

ORISSA ORDINANCE NO. 7 OF 1974

**THE UTKAL UNIVERSITY (TAKING OVER OF MANAGEMENT)
ORDINANCE, 1974**

*[Promulgated by the Governor of Orissa on the 30th July 1974,
published in an extraordinary issue of the Orissa Gazette, dated the 30th
July 1974]*

AN

ORDINANCE

*to provide for the taking over of the management of the affairs;
of the Utkal University for a limited period in order to secure
proper management of the same*

WHEREAS the Legislature of the State of Orissa is not in session

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to provide for the taking over of the management of the affairs of the Utkal University for a limited period in the manner herein after appearing ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Orissa is pleased to make and promulgate the following Ordinance in the Twenty-fifth Year of the Republic of India :—

Short title

1. This Ordinance may be called the Utkal University (Taking Over of Management) Ordinance, 1974.

Definitions

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

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

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

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

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

Orissa Act
20 of 1966.

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

Orissa Act 20
of 1966.

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

Orissa Act 20
of 1966.

Admini-
strator to
take over
management
of the affairs
of the
University.

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

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

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

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

- (a) the Senate and the Syndicate shall be deemed to have been superseded and the members thereof holding office immediately before the issue of the notified order shall be deemed to have vacated their offices as such ;
- (b) the Offices of the members of the Senate for life shall remain in abeyance during the continuance of the notified order in force ;
- (c) the Vice-Chancellor shall be deemed to have vacated his office as such ; and
- (d) the Administrator shall exercise the powers and perform the functions of the Senate, Syndicate and the Vice-Chancellor under the University Act, the Statutes and the Regulations.

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

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

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

Duty to deliver possession of property and documents. 7. (1) Where a notified order has been issued under section 3, every person ceasing to hold office upon the issue of such order and having possession, custody or control of any property of or any books, documents or other papers relating to the University shall deliver the property, books, documents and other papers to the Administrator or to such person as may be authorised by the Administrator in this behalf.

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

Over riding
effect of the
Ordinance.

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

Power of
State
Government
to give direc-
tions

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

Admini-
strator to
take steps for
reconsti-
tution of the
authorities.

10. The Administrator shall take all necessary steps for the re-constitution of the Senate and the Syndicate and for the appointment of the Vice-Chancellor so that the members of the said authorities and the Vice-Chancellor can assume Office upon the expiry of the notified order.

Dated the 30th July 1974

B. D. JATTI

Governor of Orissa