

The U.P. Harcourt Butler Technical University Act, 2016

UTTAR PRADESH

India

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Act 11 of 2016

- Published on 7 April 2016
- Commenced on 7 April 2016
- [This is the version of this document from 7 April 2016.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Harcourt Butler Technical University Act, 2016(U.P. Act No. 11 of 2016)Statement of Objects and Reasons. - The Harcourt Butler Technological Institute is an autonomous institution which was established in the Year 1921. It is fully financed by the State Government. This institute is being converted to Harcourt Butler Technical University, Kanpur with a view to making it a leading Residential University so that it becomes a Centre of Excellence with focus on Research and Development and Incubation in the fields of engineering, technology, basic and applied sciences, humanities, social sciences and management, architecture and other professional courses, to promote studies, research and innovation in emerging areas of higher education, to further skill development through continuing education programme and knowledge incubation and to achieve excellence in higher technical education and other matters connected therewith or incidental thereto.² It has, therefore, been decided to make a law to provide for promoting the aforesaid institution as the University to enable it to function more efficiently as a teaching and research centre to meet the requirement of higher education and research in the field of the engineering and technology, applied science and management sciences, foster industry relevant research and innovation and to avail better scopes and opportunities to serve the society and the nation.The Uttar Pradesh Harcourt Butler Technical University Bill, 2016 is introduced accordingly.(As passed by the Uttar Pradesh Legislature)Received the assent of the Governor on April 6, 2016 and published in the U.P. Gazette, Extraordinary, Part 1, Section (Ka), dated 7th April, 2016, pp. 36-67 275 Current Central Legislation/Lucknow Law Times 20-6-2016/25-6-2016An Act to provide for reconstitution of the Harcourt Butler Technological Institute, Kanpur as the Harcourt Butler Technical University, Kanpur with a view for making it a leading Residential University to become a Centre of Excellence with focus on Research and Development and Incubation in the fields of engineering, technology>, basic and applied sciences, humanities, social science and management, architecture and other professional courses, to promote studies, research and innovation in emerging areas of higher education, to further skill development through continuing education programme and knowledge incubation, also to achieve excellence in higher technical education and other matters connected therewith or incidental theretoWhereas the Harcourt Butler Technological Institute run under

Harcourt Butler Technological Institute (Kanpur) Society, is an institution of Government of Uttar Pradesh affiliated to Dr. A.P.J. Abdul Kalam Technical University, Uttar Pradesh Lucknow; And whereas, it is expedient to confer on the said institution, the status of a University to enable it to function more efficiently as the teaching and research centre to meet the requirement of higher education and research in the field of engineering and technology, applied sciences and management sciences, foster industry relevant research and innovation and to avail better scopes and opportunities to serve the society and the nation. It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows -

Chapter I

Preliminary

1. Short title and commencement.

(1) This Act may be called the Uttar Pradesh Harcourt Butler Technical University Act, 2016. (2) It shall come into force on such date as the State Government may, by notification, appoint.

2. Definitions.

- In this Act, unless the context otherwise requires, - (1) "Academic Council" and "Executive Council" means respectively the Academic Council and the Executive Council of the University; (2) "Adjunct Professor", "Adjunct Associate Professor" or "Adjunct Assistant Professor" mean a person from academia, industry, trade, agriculture, commerce or any other allied field who is so designated during the period of collaboration or association with the University; (3) "Authority" means an authority of the University; (4) "Council" means the All India Council for Technical Education, established under the All India Council for Technical Education Act, 1987 (Act No. 52 of 1987); (5) "Board" means the Accreditation Board for Engineering and Technology; (6) "Chancellor", "Vice-Chancellor", "Pro Vice-Chancellor" means respectively the Chancellor, the Vice-Chancellor and Pro Vice-Chancellor of the University; (7) "Collaboration" means collaborative academic activity of the University with other universities, academic institutions, research institutions (local, regional, national or international) and organizations (research, industry, trade and commerce etc.); (8) "Centre for Continuing Education Programme" means a Centre of the University for Continuing Education Programme for furthering skill development and knowledge incubation; (9) "Department" means a department of the University for teaching a particular subject or a group of subjects; (10) "Fee" means the fee to be charged and collected by the University from the students, by whatever name called; (11) "Hall"/"Hostel" mean a unit of residence of students maintained and recognized by the University; (12) "Erstwhile Institute" means the Harcourt Butler Technological Institute, Kanpur under Harcourt Butler Technological Institute (Kanpur) Society prevailing with all assets, staff, employees, service rules etc. as existed before commencement of University; (13) "Incubation Hub" means Innovation and Incubation Hub established and maintained by the University with a view for promoting innovation and incubation in the University; (14) "Prescribed" means prescribed by Statutes; (15) "Registrar" means the Registrar of the University; (16) "Schools, Centres and Units" mean the academic entities deployed by the University

as schools, centres and units of learning engaged in teachings, researches, innovation, incubation and training in relevant areas;(17)"Skill Development Centre" means a Skill Development Centre of the University;(18)"Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University made under this Act;(19)"Students Council" means the students council established under this Act;(20)"Teacher" means a Professor, Associate Professor or Assistant Professor working in the University;(21)"University" means the Harcourt Butler Technical University.

Chapter II

The University

3. Incorporation of the University.

(1)The Chancellor, the Vice-Chancellor, the members of the Executive Council, Academic Council and others, holding office as such in the University are hereby constituted by the name of the Harcourt Butler Technical University, Kanpur;(2)The University shall be a body corporate;(3)Any reference to Harcourt Butler Technological Institute, Kanpur, in any other law or in any contract or other instrument shall be constant as a reference to the University;(4)All property movable or immovable, of or belonging to Harcourt Butler Technological Institute, Kanpur, shall stand taken over by the State Government from the society and transformed to the University;(5)Every person employed by Harcourt Butler Technological Institute, Kanpur, immediately before the commencement of this Act, shall hold his office or service in the University, except to Director, the Deputy Director, the Registrar, the Deputy Registrar and the Assistant Registrar, on the same terms and conditions, notwithstanding anything to the contrary contained in any other provisions of this Act and unless changed, including leave, pension, gratuity, provident fund etc. and other matters, as he would have held by him before the commencement of this Act, shall continue to hold as such unless and until his employment is terminated or he opts for the University's terms and conditions of employment;(6)Notwithstanding anything to the contrary contained in any other provision of this Act, existing students of Harcourt Butler Technological Institute, Kanpur who joined courses/programmes before the commencement of this Act shall continue to pursue their academic courses and programs of study under previous dispensation, unless a specific provision is made in the Ordinances otherwise, on the recommendation of a committee duly constituted by the State Government for the purpose;(7)The University shall not lease, sell or otherwise transfer or dispose of any movable or immovable property, of the University without the prior consent of the State Government.

4. Objectives of the University.

- The objectives of the University shall be -(a)to provide facilities for, and devise and implement programmes of, education in engineering, technology, basic and applied sciences, humanities, social science and management, architecture and other professional courses keeping in mind the current needs, anticipated changes and projected long term academic, research and industry and societal requirements related to engineering and technology;(b)to further the advancement of knowledge in

engineering, technology, basic and applied sciences, humanities, social science and management, architecture and other professional courses, pursue and promote research, innovation and incubation, disseminate knowledge for the betterment of the society and bring about wide spread awareness of the tools and methods continuously generated by the advances in such fields;(c)to serve as a centre for fostering co-operation and exchange of ideas between the academic and research community on one hand, and the industry and the University on other, and promote entrepreneurship;(d)to promote better interaction and co-ordination to improve the governance of the University and facilitate for higher education;(e)to promote discipline and the spirit of intellectual inquiry and to dedicate itself as a fearless academic community to the sustained pursuit of excellence;(f)to promote innovation through research and knowledge incubation;(g)to further skill development and manpower training activities for the benefit of the society;(h)to provide research and development and incubation facilities for budding entrepreneurs amongst students, teachers, and others, and to provide help related to legal, financial, marketing and other matters to them.

5. Powers and functions of the University.

(1)The powers and functions of the University shall be -(a)to provide for instruction, training, research and innovation in such branches of engineering, technology, basic and applied sciences, humanities, social science and management, architecture and other professional courses as it may deem fit, and for the advancement of learning and dissemination of knowledge in the said subjects;(b)to hold examinations for and to grant and confer honorary degrees, post-doctoral degrees (DSc DLit), doctoral degrees, dual-degrees, UG and PG degrees, PG diplomas, diplomas, certificates and other academic distinctions to and on persons, who -(i)have pursued a course of study in the University or partly in the University and partly in some other institution in accordance with the conditions laid down in the Statutes and the Ordinances; or(ii)are teachers, researches in other educational or research institutions or entrepreneurs under such conditions as may be prescribed and laid down in Ordinances and have pursued a course of study in the University under conditions laid down in the Statutes and the Ordinances;(c)to organise convocation of the University, for conferring degrees, diplomas etc:Provided that every proposal to confer an honorary degree shall be subject to the confirmation by the Chancellor;(d)to co-operate or collaborate with other colleges, institutes, universities and authorities in such manner and for such purposes as may be prescribed:Provided that any foreign collaboration would require prior approval of the State Government;(e)to constitute, with the approval of the State Government, teaching, research, scientific and engineering posts required by the University and to appoint persons to such posts, in accordance with the provisions of Statutes and Ordinances;(f)to organize conferences, seminars, workshops, training programmes, exhibitions etc. in accordance with the provisions of Ordinances;(g)to demand, receive, retain and spend fees and other charges as may be fixed by the Ordinances;(h)to establish houses/flats and hostels/halls in the campus for the teachers, officers, staff and students of the University and to manage and maintain them;(i)to supervise and control the hostels/halls and to regulate the discipline of the students of the University and to make arrangements for promoting their health, general welfare cultural, and other related aspects;(j)to establish, maintain, and manage schools, departments, centres and units, auditoriums, laboratories, libraries, museums and other entities necessary for carrying out the objectives of the

University;(k)to co-ordinate between different entities of the University and have superintendence over their activities;(l)to assess the needs of the State and the Country in terms of specializations, levels of education and training of technical manpower (both on short and long term basis) and to initiate necessary programmes to meet these requirements;(m)to organize advanced studies and research programmes based on a deep understanding of the trends in engineering, technology, basic and applied sciences, humanities, social science and management, architecture and other professional courses with a view for producing professionals who are not only up-to-date but also able to lead;(n)to promote research, innovation, design and development activities that have a relevance to social needs and the development programmes of the State and the Nation;(o)to create, with the approval of the State Government, administrative, ministerial and other posts required by the University and to appoint persons to such posts, in accordance with the provisions of Statutes and Ordinances;(p)to take measures to enlist the co-operation of industries and government to provide complementary facilities;(q)to provide the facilities for preparation of text books and other instructional materials etc. and for publishing research journals and magazines;(r)to arrange for progressive introduction of continuous evaluation and reorientation of the objectives in educational measurement;(s)to provide opportunities for Continuing Education aimed at broadening, diversifying, updating or advancing one's knowledge and skills;(t)to educate the public with regard to the requirements of, and opportunities in, the profession of engineering, technology, basic and applied sciences, humanities, social science and management, architecture and other professional courses and its responsibilities and service to the society;(u)to function as an advisory body to the Government in matters connected with technical education, research and development, innovation and incubation;(v)do all such acts and things, as may be necessary in furtherance of the objectives of the University;(w)to appoint or recognize, in accordance with the rules of State Government/Government of India, persons working in any other University or organization in India or abroad as Adjunct Professor/Scientist, Adjunct Associate Professor/Scientist, Adjunct Assistant Professor/Scientist, Visiting Professor/Scientist, Distinguished Professor/Scientist, Emeritus Professor/Scientist of the University;(x)to facilitate to and fro mobility of teachers/students within the University and to other Universities/colleges/institutions and industry with the consent of the teacher concerned for limited period and as per memorandum of University signed, provided that any foreign visit would require prior sanction of the State Government;(y)to supervise, control and regulate admission of students for various courses of study in University School, Department, Centre and Unit;(z)to run professional courses at School, Department, Centre and Unit, preferably approved by All India Council of Technical Education/Accreditation Board for Engineering and Technology, as applicable;(aa)to maintain the teacher/student ratio and teaching/non-teaching staff ratio, in the University as per All Indian Council of Technical Education/University Grant Commission (AICTE/UGC) norms;(ab)to monitor and evaluate the academic and research performance of each University School, Department, Centre and Unit;(ac)to inspect, where necessary, University School, Department, Centre and Unit, through suitable machinery established for the purpose, and take measures to ensure that proper standards of instruction, teaching and training are maintained by them and adequate library, laboratory, hostel, workshop and other facilities are provided for;(ad)to hold and manage trusts and endowments and institute and award fellowships, sabbatical/study leave, travelling fellowships, scholarships, studentship, research medals and research prizes for teachers, staff and students of the University, as laid down in the Ordinances;(ae)to fix, demand, retain, recover, receive and spend such fees and other charges as

may be regulated by the Ordinances, from time to time;(af)to supervise, control and regulate the conduct and discipline of the students on the campus of the University;(ag)to make arrangements for promoting the healthy atmosphere and welfare of the teachers, staff and students of the University;(ah)to assess the performance of teachers, officers and non-teaching employees of the University periodically in accordance with the provisions of the Statutes;(ai)to ensure proper attendance and presence of the teachers, officers and non-teaching staff on the premises of the University during office hours and beyond office hours, as prescribed and to prohibit teachers, officers and non-teaching staff from taking or conducting private tuition or private coaching classes or running business etc.;;(aj)to establish an Industry - Academia Cell in the University to expedite the interaction and deliberation between them for mutual benefits and creating joint venture(s), as provided in the Statutes;(ak)to prescribe Code of conduct for all relevant matters;(al)to establish, maintain and manage, whenever necessary -(a)a printing and publication department;(b)university extension boards;(c)information bureaus;(d)employment guidance bureaus; and(e)such other activities as may be necessary and possible to fulfil the objectives of the University;(am)to make provision for participation of students in:(a)the national service scheme;(b)the national cadet corps;(c)the national sports organization;(d)physical and military training;(e)extra-mural teaching and research;(f)programmes related to adult and continuing education, and extension, if any;(g)any other programmes, services or activities directed towards cultural, economic and social betterment as may be necessary and possible to fulfil the objectives of the University;(an)to wind up, in the interest of the University, any entity running in the University area, where irregularities or commission or omissions of criminal nature by such entity, are prima-facie, evident to the committee of enquiry appointed by the University;(ao)to undertake academic collaboration programmes with Universities, institutions, research laboratories, industry abroad and within the country, however the prior approval shall be needed from the State Government in case of above collaboration with foreign University;(ap)to receive funds for collaboration programmes from foreign agencies, subject to rules and regulations of the Central Government and State Government in that behalf;(aq)to evolve an operational scheme for ensuring accountability of teachers, officers and non-teaching staff of the University;(ar)to provide for joint appointments in single grade of pay in more than one School, Department, Centre and Unit in the University as also between university research laboratories, University-industry and other bodies;(as)to provide promotions of officers, teaching and non-teaching staff of the University, adopt post structure as proved by the State Government and as per rules and regulations laid down in the Statutes of the University;(at)to comply with and carry out any directives issued by the State Government from time to time, with reference to above powers, duties and responsibilities of the University;(au)to provide testing and consultancy services to industry and society in order to transfer the benefits of technology to the field;(av)to provided innovation and incubation assistance to budding entrepreneurs, students and teachers of the University as well as from other institutions and other skilled persons and industry;(aw)to promote innovation and research and development activities;(ax)to provide patent filing facilities in the University campus;(ay)to set up facilities for University Computer Centre, Library, Auditoriums, Instrumentation Centre, Workshop and Stadiums, play grounds etc.;;(az)to receive benefactions, donations, and gifts from the person(s) on the name of chairs, institution, buildings, and the like with the approval of the Executive Council;(ba)to organize finishing school programmes for the students both at UG and PG level to improve the employability, entrepreneurship and interpersonal skills.

6. Funds of the University.

- The funds of the University shall include the following -(a)Grant from State Government;(b)Grant from Central Government;(c)Income accrued through bank interest on savings fixed deposits and other assets;(d)Revenue accrued from intellectual property rights (IPRs), royalty, patents, incubation;(e)Revenue accrued from testing services and consultancy to industry;(f)Fee of students;(g)Other fee, etc.;

7. University open to all races, creed, castes and classes.

(1)The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession or political opinion in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student of the University, or to enjoy or exercise any privilege thereof.(2)Nothing in this section shall prevent the University from making any special provision for the appointment or admission of women or persons belonging to the weaker sections of the society, and in particular, for persons belonging to the Scheduled Castes and the Scheduled Tribes.

Chapter III

Inspection, enquiry and direction of Government

8. Inspection and enquiry.

(1)The Government shall have the right to cause an inspection, by such person or persons as it may deem fit, to be made for the University, including its buildings, libraries, laboratories, workshops and equipment, Examinations, teaching and other related works conducted by the University or to cause an enquiry to be made in the like manner in respect of any matter connected with the academics, administrative, financial and other matters of the University.(2)Where the State Government decides to cause an inspection or enquiry to be made under Section 8(1), it shall inform the University of the same through the Registrar and any person nominated by the Executive Council may be present at such inspection or enquiry as representative of the University and shall have the right, to be heard as such:Provided that no legal practitioner shall appear, plead or act on behalf of the University at such inspection or inquiry.(3)The person or persons appointed to inspect or inquire under Section 8(1) shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908, for the purposes of taking evidence of oath and of enforcing the attendance of witnesses and compelling production of documents and material objects, and shall be deemed to be a civil court within the meaning of Sections 345 and 346 of the Code of Criminal Procedure, 1973, and any proceeding before him or them shall be deemed to be judicial proceeding within the meaning of Sections 193 and 228 of the Indian Penal Code.(4)The State Government shall address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall, after taking necessary action, communicate to the Executive Council, the views of the State Government with such advice as the State Government may offer upon the action

to be taken thereon.(5)The Vice-Chancellor shall then within such time as the State Government may fix, submit to it a report of the action taken or proposed to be taken by the Executive Council.(6)If the University authorities do not, within a reasonable time, take action to the satisfaction of the State Government, the Government may, after considering any explanation which the University authorities may furnish, issue such directions as it may think fit, and the University authority shall be bound to comply with such directions.(7)The State Government shall send to the Chancellor a copy of every report of the inspection or inquiry caused to be made under Section 8(1) and of communication received from the Vice-Chancellor under Section 8(5) and of every direction issued under Section 8(6) and also of every report or information received in respect of compliance or non-compliance with such direction.(8)Without prejudice to the foregoing provisions of this section, the Chancellor may, in consultation with the Technical Education Department, order in writing annul any proceedings of the University which is not in conformity with this Act, the Statute, and the Ordinances:Provided that before making any such order, the Chancellor shall call upon the University to show-cause why such an order should not be made and shall consider the cause shown, if any, within the time limit specified by him.(9)The University shall have right to take over all such matters inviting inspection/inquiry committed before commencement of this Act as existing, pending before Board of Governors and its sub-committees like Administrative Committee etc. of HBTI, Kanpur, as BOG and its various sub-committees shall automatically get dissolved with the formation of the university through this Act. All such matters pending before BOG and its various sub-committees shall be automatically taken up by Executive Council of University.

9. Control of the Government.

(1)The State Government may issue such directions from time to time to the University on policy matters, not inconsistent with the provisions of this Act, as it may deem necessary. Such directions shall be complied by the University.(2)Without prior approval of the State Government, the university shall not -(a)divert any earmarked funds received for a purpose other than that for which it was received;(b)transfer, sale, lease or otherwise, any immovable property;(c)take any decision which results in financial liability for the University or the State Government, direct or indirect.(3)The State Government may carry out test audit or full audit of the accounts of a university, as the State Government may deem fit.

Chapter IV

The Officers of the University

10. Officers of the University.

- The following shall be the officers of the University -

1. The Chancellor

2. The Vice-Chancellor

3. The Pro Vice-Chancellor

4. The Registrar

5. The Finance Controller

6. The Dean of Academic Affairs

7. The Dean of Continuing Education and Internal Quality Assurance

8. Dean of Incubation Hub

9. The Dean of Planning and Resource Generation

10. The Dean of Research and Development

11. The Dean of Student Welfare

12. The Dean of University Schools

13. The Head of University Department, School, Centre and Unit

14. The Controller of Examinations

15. Such other officers of the University as may be declared by Statutes

11. The Chancellor.

(1)The Governor of Uttar Pradesh shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and when present, may preside over any convocation of the University.(2)Every proposal for the conferment of an honorary' degree shall be subject to the prior approval of the Chancellor.(3)The Chancellor may call for any information or record relating to the administration of the affairs of the University which shall be complied with by the University.(4)The Chancellor may cancel or modify any resolution, order or proceeding of any authority, body, committee or officer of the University, which, in his opinion, is not in conformity with the provision of this Act, Statutes, Ordinances or regulations made thereunder or is not in the interest of the university and the university authority, body, committee and officer, shall comply with the same.(5)The Chancellor shall have such other powers as may be conferred upon him by the Statutes.

12. The Vice-Chancellor.

(1)The Vice-Chancellor shall be a scholar of eminence in one of the areas of engineering, technology and applied sciences, having at least 10 years experience as a Professor in graduate technical degree level institute of higher learning or University.(2)The Vice-Chancellor shall be a whole time salaried officer of the University and shall be appointed by the Chancellor, on the recommendations of a Committee as provided in subsection (3):Provided that the first Vice-Chancellor, on the commencement of this Act, shall be appointed by the State Government.(3)The Committee for appointment of Vice-Chancellor shall consist of the following members -(a)Principal Secretary or Secretary, as the case may be, to the State Government in the Technical Education Department who shall also be the convener of the Committee;(b)One person nominated by the All India Council for Technical Education;(c)One person nominated by the Chancellor.(4)The Committee may meet at least sixty days before the date on which a vacancy in the office of the Vice-Chancellor is due to occur by reason of expiry of term or otherwise and also whenever so required, and before such date as may be specified by the Chancellor, submit to the Chancellor, the names of not less than three and not more than five persons suitable to hold the office of the Vice-Chancellor. The Committee shall, while submitting the names, also forward to the Chancellor a concise statement showing the academic qualifications and other distinctions of each of the persons so recommended, but shall not indicate any order of preference.(5)Where the Chancellor does not consider any one or more of the persons recommended by the Committee to be suitable for appointment as Vice-Chancellor or if one or more of the persons recommended are not available for appointment and the choice of the Chancellor is restricted to less than three persons, he may require the Committee to submit a list of fresh names in accordance with the provisions of sub-section (3). This time, it shall be binding for Chancellor to complete the selection of Vice-Chancellor for the University according to the procedure under sub-section (4).(6)(a)Only such person shall be eligible for appointment as they have not attained the age of 65 years;(b)The Vice-Chancellor shall hold office for a term of three years from the date he enters upon his office or till he attains the age of sixty-eight years whichever is earlier;(c)The Vice-Chancellor who has not attained the age of 65 years may be appointed as such for second term:Provided that no person shall be eligible to hold the office of Vice-Chancellor for more than two consecutive terms:Provided further that the Vice-Chancellor may by writing under his hand addressed to the Chancellor resign from his office, and shall cease to hold his office on the acceptance of such resignation by the Chancellor.(7)Subject of the provisions of this Act, the emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the State Government by general or special order in that behalf and shall not be varied to his disadvantage after his appointment.(8)The Vice-Chancellor may be removed from his office if he Chancellor is satisfied that the incumbent -(a)has become insane and stands so declared by a competent court;(b)has been convicted by a court for any offence involving moral turpitude;(c)has become an un-discharged insolvent and stands so declared by a competent court;(d)has been physically unfit and incapable of discharging functions due to protracted illness or physical disability;(e)has wilfully omitted or refused to carry out the provisions of this Act or abused the powers vested in him;(J)is a member of, or be otherwise associated with, any political party or any political organization which takes part in politics, or is taking part in, or subscribing in aid of, any political movement or activity; or(9)The Chancellor may, after making such enquiry as he deems proper, by order, remove the Vice-Chancellor if he is satisfied that the continuance of the

Vice-Chancellor in office is detrimental to the interest of the University: Provided that the Vice-Chancellor shall be given the opportunity of being heard before issuance of the order of his removal. (10) The Vice-Chancellor shall not be entitled to the benefit of any pension, insurance or provident fund constituted by the University for its employees: Provided that when any teacher or other employees of any University is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the provident fund to which he is subscriber and the contribution of the University shall be limited to that he had been contributing immediately before his appointment as Vice-Chancellor.

13. Powers and duties of the Vice-Chancellor.

(1) The Vice-Chancellor shall be the Principal Executive and Academic Officer of the University, and shall - (a) exercise general supervision and control over the affairs of the University; (b) give effect to the decisions of the authorities of the University; (c) in the absence of the Chancellor, preside at the convocation of the University; (d) be responsible for the maintenance of discipline in the University. (2) He shall be an ex-officio member and Chairperson of the Executive Council, Academic Council and the Finance Committee. (3) It shall be the duty of the Vice-Chancellor to ensure the faithful observance of the provisions of this Act, Statutes, and Ordinances and he shall without prejudice to the powers of the Chancellor possess all such powers as may be necessary in that behalf. (4) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Executive Council, Academic Council and Finance Committee etc. (5) Where any matter, other than the appointment of academic or non-academic staff of the University, is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or 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 Chancellor and also communicate all such actions to the officer, authority or other body who or which in the ordinary course would have dealt with the matter: Provided that if the officer, authority or other body having jurisdiction is of opinion that such action ought not to have been taken, it may refer the matter to the Chancellor who may either confirm 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 to or as the case may be, take effect in the modified form so, however, that such annulment or modification shall be without prejudice to the validity of anything previously done by or under the orders of the Vice-Chancellor: Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section, shall have the right to appeal against such action to the Executive Council with three months from the date on which decision on such action is communicated to him/her and thereupon, the Executive Council may confirm or annul or modify the Vice-Chancellor's order. Nothing in this sub-section, shall be deemed to empower that Vice-Chancellor to incur any expenditure not duly authorized and provided for in the budget. (6) The Vice-Chancellor shall exercise such other powers as may be prescribed or laid down in the Ordinances. (7) The Vice-Chancellor shall have the right to cause an inspection to be made by such person or persons or body of persons as he may direct, of the University, its buildings, laboratories, libraries, museums, workshops and equipment etc. and hall or hostel maintained or recognized by the University and of the examinations, teachings and other works conducted by or on behalf of the University and to cause an inquiry to be made in a like

manner regarding any matter connected with the administration or finance or of any others department of the University.

14. The Pro Vice-Chancellor.

(1)The Vice-Chancellor, if he considers necessary, may appoint a Pro Vice-Chancellor from amongst the Professors of the University with the prior approval of the Executive Council.(2)The Pro Vice-Chancellor shall be a person who has held the post of Professor.(3)The Pro Vice-Chancellor, of the University shall discharge his duties in addition to his duties as Professor.(4)The Pro Vice-Chancellor shall hold office at the pleasure of Vice-Chancellor.(5)The Pro Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters, as may be specified by the Vice-Chancellor on his behalf from time to time and shall preside over meetings of the University in the absence of Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.(6)The Pro Vice-Chancellor shall be paid honorarium, as may be determined by the university.(7)The term of Pro Vice-Chancellor shall be co-terminus with the terms of office of the Vice-Chancellor or till he attains the age of 60 years whichever is earlier.

15. The Registrar.

(1)The Registrar shall be a whole time Officer of the University and shall be appointed by the State Government for the term of three years, not below the rank of Special Secretary or equivalent on such terms and condition as may be prescribed.(2)The Registrar shall have the power to authenticate records on behalf of the University.(3)The Registrar shall be responsible for the due custody of the records, the common seal of the University.(4)The Registrar shall be ex-officio Secretary of the Executive Council.(5)He shall also perform such other duties as may be prescribed by the Statutes and Ordinances or required, from time to time, by the Executive Council or the Vice-Chancellor but he shall not be entitled to vote.(6)The Registrar shall not be offered nor he shall accept any remuneration for any work of the University, such as may be prescribed.

16. The Finance Controller.

(1)There shall be a Finance Controller for the University, who shall be on deputation from the State Government and his remuneration and allowances shall be paid by the University.(2)The Finance Controller shall be responsible for preparing the budget (annual estimates) and the statement of accounts for presentation to the Finance Committee and the Executive Council, and also for drawing and disbursing funds on behalf of the University.(3)He shall have the right to speak to and otherwise to take part in the proceedings of the Executive Council, pertaining to finance.(4)The Finance Controller shall have the duty to ensure that -(a)no expenditure or investment, which is not authorized in the budget approved by the Finance Committee, is incurred by the University;(b)the proposed expenditure is in accordance with the provisions of this Act;(c)no financial irregularity is committed;(d)timely steps are taken to set right any irregularities pointed out during audit;(e)the investments of the University are duly preserved and managed;(5)The Finance Controller shall have access to and may require the production of such financial records and documents of the University as in his opinion may be necessary for the discharge of his duties.(6)All financial contracts shall be

entered into and signed by the Finance Controller on behalf of the University with prior approval of executive council.(7)Other powers and functions of the Finance Controller shall be such as may be prescribed.(8)The Finance Controller shall be the Member-Secretary of the Finance Committee.(9)He shall abide by the instructions of the State Government in conformity with all financial manuals and financial guidelines issued from time to time.

17. The Dean of Academic Affairs.

(1)The Dean of Academic Affairs shall be nominated by the Vice-Chancellor, from amongst the Professors of the University. The emoluments, terms and conditions of service and powers and duties shall be such as may be laid down in the Ordinances.(2)The Dean shall hold office for a term of two years and shall not be eligible for reappointment for consecutive term.(3)He shall be responsible for all academic matters, except examinations of University.(4)He shall also be responsible for proper administrative functioning of University Computer Centre.(5)He shall be Member Secretary of Academic Council.

18. The Dean of Continuing Education and Internal Quality Assurance.

(1)The Dean of Continuing Education and Internal Quality Assurance shall be nominated by the Vice-Chancellor, from amongst the Professors of the University. The emoluments, terms and conditions of service and powers and duties shall be such as may be laid down in the Ordinances. He shall work directly under the control of the Vice-Chancellor.(2)He shall hold office for a term of two years and may be eligible for re-appointment for one consecutive term.(3)He shall be responsible for Internal Quality Assurance and Continuing Education.(4)He shall be responsible for overall administration of University Hospital through its Chief Medical Officer.(5)He shall get comments for reputed industries of concerned fields for review or change in syllabi of the courses of study to Academic Council in various departments.(6)He shall visit faculty chambers, classes and laboratories, and other entities and write to University Building and Works Committee and others, with information to Vice-Chancellor, for removal of observed deficiencies.

19. The Dean of Incubation Hub.

(1)The Dean of Incubation Hub shall be nominated by the Vice-Chancellor, from amongst the Professors of the University. The emoluments, terms and conditions of service and powers and duties shall be such as may be laid down in the Ordinances. He shall work directly under the control of the Vice-Chancellor.(2)He shall hold office for a term of two years and may be eligible for re-appointment for one consecutive term.(3)He shall be responsible for, -(a)Industry - University Interaction;(b)Management of Incubation Hub.(4)He shall be also responsible for general administration of Incubation Hub set up for budding entrepreneurs, students, teachers, and engineers, and competent technical persons from society, selected with the approval of Executive Council. The University shall also provide support to them to generate equitable venture capital to establish a new industry based on products and processes developed in-house.(5)He shall recommend to the Executive Council, attachments of the teachers to the relevant industry from engineering/technology/management disciplines once in three years, for a maximum period of 30

days during summer vacations, clubbed with Summer Training of students of concerned branch.

20. The Dean of Planning and Resource Generation.

(1)The Dean of Planning and Resource Generation shall be nominated by the Vice-Chancellor, from amongst the Professors of the University. The emoluments, terms and conditions of service and powers and duties shall be such as may be laid down in the Ordinances. He shall work directly under the control of the Vice-Chancellor.(2)He shall hold office for a term of two years and shall not be eligible for re-appointment for consecutive term.(3)He shall also be responsible for promoting consultancy and making testing facility available to industry in various departments of University.(4)He shall also be responsible for Placement Cell of the University for placement of University students.(5)He shall be responsible for interaction with Alumni of the University as Coordinator of Alumni Cell and shall motivate them for contributing to resource generation for the University.(6)He shall also be responsible for filing Patents and intellectual property rights (IPR) on behalf of University, generated by students, teachers, alumni and incubators of the University.(7)A formal committee consisting of all the Head of Departments, the Dean of Planning and Resource Generation shall be responsible for, -(a)resource generation in order to increase the revenue for the University;(b)for preparation of planning and other strategies for new policies and mechanisms for welfare of the University and its students.

21. The Dean of Research and Development.

(1)The Dean of Research and Development shall be nominated by the Vice-Chancellor, from amongst the Professors of the University. The emoluments, terms and conditions of service and powers and duties shall be such as may be laid down in the Ordinances. He shall work directly under the control of the Vice-Chancellor.(2)He shall hold office for a term of two years and may be eligible for re-appointment for one consecutive term.(3)He shall be the Member Secretary of the University Research and Development Council.(4)He shall be responsible for promoting research activities as well as patenting process of the products, algorithms, and mechanisms etc. for the University.

22. The Dean of Students Welfare.

(1)The Dean of Students Welfare shall be nominated by the Vice-Chancellor, from amongst the Professor of the University. The emoluments, terms and conditions of service and powers and duties shall be such as may be laid down in the Ordinances. He shall work directly under the control of the Vice-Chancellor.(2)He shall hold office for a term of two years and shall not be eligible for re-appointment for consecutive term.(3)He shall be responsible for -(a)proper functioning of all the hostels or halls of residences related with students including mess facility, sanitation, maintenance of electrical, mechanical and civil problems etc. from the funds provided by the University;(b)maintained (sic maintaining) discipline amongst the students of University.(4)He shall be the Chairperson of the University Students Activity Council and shall be over-all responsible for conducting Technical and Cultural Festival for the University.(5)He shall also control various activities of students as mentioned below -(a)N.S.S. Sub-Council(b)Photography Sub-Council(c)Literary Sub-Council(d)Hobby Sub-Council(e)Sports Sub-Council(J)Yoga

Sub-Council(g)N.C.C. Sub-Council(h)Cultural Sub-Council etc.

23. The Dean of University Schools.

(1)There shall be four Deans of University Schools with four different schools in the University, namely School of Engineering, School of Chemical Technology, School of Basic and Applied Sciences, and School of Humanities and Social Sciences, each for one school.(2)The Dean of a School shall be nominated by the Vice-Chancellor, from amongst the Professors from the Departments under the schools referred to in sub-section (1). The emoluments, terms and conditions of service and powers and duties shall be such as may be laid down in the Ordinances. He shall work directly under the control of the Vice-Chancellor.(3)He shall hold office for a term of two years and shall not be eligible for reappointment for consecutive term.(4)He shall be responsible for proper functioning of various departments under that school through Head of Department concerned.(5)He shall be responsible for getting new courses introduced, for getting the curricula reviewed regularly after incorporating industry inputs, for overseeing consultancy, research and innovation work in the departments, apart from suggesting new mechanisms for industry-academia interaction.(6)The Dean of School of Engineering shall be responsible for the general administration and functioning of the University, Engineering departments including Departments of Electronics Engineering, Electrical Engineering, Mechanical Engineering, Civil Engineering, Computer Science and Engineering, Department of Computer Applications, Information Technology and Central Workshop or any other department as the University may think fit.(7)The Dean of School of Chemical Technology shall be responsible for the general administration and functioning of the University Technology departments including Plastic Technology, Paint Technology, Oil Technology, Bio-Chemical Engineering, Food Technology, Leather Technology, and Chemical Engineering or any other department as the University may think fit.(8)The Dean of School of Basic and Applied Sciences shall be responsible for the general administration and functioning of the University Basic and Applied Sciences departments including Physics, Chemistry, Mathematics or any other department as the University may think fit.(9)The Dean of School of Humanities and Social Sciences shall be responsible for the general administration and functioning of the University Humanities and Social Sciences departments and subjects including English, Economics, Management, and Languages etc. or any other department as the University may think fit.

24. Head of University Departments/Center/Unit.

(1)Each Department/Centre/Unit of the University shall be placed in charge of a Head who shall be nominated by the Vice-Chancellor from among the Professors and in absence of Professors from amongst the Associate Professors, as applicable of such university department/centre/unit.(2)The Head of a Department/Centre/Unit shall be responsible for the proper functioning of the Department/Centre/Unit subject to the general control of the Vice-Chancellor through Dean of School concerned.(3)It shall be the duty of the Head of a Department/Centre/Unit to ensure that the decisions of the authorities of the University and of Vice-Chancellor are faithfully carried out.(4)Head of University Department/Centre/Unit shall be Chairperson of Board of Studies for that department, as applicable.(5)The Head of a Department/Centre/Unit shall recommend to Controller of Examinations, names of persons suitable for appointment of paper setters, examiners

for evaluation of theses and dissertations and for conducting viva-voce examinations, wherever prescribed for awarding graduate, post graduate, doctorate, other higher degrees etc.(6)The Head of a Department/Centre/Unit shall suggest organization of orientation and refresher courses as well as courses for Continuing Education Programme.

25. Controller of Examinations.

(1)(a)Controller of Examinations shall be appointed by the State Government either on deputation as per UGC norms or from the teachers of University, not below the rank of the Professor;(b)The Controller of Examinations shall be the principal officer-in-charge of the conduct of examinations of the university and declaration of their results. He shall discharge his functions under the superintendence, direction and guidance of the Academic Council. He shall work directly under the directions and control of the Vice-Chancellor. He shall hold office for a term of three years.(2)The Controller of Examinations shall be the Chairperson of the Board of Examinations and of the sub-committees appointed by the Board of Examinations.(3)Without prejudice to the generality, the Controller of Examinations shall be responsible for making all arrangements necessary for holding examinations and declaration of results. It shall be his responsibility to -(a)prepare and announce in advance the calendar of examinations;(b)arrange for printing of question papers;(c)arrange to get performance of the candidates at the examinations properly assessed, and process the results;(d)arrange for the timely publication of results of examinations and other tests;(e)postpone or cancel examinations, in part or in whole, in the event of malpractices or if the circumstances so warrant, and with the approval of Vice-Chancellor shall take disciplinary action or initiate any civil or criminal proceedings against any person or a group of persons or an institution alleged to have committed malpractices. FIR(s) shall be made by Registrar after seeking the approval of the Vice-Chancellor in extreme cases of malpractices during examinations by the students as reported by Controller of Examinations;(f)take disciplinary action wherever necessary against the candidates, paper-setters, examiners, moderators, or any other persons connected with examinations and found guilty of malpractices in relation to the examinations;(g)review from time to time, the results of university examinations and forward reports thereon to the Executive Council through Academic Council.(4)The Controller of Examinations shall exercise such other powers and perform such other duties as may be prescribed or assigned to him, from time to time, by the Executive Council and the Vice-Chancellor.

26. Other Officers and Authorities of the University.

- The powers, duties and functions of officers of the University other than the Chancellor, the Vice-Chancellor, the Finance Controller and the Registrar shall be such as may prescribed and laid down in the Ordinances.All salaried officers, authorities, committees or bodies, teachers of the university and other staff/employees of the university, shall be deemed to be public servants within the meaning of the Indian Penal Code.

Chapter V

Authorities of the University

27. Authorities of the University.

- The following shall be the authorities of the University -(1)the Executive Council(2)the Academic Council(3)the Finance Committee(4)the Research and Development Council(5)the Incubation Council(6)the Schools/Departments/Centers/Units(7)the Admission Committee(8)the Board of Studies(9)the Board of Examinations(10)the Academic Committee(11)the Center for Continuing Education Programme(12)such other authorities as may be declared by the Statutes to be authorities of the University.

28. The Executive Council.

(1)The Executive Council shall consist of -

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| (a) the Vice-Chancellor, | Chairperson |
| (b) the Pro Vice-Chancellor, if any; | Member |
| (c) the Director, Indian Institute of Technology,Kanpur or his nominee not below the rank of Professor; | Member |
| (d) the Director, Indian Institute of InformationTechnology, Allahabad or his nominee not below the rank ofProfessor; | Member |
| (e) the Chairman, All India Council for TechnicalEducation or his nominee; | Member |
| (f) Vice-Chancellor or Nominee of theVice-Chancellor, Dr. A.P.J. Abdul Kalam Technical University, notbelow the rank of Professor; | Member |
| (g) two reputed industrialists nominated by theState Government; | Member |
| (h) two reputed technologists nominated by the StateGovernment; | Member |
| (i) Principal Secretary/Secretary to the StateGovernment in the Technical Education Department; | Member |
| (j) Nominee of Principal Secretary to the StateGovernment in the Finance Department; | Member |
| (k) Nominee of Principal Secretary to the StateGovernment in the Higher Education Department; | Member |

(I) Registrar as the ex-officio Secretary of theExecutive Council; Member

(2)Notwithstanding anything contained in Section 28(1), no person shall be elected or nominated as a member of the Executive Council unless he is a Graduate.(3)The term of office of members other than ex-officio members shall be two years.(4)The Executive Council shall meet at least four times in a year.(5)Six members of the Executive Council shall form the quorum at any meeting.(6)The Finance Controller and the Controller of Examinations, if necessary in relation to the matters of their concern included in agenda of a meeting, may be special invitees of the Council in the matter of their concerned field, without voting rights.(7)A person shall be disqualified for being chosen as

member of the Executive Council, if he or his relative(s) indulge in illegal gratification for any work in or for the University or any contract for the supply of goods or for the execution of any work for the University. Explanation. - In this section "relative" means the relations defined in Section 6 of the Companies Act, 1956, and includes the wife's (or husband's) brother, wife's (or husband's) father, wife's or husband's sister, brother's son and brother's daughter.

29. Powers and Functions of Executive Council.

(1) The Executive Council shall be the principal executive body of the University, and subject to the provisions of this Act, shall have the following powers and functions namely to -(a) to periodically review the functioning of various academic departments, schools and research centres to ensure that they are functioning as per the aims and objects of the University and to give directions, as deemed necessary, for improvements; (b) to take all necessary steps to ensure that the quality of academic instructions and research in the University meets the prescribed standards and the graduates of the University are able to obtain gainful employment or opportunities for higher education and to periodically review the progress in this regard; (c) to discuss and approve -(i) the annual accounts; and (ii) the annual report of the University. (d) to manage and regulate the finances, accounts, investments, properties, business and all other administrative affairs of the University and for that purpose, constitute committees and delegate the powers to such committees or such officers of the University as it may deem fit; (e) to invest any money belonging to the University, including any unapplied income, in or in the purchase of immovable properties in India, with the prior approval of the Chancellor; (f) to enter into, vary, carry out and cancel contracts on behalf of the University and, for the purpose to appoint such officers as it may think fit; (g) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University; (h) to entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the officers, the teachers, the students and employees of the University; (i) to create, with the approval of the Government, and appoint persons to academic as well as other posts in the University; (j) to appoint examiners and moderators, and if necessary to remove them and fix their fees, emoluments and travelling and other allowances after consulting the Academic Council; (k) to select a common seal for the University; (l) to exercise such other powers and to perform such other duties as may be considered necessary or imposed on it by or under the Act. (2) No immovable property of the University shall, except with the prior sanction of the State Government, be transferred (except by way of letting from month to month in the ordinary course of management) by the Executive Council or any other authority/officer of the University, by way of mortgage, sale, exchange, gift or otherwise nor shall any money be borrowed or advance taken on the security thereof except with the previous sanction of the State Government. (3) No expenditure in respect of which approval of the State Government is required, shall be incurred except with such approval previously obtained. (4) The Executive Council shall not exceed the limits of recurring and non-recurring expenditure to be incurred in each financial year as fixed by the Finance Committee. (5) The Executive Council shall be responsible for application of reservation on post of teachers and staff of University as per norms of State Government and Central Government as provided by Constitution of India described by Hon'ble Courts. (6) The Executive Council shall transact the following business at its annual meeting, namely -(a) review current academic programmes and collaborative programmes; (b) suggest new academic programmes consistent with the industry requirements in higher education; (c) suggest institution of

new degrees, diplomas, certificates, financial research awards, and other academic distinctions etc.;(d)confer on the recommendations of the Academic Council, honorary degrees or other academic distinctions;(e)review' activities undertaken in the Incubation Hub.(7)The Executive Council shall receive, discuss and approve the annual financial estimate (budget), the annual academic reports, annual accounts and audit reports of the University.(8)The Executive Council shall review broad policies and programmes of the University and suggest measures for its improvement and development.(9)All decisions of the Executive Council shall be taken on the basis of the opinion of the majority of the members who are present in the meeting. Each member shall have one vote and if there is equality of votes, the Chairman of Executive Council shall, in addition, have a casting vote.(10)If urgent action by the Executive Council becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation of papers to the members of the Executive Council. The action, so proposed, shall not be taken unless agreed to by a majority of members of Executive Council. The action so taken shall be forthwith intimated to all the members of the Executive Council:Provided that no such business will be transacted as above if it has financial implications.

30. The Academic Council.

(1)The Academic Council shall consist of the following members, namely -(a)The Vice-Chancellor who shall be the Chairperson;(b)A nominee of Principal Secretary Technical Education, Government of Uttar Pradesh;(c)All the Deans of University, the Dean of Academic Affairs shall be Member Secretary;(d)A representative of Director 1 IT Kanpur, not below rank of Professor;(e)A representatives of IIT Allahabad and I IT Lucknow (one each), not below rank of Professor;(f)A representative of Dr. A.P.J. Abdul Kalam Technical University, Uttar Pradesh, Lucknow.(g)All Heads of Departments, Centres and Units of the University;(h)Professor of the University Departments, Centres and Units, where the Head thereof is an Associate Professor;(i)The Chief Librarian of the University; and(j)Five persons of academic eminence not being the employees of the University to be nominated by Executive Council in such manner, as may be prescribed.(2)The Academic Council shall meet at least twice in a year.(3)The term of office of members other than ex-officio member shall be three years.(4)The quorum shall be half of its total number of members.(5)The Academic Council shall be the principal academic body of the University for providing academic feed back to the University on current and future academic programmes. Subject to the provisions of this Act, the Council -(a)shall have the control and general regulation of, and be responsible for the maintenance of the standard of instructions, and education carried on or imparted in the University;(b)may advise the Executive Council on all academic matters including matters relating to co-ordination of the working of the Boards of Studies, and examinations conducted by the University;(c)shall report suitable matters of academic irregularities to Executive Council for administrative action;(d)shall consider matters referred to it by the Executive Council;(e)shall have such powers and duties as may be prescribed.(6)Without prejudice to the generality of the foregoing provisions, the powers and the functions of the Academic Council shall be -(a)to review the curricula regularly, getting input from industry, trade and commerce for making technical education employment-oriented;(b)to recommend to the Executive Council regarding institution of degrees, dual-degree, diplomas, certificates and other academic distinctions;(c)to recommend to the Executive Council to make, amend or repeal Ordinances on issues related to

academic matters;(d)to make proposals for the establishment of new University schools, departments, centres, units of higher learning, research and specialized studies, academic services, libraries, laboratories and museums etc.:(e)to consider and make recommendations regarding new proposals for creation of Professorships, Associate Professorships, Assistant Professorships, and non-vocational academic staff required by the University;(f)to recommend to the State Government or otherwise of the qualifications as prescribed by the University Grants Commission or All India Council of Technical Education for different categories of teachers and non-vocational academic staff, and for a particular post in these categories, whether in the University, and prescribe additional qualifications, if any;(g)to make proposal to the Executive Council for the institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes, research awards, industry attachments of faculty members consultancy to the industry etc. and make their regulations;(h)to prescribe qualifications and norms for appointment of papers setter, examiners, moderators and others, concerned with the conduct of examinations;(i)to approve the list of all recipients of Post-Doctoral degrees (DSc, DLit), doctoral degrees, Under Graduate and Post Graduate degrees, Post Graduate diplomas, diplomas, certificates and other academic distinctions;(J)to propose name(s) for conferment of honorary degree to the Chancellor for approval through the Executive Council;(k)to decide date for convocation and hold the convocation;(l)to promote consultancy to industries.

31. The Finance Committee.

(1)The Finance Committee shall consist of -(a)the Vice-Chancellor; Chairperson(b)Nominee of Principal Secretary, Finance Department, U.P., not below the rank of a Special Secretary; Member(c)Nominee of Principal Secretary, Technical Education Department, U.P., not below the rank of Special Secretary; Member(d)the Finance Controller Member Secretary;(e)the Registrar; Member.(2)The Finance Committee shall meet at least four times in a year.(3)The term of office of members other than ex-officio members shall be three years.(4)Three members shall form the quorum at any meeting.(5)The Finance Committee shall advise the Executive Council on matters relating to the administration of property and funds of the University. It shall, having regard to the income and resources of the University, fix limits for the total recurring and non-recurring expenditure for the ensuing financial year and may, for any special reasons, revise during the financial year the limits of expenditure so fixed and the limits so fixed shall normally be adhered to by the Executive Council.(6)The powers and functions of the Finance Committee shall be -(a)to examine and scrutinize the annual budget of the University, and make suitable recommendations to the Executive Council;(b)to give its views and make its recommendations to the Executive Council either on the initiative of the Executive Committee or on its own initiative on any financial issues affecting the University;(c)to explore the possibilities of, and resort to, augmenting the resources for the development of the University;(d)to take necessary steps to have the University accounts audited by auditors appointed by the Executive Council;(e)to advise the Executive Council on matters related to the administration of the property and the funds of the University;(f)to ensure proper implementation of the State Government's orders issued from time to time, in respect of financial matters;(g)to advise on financial matters referred to it by the Executive Council, Academic Council or any other authority, body or committee or any officer of the University;(h)to report to the Vice-Chancellor any lapse or irregularity in financial matters which comes to its notice who may take

suitable prompt action after assessing the seriousness of the matter or refer it to the Executive Council;(i)to exercise such other powers and function as may be prescribed.

32. The Research and Development Council.

(1)The Research and Development Council shall be responsible for research and related activities of the University.(2)It shall consist of the following members -(a)the Vice-Chancellor who shall be the Chairperson(b)one Dean, nominated by the Academic Council;(c)one teacher, imparting post-graduate instructions or guiding research, but who is not a Dean, Head of the University institutions or departments or centres or units nominated and approved by the Vice-Chancellor;(d)two experts not below the rank of professors, co-opted by the Committee, from amongst the Heads of National and State level research institutions and approved by the Executive Council;(e)five persons to represent industry, commerce or professional bodies to be nominated and approved by the Executive Council;(f)the Dean of Research and Development who shall be the Member Secretary;(3)The quorum shall be half of the total number of members.(4)The committee shall meet at least two times a year.(5)The Committee shall actively establish collaboration with national and international institutions, industry, business and commercial organizations etc. with the approval of Executive Council, provided that any foreign collaboration with require prior approval of the State Government.(6)The Committee shall -(a)suggest measures to create links and develop specific schemes of inter-university and University interaction with industry, agriculture, banks, commerce and community etc.;(b)prepare University perspective development plans, both short-term and long-term, keeping in view the objectives of the University provided in this Act, and with due regard to the State and National Educational, requirement;(c)recommend to the Executive Council the research and development and collaborative programmes for the University;(d)monitor and report the progress of all such approved research and development and collaborative programmes to the Chancellor once a year;(e)evaluate and assess the use of research and development grants by University, and submit the report to the Executive Council;(f)assess the manpower requirements of trained persons in innovative and contemporary research areas in different fields, such as, commerce, industry, social service, science, engineering and technology etc., and make necessary recommendations to the Academic Council for introducing and strengthening relevant courses of study;(g)shall approve Research Degree Committee (RDC) for Ph.D.'s as recommended by various academic departments/centres/units of University;(h)organize research and development audit and prepare report thereof for University and also to maintain research and development data of University on session basis according to the provisions of the Statutes, and make necessary recommendations to the Academic Council/Executive Council, as applicable, for implementation;(i)scrutinize the applications received for establishment and development of research project to be submitted to various national and international agencies, as per rules, and process the same for forwarding to the State Government or suitable authority as provided by the Statutes;(J)recommend to Executive Council financial research awards, citations for good research for promoting the research culture in University;(k)scrutinize the applications received for Patents and IPRs received from teachers and students of University.

33. The Incubation Council.

(1)The Incubation Council shall be responsible for promoting the budding entrepreneurs amongst students, teachers of University and other skilled persons of the society.(2)It shall consist of the following members -(a)the Vice-Chancellor, who shall be the Chairperson;(b)one Dean, nominated by the Executive Council;(c)one Head of the University Departments/Centres/Units, not below the rank of Professor and who is not a Dean nominated for a period of two years by the Academic Council;(d)two experts not below the rank of Professor, co-opted by the Committee, from amongst the Heads of National and State level research institutions and approved by the Executive Council;(e)five persons to represent industry, banks, commerce or professional bodies to be nominated and approved by the Executive Council;(f)the Dean of Incubation Hub who shall be the Member Secretary.(3)The quorum shall be half of the total number of members.(4)The Council shall meet at least four times a year.(5)The Council shall be responsible for management of Incubation Hub along with preparation of planning strategies and mechanisms for advancement of Incubation Hub.(6)It shall also be responsible, through Dean, for general administration of Incubation Hub set up for budding entrepreneurs amongst students, teachers and engineers and competent technical persons from society subject to approval of Executive Council. The University shall also provide support through Incubation Hub to mobilize venture capital to establish a new industry based on products and processes developed in Incubation Hub.(7)It shall recommend, through Dean, the comments or contents based on requirement from reputed industries of National Status in concerned fields for review or change in syllabi of the courses of study to Academic Council in various departments.

34. Schools/Departments/Centres/Units.

(1)The University shall have such Schools/ Departments/Centres/Units as may be prescribed.(2)Each Schools/Departments/Centres/Units shall have such subjects of study as may be assigned to it by the Ordinances.(3)(a)In each School/Departments/Centres/Units of teaching in the University, there shall be a Dean/Head/Officer In-charge, as applicable and others condition. The appointment of such Dean (Head), officer In-charge shall be such as may be prescribed.(b)The post of the Head of Departments/Centres/Units shall rotate among the Professors. In case of only one Professor in a Department/Centre/Unit, the rotation of Headship shall be among Professors and senior most Associate Professor according to seniority:Provided that in the case of Departments -(i)where there is no Professor, the headship shall rotate among the Associate Professors of three years standing, in such manner as may be prescribed;(ii)where there is no Professor and Associate Professor, the headship shall be with Dean of School concerned. However, the senior-most Assistant Professor shall be In-charge of Department/Centre/Unit.(4)The Head of Department/Centre/Unit shall be responsible to the Dean of Academic Affairs for the organization of teaching in the Department/Centre/Unit and shall have all such other powers and duties as may be provided in the Ordinance, however for general administration, he shall report to Dean of concerned School.(5)Board of Studies shall be constituted in accordance with the provisions of the Ordinances, in respect of different subjects of study and more than one subject may be assigned to one Board of Studies.

35. Admission Committee.

(1) There shall be an Admission Committee of the University, the constitution of which shall be such as may be laid down in the Ordinances. (2) It shall be the responsibility of the Admissions Committee to select candidates for admissions to various courses in the University through suitable National Level Entrance Examination in such manner as may be prescribed. (3) The Admissions Committee shall have the powers to appoint such number of subcommittees as it thinks fit. (4) Subject to the superintendence of the Executive Council, the Admissions Committee shall lay down the principles or norms governing the policy of admissions to the various courses of studies in the University. (5) No student admitted in contravention of the provisions of this section shall be permitted to take up any examination conducted by the University and the Vice-Chancellor shall have the power to cancel any admission made in such contravention.

36. Board of Studies.

(1) There shall be a Board of Studies in the University. The constitution of which shall be such as may be prescribed. The powers and functions of the Board of Studies shall be, - (a) to recommend books, including text-books, supplementary reading, reference books and other material for courses of study; (b) to recommend to the Academic Council for its approval, the preparation and publication of selection or anthologies or writing or work of authors and other matters as well as material consequent to curriculum development by the teachers of the University for its introduction in the syllabi of the courses of study under purview of the Board in accordance with the Regulations made by the Academic Council in that respect; (c) to recommend names of suitable persons for inclusion in the panels for appointment of paper setters, examiners and moderators for examinations; (d) to review the syllabi of the courses of study and include the comments or contents based on requirement from reputed industries in concerned fields. (2) The quorum shall be half of the members of total number of members. (3) The meeting of Board of Studies shall take place twice every year.

37. The Board of Examinations.

(1) There shall be a Board of Examinations in the University. The constitution of which shall be such as may be prescribed. (2) The Board of Examinations shall be the authority for conducting the examinations and making policy decisions with regard for organizing and holding such examinations, improving the system of examinations, appointing the paper setters, examiners, moderators and also prepare the schedule of dates of holding examinations and declaration of the results after taking approval of Vice-Chancellor. The Board of Examinations shall oversee and regulate the conduct of examinations in the University. The Board of Examinations shall submit the detailed programme of examinations to the Academic Council for preparation of the academic calendar. (3) The Board of Examinations shall consist of the following members, namely - (a) Controller of Examination - Chairman; (b) One Head from university department, not below the rank of Associate Professor, nominated by the Vice-Chancellor; (c) One teacher other than Heads of university departments, nominated by the Executive Council either from University; (d) Deputy Controller of Examinations - Member-Secretary. (4) Subject to the superintendence of the Academic

Council, the Board of Examinations shall supervise generally all internal examinations of the University, including moderation, scrutiny and tabulation, and perform the following other functions, namely -(a)to remove the examiners and moderators with the approval of Vice-Chancellor;(b)to review from time to time the results of University examinations and submit reports thereon to the Academic Council;(c)to make recommendations to the Academic Council for the improvement of the examination system;(d)to scrutinize the list of proposal and finalize the names of examiners; and(e)to declare the results of the examinations of the University with the approval of Vice-Chancellor on the basis of recommendations submitted to Vice-Chancellor by the competent Committee (Comprising of all Deans) who may investigate complete result data and the result declaration process as per the Ordinances.(5)The Board of Examinations may appoint such number of sub-committees as it thinks fit, and in particular, may delegate to any one or more persons or sub-committees the power to appoint examiners or moderators and to deal with and decide cases relating to the use of unfair means by the examinees.(6)Notwithstanding anything contained in any others provisions of this Act, it shall be lawful for the Board of Examinations or, as the case may be, for a committee or any person to whom the Board of Examinations has delegated its power in this behalf to debar an examinee from future examinations of the University, if in its opinion, such examinee is guilty of using unfair means at any such examination.(7)In case of any emergency requiring immediate action to be taken, the Chairman of the Board of Examinations or any other officer or person authorized by him in that behalf, shall take such action as he thinks fit and necessary, and shall report at the next meeting of the Board of Examinations the action taken by him/her. In order to appoint paper-setters, examiners and moderators, the Board of Examinations shall appoint them on recommendation of concerned Head of Department wherever necessary.(8)The misconduct in terms of copying, arrogant nature and misbehavior with invigilators or any teacher or an examination staff may invite lodging First Information Report (F.I.R.) on the recommendation of the Controller of Examinations in concerned Police Station by Registrar and leading to zero marks in all the subjects of concerned semester.

38. Center for Continuing Education Programme.

(1)The University may, under such conditions as may be prescribed to establish a Centre for Continuing Education Programme for the purpose of providing certificate courses, to persons otherwise eligible for admission to such courses, who may be unable to be enrolled as whole time students by reasons of being engaged in business, trade, agriculture or industry or employed in any other form of service. It shall be under the Dean of Continuing Education and Internal Quality Assurance.(2)Each course shall be organized separately.

39. Other Authorities.

- The constitution, powers and duties of other authorities of the University shall be such as may be prescribed.

Chapter VI

Appointment and Conditions for Service of teachers, Officers and Staff

40. Appointment terms and conditions of Employment and Emoluments of Academic staff and Non-Academic staff of the University.

- The terms and conditions of employment of all employees of the University academic as well as non-academic, the manner of their appointment and the emoluments to be paid to the employees will be such as may be prescribed.

41. Conditions of Service of Employees.

(1)The University shall enter into a written contract of service with every employee, other than existing employees, appointed, on regular basis or otherwise, and the terms and conditions of the contract shall not be inconsistent with the provisions of this Act, the Statues and the Ordinances.(2)A copy of the contract referred to in sub-section (1) shall be lodged with the University and a copy there of shall also be furnished to the employee concerned.

Chapter VII

Admissions and examinations

42. Admissions of Students.

- Admission of students to various courses running in University shall be made in accordance with the Statues or ordinances as made by Executive Council on recommendations by Admission Committee through suitable reputed Entrance Examination conducted by National Level Examination Body engaged with Central Engineering Institution;

Chapter VIII

Statutes, ordinances and regulation

43. Statutes.

- Subject to the provisions of this Act, the Statutes may provide for any matter relating to the University and shall, in particular, provide for -(a)the constitution, power and duties of the authorities of the University;(b)the selection, appointment and term of office of the members of the authorities of the University, including the continuance in office of the first members, and the filling in of vacancies in their membership, and all other matters relating to these authorities for which it may be necessary or desirable to provide;(c)the powers and duties of the officers, teachers,

staff/employees of the University;(d)the classification and recruitment (including minimum qualifications and experience) of teachers of the University, the maintenance by them of their annual academic progress, report the rules of conduct to be observed by them, and their emoluments and other conditions of service (including provisions relating to voluntarily/ compulsory retirement etc.);(e)the recruitment (including minimum qualification, experience) and their emoluments and other conditions of service (including provisions relating to voluntarily/ compulsory retirement) of persons appointed to other posts under the University;(f)the constitution of pension, provident fund, gratuity, General Insurance Scheme (G1S), medical allowance, insurances, Leave Travel Concession, two children fee reimbursements, family pension, soft loans etc., and other allowances/emoluments, establishment of insurance schemes for the benefit of officers, teachers, staff/employees of the University;(g)the institution of degree, diplomas, post graduate diplomas and other academic distinctions;(h)the conferment of honorary degrees;(i)the withdrawal of degrees and diplomas and other academic distinctions;(J)the establishment, amalgamation, abolition and recognition of entities;(k)the leave and other rules, if not stated here, of University shall be same as rules of U.P. Government;(l)the establishment, abolition and recognition of halls and hostels maintained by the University;(m)the institution of scholarships, fellowships, studentships, bursaries, medals, enough financial prizes for research along with certificate, awards etc.;(n)the holding of convocation;(o)all other matters which by this Act are to be or may be provided for by the Statutes.

44. Statutes how made.

(1)The First Statutes of the University shall be made by the State Government by notification in the Gazette and, for so long as the First Statutes are not so made, the rules as in force immediately before the commencement of this Act, is so far as they are not inconsistent with provisions of this Act, shall, subject to such adaptations and modifications whether by way of repeal, amendment or addition as may be necessary or expedient, as the State Government may, by notification in the Gazette, provide, continue in force, and any such adaptation or modifications shall not be called in question.(2)The Executive Council may from time to time make new or additional Statutes or may amend or repeal the Statutes.(3)The Executive Council shall not propose the draft of any Statute affecting the status, power or constitution of any authority of the University until such authority has been consulted.(4)Every new Statute or addition to a Statute to or any amendment or repeal of Statute shall be submitted to the Chancellor for approval.(5)A Statute passed by the Executive Council shall have effect from the date it is approved by the Chancellor.

45. Ordinances.

(1)Subject to the provisions of this Act and the Statutes, the Ordinances may provide for any matter which by this Act or the Statutes is required to be or may be so provided for by the Ordinances.(2)Without prejudice to the generally of the provisions of sub-section (1), the Ordinances shall provide for the following matters, namely -(a)the admission of students to the University and their enrolment and continuance as such;(b)the courses of study to be laid down for all degrees, diplomas and other academic distinctions of University;(c)the conditions under which students shall be admitted to the examinations, degrees, dual-degrees, certificates and diplomas of

the University and shall be eligible for the award of such degrees, dual-degrees, certificates and diplomas;(d)the conditions of the award of scholarships, fellowships, studentships, bursaries, medals, prizes, awards, etc.:(e)the conditions of residence of students at the University, and the management of halls/hostels maintenance by the University;(f)the maintenance of discipline among the students of the University;(g)the formation of parent-teacher association for any purpose;(h)the fees which may be charged by the University for any purpose;(i)the conditions subject to which person may be recognized as qualified to give instructions in halls/hostels;(j)the conditions and mode of appointment and the duties of examining bodies, examiners, moderators, invigilators and tabulators;(k)the conduct of examinations;(l)the remuneration and allowances including travelling and daily allowances to be paid to persons employed on the business of the University;(m)matters relating to the general welfare of the employees;(n)all other matters which by this Act or the Statutes are required to be or may be provided for by the Ordinances.

46. Ordinances how made.

(1)The First Ordinances of the University shall be made by the Executive Council, and so long as the First Ordinances are not made, the Rules, Memorandum, Leave Regulations Conduct Rules and Bye Laws of Harcourt Butler Technological Institute (Kanpur) Society shall be in force before the commencement of this Act. The students rules shall be same as those mentioned in Information Brochure of the preceding Academic Session just before the commencement the Act in the absence of First Ordinances.(2)The Executive Council may make from time to time new or additional Ordinances or may amend or repeal the existing Ordinances:Provided that no ordinance shall be made -(a)affecting the admission of students, or prescribing examinations to be recognized as equivalent to the University examinations or admission to the degree courses of the University, unless a draft of the same has been proposed by the academic council;(b)affecting the condition and mode of appointment and duties of examiners and the conduct or standard of examination or any course of study, unless a draft of such Ordinances has been proposed by the Academic Council;(3)The Executive Council shall not have power to amend any draft proposed by the Academic Council but may reject or return it to the Academic Council for reconsideration either in whole or in part together with any amendments which the Executive Council may suggest.(4)All Ordinances made by the Executive Council shall have effect from such date as it may direct and shall be submitted as soon as may be to the Chancellor.(5)The Chancellor may, at any time signify to the Executive Council his disallowance of such Ordinances other than those referred hereto from the date of receipt by the Executive Council of intimation of such disallowance such Ordinances shall become void.The Chancellor may direct that the operation of any Ordinance other than those referred hereto shall be suspended until he has an opportunity of exercising his power of disallowance. An order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order.

47. Regulations.

- The authorities of the University may make regulations consistent with this Act, the Statutes and the Ordinances, in such manner as may be prescribed for the conduct of their own business and that of the committees, if any, appointed by them not provided in this Act, the Statutes or the

Ordinances.

Chapter IX

Annual report and accounts

48. Annual Reports.

(1)The Annual Report of the University shall be prepared under the directions of the Executive Council which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects.(2)The annual report so prepared shall be submitted to the Chancellor within six months from the date of completion of the academic year.(3)A copy of annual report, prepared under sub-section (1) shall be submitted to the State Government.

49. Annual accounts.

(1)The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council and shall, once at least every year, and at intervals of not more than fifteen months, be audited by the Director, Local Fund Accounts, Uttar Pradesh or by such person or persons as the State Government may authorise in this behalf.(2)A copy of the annual accounts together with the audit report shall be submitted to the Chancellor and the Executive Council along with the observation, if any, of the Executive Council.(3)Any observation made by the Executive Council on the annual accounts shall be brought to the notice of the Chancellor and the views of the Executive Council, if any, on such observations shall be submitted to the State Government.

50. Surcharge.

(1)Whenever any complaint is received by the State Government regarding loss, waste or misapplication of any money or property of the University or the State Government on its own thinks fit, it may direct for special audit of the University being done by the Director, Local Fund Accounts, Uttar Pradesh or by any officer subordinate to him.(2)On receiving special audit report, the State Government shall issue a notice to the officer of the University on account of whose negligence or misconduct, the loss, waste or misapplication referred to in sub-section (1), has occurred, calling upon him to explain his action within the time fixed by the State Government in this behalf.(3)The State Government, after considering the audit report and the reply of the officer referred to in sub-section (2), may take suitable decision in this behalf.(4)If the State Government is of the opinion that the officer should be held responsible for paying the surcharge determined by the State Government, the surcharge shall be recovered as arrears or in such other manner as may be directed by the State Government.

51. Filling of casual Vacancy.

- Any casual vacancy among the members other than ex-officio member of any authority or body of

the University shall be filled in the same manner in which the member whose vacancy is to be filled up was chosen, and the person filling the vacancy shall be a member of such authority or body for the residue of the term for which the person on whose place he fills would have been a member.

52. Proceeding not to be invalidated by vacancies etc.

- No act or proceeding of any authority or body of the University shall be invalid merely by reasons of -(a)any vacancy or defect in the constitution thereof or(b)some persons having taken part in the proceedings who were not entitled to do so;or(c)any defect in the election, nomination or appointment of a person acting as member thereof; or(d)any irregularity in its procedure not affecting the merits of the case.

53. Removal from Membership of the University.

- The Executive Council may by a two-third majority of the members present and voting, remove any person from membership of any authority or other body of the University upon the ground that such person has been convicted of an offence which, in the opinion of the Court, is an offence involving moral turpitude, or upon the ground that he has been guilty of scandalous conduct or has behaved in a manner unbecoming of a member of the University, and may upon the same grounds withdraw from any person any degree, diploma, or certificate etc. conferred or granted by the University.

54. Reference to the Chancellor.

- If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University or whether any decision of any authority or officer of the University including any question as to the validity of a Statute, Ordinance or regulation, not being a Statute or Ordinance made or approved by the Chancellor, is inconformity with this Act or the Statutes or the Ordinances made there under, the matter shall be referred to the Chancellor and the decision of the Chancellor thereon shall be final:Provided that no reference under this section shall be made -(a)more than three months after the date when the question could have been raised for the first time; or(b)by any person other than an authority or officer of the University or a person aggrieved.

55. Bar of Suit.

- All acts and orders duly and in goods faith done or passed by the University or any of its officers, authorities or bodies shall, except as otherwise provided in this Act be final, and no suit or other legal proceedings shall lie against the State Government or the University or any officer, authority or body thereof in reject (sic respect) of anything done or purported or intended to be done in pursuance of this Act or the Statutes or the Ordinances made thereunder.All the disputes related to University will fall within territorial of jurisdiction of Kanpur Nagar district.

56. Mode of Proof of University Record.

(1) A copy of any receipt, application, notice, order proceeding or resolution etc. of any authority or committee or board etc. of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document of the existence of entry in the register and shall be admitted as evidence of matters and transactions therein recorded. (2) No officer or servant of the University shall in any proceedings to which the University is not a party, be required to produce any documents, register or other record of the University, the contents of which can be proved under provisions by a certified copy, or to appear as a witness to prove the matters and transactions recorded therein unless by order of the court made for special cause.

57. Accountability of authority and Employee.

- Every authority and employee mentioned here or not is fully accountable to competent authority as per provisions, to carry out their basic work, responsibilities, tasks and other additional jobs as given by their superiors, as per statutes, in the interest of stakeholders of the University at large.

58. Powers to remove difficulty.

(1) The State Government may for the purpose of removing difficulties particularly in relation to the transition from the existing provisions of this Act, by order published in Gazette, may direct that this Act shall, during such period, as may be specified in the order, have effect subject to such adaptations whether by way of modification, addition or omission as it may deem to be necessary or expedient: Provided that no such order shall be made after two years from the date of commencement of this Act. (2) Every order made under sub-section (1) shall be laid before both the Houses of the State Legislature. (3) No order under sub-section (1) shall be called in question in any court on the ground that no difficulty as is referred to in sub-section (1) existed or required to be removed.

59. Statutes and Ordinances to be published in the Official Gazette and to be laid before the Legislature.

(1) Every Statutes and Ordinances made under this Act shall be published in the Gazette. (2) All Statutes and Ordinances made under this Act shall, as soon as may be after they are made, be laid before each House of the State Legislature, while it is in session, for a total period of not less than thirty days, which may be comprised in one session or two or more successive sessions, and shall, unless some later date is appointed, take effect from the date of their publication in the Gazette subject to such modifications or annulments as the two Houses of the Legislature may, during the said period, agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.