



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LI]

FRIDAY, FEBRUARY 19, 2010/MAGHA 30, 1931

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE CENTRE FOR ENVIRONMENTAL PLANNING AND TECHNOLOGY UNIVERSITY (AMENDMENT) BILL, 2010.

GUJARAT BILL NO. 2 OF 2010.

A BILL

*further to amend the Centre for Environmental Planning and
Technology University Act, 2005.*

It is hereby enacted in the Sixty-first Year of the Republic of India as follows:-

1. This Act may be called the Centre for Environmental Planning and Technology University (Amendment) Act, 2010. Short title.

Guj. 24 of 2005. 2. In the Centre for Environmental Planning and Technology University Act, 2005 (hereinafter referred to as "the principal Act"), in the long title, for the words "Centre for Environmental Planning and Technology University, Ahmedabad", the words "CEPT University, Ahmedabad" shall be substituted. Amendment of long title of
Guj.24 of 2005.

Amendment of section 1 of Guj. 24 of 2005. 3. In the principal Act, in section 1, in sub-section (1), for the words "Centre for Environmental Planning and Technology University", the words "CEPT University" shall be substituted.

Amendment of section 2 of Guj. 24 of 2005. 4. In the principal Act, in section 2, in clause (q), for the words "Centre for Environmental Planning and Technology University", the words "CEPT University" shall be substituted.

Amendment of section 3 of Guj. 24 of 2005. 5. In the principal Act, in section 3,-
(1) in sub-section (1),-

(a) in clause (a), for the words "the Centre for Environmental Planning and Technology University, Ahmedabad", the words "the CEPT University, Ahmedabad" shall be substituted;

(b) in clause (b), for the words and brackets "Centre for Environmental Planning and Technology University (hereinafter in this Act referred to as "the CEPT University")", the words "CEPT University" shall be substituted;

(2) for sub-section (3) and the proviso thereunder, the following sub-section shall be substituted, namely :-

"(3) The University shall be competent to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property which may vest in or be acquired by it for the purposes of the University, and to contract and do all other things necessary for the purposes of this Act."

Amendment of section 4 of Guj. 24 of 2005. 6. In the principal Act, in section 4, for clause (vi), the following clause shall be substituted, namely:-

"(vi) to raise financial resources by contributions, donations, grants or loans from Government agencies, industries, other organizations and private individuals, for the effective functioning of the educational, research, publications and related functions of the University;"

Amendment of section 14 of Guj. 24 of 2005. 7. In the principal Act, in section 14, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Governing Body shall consist of those members who are from time to time trustees of the CEPT Trust and the President, the Director and the Deans of the University."

8. In the principal Act, in section 16, in sub-section (1), in clause (vii), for the words "one Dean of the University by rotation", the words "the Deans of the University" shall be substituted. **Amendment of section 16 of Guj. 24 of 2005.**
9. In the principal Act, in section 20, in sub-section (1), for clauses (iv) and (v), the following clauses shall be substituted, namely:- **Amendment of section 20 of Guj. 24 of 2005.**
- “(iv) one expert academician from each faculty of the University, to be nominated by the Board;
- (v) one expert professional from each faculty, to be nominated by the Executive Council.”.
10. In the principal Act, in section 22, in sub-section (2), clause (vii) shall be deleted. **Amendment of section 22 of Guj. 24 of 2005.**
11. In the principal Act, in section 24, sub-section (7) shall be deleted. **Amendment of section 24 of Guj. 24 of 2005.**
12. In the principal Act, in section 28, in sub-section (2), for clauses (i) to (iv), the following clauses shall be substituted, namely:- **Amendment of section 28 of Guj. 24 of 2005.**
- “(i) fees and charges;
- (ii) creation of posts and appointments;
- (iii) revision of any pay-scales;
- (iv) those employees for whom the salary is paid out of Government grant.”.
13. In the principal Act, in section 36, for sub-sections (3) and (4), the following sub-section shall be substituted, namely:- **Amendment of section 36 of Guj. 24 of 2005.**
- “(3) All regulations made under this section shall be intimated to the State Government.”.

STATEMENT OF OBJECTS AND REASONS

The Centre for Environmental Planning and Technology University is popularly known as "the CEPT University" in the academia the world over as well as State Government and Central Government Departments. It is, therefore, thought proper to amend the nomenclature of "the Centre for Environmental Planning and Technology University" to the "CEPT University, Ahmedabad" so that it may get its identity by its popular name.

Accordingly, *clauses 2, 3, 4 and 5* provide for the amendments in the nomenclature of the Centre for Environmental Planning and Technology University.

The CEPT Trust is the sponsoring body of the CEPT University. It is the responsibility of the CEPT Trust for the development of the University. Under the existing provision of sub-section (3) of section 3 of the Act, the CEPT University is required to obtain previous permission of the State Government for raising any loans on the securities of its assets. The requirement of obtaining previous permission of the State Government is not necessary as it would not entail any liability for the State Government. *Sub-clause (2) of clause 5* of the Bill proposes to suitably amend sub-section (3) of section 3 so as to remove for the requirement of obtaining previous permission of the State Government in this regard.

Clause 6 of the Bill proposes to amend clause (vi) of sub-section (1) of section 4 of the Act so as to include 'other organizations' so that the University may obtain loan to raise financial resources for the carrying out the objects of the University.

Clause 7 of the Bill proposes to amend sub-section (1) of section 14 of the Act so as to include the President, Directors and the Deans in the Governing Body of the University.

Clause 8 of the Bill amends clause (vii) of sub-section (1) of section 16 of the Act to include all the Deans as the members of the Board of Management so as to make them actively involved in the meaningful discussion in taking policy decisions relating to administration and working of the University.

The provision of clause (vii) of sub-section (2) of section 22 of the Act provides for obtaining permission of the State Government for obtaining bank borrowings. Since there is no liability of the State Government, the said provision proposed to be deleted. *Clause 10* of the Bill provides for the same.

The expenses relating to the grants received by the University under the grant-in-aid policy of the State Government are already under the regular audit by the audit officers of the Government and accounts are regularly audited by the officers of the Accountant General. The University which is sponsored by the CEPT Trust has made adequate provisions for internal audit and statutory audits by the Chartered Accountants. Hence, the provisions relating to conduct of test or full audit of accounts by the auditors appointed by the State Government does not seem to be necessary. *Clause 11* of the Bill proposes to delete sub-section (7) of section 24 so as to remove the restriction for the aforesaid purpose.

Section 28 of the Act provides for the power of the State Government to issue directions to the University with respect to fees and charges, raising of funds and borrowing money, creation of posts and appointments, revision of any pay-scales and in case of grant-in-aid programmes for which the State Government provides the funds. *Clause 12* of the Bill proposes to amend clauses of sub-section (2) of section 28 of the Act so as to provide that they shall apply in respect of those employees for whom salary is paid out of the grant of the State Government.

Clause 13 of the Bill proposes to amend sub-sections (3) and (4) of section 36 of the Act to the effect that regulations made by the University shall be intimated to the State Government. As per the existing provisions, it is required to be laid on the table of the House.

This Bill seeks to amend the said Act to achieve the aforesaid objects.

Gandhinagar,
Dated the 19th February, 2010.

RAMANLAL VORA.

By order and in the name of the Governor of Gujarat,

Gandhinagar,
Dated the 19th February, 2010.

H. D. VYAS,
Secretary to Government of Gujarat,
Legislative and Parliamentary Affairs
Department.