THE INSTITUTES OF TECHNOLOGY (AMENDMENT) BILL, 2016

(AS PASSED BY THE HOUSES OF PARLIAMENT—

LOK SABHA ON 25TH JULY, 2016
RAJYA SABHA ON 2ND AUGUST, 2016)
THE INSTITUTES OF TECHNOLOGY (AMENDMENT) BILL, 2016

(ASS PASSED BY THE HOUSES OF PARLIAMENT)

A BILL

further to amend the Institutes of Technology Act, 1961.

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Institutes of Technology (Amendment) Act, 2016.

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

2. In the Institutes of Technology Act, 1961 (hereinafter referred to as the principal Act), in section 2, for the words and brackets "and the Indian Institute of Technology (Banaras Hindu University), Varanasi", the words and brackets "the Indian Institute of Technology (Banaras Hindu University), Varanasi, the Indian Institute of Technology, Tirupati,
the Indian Institute of Technology, Palakkad, the Indian Institute of Technology, Goa, the
Indian Institute of Technology, Dharwad, the Indian Institute of Technology, Bhilai, the
Indian Institute of Technology, Jammu and the Indian Institute of Technology (Indian School
of Mines), Dhanbad” shall be substituted.

3. In section 3 of the principal Act,—

(A) in clause (c), after sub-clause (xiii), the following sub-clauses shall be inserted, namely:—

"(xiv) in relation to the society known as the Indian Institute of Technology,
Tirupati, the Indian Institute of Technology, Tirupati;

(xv) in relation to the society known as the Indian Institute of Technology,
Palakkad, the Indian Institute of Technology, Palakkad;

(xvi) in relation to the society known as the Indian Institute of Technology,
Goa, the Indian Institute of Technology, Goa;

(xvii) in relation to the society known as the Indian Institute of Technology,
Dharwar, the Indian Institute of Technology, Dharwar;

(xviii) in relation to the society known as the Indian Institute of Technology,
Bhilai, the Indian Institute of Technology, Bhilai;

(xix) in relation to the society known as the Indian Institute of Technology,
Jammu, the Indian Institute of Technology, Jammu;

(xx) in relation to the society known as the Indian School of Mines,
Dhanbad, the Indian Institute of Technology (Indian School of Mines), Dhanbad.”;

(B) after clause (ga), the following clause shall be inserted, namely:—

'(gb) "Indian School of Mines, Dhanbad" means the society known as the
Indian School of Mines, Dhanbad';

(C) in clause (j), after sub-clause (xi), the following sub-clauses shall be inserted, namely:—

"(xii) the Indian Institute of Technology, Tirupati;

(xiii) the Indian Institute of Technology, Palakkad;

(xiv) the Indian Institute of Technology, Goa;

(xv) the Indian Institute of Technology, Dharwad;

(xvi) the Indian Institute of Technology, Bhilai;

(xvii) the Indian Institute of Technology, Jammu;

(xviii) the Indian School of Mines, Dhanbad.”.

4. In section 4 of the principal Act, after sub-section (ID), the following sub-section
shall be inserted, namely:—

"(IE) The Indian School of Mines, Dhanbad shall, on such incorporation, be
called the Indian Institute of Technology (Indian School of Mines), Dhanbad.”.

5. In section 5 of the principal Act, after Explanation 2, the following Explanation
shall be inserted, namely:—

"Explanation 3.—The reference in this section to the commencement of this
Act shall be construed in relation to the Indian Institute of Technology, Tirupati, the
Indian Institute of Technology, Palakkad, the Indian Institute of Technology, Goa, the
Indian Institute of Technology, Dharwad, the Indian Institute of Technology, Bhilai,
the Indian Institute of Technology, Jammu, and the Indian Institute of Technology
(Indian School of Mines) Dhanbad, as the reference to the date on which the provisions
of the Institutes of Technology (Amendment) Act, 2016 comes into force.”.

6. In section 38 of the principal Act,—

(i) after clause (o), the following clauses shall be inserted, namely:—

"(p) until the first Statutes and Ordinances in relation to the Indian Institute
of Technology, Tirupati, the Indian Institute of Technology, Palakkad, the Indian
Institute of Technology, Goa, the Indian Institute of Technology, Dharward, the
Indian Institute of Technology, Bhilai, the Indian Institute of Technology, Jammu,
are made under this Act, the Statutes and Ordinances of such Institutes, as in
force immediately before the commencement of the Institutes of Technology
(Amendment) Act, 2016, shall apply to those Institutes with necessary
modifications and adaptations in so far as they are not inconsistent with the
provisions of this Act;

(q) the Executive Board, referred to in Rule 7 of the Rules and Regulations
of the Indian School of Mines, Dhanbad, functioning as such immediately before
the commencement of the Institutes of Technology (Amendment) Act, 2016,
shall continue to so function until a new Board is constituted for the Indian
Institute of Technology (Indian School of Mines), Dhanbad, under this Act, but
on the constitution of a new Board under this Act, the Executive Board of the
Indian School of Mines, Dhanbad shall cease to function so far as the Indian
Institute of Technology (Indian School of Mines), Dhanbad is concerned;

(r) the Academic Council, referred to in Rule 9 of the Rules and Regulations
of the Indian School of Mines, Dhanbad, functioning as such immediately before
the commencement of the Institutes of Technology (Amendment) Act, 2016
shall continue to so function until a new Senate is constituted for the Indian
Institute of Technology (Indian School of Mines), Dhanbad under this Act, but
on the constitution of a new Senate under this Act, the Academic Council of the
Indian School of Mines, Dhanbad shall cease to function so far as the Indian
Institute of Technology (Indian School of Mines), Dhanbad;

(s) until the first Statutes and the Ordinances in relation to the Indian
Institute of Technology (Indian School of Mines), Dhanbad are made under this
Act, the Statutes and Ordinances as are applicable to the Indian Institute of
Technology, Roorkee immediately before the commencement of the Institutes of
Technology (Amendment) Act, 2016, shall apply to the Indian Institute of
Technology (Indian School of Mines), Dhanbad, with the necessary modifications
and adaptations in so far as they are not inconsistent with the provisions of this
Act;

(t) notwithstanding anything contained in the Institutes of Technology
(Amendment) Act, 2016, any student who joined classes of the Indian School of
Mines, Dhanbad on or after the commencement of 2015-2016 academic session
or completed the courses on or after 2015-2016 academic session shall for the
purpose of clause (b) of sub-section (1) of section 6, be deemed to have pursued
a course of study in the Indian Institute of Technology (Indian School of Mines),
Dhanbad provided that such student has not already been awarded degree or
diploma for the same course of study;

(u) if any difficulty arises in giving effect to the provisions of the Institutes
of Technology (Amendment) Act, 2016, the Central Government may, by order
published in the Official Gazette, make such provisions not inconsistent with the
provisions of this Act, as may appear to be necessary for removing the difficulty:
Provided that no order shall be made under this clause after the expiry of two years from the commencement of the Institutes of Technology (Amendment) Act, 2016:

Provided further that every order made under this clause shall be laid, as soon as may be after it is made, before each House of Parliament.

(b) after Explanation 3, the following Explanation shall be inserted, namely:—

"Explanation 4.—The reference in clauses (q), (r) and (s) of this section to the commencement of this Act shall be construed in relation to the Indian Institute of Technology (Indian School of Mines), Dhanbad, as the reference to the date on which the provisions of the Institutes of Technology (Amendment) Act, 2016 come into force."

The above Bill has been passed by the Houses of Parliament.

Dated the

Chairman.

I assent to this Bill.

Dated the

President.
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further to amend the Institutes of Technology Act, 1961.

(As passed by the Houses of Parliament)