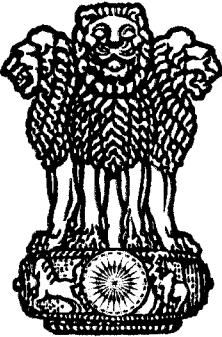


The



Kolkata Gazette

Extraordinary
Published by Authority

ASADHA 11]

MONDAY, JULY 2, 2012

[SAKA 1934]

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 930-L.—2nd July, 2012.—The Governor having been pleased to order, under rule 66 of the

Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 23 of 2012

**THE TECHNO INDIA UNIVERSITY, WEST BENGAL,
BILL, 2012.**

**A
BILL**

to provide for the establishment of the Techno India University, West Bengal by law and to confer the status of a University thereon and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the establishment of the Techno India University, West Bengal, and to confer the status of a non-affiliating, privately-run as well as self-financed University and for matters connected therewith or incidental thereto;

It is hereby enacted in the Sixty-third Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the Techno India University, West Bengal, Act, 2012.

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

*The Techno India University, West Bengal,
Bill, 2012.*

(*Clauses 2, 3.*)

Definitions.

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

- (a) “Academic Council” means the Academic Council of the University constituted under section 14;
- (b) “Administrator” means the Administrator appointed under section 20;
- (c) “Board” means the Board of Governors of the University constituted under section 10;
- (d) “Chairman” means the Chairman of the Board specified under section 10;
- (e) “Chancellor” means the Chancellor of the University appointed under section 7;
- (f) “Deans” means the Deans of the University appointed under section 22;
- (g) “Finance Committee” means Finance Committee of the University constituted under section 16;
- (h) “Managing Trustee” means the Managing Trustee of the Techno India Trust, Kolkata;
- (i) “prescribed” means prescribed by the regulations;
- (j) “Registrar” means Registrar of the University appointed under section 21;
- (k) “Regulations” means the regulations of the University made under this Act;
- (l) “Trust” means the Techno India Trust, Kolkata registered under Indian Trusts Act, 1882 registered at Kolkata on August 4, 2000 vide Trust Deed No. I-962 dated 04.08.2000; 2 of 1882.
- (m) “University” means the Techno India University, West Bengal, a University established under section 3;
- (n) “Vice-Chancellor” means the Vice-Chancellor of the University appointed under section 18.

Establishment and incorporation of University.

3. (1) There shall be established a University by the name of “Techno India University, West Bengal”.

(2) The Chancellor, the Board, the Academic Council, the Vice-Chancellor, the Dean, the Registrar and all other persons who may hereafter become officers or members so long as they continue to hold such office or membership, shall constitute a body corporate by the name of the “Techno India University, West Bengal”.

(3) The University shall function as a non-affiliating University.

(4) The University shall not demand any grant-in-aid or other financial assistance from the Central Government, any State Government, University Grants Commission, All India Council for Technical Education or any other authority or institutions of the Central Government or any State Government.

(5) The seats in Engineering and Technology courses in Colleges and other Institutions subsumed and incorporated in the University will continue to be guided by the existing framework of West Bengal Joint Entrance Examinations Board through its state level common entrance examination and counselling process as obtaining for such courses for the first one year from the date of coming into force of this Act until the University opts to work out its own framework regarding its process of admission as per decisions of the Board of Governors. The University will keep five *percent* of total intake therein reserved for filling up with economically weaker persons in the manner as to be laid down by the Department of Higher Education, Government of West Bengal, by order.

*The Techno India University, West Bengal,
Bill, 2012.*

(Clause 4.)

(6) The University shall be a body corporate by the name specified in sub-section (2) having perpetual succession and common seal with power, subject to the provisions of this Act, to acquire, hold and dispose property, to contract and shall, by the said name, sue and be sued.

(7) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar or any other official as may be duly authorized by the Chancellor or Vice-Chancellor and all processes in such suits and proceedings shall be issued to, and served on, the Registrar or on such authorized official.

(8) The headquarters of the University shall be at Kolkata.

(9) The University may have Departments or Schools or Centres anywhere in the State of West Bengal as may be decided by the Board of Governors.

(10) All the existing campuses held by the Trust or any other trust or society in the State can be integrated within the University after being subsumed by the University in due course as may be decided by the Board of Governors.

(11) If any vested land is settled with the University or the University is permitted to hold land in excess of the ceiling limit and the University does not utilize such land within three years of such settlement or permission, as the case may be, such land will be resumed by the Government in case of settlement, and permission will be withdrawn in case of permission granted to hold land in excess of the ceiling limit.

(12) The Techno India University, West Bengal will commence its operations with its present land and infrastructural facilities existing at its present locations in Sector-III and V, Salt Lake City, Kolkata and in Bishnupur, Joka, South 24-Parganas;

(13) The jurisdiction of the University will be the entire State of West Bengal.

Object of
University.

4. The objects of the University shall be as follows, namely:—

- (i) to provide instruction, teaching, training and research in various branches and specialized fields of study of Science, Technology, Medicine, Management, Law, Humanities, Social Sciences, Education, Performing Arts, Sports and any other fields of study as may be decided subsequently by the approving authority of the University;
- (ii) to establish the main campus in West Bengal, and to have study centers, campuses, Off-campus centres, Off-shore campuses and regional centres at different places in India and abroad as per the norms of the University Grants Commission and other relevant laws;
- (iii) to provide continuing and distance education programmes;
- (iv) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination, or any other method of evaluation;
- (v) to collaborate with other colleges or universities, research institutions, industry associations, professional associations or any other organization, in India and abroad, and to conceptualize, design and develop specific educational and research programmes, training programmes and exchange programmes for students, faculty members and others;
- (vi) to disseminate knowledge through seminars, conferences, executive education programmes, community development programmes, publications and training programmes;
- (vii) to undertake programmes for the training and development of faculty members and teachers of the University and other Institutions in India and abroad;
- (viii) to undertake collaborative research with any organization in India and abroad;

*The Techno India University, West Bengal,
Bill, 2012.*

(Claus 5, 6.)

- (ix) to create higher levels of intellectual abilities;
- (x) to create Entrepreneurs by providing necessary inputs and support;
- (xi) to provide consultancy to industry, institutions, Government, public and private organization;
- (xii) to create an Industry Academia partnership by inviting Industry and institutions in the University campus and other university places for mutual benefits;
- (xiii) to ensure that the standard of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by statutory regulatory authorities in India;
- (xiv) to do all things necessary or expedient to promote the objectives under this section;
- (xv) to pursue any other objective as may be prescribed by State Government, by order, or Trust, as the case may be.

University
remaining open to
all irrespective of
sex, religion,
class, colour,
creed or opinion.

5. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, caste, class, place of birth, religious belief or political or other opinion.

(2) It shall not be lawful for the University to impose on any person any test whatsoever to sex, race, creed, caste, class, place of birth, religious belief or profession or political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or any benefaction thereof.

Powers and
functions of
University.

6. Subject to the provisions of this Act, the University shall exercise the following powers and perform the following functions, namely:—

- (i) to administer and manage the University, its Departments, Schools, Centres and such Centres for research, education and instruction as are necessary for the furtherance of the objects of the University;
- (ii) to provide for instruction, education, training and research in such branches of knowledge or learning of its Programmes of study and allied areas;
- (iii) to conduct innovative experiments in new methods and technologies in the core and emerging fields of education to achieve international standards of such education, training and research;
- (iv) to prescribe courses and curricula and provide for flexibility in the education system and delivery methodologies including electronic and distance learning;
- (v) to hold examinations through physical or electronic mode also and confer degrees, diplomas or grant certificates, and other academic distinctions or titles on persons subject to such conditions as the University may determine, and to withdraw or cancel any such degrees, diplomas, certificates, or other academic distinctions or titles in the manner prescribed by the regulations;

*The Techno India University, West Bengal,
Bill, 2012.*

(Clause 6.)

- (vi) to confer ordinary and honorary degrees or other distinctions in the manner prescribed by the regulations;
- (vii) to establish such special centres, specialized study centres or other units within the campus and the departments for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;
- (viii) to provide printing, reproduction and publication of research and other works and to organize exhibitions;
- (ix) to sponsor and undertake research in all aspects of information and communication technology and allied areas;
- (x) to collaborate or associate with, advise, administer, control, develop, maintain, or take over by way of merger or otherwise, any educational institution with like or similar objects;
- (xi) to develop and maintain linkages with educational or other institutions in any part of the world through exchange of teachers and scholars, and generally in such manner as may be conducive to their common objects;
- (xii) to develop and maintain relationships with teachers, researchers, and domain experts in information and communication technology and allied areas in any part of the world for achieving the objects of the University;
- (xiii) to regulate the expenditure and to manage the finance and to maintain accounts of the University;
- (xiv) to receive funds from industry, institutions, national and international organizations, national or international financial institutions including nationalized banks or any other source other than Government as gifts, loans, subsidies, grants, assistance, donations, benefactions, bequests and by transfer of movable and immovable properties, for the purposes and objects of the University as may be decided by the Board;
- (xv) to establish, maintain and manage halls and hostels for the residence of students;
- (xvi) to supervise and control the residence and regulate the discipline of students of the University and to make arrangements for promoting their health and general welfare and cultural activities;
- (xvii) to fix, demand and receive or recover fees and such other charges as may be prescribed by the regulations for the purpose of this Act;
- (xviii) to institute and award fellowships, scholarships, prizes, medals and other awards;
- (xix) to purchase or to take on lease or accept as gifts or otherwise any land, or building or works or any other movable or immovable property which may be necessary or convenient for the purpose of the University and for its expansion and on such terms and conditions as it may deem fit and proper and to construct or alter and maintain any such building or works;

*The Techno India University, West Bengal,
Bill, 2012.*

(Clause 6.)

- (xx) to lease, exchange, or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit and consistent with the interest, activities and objects of the University;
- (xxi) to draw and accept, to make and endorse, to discount and negotiate, Government of India's promissory notes and other promissory notes, bills of exchange, cheques or other negotiable instruments;
- (xxii) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to payout of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;
- (xxiii) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of University;
- (xxiv) to execute conveyances regarding transfers, mortgages, leases, licenses, agreements and other conveyances in respect of property, movable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University within the guidelines of the Central Government and the State Governments and the Reserve Bank of India;
- (xxv) to admit the students for the courses offered by the University in the manner prescribed by the regulations;
- (xxvi) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;
- (xxvii) to regulate and enforce discipline among the employees of the University and to provide for such disciplinary measures as may be prescribed by the regulations;
- (xxviii) to institute Professorships, Associate Professorships, Assistant Professorships, readerships, Lecturerships, and any other teaching, academic or research posts and to prescribe qualifications for them;
- (xxix) to appoint persons as professors, Associate professors, Assistant professors, readers, lecturers or otherwise as teachers and researchers of the University;
- (xxx) subject to the provisions of this Act and the regulations made thereunder, any officer or authority of the University may, by order, delegate his or its powers except the power to make regulations to any other officer or authority under his or its control and subject to the conditions that the ultimate responsibility for the exercise of the power so delegated shall continue to vest in the officer or authority delegating them;
- (xxxi) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of all or any of the objects of the University.

*The Techno India University, West Bengal.
Bill, 2012.*

(Clauses 7-10.)

Chancellor of the University.

7. (1) The Chancellor of the University shall be the head of the Board of Governors and that of the University. The Managing Trustee of the Techno India Trust shall be Chancellor of the University, in *ex-officio* capacity, for life at his pleasure. He may also appoint or nominate a suitable person for the post of Chancellor at his will.

(2) The Chancellor shall have, subjects to the provisions of this Act, power to cause an inspection or review, to be made by such person or persons as he may direct, of the University, its buildings, libraries, equipment and systems and processes and of any institution or centre maintained by the University, and also of the examinations, teaching, research and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration and finance of the University.

Authorities of University.

8. The following shall be the authorities of the University besides the Chancellor, namely:—

- (a) the Board of Governors;
- (b) the Academic Council;
- (c) the Finance Committee; and
- (d) such other authorities as may be declared by the regulations to be authorities of the University.

Officers of University.

9. The following shall be the officers of the University, namely:—

- (a) the Vice-Chancellor;
- (b) the Administrator;
- (c) the Deans;
- (d) the Registrar; and
- (e) such other persons as may be declared by the regulations to be officers of the University.

Board of Governors.

10. (1) The Board of Governors of the University shall consist of the following members, namely:—

- (i) the Chancellor shall be the Chairman of the Board;
- (ii) two representatives of the trust;
- (iii) Vice-Chancellor of the University;
- (iv) two Deans of the University, by rotation, to be nominated by the Vice-Chancellor;
- (v) Secretary to the Government of West Bengal, Higher Education Department, or his nominee;
- (vi) three expert academicians to be nominated by the Chancellor;
- (vii) three experts representing other disciplines such as finance, legal, management, humanities to be nominated by the Chancellor;
- (viii) to representatives of the industries to be nominated by the Chancellor; and
- (ix) Administrator of the University.

(2) The Registrar shall be the Secretary of the Board.

*The Techno India University, West Bengal,
Bill, 2012.*

(Claus 11-13.)

Powers and duties
of Chancellor.

11. (1) The Chancellor shall preside over at the meetings of the Board and at the convocations of the University.

(2) The Chancellor shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the regulations made thereunder.

Powers and
functions of
Board.

12. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and control of the affairs of the University and shall exercise all the powers of the University and shall have the power to review of the acts of the Academic Council and the Finance Committee.

(2) Without prejudice to the provisions of sub-section (1), the Board shall have the following powers and functions, namely:—

- (i) to take decisions on question of policy relating to the administration and working of the University;
- (ii) to institute Courses of study at the University;
- (iii) to make Statutes, rules and regulations of the University;
- (iv) to consider and approve the annual report and annual accounts of the University for every financial year;
- (v) to borrow on, invest moneys and funds of the University and take decisions on the recommendations of the Finance Committee;
- (vi) to publish or finance the publication of studies, treaties, books, periodicals, reports and other literature and to sell or arrange for the sale of publication of studies, treaties, books, periodicals, reports and other literature as it may deem fit from time to time;
- (vii) to create or abolish posts of teachers and other employees of the University;
- (viii) to appoint such committees, bodies, as it considers necessary for the exercise of its powers and performance of its duties under this Act;
- (ix) to delegate any of its powers to the Vice-Chancellor, Deans, Registrar, or any other officer, employee or authority of the University or to a committee appointed by it; and
- (x) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by this Act or the regulations made thereunder, and all such other powers for achieving the objects of the University.

Term of office of
member of
Board.

13. (1) Save as otherwise provided in this section, the term of nominated members of the Board shall be five years from the date of nominations.

(2) An *ex officio* member shall continue so long as he holds the office by virtue of which he is such member.

(3) Any vacancy in the Board occurring before the expiry of the prescribed period shall be filled by nomination of another person by the Chancellor subject to the provision of section 28 of this Act.

(4) A member nominated under sub-section (3) shall continue for the remainder of the term of a member in whose place he is nominated.

(5) An outgoing member shall be eligible for re-nomination for the next term.

(6) A member may resign his office by writing under his hand addressed to the Chancellor but he shall continue in office until his resignation has been accepted by the Chancellor.

*The Techno India University, West Bengal,
Bill, 2012.*

(*Clauses 14-16.*)

Academic
Council.

14. (1) The Academic Council of the University shall consist of the following members, namely:—

- (i) the Vice-Chancellor of the University, *ex officio*, who shall be the Chairman of the Academic Council;
- (ii) two academicians or professionals to be nominated by the Board;
- (iii) two external academicians or professionals in the area of higher education, to be nominated by the Vice-Chancellor;
- (iv) two Deans of the University, by rotation to be nominated by the Vice-Chancellor;
- (v) one Professor from each discipline of the University, by rotation to be nominated by the Vice-Chancellor;
- (vi) the Administrator of the University;
- (vii) the Registrar who shall be the non-member Secretary of the council.

(2) The term of office of the members other than the *ex officio* member shall be three years.

Powers of
Academic
Council.

15. Subject to the provisions of this Act, and the regulations made thereunder, the Academic Council of the University shall have the following powers, namely:—

- (i) to exercise control and general regulation over the academic policies of the University and be responsible for the maintenance and improvement of standards of instruction, education and evaluation in the University;
- (ii) to consider matters of general academic interest either on its own initiative or on a reference from the Faculty of the University or the Board or the State Government and to take appropriate action thereon;
- (iii) to recommend to the Board such regulations as are consistent with this Act regarding the academic functioning of the University including discipline of students;
- (iv) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by the regulations.

Finance
Committee.

16. (1) The Finance Committee shall consist of the following members, namely:—

- (i) the Vice-Chancellor of the University, *ex officio* shall be the Chairman of the Committee;
- (ii) one member of the Board to be nominated by the Chancellor;
- (iii) one Dean of the University by rotation to be nominated by the Vice-Chancellor;
- (iv) one expert to be nominated by the Chancellor;
- (v) the Administrator of the University;
- (vi) the Registrar shall be the non-member Secretary of the Committee.

(2) The term of office of the members other than the *ex officio* member shall be three years.

*The Techno India University, West Bengal,
Bill, 2012.*

(Clauses 17-19.)

Powers and
functions of
Finance
Committee.

17. Subject to the other provisions of this Act, the Finance Committee shall exercise the following powers and perform the following functions, namely:—

- (i) to examine the annual accounts and annual budget estimates of the University and advise the Board thereon;
- (ii) to review the financial position of the University from time to time;
- (iii) to make recommendations to the Board on all financial policy matters of the University;
- (iv) to make recommendations to the Board on all proposals involving raising of funds, receipts and expenditure;
- (v) to provide guidelines consistent with the objectives and development plans of University;
- (vi) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or for which expenditure in excess of the amount provided in the budget has been incurred;
- (vii) to examine all proposals relating to revision of scale, up-gradation of the scale and those items which are not included in the budget, before they are placed before the Board;
- (viii) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the regulations.

Appointment,
term of office and
other conditions
of service of Vice-
Chancellor.

18. (1) The Vice-Chancellor shall be appointed by the Board out of the panel of names recommended by the Committee consisting of the following members, namely:—

- (i) an eminent technologist to be nominated by the Chancellor;
- (ii) an eminent educationist to be nominated by the Chancellor;
- (iii) one member of the Board to be nominated by the Chancellor.

(2) The Chancellor shall designate one member as the Chairman of the Committee.

(3) The term of office of the Vice-Chancellor shall be determined by the Board for the period not exceeding five years.

(4) Notwithstanding anything contained in sub-sections (1) and (3), the Vice-Chancellor of the University holding the office at the commencement of this Act, shall be deemed to have been appointed as the first Vice-Chancellor.

(5) Where a vacancy in the office of Vice-Chancellor occurs and it cannot be conveniently and expeditiously filled up in accordance with the provisions of sub-section (1) and if there is any emergency, the Chancellor, in consultation with the Board, may appoint any suitable person to be the Vice-Chancellor and may, from time to time, extend the term for a period not exceeding one year.

(6) The conditions of service of the Vice-Chancellor, including salary, allowances, leave, pension and provident fund shall be such as may be prescribed by the Board and until so prescribed shall be determined by the Chancellor.

Power and duties
of Vice-
Chancellor.

19. (1) The Vice-Chancellor shall be the Chief Executive and Academic Officer of the University and shall preside over the meetings of the Academic Council and Finance Council.

(2) Without prejudice to the generality of the provisions contained in sub-section (1), the Vice-Chancellor shall—

- (i) exercise general supervision and control over the affairs of the University;
- (ii) ensure implementation of the decisions of the authorities of the University;

*The Techno India University, West Bengal,
Bill, 2012.*

(Clause 20.)

- (iii) be responsible for imparting of instruction and maintenance of discipline in the University;
- (iv) exercise such other powers, and perform such other duties as may be assigned to him under this Act or the regulations made thereunder or as may be delegated to him by the Board or the Chancellor, as the case may be.

(3) Where any matter is of urgent nature requiring immediate action and the same cannot be immediately dealt with by the Chairman or authority or body of the University empowered under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chairman or authority or body of the University who or which in the ordinary course, would have dealt with the matter:

Provided that if such authority or other body is of the opinion that such action ought not to have been taken by the Vice-Chancellor, it may refer the matter to the Chairman who may either conform the action taken by the Vice-Chancellor or annul the same or modify it in such manner as he thinks fit, and thereupon it shall cease to have effect or as the case may be, shall take effect in such modified form; so however such modification or annulment shall be without prejudice to the validity of anything previously done by or under the order of the Vice-Chancellor.

(4) Where the exercise of the power by the Vice-Chancellor under sub-section (3) involves the appointment of any person, such appointment shall be confirmed by the competent authority empowered to approve such appointment, in accordance with the provisions of this Act and the regulations made thereunder, not later than six months from the date of order of the Vice-Chancellor, otherwise the same shall cease to have effect on the expiration of a period of six months from the date of order of Vice-Chancellor.

Appointment,
other terms and
conditions of
service of
Administrator and
its power and
duties.

20. (1) The Administrator shall be appointed by the Chancellor in such manner and on such terms and conditions as may be prescribed by regulations.

(2) The Administrator shall exercise the following powers and perform following duties, namely:—

- (i) he shall be responsible for the overall and day-to-day administration of the University;
- (ii) he shall place before the Board and other authorities of the University, all such information as may be necessary for transaction of its business;
- (iii) he shall be responsible to the Chancellor through the Vice-Chancellor for the proper discharge of his functions;
- (iv) he shall, subject to the control of the Vice-Chancellor, be responsible for the administration and services of the officials and staff of the University and be responsible for the execution of all processes connected therewith;
- (v) he shall attest and execute all documents on behalf of the University; and
- (vi) he shall exercise such other powers and perform such other duties as may be assigned to him by the regulation made under the provisions of this Act or as may be delegated to him by the Board, the Chancellor or the Vice-Chancellor from time to time, as the case may be.

*The Techno India University, West Bengal,
Bill, 2012.*

(Clauses 21-25.)

Appointment,
other terms and
conditions of
service of
Registrar and its
power and duties.

21. (1) The Registrar shall be appointed by the Chancellor in such manner and on such terms and conditions as may be prescribed by the regulations.

(2) The Registrar shall exercise the following powers and perform following duties, namely:—

- (i) he shall be responsible for the custody of records, common seal, the funds of the University and such other property of the University;
- (ii) he shall place before the Board and other authorities of the University, all such information as may be necessary for transaction of its business;
- (iii) he shall be responsible to the Vice-Chancellor for the proper discharge of his functions;
- (iv) he shall, subject to the control of the Vice-Chancellor, be responsible for all processes connected with the registration of the students and activities related to the Departments or Schools or Centres of the University;
- (v) he shall exercise such other powers and perform such other duties as may be assigned to him by the regulations made under the provisions of this Act or as may be delegated to him by the Board, the Chancellor or the Vice-Chancellor from time to time, as the case may be.

The Deans.

22. (1) The Deans of the University shall be appointed by the Vice-Chancellor, with the approval of the Chairman of the Board, from amongst the Faculty of the University.

(2) The Deans shall assist the Vice-Chancellor in managing the academic and other affairs of the University and shall exercise such powers and perform such functions as may be prescribed by the regulations or be entrusted to them by the Vice-Chancellor.

Permanent
Endowment Fund
and Security Fund
of University.

23. (1) An Endowment Fund will be set up by the University through a *fixed deposit* of Rupees ten crore in a nationalized bank which will be kept as reserve fund for the development of the University.

(2) A security fund will be pledged in the name of the *Director of Public Instructions*, on behalf of the State Government in the Department of Higher Education through a *fixed deposit* of Rupees one crore in a nationalized bank to be kept as security deposit.

Payment to
University.

24. The Trust may pay to the University from time to time such sums of money and in such manner as may be considered necessary for the exercise of its powers and discharge of its functions under this Act.

Funds of
University.

25. (1) The University shall have its own funds consisting of—

- (a) all moneys provided by the Trust;
- (b) all fees and other charges received by the University;
- (c) all moneys received by the University by way of grants, loans, gifts, donations, benefactions, bequests or transfers;
- (d) all moneys received by the University from the collaborating Industry or Institution in terms of the provisions of the Memorandum of Understanding between the University and the Industry or Institution, for establishment of sponsored chairs, fellowships and infrastructure facilities to the University;
- (e) all moneys received by the University in any other manner or from any other source.

*The Techno India University, West Bengal,
Bill, 2012.*

(Clauses 26-29.)

(2) All funds of the University shall be deposited in such banks or invested in such manner as the Board may decide on the recommendation of the Finance Committee.

(3) The funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions.

Accounts and Audit.

26. (1) The University shall maintain proper accounts and other relevant records, and prepare an annual statement of accounts including the income and expenditure account and balance sheet, in such form and in such manner as may be prescribed by the regulations.

(2) The University shall adopt a proper system of internal checks and balances and controls in the discharge of its finance, accounting and auditing functions as may be prescribed by the regulations.

(3) The Accounts of the University shall be audited not less than once per year by a statutory auditor who shall be a Chartered Accountant or a firm of Chartered Accountants as defined in the Chartered Accountants Act, 1949, who or which shall be appointed by the Board.

38 of 1949.

(4) The Accounts of the University certified by the person or firm so appointed or any other person authorized in this behalf together with the audit report thereon shall be placed before the Board and the Board may issue such instructions to the University in respect thereof as it deems fit and the University shall comply with such instructions.

(5) The Accounts of the University shall be audited by an internal auditor who shall be a Chartered Accountant or a firm of Chartered Accountants appointed by the Board, to ensure concurrent audit of all books of accounts, and such internal audit reports shall be placed before the Board for review.

(6) The University shall prepare each year a report of its activities during the previous year and submit it in the form of an annual report to the Board for review and approval.

Pension and Provident Fund scheme.

27. (1) The University shall, with the approval of the Board, constitute for the benefit of its officers, teachers, and other employees, in such manner and subject to such conditions, as may be prescribed by the regulations, such schemes of pension, provident funds and insurance as it may deem fit, and also aid in establishment of the associations, institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the University.

(2) Where any such provident fund has been so constituted, the provisions of the Provident Funds Act, 1925, shall apply to such fund as if it were a Government Provident Fund.

19 of 1925.

Acts and proceedings not to be invalidated by vacancies.

28. No act or proceeding of the Board or any authority of the University or any committee constituted under this Act or by the regulations shall be questioned on the ground merely of the existence of any vacancy in or defect in the constitution of the Board, Authority or Committee of the University.

Conferment of degrees, diplomas and grant of certificates by University.

29. Notwithstanding anything contained in any other law for the time being in force, the University shall have powers to confer degrees, diplomas and grant certificates, and confer degrees and honorary degrees and other distinctions and titles, as approved by the Board.

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(Clauses 30-33.)

Returns and Information.

Management of University on dissolution of Trust.

Power of State Government to issue direction.

Power to make Regulations.

30. The University shall furnish to the State Government, University Grants Commission and other statutory authorities such reports, returns, statements and other information as may be required by them from time to time.

31. (1) The Trust shall give a notice of not less than six months period to the State Government of its intention to dissolve the Trust.

(2) Upon receipt of any notice from the Trust, the State Government shall make arrangements for administration of the University from the date of dissolution of the Trust and until the last batch of students in regular courses of the University complete their courses.

(3) The expenditure for administration of the University during taken over period of its management shall be met out of the Permanent Endowment Fund of the University.

(4) On dissolution of the Trust, the Permanent Endowment Fund of the University shall be in the form of a corpus fund.

32. The State Government shall have powers to issue directions from time to time as may be required to be followed by the University under the provisions of this Act and the regulations made thereunder and under any other law for the time being in force.

33. (1) Subject to the provisions of this Act, the Board shall have, in addition to all other powers vested in it, the power to make regulations to provide for the administration and management of the affairs of the University.

(2) In particular and without prejudice to the generality and foregoing powers, such regulations may provide for all or any of the following matters, namely:—

- (i) the summoning and holding of meetings of the authorities of the University other than the first Meeting of the Board, and quorum and conduct of business at such meetings;
- (ii) the power and functions to be exercised and discharged by the Chancellor of the University;
- (iii) the constitution, powers and duties of the other authorities, bodies and committees of the University established under this Act, the qualifications and disqualifications for membership of such authorities, bodies and committees, term of office of the membership, appointment and removal of members thereof and other matters connected therewith, and removal of members of the Board, the Academic Council and the Finance Committee;
- (iv) the procedure to be followed by the Board and any Committee or other body constituted under this Act and by the regulations made thereunder in the conduct of the business, exercise other powers and discharge of the functions;
- (v) the procedure and criteria to be followed in established courses of study and admission of students;
- (vi) the procedure to be followed by enforcing discipline in the University;
- (vii) the management of the properties of the University;

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(Clause 34.)

- (viii) the degrees, diplomas, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;
- (ix) the conduct of examinations including the term of office and appointment of examiners;
- (x) the creation of posts of Professors, Associate Professors, Assistant Professors, Readers, Lecturers of equivalent academic designations or posts, officers and employees of the University, and the appointment of persons to such posts including the qualifications requisite therefor;
- (xi) the fees and other charges which may be paid to the University for the courses, training facilities and services provided by it;
- (xii) the manner and conditions for constitution of insurance, pension and provident funds and such other schemes for the benefit of officers, teachers, and other employees of the University;
- (xiii) the terms and conditions applicable for association of the University with other institutions;
- (xiv) the preparation of budget estimates and maintenance of accounts;
- (xv) the mode of execution of contracts or agreement by or on behalf of the University;
- (xvi) the method of recruitment, classification and procedure for appointment of officers and staff of the University;
- (xvii) the terms and tenure of appointments, salaries and allowances, contractual services, rules of discipline and other conditions of service of the Vice-Chancellor, other officers, teachers and employees of the University;
- (xviii) the terms and conditions governing deputation of officers and staff of the University;
- (xix) the powers and duties of the Vice-Chancellor and other officers, teachers and employees of the University;
- (xx) the terms and conditions governing fellowship, scholarship, stipends, medals and prizes;
- (xxi) the authentication of the orders and decisions of the Board;
- (xxii) the matters relating to hostels and halls of residence including disciplinary control therein;
- (xxiii) all matters which by this Act are to be or may be prescribed by the regulations.

Removal of
difficulties.

34. If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first given effect to the provisions of this Act and the regulations made thereunder, the Chancellor of the University may, at any time, before all authorities of the

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(*Clauses 35, 36.*)

University have been constituted, by order, make any appointment or do anything consistent, so far as may be, with the provisions of this Act and regulations made thereunder which appear to him necessary or expedient for the purpose of removing the difficulty and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act and regulations made thereunder:

Provided that before making any such order the Chancellor may ascertain and consider the opinion of the Vice-Chancellor and of such appropriate authority of the University as may have been constituted.

Transitory
provisions.

35. Notwithstanding anything contained in this Act,—

- (a) the Vice-Chancellor may, with the prior approval of the Chancellor and subject of availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the regulations made thereunder and for that purpose may exercise any power or perform any duties which by this Act and regulations made thereunder are to be exercised or performed by any authority of the University until such authority comes into existence as provided by this Act and regulation made thereunder;
- (b) the Board of the University functioning as such immediately before the commencement of this Act shall continue to so function until the Board is constituted for the University under this Act, but on the constitution of the Board under this Act, the members of the Board holding office before such constitution shall cease to hold office;
- (c) the Academic Council of the University functioning as such immediately before the commencement of this Act shall continue to so function until the Academic Council is constituted for the University under this Act, but on the constitution of the Academic Council under this Act, the members of the Academic Council holding office before such constitution shall cease to hold office;
- (d) the Finance Committee of the University functioning as such immediately before the commencement of this Act shall continue to so function until the Finance Committee is constituted for the University under this Act, but on the constitution of the Finance Committee under this Act, the members of the Finance Committee holding office before such constitution shall cease to hold office;
- (e) until the first regulations of the University are made under this Act, the existing rules and regulations of the Techno India University, West Bengal, as approved by the Board as in force immediately before the commencement of this Act, shall continue to apply to the University, in so far as they are not inconsistent with the provisions of this Act.

Indemnity.

36. No suit, prosecution or other legal proceedings shall lie against, and no damages shall be claimed from the University, Chancellor, the Vice-Chancellor, the authorities, officers, any member of Board of Governors and the Committee Members of the University or any other person in respect of anything which is done in good faith or purporting to be done in pursuance of this Act or any regulation made thereunder.

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STATEMENT OF OBJECTS AND REASONS.

There has been a phenomenal growth in Science, Technology, Law, Management, Medicine, Social Sciences in India over the past few years. The State Government in the Higher Education Department has been actively considering the proposal for setting up of an Institute for Education, Training and Research in the area of Science, Technology, Law, Management, Medicine, Social Sciences in the State.

2. "Techno India Trust" registered under Indian Trusts Act, 1882 has been successfully running 15 Engineering Colleges, 10 Business Schools and 10 Public Schools and has achieved desired level of excellence in Technological Education. The Trust has been meeting the demand for quality manpower supply in Information and Communication Technology area for the past 26 years.

3. Therefore, the said Trust intends to open this new private University to provide Instruction, Teaching, Training and Research in various branches and specialized fields of study of Science, Technology, Law, Management, Medicine, Social Sciences, Education, Humanities, Performing arts and any other field of study as may be decided by the approving authority of the University. The main campus of the University will be established in Sector III and V, Salt Lake City, Kolkata and in Bishnupur, Joka, South 24-Parganas and the jurisdiction of the University will be the entire State of West Bengal.

4. Accordingly, it has been decided to set up the Techno India University, West Bengal for the purpose as stated above.

5. There is no financial implication involved in giving effect to the provision of the Bill.

6. The Bill has been framed with the above objects in view.

KOLKATA,
The 2nd July, 2012.

BRATYA BASU,
Member-in-charge.

By order of the Governor,

MALAY MARUT BANERJEE,
*Secy. to the Govt. of West Bengal,
Law Department.*