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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 11*th August*, 2023/*Sravana* 20, 1945 (*Saka*)

The following Act of Parliament received the assent of the President on the 11th August, 2023 and is hereby published for general information:—

THE INDIAN INSTITUTES OF MANAGEMENT (AMENDMENT) ACT, 2023

NO. 23 OF 2023

[11*th August*, 2023.]

An Act further to amend the Indian Institutes of Management Act, 2017.

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

Short title and commencement.

1. (*1*) This Act may be called the Indian Institutes of Management (Amendment) Act, 2023.

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

33 of 2017.

Amendment of section 4.

2. In section 4 of the Indian Institutes of Management Act, 2017 (hereinafter referred to as the principal Act), after sub-section (*1*), the following sub-section shall be inserted, namely:—

'(*1A*) On and from the date of commencement of the Indian Institutes of Management (Amendment) Act, 2023, the National Institute of Industrial Engineering, Mumbai, shall be called the ''Indian Institute of Management, Mumbai'' and all the provisions of this Act shall apply to the said Institute.'.

Amendment of section 5.

3. In section 5 of the principal Act,—

(*i*) in clause (*d*),—

(*a*) for the words "every person employed by every existing Institute", the words "every person, other than a Director employed by every existing Institute" shall be substituted;

(*b*) after the second proviso, the following proviso shall be inserted, namely:—

"Provided also that the provisions of the first proviso shall also be applicable to the Directors of the Institutes;";

(*ii*) after clause (*f*), the following *Explanation* shall be inserted, namely:—

'Explanation.—For the removal of doubts, it is hereby clarified that in relation to the Indian Institute of Management, Mumbai, the reference to the following expressions in sections 4 and 5—

(*i*) ''On and from the commencement of this Act'';

(*ii*) ''before such commencement'';

(*iii*) ''before commencement of this Act''; and

(*iv*) ''before the commencement of this Act'',

shall be construed as the reference to the date on which the provisions of the Indian Institutes of Management (Amendment) Act, 2023 comes into force.'.

Amendment of section 10.

4. In section 10 of the principal Act,—

(*a*) in sub-section (*2*), in clause (*a*), for the words "to be appointed by the Board", the words "to be nominated by the Visitor" shall be substituted;

(*b*) after sub-section (*5*), the following sub-section shall be inserted, namely:—

"(*6*) Notwithstanding anything contained in this section, if the Board is suspended or dissolved under such conditions or procedure as may be prescribed, the Central Government shall constitute an interim Board for a period of six months or till a regular Board is constituted as per the provisions of this Act.".

Insertion of new section 10A.

Visitor.

5. After section 10 of the principal Act, the following section shall be inserted, namely:—

"10A. (*1*) The President of India shall be the Visitor of every Institute.

(*2*) The Visitor may appoint one or more persons to review the work and progress of any Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as the Visitor may direct.

(*3*) The Board may also recommend to the Visitor, an inquiry as deemed proper against the Institute which has not been functioning in accordance with the provisions and objectives of this Act.

(*4*) Upon receipt of any such report referred to in sub-section (*2*), the Visitor may take such action and issue such directions as he considers necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such directions.".

Amendment of section 12.

6. In section 12 of the principal Act, after sub-section (*1*), the following sub-section shall be inserted, namely:—

"(*1A*) Notwithstanding anything contained in this section, an outgoing Member shall, unless the Board otherwise directs, continue in office until another person is appointed or nominated as a Member in his place.".

IndiaCode

Amendment of section 16.

7. In section 16 of the principal Act,—

(*a*) in sub-section (*2*), for the words "appointed by the Board, on such terms", the words "appointed by the Board with prior approval of the Visitor, in such manner and subject to such terms" shall be substituted;

(*b*) for sub-section (*3*), the following sub-sections shall be substituted, namely:—

"(*3*) The Director shall be appointed out of the panel of names recommended by a search-cum-selection committee to be constituted by the Board consisting of—

(*a*) the Chairperson of the Board, who shall be the Chairperson of the search-cum-selection committee;

(*b*) one Member to be nominated by the Visitor; and

(*c*) two Members chosen from amongst eminent administrators, industrialists, educationists, scientists, technocrats and management specialists.

(*3A*) The procedure to be adopted for selection of the Director shall be such as may be prescribed.";

(*c*) in sub-section (*7*), in the opening portion, for the words "The Board may remove from office the Director", the words "The Board, with prior approval of the Visitor, may remove from office the Director" shall be substituted;

(*d*) after sub-section (*9*), the following sub-section shall be inserted, namely:—

"(*10*) The services of the Director may be terminated by the Visitor, in such manner as may be prescribed.".

Omission of section 17.

8. Section 17 of the principal Act shall be omitted.

Amendment of section 29.

9. In section 29 of the principal Act, in sub-section (*2*),—

(*i*) for clause (*a*), the following clause shall be substituted, namely:—

"(*a*) an eminent person to be nominated by the Visitor as Chairperson;";

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

"(*d*) the Chairperson of each Institute—Member, *ex officio*;".

Amendment of section 34.

10. In section 34 of the principal Act, in sub-section (*2*),—

(*i*) for clause (*a*), the following clauses shall be substituted, namely:—

"(*a*) the conditions and the procedure subject to which the Board may be suspended or dissolved under sub-section (*6*) of section 10;

(*aa*) such other powers and duties of the Board under clause (*w*) of sub-section (*2*) of section 11;";

(*ii*) after clause (*b*), the following clauses shall be inserted, namely:—

"(*ba*) the procedure to be adopted for selection of the Director under sub-section (*3A*) of section 16;

(*bb*) the manner of termination of services of the Director under sub-section (*10*) of section 16;".

Amendment of section 39.

11. In section 39 of the principal Act, in sub-section (*1*), after clause (*c*), the following clauses shall be inserted, namely:—

"(*d*) the Board of National Institute of Industrial Engineering, Mumbai, functioning as such immediately before the commencement of the Indian Institutes of Management (Amendment) Act, 2023 shall continue to so function until a new Board is constituted for that Institute under this Act, but on such constitution of a new Board under this Act, the Members of the Board holding office before such constitution shall cease to hold office;

(*e*) the Academic Council constituted in relation to National Institute of Industrial Engineering, Mumbai, before the commencement of the Indian Institutes of Management (Amendment) Act, 2023 shall continue to so function until a new Academic Council is constituted for that Institute under this Act, but on the constitution of a new Academic Council under this Act, the Academic Council of the National Institute of Industrial Engineering, Mumbai shall cease to function;

(*f*) until the first regulations in relation to National Institute of Industrial Engineering, Mumbai are made under this Act, the rules and bye-laws of the National Institute of Industrial Engineering, Mumbai as in force immediately before the commencement of the Indian Institutes of Management (Amendment) Act, 2023 shall continue to apply to the National Institute of Industrial Engineering, Mumbai with necessary modifications and adaptations insofar as they are not inconsistent with the provisions of this Act.".

Amendment of Schedule.

12. On and from the date of commencement of the Indian Institutes of Management (Amendment) Act, 2023, in the Schedule to the principal Act, after Sl. No. 20 and the entries relating thereto, the following Sl. No. and entries shall be inserted, namely:—

"21.	Maharashtra	National Institute of Industrial Engineering, Mumbai, a Society registered under the Societies Registration Act, 1860 (21 of 1860).	Mumbai	Indian Institute of Management, Mumbai.".

DR. REETA VASISHTA,
Secretary to the Govt. of India.

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