

**BYE-LAWS OF THE STATE COUNCIL FOR TECHNICAL EDUCATION AND  
VOCATIONAL TRAINING, ORISSA**

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| 1                                    | Name of the Society                               | State Council for Technical Education & Vocational Training, Orissa.   |
| 2                                    | Location of the Registered office of the Society. | Registered office of the Society shall be situated at 4, Chandrasekharapur, Bhubaneswar-16.  |
| 3                                    | Area of Operation                                 | Whole State of Orissa  |
| 4                                    | Aim & Objectives                                  | As indicated in the Memorandum of Association.   |
| Short title, extent and commencement | 5   | <p>(i) These Rules may be called "The State Council for Technical Education and Vocational Training Rules".</p> <p>(ii) It shall extend to whole of the State of Orissa</p> <p>(iii) It shall be deemed to have come into force with effect from the date of approval by the Government.</p>   |
| Definitions                          | 6.  | <p>(a) 'Council' means the Council for Technical Education and Vocational Training constituted by the Government.</p> <p>(b) 'Affiliated Institution' means any institution affiliated to the Council, AICTE or NCVT whether in whole or in part.</p> <p>(c) 'Polytechnic' means an institution offering Technical Education at diploma level.</p> <p>(d) 'Engg. Schools' means an institution offering Technical Education at diploma level.</p> <p>(e) 'Government' means the Government of Orissa.</p> <p>(f) 'Examination' means an examination conducted by the Council.</p> <p>(g) 'Trade Test' means All India Trade Test prescribed by NCVT and DGE&amp;T.</p> <p>(h) 'Technical Education' means programmes of Education and Training in Engineering, Technology, Architecture, Management, Pharmacy and such other programmes approved by the AICTE.</p> |

- (i) 'AICTE' means All India Council of Technical Education
- (j) 'ERC' means Eastern Regional Council of All India Council of Technical Education.
- (k) 'BOPT' means Board of Practical Training.
- (l) 'Technical Institution' means an educational institution not being a University offering courses in Engineering, Technology, Management at diploma or post diploma level approved by the AICTE.
- Constitution of the Council 7. (1) Govt. shall constitute a Council for the State Council for Technical Education & Vocational Training on which the management of the Council shall vest.
- (2) The Council shall be a Body corporate with perpetual succession and a common seal with power to acquire and whole property, both movable and immovable and subject to the provision of the Rules, to transfer any property held by it and do all other things necessary for the purposes of its constitution and may sue or be sued in its corporate name.
- (3) The Council shall consist of the members as would be notified by Govt. from time to time.
- Term of office of members and filling up vacancies etc. 8. (1) Members of the Council shall hold office for a term as per the notification of the Govt. & vacancies caused shall be filled up by Govt.
- (2) When the term of office of members (other than ex-officio members) has expired the vacancies so caused shall be filled up as soon as may be and to this end all necessary steps shall be taken by the Secretary of the Council within six months before the expiry of the said term of office.
- Provided that the term of office of the outgoing members shall be deemed to extend to and expire with the date on which the names of their successors nominated as the case may be, are notified under Rule-5.
9. The names of the persons nominated or co-opted to be members shall be notified by the Govt.

- Disqualification for membership 10. A person shall be disqualified for being nominated or co-opted as a member of the Council, if he -
- (a) As on the date of nomination or co-option, is of unsound mind; or
  - (b) Is an uncertified bankrupt or undischarged insolvent; or
  - (c) Has been convicted and sentenced by a Criminal court to imprisonment for an offence involving moral, turpitude; or
  - (d) Has any share or interest in any work done by order of or in any contract entered into on behalf of the Council.
- Vacancies 11. (1) If any member (other than an ex-officio member) of the Council absents himself from three consecutive meetings of the Council without permission of the Chairman of the Council, the office held by him shall there upon become vacant.
- (2) If any members of the Council becomes subject to any of the disqualifications under Rule-6, his office shall thereupon become vacant.
- (3) Any vacancy caused in pursuance of Sub-Rule-(1) or (2) shall be filled up by the Govt.
- Removal from membership. 12. (1) The Govt. may on the recommendation of the Council remove any member of the Council if he has been convicted by a court of Law or any office which in the opinion of the Council is a serious offence involving moral forpitude or if he is found guilty of gross misconduct.
- Provided that no recommendation for the removal of any member shall be made by the Council unless the person concerned is given a reasonable opportunity of being heard.
- (2) The name of any member who has been removed from the Council under Sub-Rule (1) shall be notified by the Govt.
- Acceptance of Resignation 13. (1) No resignation tendered by a member of the Council other than co-opted members shall be valid until it has been accepted by the Govt. and no resignation tendered by a member of a Committee appointed under Rule-3, Sub-Rule- (c) shall be valid until it has been accepted by the Chairman of the Council.

Filling up of casual vacancies. 14.

- (2) An co-opted member may resign his seat by writing under his hand addressed to the Chairman and his seat thereupon become vacant.

All Casual vacancies arising by reason of disqualification, death, removal or resignation among the members of the Council, other than ex-officio members shall be filled up as soon as may be by nomination or co-option as the case may be, and the person so, nominated or co-opted shall hold office for the up-expired portion of the term of his predecessor in office.

Powers & Functions of the Council

15. (i) In pursuance to the above objectives following functions can be considered by the Council. To undertake manpower survey in the field of Technical Education & Vocational Training and forecast the need for growth and development of Technical Education and Vocational Training.
- (ii) To assess the need of establishment of new diploma institutions and Industrial Training Institutes/ Centres.
- (iii) To assess the need of introduction of new courses/ Trades in the recognized institutions.
- (iv) To recommend the Director of Technical Education and Training, Govt. of Orissa for approval of establishment of new diploma institutions and new courses for the recognized institutions by the All India Council of Technical Education.
- (v) To recommend Director of Technical Education for establishment of Industrial Training Institutions/ Centres and introduction of new Trades in the recognized institutions and to constitute Standing Committee for recommendation for grant of affiliation.
- (vi) To prescribe courses of instructions for recognized institutions in such branches as it may think fit.
- (vii) To grant affiliation to the institutions recognised by All India Council of Technical Education.
- (viii) To conduct examination based on such courses as may be prescribed.
- (ix) To admit candidates to its examination/ All India Trade Test in accordance with the Rules.

- (x) To conduct All India Trade Test of the affiliated institutions as per the prescribed norms of N.C.V.T. & D.G.E. & T.
- (xi) To publish the results of its examinations/ Trade Test.
- (xii) To award diploma and certificates to successful candidates.
- (xiii) To formulate schemes for promoting technical education for women, handicapped and weaker sections of the Society.
- (xiv) To make regulations for imposing penalties for acts of misconduct of students, teachers, examiners, examinees, printers of question papers or persons connected with the examinations of the Council.
- (xv) To bring about practical co-ordination between Industries, Workshops, developmental organizations and technical institutions for providing adequate and systematic practical training which will be complementary to the instruction at institute level.
- (xvi) To recognize technical institutions for the purpose of admitting them to the privileges of the Council including examinations conducted by it.
- (xvii) To lay down norms and standards for courses, curriculum, physical and instructional facilities, staff pattern, staff qualifications, work load of teachers, no of working days and contact hours, quality instructions, assessment and examinations and other matters incidental thereto.
- (xviii) To evolve suitable performance appraisal systems for technical institutions incorporating norms and mechanisms for enforcing accountability.
- (xix) To formulate schemes for the initial and in service training of teachers and identifying institutions or centres for offering staff development programmes including Continuing Education of teachers.
- (xx) To provide guidelines for admission of students to technical institutions.
- (xxi) To inspect or cause to inspect any technical institutions;

- (xxii) To institute and award scholarships, medals and prizes according to the schemes framed by the Council;
- ✓(xxiii) To demand and receive such fees as may be prescribed;
- ✓(xxiv) To administer funds placed at its disposal for the purposes for which they are intended or generally for the purposes of the Council.
- (xxv) To submit annual accounts and Balance sheets together with the annual report of the Council to the Government.
- (xxvi) To submit to Govt. its views in any matter with which it is concerned;
- (xxvii) To furnish to Govt. such reports and returns and statements as may be prescribed by regulations and such other information relating to any matter under the control of the Council as the Govt. may require;
- (xxviii) To have a computer unit of its own.
- (xxix) To have Library of its own and an information cell for dissemination of information about the activities of the Council, employment opportunities and higher technical studies;
- (xxx) To acquire, hold and dispose of property, both movable and immovable, for the purposes of the Council and enter into agreements thereof.
- (xxxi) To exercise such other powers and to perform such other duties as may be assigned by the State Govt. or under this Rule or as may be necessary for carrying out the purposes of this Rule.

Officers of the Council

16. The following shall be the officers of the Council namely:-
- (i) Chairman;
  - (ii) Vice Chairman;
  - (iii) Secretary;
  - (iv) Controller of Examinations;
  - (v) Deputy Secretary;
  - (vi) Assistant Secretary;
  - (vii) Assistant Controller of Examinations;
  - (viii) Information Officer;

Chairman & his  
power & function.

- (ix) Accounts Officer;
- (x) Such other officers as may be declared by Govt. from time to time.

17. (1) The Chairman shall be appointed by the Govt. on such terms and conditions as they may determine and he shall be either a whole time or a part-time or honorary officer of the Council.
- (2) The Executive authority of the Council shall vest in the Chairman and it shall be his duty to see that the provisions of this Rule and the Regulations made there under are faithfully carried out and he shall have all powers necessary for that purpose.
- (3) The Chairman shall have power to convene meetings of the Council and call a meeting at any time after due notice on a requisition stating the business to be brought before the meeting signed by not less than one third of the total number of members of the Council.
- (4) When any emergency arising out of the administrative business of the Council requires in the opinion of the Chairman that immediate action should be taken, the Chairman shall take such action as he deems necessary and report his action to the Council in its next meeting.
- (5) The Chairman shall exercise such other powers as may be prescribed.

Vice-Chairman &  
his functions.

18. (1) The Vice Chairman shall be appointed by the Govt. on such terms and conditions as they may determine and he shall be either a whole time or a part-time officer of the Council.
- (2) The Chairman may delegate such of the powers conferred upon him by or under this Rule to the Vice-Chairman as he considers necessary.
- (3) The power so delegated may at any time be withdrawn and the Vice-Chairman, shall in exercising the powers so delegated, be subject to the control of the Chairman.

- Presiding Officer 19. The Chairman and in his absence, a member elected from among those present shall preside at every meeting of the Council or of any Committee of which the Chairman is a member and the person so presiding shall be entitled to exercise a second or casting vote in every case where the votes are equally divided.
- Secretary & his function. 20. (1) The Secretary shall be appointed by the Govt. from amongst members of the Orissa Technical Education Service on such terms and conditions as they may determine.
- (2) The Secretary shall :-
- (a) Manage the properties and investments of the Council;
  - (b) Remain in custody of the properties and funds of the Council;
  - (c) Operate Bank Account to effect deposits and withdrawal of funds under joint signature of the another officer as would be decided by the Finance Committee,
  - (d) Execute all contracts on behalf of the Council,
  - (e) Subject to control of the Chairman, be the Head of the office of the Council,
  - (f) Maintain the minutes of the meetings of the Council and its Committees,
  - (g) Render such assistance to the Chairman as may be desired by him in the performance of his duties,
  - (h) Exercise and perform such other powers and duties as may be prescribed,
- (3) The Secretary shall have the right to speak and otherwise take part in the proceedings at a meeting of the Council and the Executive Committee but shall not be entitled to vote.
- Controller of Examinations 21. (1) The Controller of Examinations shall be appointed by the Govt. from amongst members of the Orissa Technical Education Service on such terms and conditions as they may determine:-
- (2) The Controller of Examinations shall:-
- (a) Remain in charge of all examinations,
  - (b) Act as Secretary to the Examination committee,



- (c) Exercise such other powers and duties as may be prescribed.
- Deputy Secretary & Dy. Controller of Examinations. 22. The Deputy Secretary and the Deputy Controller of Examinations shall be appointed by the Govt. from amongst members of the Orissa Technical Education Service on such terms and conditions as they may determine.
- Accounts Officer 23. (1) The Accounts Officer shall be appointed by the Govt. on such terms and conditions as they may determine:-
- (2) The Accounts Officer shall:-
- (a) Be responsible for proper investment of the funds of the Council.
- (b) Exercise general supervision of such funds,
- (c) Tender advice with regard to financial transactions of the Council,
- (d) Be responsible for preparation and presentation of the annual financial estimates and statement of accounts to the Council,
- (e) Act as Secretary to the Finance Committee; and
- (f) Exercise such other powers and perform such other functions as may be prescribed.
- Other Officers. 24 (1) All other officers enjoying scale of pay as officers in Class-II under the Govt. shall be appointed by the Chairman in consultation with the Executive Committee.
- (2) All other employees shall be appointed by the Chairman in accordance with the procedure prescribed in that behalf.
- (3) The officers mentioned in Sub-Rule(1) shall exercise such powers and perform such functions as may, from time to time, be assigned to them by the Chairman.
- Committees 25. (1) The Council shall have the following Committees:
- (a) Academic Committee
- (b) Executive Committee
- (c) Examination Committee
- (d) Finance Committee
- (e) Inspection Committee

(f) Curriculum & Learning Resource Development Committee

(g) Such other committees as may be decided by Council.

(2) Every such committee shall consist of such number of members as may be prescribed:-

(3) The members of the Committees except ex-officio members shall hold office for a period of three years.

(4) The members of the Curriculum Committee shall be appointed by the Executive Committee and members of all other Committee shall be appointed by the Council. All such appointments shall be made in the prescribed manner:-

(5) When a member cease to be a member of the Council, he shall automatically cease to be a member of the Committee if he hold membership of such Committee by virtue of his being a member of the Council.

(6) The power and functions of the Committee shall be as may be prescribed.

Exercise of power delegated by the Council to the Committees.

26.

If the Council exercises any power conferred on it by this Rule in any matter which have been delegated by the Council to a Committee by a regulation, the Council before exercising any such power shall receive and consider the report of the committee with respect to the matter in question.

Proceedings not to be invalid by reasons of casual vacancies.

27.

No act or proceedings of the Council or of a Committee thereof shall be invalid merely for reason of the existence of any causal vacancy among its members.

Procedure for holding meetings of the Council and Committees.

28.

Procedure for holding meetings of the Council and Committees shall be as may be prescribed.

Constitution of Council fund.

29.

The Council shall have a fund called the Council fund to which shall be credited:-

(i) Its income from fees, endowments, donations and grants, if any;

(ii) Contributions which may be made by the Govt. on such conditions as they may impose; and

(iii) Receipts from other sources,

✓ Custody and investment of Council funds.

30. All moneys at the credit of the Council fund shall be kept in any Bank as the Council may determine.

Provided that nothing in this Rule shall be deemed to preclude the Council from investing with the previous sanction of the Government, any such money as are not required for immediate expenditure in any of the securities described in Sec.20 of the Indian Act., 1882 as permitted by Govt. or placing them in fixed deposit in a bank as determined by the Council.

Application of Council Funds.

31. Subject to the provisions of this Rule, the Council fund shall be applicable only to the payment of the charges and expenses incidental to the several matters specified in this Rule, and to any other purpose for which powers are conferred or duties are imposed upon the Council by or under this Rule.

Audit and Accounts.

32. (1) The accounts of the Council shall, in every year be audited by a qualified Auditor or Govt. Auditor.

(2) The Council shall keep accounts of its receipts and expenditure in such manner and form as may be prescribed.

Foundation Fund.

33. (1) The Council shall have a fund called the Foundation Fund.

(2) The Foundation fund shall consist of :-

(a) A sum of not less than Rupees Five Lakhs which shall be given to it by the Govt.

(b) Any contributions to the fund which may be made by the Govt. any local Authority or other Public Body or by any other Govt. or person; and

(c) Any contributions to the fund made by the Council.

(3) The foundation fund shall be invested in Securities issued or guaranteed by the Central Govt. or by any State Govt. and such investment shall not be varied without the consent of the Chairman.

(4) The Corpus of the foundation fund shall be kept intact but the interest thereof may be utilised for the purposes of the Council.

(5) The expenditure incurred on account of Clause (a) of Sub-Rule (2) shall be an expenditure charged on the consolidated fund of the State.

Members of the Council etc. be Public Servants. 34.

The members of the Council and its committees, examiners, invigilators, officers and other employees of the Council shall be deemed to be public servants with the meaning of Sec.21 of the penal code.

Amendment of the Rule 35.

The Government shall have power to effect any amendment to the Rule on getting opinion of the Council.

Power to remove difficulties. 36.

If any difficulty arises in giving effect to the Provisions of this Rule, Govt. may, as occasion may require, by order, do any thing which appears to them necessary for the purpose of removing the difficulty.

Legal Action 37.

Secretary may sue or be sued for movable and immovable properties on behalf of the Society.

Dissolution 38.

The Society may be dissolved by the 3/5<sup>th</sup>. Members present. Upon dissolution of the Society its assets will be handed over to a similar registered society or to Govt. after clearing up all its debts and liabilities.

Certified that there is no other registered Society in the same name and at the same place.

Certified that this is the true and correct copy of the Memorandum and Bye-Laws.

Sd/-  
Signature of the Chairman.  
Chief Secretary, Orissa.

Sd/-  
Signature  
Member  
Addl. Director-cum-Vice-Chairman  
State Council for Tech. Education  
& Training.

Sd/-  
Signature  
Member  
Joint Director-cum-  
Secretary,  
State Council.