar;
- (vi) Dean of Academic Affairs of the University as Member-Secretary.

(3) The term of the nominated members of the Academic Council shall be of two years and one year for the student members.

(4) The Vice-Chancellor shall convene the meeting of the Academic Council at least twice a year.

Powers and
Functions of
the Academic
Council.

17. Subject to the provisions of this Act and the Statutes, the Academic Council shall have the following powers and functions, namely:—

- (i) to advise the Board on all academic matters;
- (ii) to advise the Board on making regulations and to amend or repeal the same, on the following matters, namely:-
 - (a) prescribing courses of studies and schemes of examinations;
 - (b) conducting annual review of courses offered, contents of

- curriculum and prescribing new courses to be introduced keeping in view the needs for prescribing modifications in curriculum;
- (c) prescribing qualifications for admission of students to various courses of studies, to research degrees and to examinations and the conditions under which the exemptions are granted;
 - (d) prescribing the standards of evaluation of the performance of students and classification of students on the basis of their performance in the examinations;
 - (e) prescribing the conditions of admission of candidates for research degrees and the requirements for the award of such degrees;
 - (f) prescribing the qualifications for recognition of teachers as supervisor for research;
 - (g) prescribing the equivalence of examinations, degrees, diplomas and certificates of other Universities;
 - (h) prescribing the qualifications of teachers in conformity with the guidelines of the University Grants Commission, if any; and
 - (i) Prescribing the norms for up-gradation of teaching posts;
 - (iii) to examine and act upon the recommendations of various Faculties in making Regulations;
 - (iv) to determine degrees, diplomas and other academic distinctions to be granted by the University and to award the same;
 - (v) to institute scholarships and fellowships;
 - (vi) to consider the annual report and to make suggestions thereon to the Board;
 - (vii) to recommend the Board the conferment of honorary degrees and other distinctions;
 - (viii) to delegate such of its powers to such Committees, Standing Committees, Sub-Committees or officers of the University, as

it may consider necessary, for discharge of its functions; and
 (ix) to exercise such other powers and perform such other functions
 as may be prescribed by the Statues.

The Board of
 Studies.

18. (1) There shall be a Board of Studies for each branch of study or branches of study as the Academic Council may decide.

(2) The constitution, powers and functions of the Board of Studies shall be such as may be prescribed by the Statutes.

CHAPTER V

TEACHERS AND SCHOOLS OF THE UNIVERSITY

Teachers and
 other
 employees of
 University.

19. (1) Subject to the provisions of this Act and the Statutes, the officers, teachers and other employees of the University shall be appointed in such manner and with such designations and grades as may be prescribed in the Statues.

(2) The Officers, Teachers and other employees of the University appointed under this Act shall be entitled to such salary and allowances and shall be governed by such conditions of service as may be prescribed in the statutes.

(3) No person shall be appointed as teacher of the University, unless he fulfills the qualification prescribed in the Statutes in this behalf.

Schools.

20. (1) The University shall constitute such number of Schools as may be prescribed by the Statutes, from time to time, and each of such Schools shall, subject to the control of the Academic Council, be responsible for the co-ordination of study and research in the branches coming under its purview.

(2) Subject to the provisions of the Act, each School shall exercise such powers and perform such functions as may be prescribed by the Statutes.

(3) There shall be a Dean for each School, who shall be

nominated by the Vice-Chancellor.

(4) The Dean of each School shall be responsible for the due observance of the statutes and regulations and in guiding the research activities of the faculty.

(5) The Dean of the School shall hold office for a term of three years.

CHAPTER-VI

STATUTES, REGULATIONS AND ORDINANCES

The
Statutes.

21. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

- (i) the constitution, powers and functions of the authorities and other bodies of the University, the qualifications and disqualifications for membership of such authorities and other bodies, appointment and removal of members thereof and other matter connected therewith ;
- (ii) the appointment, powers and duties of the officers of the University and their emoluments;
- (iii) the appointment, terms and conditions of service and the powers and duties of the employees of the University;
- (iv) the administration of the University, the establishment and abolition of Departments or Schools in the University, the institution of fellowships, awards and the like, the conferment of degrees and other academic distinctions and the grant of diplomas and certificates;
- (v) any other matter which is necessary for the proper and effective management and conduct of the affairs of the University; and
- (vi) any other matter which are required to be or may be prescribed under his Act by the Statutes.

Procedure
for making
statutes.

22. (1) The first Statutes shall be made by the Government which shall be published in the Odisha Gazette and shall continue to be in force until amended or superseded by statutes made by the Board.

(2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereinafter provided.

(3) The Board shall not make, any Statutes affecting the powers or constitution of any existing authority of the University until such authority has been given an opportunity of expressing an opinion on the proposal, and any opinion so expressed shall be in writing and shall be considered by the Board.

(4) No Statutes shall be made by the Board affecting the discipline of students, and determination and maintenance of standards of teaching research and examination except after consultation with the Academic Council.

(5) Every new Statutes or addition to the existing Statutes or any amendment or repeal of a Statute shall be submitted to the Government, who may give or withhold its approval thereto or refer it back to the Board for reconsideration with such observations as it may deem fit.

(6) A new Statute or a Statute amending or repealing an existing Statute shall have no validity until it is approved by the Government and it shall come into force on the date of its publication in the Odisha Gazette or such other dates as the Government may fix.

The
Ordinance.

23. (1) Subject to the provisions of this Act and the Statutes, the Ordinance may provide for all or any of the following matters, namely:—

(a) the admission of students to the University, the courses of study and the fees there for, the qualifications pertaining to degrees, diplomas, certificates and other academic distinctions, the conditions for the grant of fellowships, awards and the like;

- (b) the conduct of examinations, including the terms of office and appointment of examiners and the conditions of residence of student and their general discipline;
- (c) management of the Departments or Schools of the University; and
- (d) any other matter which are required to be or may be provided under this Act or the Statutes, is to be or may be provided for by the Ordinances.

(2) The first Ordinance shall be made by the Vice-Chancellor with the prior approval of the Government and the Ordinance so made may be amended, repealed or added to at any time by the Board in the manner prescribed by the Statutes.

The
Regulations.

24. The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their business and for conduct of business of the Committees appointed by them.

CHAPTER - VII

FINANCE AND ACCOUNTS

University
Fund.

25. (1) The University shall establish a fund to be called the University Fund to which the following shall be credited, namely:—

- (a) any contribution or grant by the Government, Central Government, University Grants Commission, Industrial Undertakings, Corporations, Companies, Associations, other bodies or local authorities;
- (b) any income of the University from all sources including income from fees and charges and sale proceeds;
- (c) bequests, donations, endowments and other grants, if any, received by the University; and
- (d) miscellaneous receipts.

(2) The University may, from time to time, establish such other funds in such name and for such specific purposes as may be decided by the Board in consultation with the Government regarding establishment of such funds.

(3) The fund shall be kept in a Nationalized or Scheduled Bank or invested in such securities as may be decided by the Board.

(4) The funds and all moneys of the University shall be managed in such manners as may be prescribed by the Statutes.

(5) The University may, with previous approval of the Government as regards the purpose and amount of loan, and subject to such conditions as may be specified by the Government as to security and rate of interest, borrow any sum of money from any Nationalised Bank or Scheduled Bank or any other corporate body or any financial institution.

(6) The University shall prepare the financial estimate of receipts and expenditure of the University in such manner as may be prescribed by the Statute.

(7) The Board shall consider the estimates so prepared and approve them with or without modification.

(8) The University shall submit such estimates as approved by the Board to the Government for the purpose of providing the annual grant.

(9) The Government may pass such order with reference to the said approved estimates as it thinks fit and communicate the same to the University which shall give effect to such order.

(10) The Board may, in urgent cases where expenditure in excess of the amounts provided for in the budget is found to be necessary, for reasons to be recorded in writing, incur such expenditure.

The Annual
Report.

26. (1) The annual reports of the University shall be prepared under the direction of the Vice-Chancellor and shall be submitted to the Board on or before such date, as may be prescribed by the Statutes, and shall be considered by the Academic Council in its annual meeting.

(2) The Academic Council may communicate its comments thereon to the Board.

Accounts
and Audit.

- 27.** (1) The annual accounts of the University shall be prepared by the Comptroller of Finance under the direction of the Board and all moneys accruing to, or received by the University from every sources and all amounts disbursed and paid by the University shall be entered in the Books of Accounts.
- (2) The accounts of the University shall, at least once in every year and at an interval of not more than fifteen months, be audited in accordance with the provisions of the Odisha Local Fund Audit Act, 1948.
- (3) All reports on audit made under sub-section (2) shall, as soon as they are received from the Examiner of Local Accounts, be laid before the State Legislature for a total period of fourteen days which may be comprised in one or more sessions.
- (4) The Government shall have the power to conduct special audit, if required, in respect of utilisation of funds and the University shall comply with the directions issued by the Government on such audit.
- (5) The University shall forthwith rectify any defect or irregularity pointed out by the auditors and report the action taken to the Government.

Odisha Act
5 of 1948.

CHAPTER – VIII

MISCELLANEOUS

Disputes as
to
constitution
of University
authorities
and Bodies.

28. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

Constitution
of
Committees.

29. Where any authority of the University is given power by this Act or the Statutes to appoint Committees, it shall, save as otherwise provided, constitute such committee with or without members of the authority concerned and of such other persons, if any, as the authority in each case thinks fit.

Filling up casual vacancies.

30. All vacancies arising by reason of death, resignation or otherwise among the members of any of the authorities of the University, who were nominated or elected, shall be filled up as soon as convenient may be, by nomination or election, as the case may be, and any person so nominated or elected shall hold office for the unexpired portion of the term of his predecessor in office.

Proceeding of the University and Authorised Bodies not invalidated by vacancies.

31. No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.

Disqualification

32. A person shall be disqualified for election, nomination or selection as member of any of the authorities of a University, if he,—

- (a) is, on the date of election, nomination or selection, of unsound mind ; or
- (b) is an uncertified bankrupt or un-discharged insolvent; or
- (c) has been convicted of and sentenced by a criminal court to imprisonment for an offence involving moral turpitude; or
- (d) is being elected, nominated or selected consecutively for a second term.

Explanation — For the purpose of this clause the expression "term" shall include "part of a term".

Supersession of authorities and taking over the management.

33. (1) If the Government, after making such enquiry as they deem fit, are satisfied that the management of the University has not done or cannot be carried on in accordance with the provisions of this Act or that there has been such default in the performance of its duties by any of the authorities of the University that the administration of the University is not likely to promote its objective, they may, after consultation with the Chancellor, by an order notified in the Gazette (hereinafter referred to as the notified order) take over the management of the affairs of the University and appoint an officer to be the Administrator for the University.

- (2) The notified order shall remain in force for such period, not exceeding one year, as the Government may specify therein.
- (3) A copy of every notified order shall, as soon as may be after it is issued, be laid before the State Legislature.
- (4) Upon issue of the notified order under sub-section (1), —
- (a) the authorities of the University shall be deemed to have been superseded and the members thereof holding office immediately before the issue of the notified order shall be deemed to have vacated their offices as such;
 - (b) the Vice-Chancellor shall be deemed to have vacated his office as such;
 - (c) the powers and functions of the authorities and the Vice-Chancellor shall, during the operation of the notified order, be exercised and performed by the Administrator;
 - (d) the Administrator shall for the purpose of signing the Diplomas granted by the University, be designated as the Vice-Chancellor thereof;
 - (e) every person ceasing to hold office as aforesaid and having possession, custody or control of any property of, or any books, documents or other paper relating to the University shall deliver the property, books, documents and other papers to the Administrator or to such person as may be authorised by the Administrator in this behalf;
 - (f) the Government may take all necessary steps for securing possession of the properties, books, documents and other paper as aforesaid;
 - (g) no person, who ceases to hold office by reason of issue of a notified order, shall be entitled to any compensation for the loss of office;
 - (h) the Administrator shall take all necessary steps for the reconstitution of the authorities and for the appointment of the Vice-Chancellor so that the member of the said authorities and the Vice-Chancellor can assume office on the expiry of the notified order :

Provided that notwithstanding anything contained in any other provision of this Act, the Government may, in consultation with the Chancellor, appoint the officer acting as the Administrator to be the Vice-Chancellor of the University with effect from the date of expiry of the notified order for such term not exceeding three years as they may fix; and

- (i) all elections, selections and nominations for the purpose of reconstitution of the said authorities shall be held in advance in accordance with the provisions of this Act and Statutes and all person who are to take part at any such election, selection or nomination by virtue of holding office as member of any authority shall, notwithstanding the fact that they have not assumed such office, be eligible to take such part.

Removal of
difficulties

34. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to be necessary or expedient for removing the difficulty.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before the State Legislature.

By Order of the Governor
B.P.ROUTRAY
Principal Secretary to
Government