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LAW DEPARTMENT

NOTIFICATION

The 17th February, 2016

No. 1490—I-Legis-10/2014/L.—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 5th February, 2016 is hereby published for general information.

ODISHA ACT 1 OF 2016

THE BIRLA GLOBAL UNIVERSITY, ODISHA ACT, 2015

AN ACT TO ESTABLISH AND INCORPORATE A SELF-FINANCED PRIVATE UNITARY UNIVERSITY IN THE NAME OF BIRLA GLOBAL UNIVERSITY, ODISHA FOR PROVIDING HIGH QUALITY EDUCATION AND TO REGULATE ITS FUNCTION AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

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

CHAPTER - I PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Birla Global University, Odisha Act., 2015.

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

Definitions.

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

(a) "Academic Council" means the Academic Council of the University constituted under section 21;

(b) "AICTE" means the All India Council for Technical Education established under section 3 of the All India Council for Technical Education Act, 1987;

- (c) "Annual Report" means the annual report of the University referred to in section 45;
- (d) "Board of Governors" means the Board of Governors of the University constituted under section 19;
- (e) "Board of Management" means the Board of Management of the University constituted under section 20;
- (f) "Chairman" means the Chairman of the University as referred in section 11;
- (g) "Chancellor" means the Chancellor of the University, referred to in section 9;
- (h) "Dean" means the Dean of School of the University referred to in section 14;
- (i) "Development fund" means the Development fund of the University referred to in section 43;
- (j) "Distance Education System" means the system of imparting education through any means of information technology and communication such as multimedia, broadcasting, telecasting, online over internet, other interactive methods, e-mail, internet, computer, interactive talks, e-learning, correspondence course, seminar, contact programmes or a combination of any two or more of such means;
- (k) "Employee" means employee appointed by the University and includes teachers and other staff of the University;
- (l) "Endowment Fund" means Endowment Fund of the University referred to in section 41;
- (m) "Faculty" means a faculty of the University;
- (n) "General Fund" means General Fund of the University referred to in section 42;
- (o) "Off campus Centre" means a centre of the University, established by it outside the main

campus, within the State of Odisha operated and maintained as its constituent unit, having the University's complement of facilities, faculty and staff;

- (p) "Prescribed" means prescribed by the Statutes or Rules;
- (q) "Registrar" means the Registrar of the University appointed under section 13;
- (r) "Regulatory Body" means a Body established by the Central Government for laying down norms and conditions for ensuing standard of higher education such as University Grants Commission, All India Council for Technical Education and National Council of Assessment and Accreditation, Distance Education Council, and other bodies established by the State Government or the Central Government for the purpose;
- (s) "Rules" means the Rules of the University;
- (t) "School" means the constituent unit of the University as provided in clause (f) of section 5;
- (u) "Sponsoring Body" means Birla Academy of Art and Culture registered under the Indian Trust Act.,1882;
- (v) "State" means the State of Odisha;
- (w) "State Government" means the State Government of Odisha;
- (x) "Statutes" means the Statutes of the University;
- (y) "Study centre" means a centre established, maintained or recognised by the University in the State for the purpose of advising, counselling or for rendering any other assistance required by the students used in the context of distance education;
- (z) "Teacher" means a Professor, Associate Professor, Assistant Professor, Lecturer or such

other person as may be appointed for imparting instruction or training or conducting research in the University;

(za) "Trust" means Birla Academy of Art and Culture Trust;

(zb) "UGC" means the University Grants Commission established under the University Grants Commission Act, 1956;

3 of 1956.

(zc) "University" means the Birla Global University, Odisha, established under this Act; and

(zd) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 12;

CHAPTER - II THE UNIVERSITY AND ITS OBJECTS

Establishment and
incorporation.

3. (1) Subject to the provisions of this Act., the State Government may, by notification, establish a unitary University by the name of the Birla Global University, Odisha after the endowment fund is set up by the Sponsoring Body in accordance with the provisions of section 41.

(2) The Sponsoring Body shall, —

(a) provide 29.4 acres of land in the Industrial Estate, Chandaka in village Gothapatna, P.S.- Chandaka, Tahasil – Bhubaneswar in the district of Khurda which shall be the Campus of the University;

(b) assign a minimum built up area of thirty thousand square meters to the University in the form of buildings and ancillary structures, including the existing built-up area of the Trust, for administrative and academic purposes, which shall not be used for any other purpose other than that for which the same is assigned;

(c) purchase of books and journals at least worth Rupees fifteen lakhs or as per the norms of the

Regulatory Bodies, whichever is higher in the first year and to invest not less than Rupees fifty lakhs or as per norms of the Regulatory Bodies whichever is higher, on books, Journals, computer networking and other facilities to make the library facilities adequate for contemporary teaching and research within the first three years and the existing library books, journals, computer networking and other facilities of the Trust shall constitute part of the requirement;

(d) purchase equipments, computers, furniture, other movable and immovable assets and infrastructure facilities other than buildings referred to in clause (b), worth rupees thirty lakhs or as per the norms of Regulatory Bodies, whichever is higher, and give undertaking to procure within the first five years, equipments, computers, furniture, other movable and immovable assets, and infrastructure facilities other than buildings, referred in clause (b) worth not less than rupees one crore or as per norms of the Regulatory Bodies, whichever is higher and the existing equipments, computers, furniture, other movable and immovable assets and infrastructure facilities other than buildings shall constitute part of the requirement.

(e) give an undertaking; —

(i) to appoint at least one Professor, two Associate Professors and adequate number of Assistant Professors or lectures on full time basis, along with necessary supporting staff in each school or department or discipline of the University prior to the date such school or department or discipline is started;

(ii) to take up co-curricular activities to foster a proper academic and healthy

socio-cultural environment, such as seminars, debates, quiz programmes, and extracurricular activities like games, sports, National Service Scheme, National Cadet Corps and such other activities for the benefit of the students as per the norms laid down by the Regulatory Bodies;

(iii) to establish welfare programmes for the employees of the University;

(iv) to fulfill such other conditions and provide such other informations as may be prescribed by the Regulatory Bodies, from time to time;

(v) that the programmes of study leading to a degree or a post - graduate degree or diploma offered by the University shall conform to the relevant regulations or norms of the UGC and the concerned Regulatory Body, as amended, from time to time;

(vi) that the admission procedure and fixation of fees shall be in accordance with the norms or guidelines, if any, prescribed by the Regulatory Bodies;

(vii) that the teaching staff of the University shall have at least the minimum qualifications prescribed by the UGC or other concerned Regulatory Bodies, and be paid appropriate emoluments;

(viii) that the University shall be open to all persons and shall not discriminate on the grounds of gender, caste, creed, religion, race, domicile and it shall not be lawful for the University to adopt or impose on any person,

any test whatsoever of religious belief or any profession in order to entitle one to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student or to enjoy or exercise any privilege thereof; and

(ix) to fulfill such other conditions and provide such other information as may be prescribed by the Regulatory Bodies.

(3) The Sponsoring Body after fulfillment of the requirements and conditions specified in sub-section (2) shall make a report of compliance to the State Government within a maximum period of two years from the date of commencement of this Act:

Provided that the State Government may allow extension of such period as it may deem fit on consideration of the progress in fulfilling the conditions specified under sub-section (2).

(4) The State Government, if satisfied after considering the compliance report submitted by the Sponsoring Body under sub-section (3), that the Sponsoring Body has complied with the provisions of sub-section(2), may issue notification under sub-section(1) to establish the University with the description of location, jurisdiction and such other conditions as may be specified in this behalf:

Provided that no notification shall be made unless a High Power Committee constituted by the Government certifies that the Sponsoring Body has complied with the provisions of sub-section (2) and that the provisions of the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003, as amended from time to time, and regulation and guidelines of other regulatory bodies have been fully complied with by the Sponsoring Body.

(5) 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 Birla Global University, Odisha.

