

CHHATTISGARH ACT

(No. 17 of 2014)

THE CHHATTISGARH SWAMI VIVEKANAND TECHNICAL UNIVERSITY
(AMENDMENT) ACT, 2014

An Act further to amend the Chhattisgarh Swami Vivekanand Technical University Act, 2004 (No. 25 of 2004).

Be it enacted by the Chhattisgarh Legislature in the Sixty-fifth Year of the Republic of India, as follows :-

Short title, extent 1. (1) This Act may be called the Chhattisgarh Swami Vivekanand Technical and commencement. University (Amendment) Act, 2014.

(2) It extends to the whole of the State of Chhattisgarh.

(3) It shall come into force from the date of its publication in the Official Gazette.

Amendment of 2. In Section 2 of the Chhattisgarh Swami Vivekanand Technical University Act, 2004 Section 2. (No. 25 of 2004), (hereinafter referred to as the Principal Act):-

(i) For clause (fourteen), the following shall be substituted, namely :-

“(fourteen) “Kuladhipati” means the Kuladhipati of the University and he may be referred to as the Chancellor;”

(ii) After clause (fourteen), the following shall be inserted, namely :-

“(fourteen-a) “Kuladhisachiv” means the Kuladhisachiv of the University and he may be referred to as the Rector;”

(iii) For clause (fifteen), the following shall be substituted, namely :-

“(fifteen) “Kulpati” means the Kulpati of the University and he may be referred to as the Vice-Chancellor;”

(iv) After clause (twenty), the following shall be inserted, namely :-

“(twenty-a) “Registrar” means the Registrar of the University and he may be referred to as the Kulsachiv;”

Amendment of 3. For sub-section (6) of Section 13 of the Principal Act, the following shall be substituted, Section 13. namely :-

“(6) In the event of occurrence of any vacancy, including a temporary vacancy, in the office of Kulpati, by reason of death, resignation, leave, illness or otherwise, Kuladhipati may nominate-

(a) Vice-Chancellor of any other University of the State, other than a Private University, or

(b) After consultation with the State Government, an officer of the State Government,

to act as the Kulpati, till the date on which Kulpati appointed under sub-section (1) or sub-section (7) of Section 12, as the case may be, enters the office :

Provided that the arrangement contemplated in this sub-section shall not continue for a period of more than six months.”

4. Section 17 of the Principal Act shall be omitted. Amendment of Section 17.

5. For Section 18 of the Principal Act, the following shall be substituted, namely :- Amendment of Section 18.

18. (1) The Registrar shall be a whole-time, salaried officer of the University and, subject to the general superintendence and control of Kulpati, shall discharge his duties and shall also act as the Secretary to the Executive Council, Academic Council, and Academic Planning and Evaluation Board.

(2) The qualifications of the Registrar shall be such as may be laid down by the Government of India, Ministry of Human Resource Development, from time to time :

Provided that the State Government may decide to adopt higher qualifications.

(3) A person appointed as Registrar shall have a term not exceeding three years :

Provided that he shall be eligible for a second term not exceeding three years.

(4) The State Government, with the approval of Kuladhipati, may appoint on deputation as the Registrar, a person having the requisite qualifications, from any cadre or post of-

(i) the Central Government or any State Government or Union Territory, or

(ii) University other than a private university, an institution of higher education other than a private institution, deemed to be a University under Section 3 of the University Grants Commission Act, 1956 (No. 3 of 1956), or an institution declared to be of national importance by the Parliament by law.

(5) The Registrar shall be the custodian of records, the common seal, the funds and the property of the Institute and subject to the provisions of the Act he shall have all the powers to ensure the proper custody, maintenance and operation of the same.

(6) The Registrar shall exercise such other powers and perform such other functions, as may be assigned to him under this Act, the Statutes, Ordinances and Regulations framed thereunder or by the Executive Council.

(7) The Registrar shall furnish information or records that Kuladhipati or the State Government may call in such manner as they may require.”

6. For Section 22 of the Principal Act, the following shall be substituted, namely :- Amendment of Section 22.

22. (1) The Executive Council shall be the executive body of the University and shall consist of the following members, namely :-

(one) Kulpati, who shall be the *ex-officio* Chairperson :

- (two) Secretary in-charge of the Department of Technical Education, Government of Chhattisgarh or his representative, who shall be the *ex-officio* Member ;
- (three) Secretary in-charge of the Department of Finance, Government of Chhattisgarh or his representative, who shall be the *ex-officio* Member
- (four) Commissioner or Director in-charge of the Directorate of Technical Education, Government of Chhattisgarh or his representative, who shall be the *ex-officio* Member ;
- (five) Three eminent educationists from the fields of engineering, technology or vocational education, nominated by Kuladhipati after consultation with the State Government, who shall be Members :

Provided that at least one of these educationists shall be from the field of vocational education ;

- (six) A member of Vidhan Sabha, nominated by the Speaker, who shall be the Member ;
- (seven) Kuladhisachiv, who shall be the *ex-officio* Member ;
- (eight) A professor, from amongst the colleges or polytechnics admitted to the privileges of the University, to be nominated by Kuladhipati after consultation with the State Government, who shall be the Member; and
- (nine) Registrar, who shall be the *ex-officio* Member-Secretary.
- (2) Members of the Council, other than the *ex-officio* Members, shall hold office for a period of two years.
- (3) The Council shall meet at least once in three months and as may be necessary.
- (4) The notice of the time and place of the meeting of the Council and the agenda therefor shall be circulated among the members, including by email, at least ten days before the date of the meeting :

Provided that the agenda notes containing information and supporting documents, relevant for decision on items on the agenda for the meeting shall be circulated, including by email, at least five days before the meeting :

Provided further that in case there is any difficulty in circulating the agenda notes within the requisite timeframe, the same may be circulated, including by email, with the concurrence of the Secretary in-charge of the Department of Technical Education, Government of Chhattisgarh, at least forty-eight hours before the meeting.

- (5) Kulpati may, at any time, call an emergency meeting, but no business that is not of immediate urgency shall be transacted thereat and notice of such meeting and the agenda along with agenda notes therefor shall be circulated, including by email, at least forty-eight hours before the meeting :

Provided that where the situation so demands, Kulpati may call an emergency meeting at a shorter notice, with prior permission of Kuladhipati and the agenda along with agenda notes therefor shall be circulated forthwith, including by email.

- (6) Six members of the Council shall constitute the quorum.
- (7) In a meeting, any member may be present and cast his vote through electronic means."
7. For clause (twelve) of Section 23 of the Principal Act, the following shall be substituted, namely :- Amendment of Section 23.
- "(twelve) To admit Colleges and Polytechnics to privileges of the University, to withdraw any of these privileges, and to takeover the management of any College or Polytechnic, on the recommendations of the Academic Council and subject to the provisions of this Act and Statutes :
- Provided that no such admission to the privileges or withdrawal thereof or taking over shall be considered for establishment of a new College or Polytechnic or addition in any programme or course at the diploma or undergraduate or postgraduate level or increase in the intake thereof, unless the State Government in its discretion has permitted such admission to the privileges, withdrawal thereof, takeover, addition, intake etc.;"
8. In sub-section (1) of Section 24 of the Principal Act,- Amendment of Section 24.
- (i) In clause (four), for the words "Secretary, Department of Technical Education", the words "Secretary in-charge of the Department of Technical Education, Government of Chhattisgarh, or his representative from the Department" shall be substituted.
- (ii) In clause (five), for the words "Secretary, Department of Finance", the words "Secretary in-charge of the Finance Department, Government of Chhattisgarh, or his representative from the Department" shall be substituted. Amendment of Section 25.
9. For Section 25 of the Principal Act, the following shall be substituted, namely :-
- "25. (1) The Academic Council shall be the academic body of the University and shall consist of the following members, namely :-
- (one) Kulpati, who shall be the *ex-officio* Chairperson ;
- (two) Kuladhisachiv, who shall be the *ex-officio* Member ;
- (Three) Commissioner or Director sin-charge of the Directorate of Technical Education, Government of Chhattisgarh or his representative, who shall be the *ex-officio* Member ;
- (four) Director of the University Teaching Department, who shall be the *ex-officio* Member ;
- (five) Two teachers ~~from amongst~~ the cadre of teachers of Government Engineering Colleges and Government Polytechnics under the Directorate of Technical Education, Government of Chhattisgarh, to be ~~nominated by the Kuladhipati after consultation with the State Government,~~ who shall be the Members;
- (six) Two teachers from the Colleges and Poytechnics admitted to the privileges of the University, to be nominated by Kuladhipati, who shall be the Members:

(seven) An officer of the Directorate of Employment and Training, Government of Chhattisgarh, not below the rank of Joint Director, to be nominated by the Kuladhipati after consultation with the State Government, who shall be the Member; and

(eight) Registrar, who shall be the *ex-officio* Member-Secretary.

(2) Members of the Council, other than the *ex-officio* Members, shall hold office for a period of two years.

(3) The Council shall meet at least once in three months and as may be necessary.

(4) The notice of the time and place of the meeting of the Council and the agenda therefor shall be circulated among the members, including by email, at least ten days before the date of the meeting :

Provided that the agenda notes containing information and supporting documents, relevant for decision on items on the agenda for the meeting shall be circulated, including by email, at least five days before the meeting :

provided further that in case there is any difficulty in circulating the agenda notes within the requisite timeframe, the same may be circulated, including by email, with the concurrence of the Secretary in-charge of the Department of Technical Education, Government of Chhattisgarh, at least forty-eight hours before the meeting.

(5) Kulpati may, at any time, call an emergency meeting, but no business that is not of immediate urgency shall be transacted thereat and notice of such meeting and the agenda along with agenda notes therefor shall be circulated, including by email, at least forty-eight hours before the meeting :

Provided that where the situation so demands, Kulpati may call an emergency meeting at a shorter notice, with prior permission of Kuladhipati and the agenda along with agenda notes therefor shall be circulated forthwith, including by email.

(6) Six members of the Council shall constitute the quorum.

(7) In a meeting, any member may be present and cast his vote through electronic means."

Amendment of 10. Section 26.

1 or clause (five) of sub-section (1) of Section 26 of the Principal Act, the following shall be substituted, namely :-

“(five) To admit Colleges and Polytechnics having approval from the All India Council for Technical Education to the privileges of the University, to withdraw any of these privileges, and to takeover the management of any College or Polytechnic, subject to the provisions of this Act and Statutes :

Provided that no such admission to the privileges or withdrawal thereof or taking over shall be considered for establishment of a new College or Polytechnic or addition in any programme or course at the diploma or under graduate or postgraduate level or increase in the intake thereof, unless the State Government in its discretion has permitted such admission to the privileges, withdrawal thereof, takeover, addition, intake etc.:"

Addition of new Sections 65 and 66.

11. After Section 64 of the Principal Act, the following shall be added, namely :-

“65. **Power to make Rules.**-The State Government may, subject to the previous publication by notification in the Official Gazette, make Rules to carry out all or any of the purpose of this Act.

66. **Statutes, Ordinance and Rules to be published in the Official Gazette and to be laid before the Legislature.**-(1) Every Statute, Ordinance and Rule made under this Act shall be published in the Official Gazette.

(2) Every Statute, Ordinance and Rule made under this Act shall be laid as soon as may be after it is made before the House of the State Legislature while it is in session, for a total period of thirty days, which may be comprised in one session or two or more successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following, the House agrees in making any modification to the Statute or the Ordinance or the Rule, as the case may be, or the House agrees that the Statute or the Ordinance or the Rule, as the case may be, should not be made, and notifies such decision in the Official Gazette, the Statute or the Ordinance or the Rule, as the case may be, shall from the date of publication of such notification have effect only in such modified form or be of no effect, as the case may be :

Provided that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that Statute or Ordinance or the Rule, as the case may be.”

