



## The Utkal University (Taking over of Management) Act, 1975

Act 7 of 1975

**Keyword(s):**

Administrator, University, University Act, Vice-Chancellor

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CONTENTS

PREAMBLE

SECTIONS

1. Short title and commencement
2. Definitions
3. Administrator to take over management of the affairs of the University
4. Effect of notified order issued under section 3
5. No right to compensation for termination of office
6. Application of the University Act
7. Duty to deliver possession of property and documents
8. Overriding effect of the Act
9. Power of State Government to give directions
10. Administrator to take steps for reconstitution of the authorities
11. Repeal and savings

## [THE UTKAL UNIVERSITY (TAKING OVER OF MANAGEMENT) ACT, 1974]

[Received the assent of the Governor on the 10th January 1975, first published in an extraordinary issue of the Orissa Gazette, dated the 16th January 1975]

AN ACT PROVIDE FOR THE TAKING OVER OF THE MANAGEMENT OF THE AFFAIRS OF THE UTKAL UNIVERSITY FOR A LIMITED PERIOD IN ORDER TO SECURE PROPER MANAGEMENT OF THE SAME

BE it enacted by the Legislature of the State of Orissa in the Twenty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Utkal University (Taking Over of Management) Act, 1974. Short title and commencement.

(2) It shall be deemed to have come into force on the 30th day of July, 1974.

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

(a) "Administrator" means the Administrator appointed under section 3;

(b) "notified order" means an order notified in the Official Gazette under section 3;

(c) "University" means the Utkal University established under the Utkal University Act, 1966;

Orissa Act  
20 of 1966.

(d) "University Act" means the Utkal University Act, 1966;

Orissa Act  
20 of 1966

(e) "Vice-Chancellor" means the Vice-Chancellor of the Utkal University;

1. For Statement of Objects and Reasons See Orissa Gazette, Extraordinary, dated the 13th December 1974 (No. 1971).

- (f) words and expressions used but not defined in this Act and defined in the Utkal University Act, 1966, shall have the meanings respectively assigned to them in that Act.

Orissa Act  
20 of 1966.

Administra-  
tor to take  
over mana-  
gement of  
the affairs of  
the Univer-  
sity.

3. (1) The State Government may, by notified order, appoint an Officer (hereinafter referred to as the "Administrator") to take over the management of the affairs of the University.

(2) A notified order issued under sub-section (1) shall remain in force for a period of one year.

Provided that if the State Government are of opinion that in order to secure the proper management of the affairs of the University, it is expedient that such notified order should continue in force after the expiry of the period of one year as aforesaid, they may, from time to time, issue directions for such continuance for such period, not exceeding one year at a time, as may be specified in the directions; but such notified order shall in no case remain in force for more than a total period of three years; and where any such direction is issued, a copy thereof shall be laid, as soon as may be, before the State Legislature.

Effect of  
notified  
order issued  
under  
section 3.

4. (1) On the issue of a notified order under section 3 appointing an Administrator to take over the management of the affairs of the University,

- (a) the Senate and the Syndicate 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 offices of the members of the Senate for life shall remain in abeyance during the continuance of the notified order in force;
- (c) the Vice-Chancellor shall be deemed to have vacated his office as such;
- (d) the Administrator shall exercise the powers and perform the functions of the Senate, Syndicate and the Vice-Chancellor under

the University Act, the Statutes and the Regulations; and

(e) for the purposes of signing the Diplomas granted by the University the Administrator shall be designated as the Vice-Chancellor.

(2) Subject to the provisions contained in this Act and the provisions contained in the University Act, the Statutes and the Regulations, the Administrator shall take such steps as may be necessary for the efficient management of the affairs of the University.

5. No person who ceases to hold any office by reason of the provisions contained in section 4, shall be entitled to any compensation for the loss of office. No right to compensation for termination of office.

6. Subject to the provisions contained in this Act, the University Act, the Statutes and Regulations shall continue to apply to the University in the same manner as they applied thereto before the issue of the notified order. Application of the University Act.

7. (1) Where a notified order has been issued under section 3, every person ceasing to hold office upon the issue of such order and having possession, custody or control of any property of or any books, documents or other papers 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. Duty to deliver possession of property and documents.

(2) The State Government may take all necessary steps for securing possession of the properties, books, documents and other papers as aforesaid.

8. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law. Overriding effect of the Act.

9. Subject to the provisions of this Act, the State Government may give such directions to the Administrator as they may deem fit for the proper management of the affairs of the University and the Administrator shall comply with such directions. Power of State Government to give directions.

(Secs. 10—11)

Administrator  
to take steps  
for reconsti-  
tution of the  
authorities.

10. <sup>1</sup>[(1)] The Administrator shall take all necessary steps for the reconstitution of the Senate and the Syndicate and for the appointment of the Vice-Chancellor so that the members of the said authorities and the Vice-Chancellor can assume office upon the expiry of the notified order.

<sup>2</sup>[provided that the State 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.]

<sup>3</sup>[(2) All elections and nominations necessary for the purposes of such reconstitution or appointment as aforesaid shall be held in advance in accordance with the provisions of the University Act and the Statutes framed thereunder.

(3) All persons who are to take part at any such election by virtue of holding office as members of any of the said authorities shall, notwithstanding the fact that they have not assumed such office, be eligible to take such part.]

Repeal and  
savings.

11. (1) The Utkal University (Taking Over of Management) Ordinance, 1974 and the Utkal University (Taking Over of Management) (Amendment) Ordinance, 1974 are hereby repealed.

Orissa  
Ordinance  
No. 7 of  
1974.  
Orissa  
Ordinance  
No. 13 of  
1974.

(2) Notwithstanding such repeal, any order notified, any direction given, anything done or any action taken under the Ordinances so repealed shall be deemed to have been notified, given, done or taken under the corresponding provisions of this Act.

1. Renumbered by the Orissa University Laws (Amendment) Act, 1976 (Or. Act 27 of 1976), s. 3.

2. Added by the Utkal University (Taking over of Management Amendment) Act, 1976 (Or. Act 39 of 1976), s. 2.

3. Inserted by the Orissa University Laws (Amendment) Act, 1976 (Or. Act 27 of 1976), s. 3.