

RAJIV GANDHI INSTITUTE OF PETROLEUM TECHNOLOGY  
(AMENDMENT) BILL, 2018

A

BILL

An Act to amend the Rajiv Gandhi Institute of Petroleum Technology Act, 2007

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:-

Short title and commencement

1.(1) This Act may be called the Rajiv Gandhi Institute of Petroleum Technology (Amendment) Act, 2018.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

Amendment of long title

2. In the Rajiv Gandhi Institute of Petroleum Technology Act, 2007 (hereinafter referred to as the principal Act), in the long title, for the words “institution known as the Rajiv Gandhi Institute of Petroleum Technology is an institution of national importance”, the words “Institutions established under the Act are to be institutions of national importance” shall be substituted.

Amendment of section 1

3. In section 1 of the principal Act, in sub-section (1), for the word “Institute”, the word “Institutes” shall be substituted.

Substitution of new section for section 2 and Declaration of certain Institutes as institutions of national importance

4. For section 2 of the principal Act, the following section shall be substantiated, namely:-

“2. Whereas, the objects of the Institutions established under the Act as mentioned in column (5) of the Schedule are such as to make them institutions of national importance, it is hereby declared that each such Institute is an institution of national importance:

Provided that the Rajiv Gandhi Institute of Petroleum Technology, declared as an institution of national importance, before the commencement of the Rajiv Gandhi Institute of Petroleum Technology (Amendment) Act, 2018, under section 2 as it stood immediately before such commencement, shall continue to be an institution of national importance”.

### Amendment of section 3

5. (i) for clause (b), the following clause shall be substituted, namely:

(b) “Board” means the Board of Governors of each of the Institute constituted under sub-section (I) of section 5;

(ii) for clause (d), the following clause shall be substituted, namely:

(d) “Director”, means Director of each of the Institute appointed under section 20;

(iii) for clause (e), the following clause shall be substituted, namely:-

(e) “Fund” means Fund of each of the Institute maintained under section 24;

(iv) for clause (g), the following clause shall be substituted, namely:

(g) “Institute” means any of the Institutes established under the Act as mentioned in column (5) of the Schedule;

(v) for clause (i), the following clause shall be substituted, namely:

(i) “Registrar” means Registrar of each of the Institutes referred to in section 21;

(vi) for clause (j), the following clause shall be substituted, namely:

(j) “Senate” means the Senate of each of the Institutes referred to in section 17;

(vii) for clause (k), the following clause shall be substituted, namely;

(k) "Society" means any of the societies registered as a Society under the Societies Registration Act, 1860, mentioned in column (3) of the Schedule;

(viii) for clause (l), the following clause shall be substituted, namely:

(l) "Statutes" and "Ordinances" mean, respectively, the Statutes and Ordinances of each of the Institutes established under the Act.

#### Substitution of new section for section 4. Incorporation of Institute

6. For section 4 of the principal Act, the following section shall be substituted, namely:-

"4. (1) On and from the commencement of this Act, every Institute shall be a body corporate by the same name as mentioned in column (5) of the Schedule.

(2) Every Institute shall have perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue or be sued.

(3) The body corporate consisting each Institute shall consist of a President, Director and other members of the Governing Council for the time being, of the Institute.

Provided that each campus of the Rajiv Gandhi Institute of Petroleum Technology, established before the commencement of the Rajiv Gandhi Institute of Petroleum Technology (Amendment) Act, 2018 at Sivasagar in the State of Assam and Bengaluru in the State of Karnataka, shall be deemed to be an Institute as defined in Section 3 (g) of the Act thereof.

Explanation I – The reference in this section to the commencement of this Act, shall be construed in relation to every Institute (other than the Rajiv Gandhi Institute of Petroleum Technology, Jais) as the reference to the date on which the provisions of the Rajiv Gandhi Institute of Petroleum Technology (Amendment) Act, 2018 comes into force.

Explanation II – The reference in this section to the commencement of this Act shall, in relation to the Rajiv Gandhi Institute of Petroleum Technology, Jais, be deemed to the 20<sup>th</sup> December, 2007."

#### Amendment of section 5

7. In section 5 of the principal Act, -

(i) in sub-section (1), there will be addition of separate Board to be known as the Board of Governors for each Institute.

(ii) In sub-section (1)(d), the words “One Professor of the Indian Institute of Technology, Kanpur” will be substituted by “One Professor of any of the Indian Institute of Technology”.

#### Amendment of section 7

8. Any reference to the Society mentioned in column (3) of the Schedule in any law or in any contract or other instrument shall be deemed as a reference to the corresponding Institute mentioned in column (5) thereof.

#### Amendment of section 8

9. The following Explanations shall be inserted, namely:-

“Explanation I. – The reference in this section to the commencement of this Act shall be construed in relation to every Institute (other than the Rajiv Gandhi Institute of Petroleum Technology, Jais) as the reference to the date on which the provisions of the Rajiv Gandhi Institute of Petroleum Technology (Amendment) Act, 2018 comes into force.

Explanation II. - The reference in this section to the commencement of this Act shall, in relation to the Rajiv Gandhi Institute of Petroleum Technology, Jais, be deemed to be the 20<sup>th</sup> December, 2007”.

10. In section 9 of the principal Act, for the words “the Institute”, the words “each of the Institute” shall be substituted.

12. In section 14 of the principal Act-

(i) in the opening portion, for the words “The following shall be the authorities of the Institute”, the words “Each Institute shall have the

following authorities apart from a common General Counsel” shall be substituted.

(ii) Clause (a) may be deleted.

(iii) for clause (b), for the words “the Board of Governors” the words “Separate Board of Governors for every Institute” shall be substituted.

(iv) for clause (c), for the words “the Senate” the words “Separate Senate of every Institute” shall be substituted.

13. In section 15 of the principal Act –

(a) (i) in sub-section (2), “The Chairman & Managing Director, Coal India Limited” shall be added as one of the ex-officio;

(ii) in sub-section (2)(i), “Planning Commission” will be substituted by “NITI Aayog”;

(iii) in sub-section (k), “the Director, Indian Institute of Technology Kanpur” shall be substituted by “the Director of any of the Indian Institute of Technology”;

(iv) in sub-section (n), “President of the Board” shall be substituted by “President of the Board of each Institute”

(v) in sub-section (2)(o), “Director of the Institute” shall be substituted by “Director of each Institute”.

(b) in sub-section (3) for the words “The registrar of the Institute”, the words “The senior most Registrar among the registrars of the Institutes having minimum of one year of service remaining ” shall be substituted.

14. In section 17 of the principal Act, for the words “The Senate of the Institute”, the words “The Senate of each Institute” shall be substituted.

15. In section 20 of the principal Act, -

(i) “The Director of the Institute” shall be substituted by “The Director of each Institute”.

“The first Director shall be appointed by Central Government” will be substituted by “The first Director of each Institute shall be appointed by Central Government”.

(ii) In sub-section (2), for the words “The Director shall be Principal academic and Executive Officer of the Institute and shall be responsible for the proper administration and academic performance of the Institute” will be substituted by “Each Director shall be the Principal academic and Executive Officer of the concerned Institute and shall be responsible for the proper administrative and academic performance of the concerned Institute”.

(iii) In sub-section (3), for the words “The Director shall submit Annual Report and accounts to the Board”, the words, “The Director of the concerned Institute shall submit Annual Report and accounts to the concerned Board” shall be substituted.

16. In Section 21 of the principal Act –

(i) in sub-section (1), for the words, “The Registrar of the Institute”, the words, “The Registrar of the concerned Institute” shall be substituted.

(ii) in sub-section (2), for the Words “The Registrar shall act as the Secretary of the General Council, the Board, the Senate and such Committees” the words “The senior most Registrar shall be the Secretary of the General Counsel and concerned Registrar shall be the Secretary of the Board, the Senate and such committees”

(iv) In sub-section (4), for the words, “The Statutes or by the Director”, the words, “The Statutes or by the concerned Director” shall be substituted.

17. In Section 23 of the principal Act, for the words, “pay to the Institute” the words “ pay to any of the institutes” shall be substituted.

18. In Section 24 of the principal Act, in sub-section (1), for the words, “The Institute”, the words, “Each Institute” shall be substituted.

19. In Section 25 of the principal Act, for the words, “the Institute”, the words, “each Institute” shall be substituted.

20. In Section 26 of the principal Act –

(i) In sub-section (1), for the words, “The Institute”, the words “Each Institute” shall be substituted.

(ii) In sub-section (2), for the words “The accounts of the Institute”, the words “The accounts of each Institute” shall be substituted.

(iii) In sub-section (3), for the words, “audit of the accounts of the Institute”, the words “audit of the accounts of each Institute” shall be substituted.

(iv) In sub-section (4), for the words, “The accounts of the Institute”, the words “The accounts of each Institute” shall be substituted.

21. In Section 27 of the principal Act, in sub-section (1), for the words “The Institute”, the words “Each Institute” shall be substituted.

22. In section 28 of the principal Act –

(i) in the opening portion, for the words, “All appointments of the staff of the Institute”, the words “All appointments of the staff of each Institute” shall be substituted.

(ii) in sub-section(a), for the words, “by the Board” the words “ by the concerned Board” shall be substituted.

(iii) In sub-section (b), for the words, “by the Director, in any other case”, the words “by the concerned Director, in any other case” shall be substituted.

23. In section 31 of the principal Act,-

(i) in sub-section (1), for the words, “The first Statutes of the Institute”, the words “The first Statutes of the Institutes” shall be substituted.

(ii) in sub-section(2), for the words, “ The Board may”, the words “ The concerned Board may” shall be substituted.

(iii) in sub-section(3), for the words, “remit it to the Board”, the words “ remit it to the concerned Board” shall be substituted.

24. In section 32 of the principal Act,-

(i) in sub-section (2), for the words, “ to the Board” the words “ to its Board” shall be submitted.

25. In section 37 of the principal Act –

(i) In sub-section (a), for the words, “the amount received shall be kept by the Institute”, the words “the amount received shall be kept in the concerned Institute” shall be substituted.

(ii) In sub-section (b), for the words “shall be transferred to the endowment fund created under section 25”, the words “shall be transferred to the respective endowment fund created under section 25” shall be substituted.

23. After section 40 of the principal Act, the following Schedule shall be inserted, namely:-

#### THE SCHEDULE

Sl. No. (1)	Name of the State (2)	Name of the Centre (3)	Location (4)	Name of the Institute incorporated under this Act (5)
1	Uttar Pradesh	Rajiv Gandhi Institute of Petroleum Technology, Jais	Jais	Rajiv Gandhi Institute of Petroleum Technology, Jais, Amethi.
2	Assam	Rajiv Gandhi Institute of Petroleum Technology, Assam Centre	Sivasagar	Rajiv Gandhi Institute of Petroleum Technology, Sivasagar, Assam
3.	Karnataka	RGIPT Centre of Excellence for Energy	Bengaluru	Bangalore Energy Institute, Bengaluru