

**BILL NO.13 OF 2007**

# **THE IIT-DELHI BILL, 2007.**



**(As passed by the Legislative Assembly of National Capital Territory of  
Delhi on 2<sup>nd</sup> April, 2008)**



## The IIIT - Delhi BILL 2007

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BILL

to establish and incorporate a non-affiliating and teaching Institute at Delhi to facilitate and promote studies, research, incubation, and extension work in Information Technology and its application domains, and also to achieve excellence in these and connected fields and other matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the Fifty Ninth Year of the Republic of India as follows: -

1. **Short Title and commencement.** - (1) This Act may be called the **IIIT(Indraprastha Institute of Information Technology)- Delhi Act, 2007.**  
(2) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.
2. **Definitions.** - In this Act, unless the context otherwise requires,
  - (a) "Senate" means the Senate of the Institute, an academic body;
  - (b) "Academic staff" means such categories of staff as are designated by the Statutes to be the academic staff of the Institute;
  - (c) "Board of Governors" means the Board of Governors of the Institute;
  - (d) "Institute" means the IIIT - Delhi as incorporated under this Act;
  - (e) "Campus" means the unit established or constituted by the Institute for making arrangements for instruction, or research, or both;





- (f) "Chancellor", and "Director" means respectively the Chancellor and the Director of the Institute;
- (g) "Chairman" means the Chairman of the Board of Governors;
- (h) "Delhi" means the National Capital Territory of Delhi;
- (i) "department" means a department of studies of the Institute;
- (j) "employee" means any person appointed by the Institute;
- (k) "Government" means the Lieutenant Governor of the National Capital Territory of Delhi appointed by the President under article 239 and designated as such under article 239 AA of the Constitution;
- (l) "hall" means a unit of residence or of corporate life for the students of the Institute;
- (m) "Lieutenant Governor" means the Lieutenant Governor of the National Capital Territory of Delhi appointed by the President under article 239 of the Constitution;
- (n) "misconduct" means a misconduct prescribed by the Statutes;
- (o) "prescribed" means prescribed by the Statutes made under this Act;
- (p) "Statutes", "Ordinances" and "Regulations" means respectively the Statutes, Ordinances and Regulations of the Institute for the time being in force; and
- (q) "Institute teachers" means professors, associate professors and assistant professors and lecturers and such other persons as may be appointed for imparting instruction or conducting research in the Institute and are designated as teachers by the Statutes.

**3. Incorporation.** - (1) With effect from such date as the Government may, by notification in the official Gazette, appoint, there shall be established an Institute by the name of "**IIT-Delhi**", comprising the Chancellor and the Director, the Board of Governors and the senate of the Institute and all such persons as may hereafter be appointed at such office or as members so long as they continue to hold such office or membership.

(2) The Institute shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may by the said name sue or be sued.





(3) The Institute shall be financially and administratively autonomous and as such shall be self-sufficient on capital and operational accounts having its own governance as well as administrative policies and practices as prescribed.

(4) The Government shall provide to the Institute an appropriate piece of land free of cost. It shall extend funds for the establishment of initial infrastructure including land development, architectural design, buildings, equipment and other needs. These interest free funds shall be repaid to the Government, in such timeframe as may be set by the Government and provided that the period for repayment of funds shall not commence till a period of five years from the date appointed for the commencement of this Act.

(5) Notwithstanding anything said in sub-section (4) above, the Institute may approach the Government at any time for loans, on such terms and conditions as mutually agreed, to meet its expansion and development.

(6) Where the Government may decide that educational facilities offered by the institute shall be given on a subsidised rate to the needy and deprived sections of the society, the Government shall make good the amount of the subsidy involved, to the Institute.

**4. Jurisdiction.** - (1) Save as otherwise provided by or under this Act, the limits of the area within which the Institute shall exercise its powers, shall be those of the National Capital Territory of Delhi.

**5. Objects of the Institute.** - The objects of the Institute shall be -

- (a) To establish and incorporate a non-affiliating teaching institute for imparting IT education in Delhi.
- (b) To facilitate and promote studies, research and consultancy work in Information Technology and its application domains
- (c) To achieve excellence in IT and matters connected therewith or incidental thereto
- (d) To create a paradigm shift in the way IT can be used for improving the delivery of services in selected domains.
- (e) To be a change-agent that shall contribute to enable industry to develop state of the art products and services

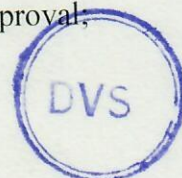




- (f) To be industry relevant at all times and to create an impact on the fellow academic community in India and abroad
- (g) To be an open institution to attract best minds of the world and to be completely globally integrated.

**6. Powers of the Institute.** - The Institute shall have the following powers, namely:

- (1) to provide for instruction in such branches of learning as the Institute may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge and skills;
- (2) to grant, subject to such conditions as the Institute may determine, diplomas and certificates to, and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing on person;
- (3) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;
- (4) to organize and to undertake extramural studies and extension services;
- (5) to create and establish contractual teaching and academic positions including professor-ships, associate and assistant professor-ships, lecturer-ships and others required by the Institute and to appoint persons to such positions;
- (6) to create and establish contractual administrative, ministerial and other posts in the Institute required by the Institute and to appoint persons to thereto;
- (7) to fix the salary structure including allowances, provident fund, etc. of all positions mentioned in clauses (5) and (6) above so as to meet the minimum norms of regulatory bodies, provided that the net salaries may be higher than these but in no case lower; to determine the contractual terms, length and tenure of contract, expectations, roles and responsibilities etc. associated with the contract for all academic, teaching and other employees; to establish revenue sharing mechanisms with all its employees;
- (8) to appoint persons working in any other Institute or organisation as teachers of the Institute for a specified period;
- (9) to co-operate or collaborate or associate with any other Institute, authority or organisation of higher learning, industry and corporate house, laboratory, engaged in cutting-edge work, in such manner and for such purpose as the Institute may determine;
- (10) to approve persons working in organisations as mentioned in clause (9) above for imparting instruction or supervising research, or both, and to withdraw such approval,





- (11) to build up a body of academia to perform academic functions, and to pay them remuneration in the manner prescribed;
- (12) to prescribe fees and other charges to be levied on the students;
- (13) to set up facilities like computer centre, instrumentation centre, library, etc;
- (14) to set up curriculum development centres for different subjects;
- (15) to determine standards for admission to the Institute which may include examination, evaluation or any other method of selection;
- (16) to institute and award fellowships, scholarships, studentships, medals and prizes;
- (17) to demand and receive fees and other charges;
- (18) to supervise the residence of the students of the Institute and to make arrangements for promoting their health and general welfare;
- (19) to make such special arrangements in respect of women students as the Institute may consider desirable;
- (20) to regulate the conduct of the students of the Institute;
- (21) to regulate the work and conduct of the employees of the Institute;
- (22) to regulate and enforce discipline among the employees and the students of the Institute and take such disciplinary measures in this regard as may be deemed necessary;
- (23) to make arrangements for promoting the health and general welfare of the employees of the Institute;
- (24) to receive benefactions, donations and gifts from persons and to name such chairs, institutions, buildings and the like as the Institute may determine;
- (25) to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties, for the purposes of the Institute except for the land acquired or building constructed with the assistance of the Government in which case prior approval of the Government shall be required;
- (26) to borrow, with the approval of the Government, on security of the property of the Institute, moneys for the purposes of the Institute;
- (27) to assess the needs in terms of subjects, fields of specialization, levels of education and training of technical manpower, both on short and long term basis, and to initiate necessary programmes to meet these needs;
- (28) to provide for instruction through "distance learning" and "open approach" and for mobility of students from the non-formal (open learning) stream to the formal stream and vice-versa; and





(29) to do all such other acts and things as may be necessary or incidental to the exercise of all or any of the powers of the Institute or necessary for or conducive to the attainment of all or any of the objects of the Institute.

**7. Institute open to all classes, castes, and creeds.** - (1) The Institute shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the Institute 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 Institute or to hold any other office therein or to be admitted as a student of the Institute, or to graduate thereat, or to enjoy or exercise any privilege thereof.

(2) The Institute shall be open to students of any nationality and these may be admitted in a manner so prescribed;

(3) Nothing in this section shall be deemed to prevent the Institute from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes and the Scheduled Tribes.

**8. The Chancellor.** - (1) The Lieutenant Governor of Delhi shall be the Chancellor of the Institute.

(2) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of buildings, laboratories and equipment, and also of the examination, teaching and other work conducted or done by the Institute, and to cause an inquiry to be made in the like manner in respect of any matter connected with the administration or finances of the Institute.

(3) The Chancellor shall, in every case, give notice to the Institute of his intention to cause an inspection or inquiry to be made and the Institute shall, on receipt of such notice, have the right to make such representation to the Chancellor, as it may consider necessary, within such period as specified in the notice.

(4) After considering the representation, if any, made by the Institute, the Chancellor may cause to be made such inspection or inquiry as is referred to in sub-section (3).

(5) Where an inspection or inquiry has been ordered by the Chancellor, the Institute shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.





(6) The Chancellor may address the Director with reference to the result of such inspection or inquiry as is referred to in sub-section (3) and the Director shall communicate to the Board of Governors the views of the Chancellor with such advice as the Chancellor may be pleased to offer upon the action to be taken thereon.

(7) The Board of Governors shall communicate through the Director to the Chancellor such action, if any, as it proposes to take or has been taken by it upon the result of such inspection or inquiry.

(8) Where the Board of Governors does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may issue such directions as he may think fit and the Board of Governors shall comply with such directions.

(9) Without prejudice to the foregoing provisions of this section, the Chancellor may, by order in writing, annul any proceeding of the Institute which is not in conformity with this Act, the Statutes or the Ordinances:

Provided that before making any such order, the Chancellor shall call upon the Institute 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.

(10) The Chancellor shall have the power to remove either the Chairperson or a member of the Board of Governors in the event of malfeasance. In exercising such powers of removal the Chancellor would form his opinion based on the recommendation of the Government, which in turn would be based on due enquiry against the Chairperson or member Board of Governors, who is proposed to be removed.

(11) The Chancellor shall have such other powers as may be prescribed.

**9. Officers of the Institute.** - The following shall be the officers of the Institute:-

- (1) The Director;
- (2) The Deans;
- (3) The Registrar; and
- (4) Such other officers as may be declared by the Statutes to be the officers of the Institute.

**10. The Director.** - (1) The Director shall be a scholar of eminence in the area of Information Technology or Computer Science or Computer Engineering having administrative experience in a degree level institution of higher learning.





(2) The Director shall be appointed by the Board of Governors in such a manner, on such terms and on such emoluments and other conditions of service as may be prescribed.

(3) The Director shall be the principal academic and chief executive officer of the Institute and shall exercise supervision and control over the affairs of the Institute and give effect to the decisions of all the authorities of the Institute.

(4) The Director may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the Institute by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of the opinion that such action ought not to have been taken, the Director shall take such action as is necessary and feasible to annul the action taken by the Director in excess of the powers conferred upon him.

Provided further that any person in the service of the Institute who is aggrieved by the action taken by the Director under this sub-section, shall have the right to appeal against such action to the Board of Governors within ninety days from the date on which such action is communicated to him and thereupon the Board of Governors may confirm, modify or reverse the action taken by the Director.

(5) The Director shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.

**11. The Deans.** - Every Dean shall be appointed in such manner, and shall exercise such powers and perform such duties as may be prescribed.

**12. Registrar.** -(1) The Registrar shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed.

(2) The Registrar empowered by the Board of Governors shall have the power to enter into, and sign, agreements and authenticate records on behalf of the Institute.

**13. Other Officers.** - The manner of appointment, emoluments, powers and duties of the other officers of the Institute shall be such as may be prescribed.

**14. Authorities of the Institute.** - The following shall be the authorities of the Institute:

- (1) The General Council
- (2) The Board of Governors
- (3) The Senate.





- (4) Such other authorities as may be declared by the Statutes to be the authorities of the Institute.

**15. The General Council.** - (1) The Government shall constitute by a notification to be published in the official gazette, a General Council for the institute to be headed by the Chancellor and such other members, not exceeding nine, and who shall be individual experts or officers of the Government. The terms and conditions of appointment of members of the General Council shall be as notified by the Government by publication in the official gazette.

(2) Subject to the provisions of this Act, the General Council shall have the following powers and functions, namely:

- (a) to proactively identify trends and directions and develop a strategic plan for the Institute; plan and monitor the execution of this plan; keep the vision and mission of the Institute relevant to emerging trends and directions.
- (b) To formulate policies to execute the strategic plan
- (c) to review, from time to time, the broad policies and programmes of the Institute and to suggest measures for the improvement and development of the Institute;
- (d) to consider and pass resolutions on the annual report and the annual accounts of the Institute and the report of its auditors on such accounts;
- (e) to advise the Chancellor in respect of any matter which may be referred to it for advice; and
- (f) to perform such other functions as may be prescribed.

**16. Board of Governors.** - The Board of Governors shall consist of the following persons, namely:

- (1) the Chairman, to be nominated by the Chancellor in the manner prescribed;
- (2) the Director, ex-officio;
- (3) the principal Secretary, or Secretary, Finance Department of the Government (ex-officio);
- (4) the Secretary, Technical Education Department of the Government (ex-officio);





- (5) four persons having special knowledge or practical experience in respect of education, Information Technology, domain of application of Information Technology, to be nominated by the Chairman, from a panel of eight persons submitted by the Director. For the second and subsequent Board of Governors, the Director shall place the panel before the outgoing Board for nomination by the Chairman;
- (6) two professors of the Institute, to be nominated by the Director; and
- (7) the Registrar, non-member Secretary.

**17. Term of office of vacancies among, and allowances payable to, the members of the Board of Governors. -** (1) Save as otherwise provided in this section:

- (a) the term of office of the Chairman or any other member of the Board of Governors shall be three years from the date of his nomination, extendable by two years.
  - (b) the term of office of an ex-officio member shall continue so long as he holds the office by virtue of which he is a member.
  - (c) the term of office of a member nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated.
- (2) Notwithstanding anything contained in this section, an out-going member shall, continue in office until another person is nominated as a member in his place.
- (3) The members of the Board of Governors shall be entitled to such allowances, if any, from the Institute as may be provided for in the Statutes but no member other than the Director and nominees of the Director shall be entitled to any salary by reason of this sub-section.

**18. Functions of the Board of Governors. -** (1) Subject to the provisions of this Act, the Board of Governors shall be responsible for the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers of the Institute not otherwise provided for by this Act, the Statutes and the Ordinances, and shall have the power to review the work of the Senate.

- (2) Without prejudice to the provisions of sub-section (1), the Board of Governors shall have the power to --
- (a) take decisions on questions of policy relating to the administration and working of the Institute;
  - (b) institute courses of study;
  - (c) make Statutes;





- (d) create positions and appoint persons to academic as well as other posts in the Institute and determine salary structure and the terms and conditions of different cadres of employees;
  - (e) consider and modify or cancel Ordinances;
  - (f) consider and pass resolutions on the annual report, the annual accounts and the budget estimates of the Institute for the next financial year together with a statement of its development plans as it thinks fit; and
  - (g) exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes.
- (3) The Board of Governors shall have the power to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under this Act.
- (4) The Board of Governors shall meet at least four times in a year and the presence of at least five members will form the quorum for a meeting of the Board.

**19. The Senate.** - (1) The Senate shall be the principal academic body of the Institute and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and regulation of, and be responsible for

- a. Interacting with the Board of Governors through the Director for formulation of academic policies and programmes to realise the strategic plan of the Institute;
  - b. maintenance of standards of instruction, education and examination within the Institute; and,
  - c. exercise of such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes;
- (2) The constitution of the Senate and the terms of office of its members shall be as prescribed.
- (3) The Senate shall have the right to advise the Board of Governors on all academic matters.

**20. Finance Committee.** - (1) There shall be a Finance Committee constituted by the Board of Management consisting of the following:-

- (a) the Director;





- (b) two other members nominated by the Board of Governors from amongst its members of whom one shall be a professor;
- (c) such other members as may be prescribed by the Statutes;
- (2) The members of the Finance Committee other than the Director and professor, shall hold office so long as they continue as members of the Board of Governors;
- (3) The functions and duties of the Finance Committee shall be as follows:-
  - (a) to examine and scrutinize the annual budget of the Institute and to make recommendations on financial matters to Board of Governors;
  - (b) to consider all proposals for new expenditure and to make recommendations to the Board of Governors;
  - (c) to consider the periodical statement of accounts and to review the finances of the Institute from time to time and to consider re-appropriation statements to the Board of Governors;
  - (d) to give its views and to make recommendations to the Board of Governors on any financial question affecting the Institute either on its own initiative or on reference from the Board of Governors.

(4) The Finance Committee shall meet, at least, four times in a year. Two members of the Finance Committee shall form the quorum at any meeting.

(5) The Director shall preside over the meetings of the Finance Committee, and in his absence, a member elected at the meeting shall preside. In case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

**21. Other Authorities.** - The constitution, powers and functions of the other authorities that may be declared by the Statutes to be the authorities of the Institute, shall be such as may be prescribed.

**22. Statutes.** - Subject to the provision of this Act, the Statutes may provide for all or any of the following matters, namely:-

- (1) the constitution, powers and functions of the authorities and other bodies of the Institute, as may be found necessary to be constituted from time to time;
- (2) the election and continuance in office of the members of the authorities and bodies of the Institute, the filling up of vacancies of members and all other matters relating thereto which the Institute may deem necessary or desirable to provide;
- (3) the manner of appointment of the officers of the Institute, terms and conditions of their service, their powers and duties and emoluments;





- (4) creation of posts in different cadres of all employees, determination of their terms and conditions, salary structure including allowances, etc.;
- (5) creation of scholarships, assistantships, campus jobs, etc. for students, fixing their value along with roles and responsibilities and terms and conditions;
- (6) the manner of appointment of the teachers of the Institute, academic staff, and other employees;
- (7) the manner of appointment of teachers and other academic staff working in any other Institute for a specified period, their terms and conditions of service and emoluments;
- (8) the constitution of the pension or the provident fund and the establishment of an insurance scheme for the benefit of the employees of the Institute;
- (9) the principles governing the seniority of employees of the Institute;
- (10) the procedure for any appeal by an employee or a student of the Institute;
- (11) conferment of honorary degrees;
- (12) institution of medals and prizes and other incentives ;
- (13) maintenance of discipline among the employees of the Institute;
- (14) establishment of chairs, schools of studies, departments, centres, etc.;
- (15) the delegation of powers vested in the authorities or the officers of the Institute; and
- (16) all other matters which, by or under this Act and the statutes thereunder, are, or to be, or may be, provided.

**23. Statutes how made.** - (1) The first Statutes shall be those made by the Government with the prior approval of the Chancellor within thirty days of the commencement of this Act.

(2) The Board of Governors may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Board of Governors shall not make, amend or repeal any Statutes affecting the status, power or constitution of any authority of the Institute until such authority has been given a reasonable opportunity of expressing its opinion in writing on the proposed change, and any opinion so expressed within the time specified by the Board of Governors has been considered by the Board of Governors.





(3) Every new Statute or addition to the Statutes or any amendment or repeal thereof shall require the approval of the Chancellor, who may assent thereto or withhold his assent or remit it to the Board of Governors for reconsideration in the light of the observations, if any, made by him.

(4) A new Statute or a Statute amending or repealing an existing Statute shall not be valid unless it has received the assent of the Chancellor:

Provided that if the Chancellor does not convey his decision within ninety days of the reference received by him, the Chancellor shall be deemed to have given his assent to the proposal.

**24. Ordinances.** - (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:

- (a) the admission of students, the courses of study and the fees thereof, the qualifications pertaining to the award of degrees, diplomas, certificates and other academic distinctions, the conditions for the grant of fellowships and awards and the like;
- (b) the conduct of examinations, including the terms and conditions of office and appointment of examiners;
- (c) the conditions of residence of students and their general discipline;
- (d) the procedures for the settlement of disputes between the employees and the Institute, or between the students and the Institute;
- (e) maintenance of discipline among the students of the Institute;
- (f) regulation of the conduct and duties of the employees of the Institute and regulation of the conduct of the students of the Institute;
- (g) the categories of misconduct for which action may be taken under this Act or the Statutes or the Ordinances; and
- (h) any other matter which, by or under this Act or the Statutes, is to be, or may be, provided for by the Ordinances.

(2) The first Ordinances shall be made by the Director with the approval of the Government or Board of Governors and the Ordinances so made may be amended, repealed or added to, at any time by the Board of Governors in such manner as may be prescribed.

**25. Regulations.** - The authorities of the Institute may make Regulations consistent with this Act, the Statutes and the Ordinances, in the manner prescribed by the Statutes





for the conduct of their own business and that of the committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances.

**26. Annual Report.** - (1) The annual report of the Institute shall be prepared under the directions of the Director and shall include, among other matters, the steps taken by the Institute towards the fulfillment of its objectives and for realigning the Institute in accordance with the overall directions and general policies set by the General Council.

(2) The annual report so prepared shall, after the approval of the Board of Governors, be submitted to the Chancellor by such date as may be prescribed.

(3) A copy of the annual report, as prepared under sub-section(1), shall also be submitted to the Government which shall, as soon as may be, cause the same to be laid before the Legislative Assembly of Delhi.

**27. Annual Accounts.** - (1) The annual accounts and the balance sheet of the Institute shall be prepared under the direction of the Director, and approved by the Board of Governors and shall, at least once every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor General of India or such person or persons as he may authorize in this behalf.

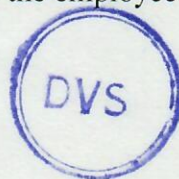
(2) A copy of the accounts together with the audit report shall be submitted to the Chancellor along with the observations, if any, of the Board of Governors.

(3) Any observation made by the Chancellor on the annual accounts shall be brought to the notice of the Board of Governors.

(4) A copy of the accounts together with the audit report, as submitted to the Chancellor, shall also be submitted to the Government, which shall, as soon as may be, cause the same to be laid before the Legislative Assembly of Delhi.

**28. Conditions of Service of Employees.** - (1) The Institute shall enter into a written contract of service with every employee of the Institute 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 Statutes and the Ordinances.

(2) A copy of the contract referred to in sub - section (1) shall be lodged with the Institute and a copy thereof shall also be furnished to the employee concerned.





**29. Tribunal Arbitration.** - (1) Any dispute arising out of a contract of employment between the Institute and the employee shall be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Board of Governors, one member nominated by the employee concerned and an umpire to be nominated by the Chancellor.

(2) Every such reference shall be deemed to be a submission to arbitration on the terms of this section within the meaning of the Law of Arbitration as in force, and all the provisions of that Law, with the exception of section 2 thereof, shall apply accordingly.

(3) The procedure for regulating the work of the Tribunal of Arbitration shall be such as may be prescribed.

(4) The decision of the Tribunal of Arbitration shall be final and binding on the parties, and no suit shall lie in any court in respect of any matter decided by the Tribunal.

**30. Provident and Pension Funds.** - The Institute shall constitute for the benefit of its employees such provident fund or pension fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed.

**31. Disputes as to the constitution of the Institute authorities and bodies.** - If any question arises as to 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 Institute, the matter shall be referred to the Chancellor whose decision thereon shall be final.

**32. Filling of casual vacancies.** - All casual vacancies among the members (other than ex-officio members) of any authority or other body of the Institute shall be filled, as soon as may be convenient, by the person or body who appoints, elects or co-opts the members whose place has become vacant and any person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills, would have been a member.

**33. Proceedings of the Institute authorities or bodies not invalidated by vacancies.** - **No act or proceedings of any authority or other body shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.**





**34. Protection of action taken in good faith.** - No suit or other legal proceeding shall lie in any court against the Institute or against any authority, officer or employee of the Institute or against any person or body of persons acting under the order or direction of any authority or officer or other employee of the Institute for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act or the Statutes or the Ordinances.

**35. Mode of proof of Institute record.** - A copy of any receipt, application, notice, order, proceedings, resolution of any authority or committee of the Institute, or other documents in the possession of the Institute, or any entry in any register duly maintained by the Institute, if certified by the Registrar shall, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872) or in any other law for the time being in force, be admitted as evidence of the matters and transactions specified therein, where the original thereof would, if produced, have been admissible in evidence.

**36. Power to remove difficulties.** - If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, published in the official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

**37. Transitional Provisions.** - Notwithstanding anything contained in this Act and the Statutes, the first Board of Governors shall be nominated by the Chancellor and shall hold office for a term of three years.

**38. Statutes and Ordinances to be published in the official Gazette and to be laid before the Legislature.** - (1) Every Statute and Ordinance made under this Act shall be published in the official Gazette.

(2) Every Statute and Ordinance made under this Act shall be laid, as soon as may be after it is made, before the House of the Legislative Assembly of Delhi while it is in session for a total period of thirty days which may be comprised in one session or two or more successive sessions, and if, before the expiry of the session immediately following





the session or the successive sessions aforesaid, the House agrees in making any modification in the Statute or the Ordinance or the House agrees that the Statute or the Ordinance, as the case may be, should not be made, the Statute or the Ordinance, as the case may be, shall thereafter have effect only in such modified form or be of no effect, as the case may be; however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute or Ordinance, as the case may be.

.....

**This Bill has been passed by the Legislative Assembly of the National Capital Territory of Delhi on the 2<sup>nd</sup> April, 2008.**



**Delhi**  
**Dated the 2<sup>nd</sup> April, 2008**

**(CH. PREM SINGH)**  
**Speaker,**  
**Legislative Assembly of the**  
**National Capital Territory**  
**of Delhi.**