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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 5th March, 2014/*Phalguna* 14, 1935 *(Saka)*

The following Act of Parliament received the assent of the President on the 4th March, 2014, and is hereby published for general information:—

THE NATIONAL INSTITUTES OF TECHNOLOGY, SCIENCE EDUCATION AND RESEARCH (AMENDMENT) ACT, 2014

(No. 9 of 2014)

[4*th March*, 2014.]

An Act further to amend the National Institutes of Technology, Science Education and Research Act, 2007.

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

Short title and commencement.

1. (*1*) This Act may be called the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014.

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

Amendment of section 2.

29 of 2007.

2. In section 2 of the National Institutes of Technology, Science Education and Research Act, 2007 (hereinafter referred to as the principal Act), for the words "the First Schedule and the Second Schedule", the words "the First Schedule, the Second Schedule and the Third Schedule" shall be substituted.

Amendment of section 3.

3. In section 3 of the principal Act,—

(*i*) in clause (*c*), for the words "the First Schedule and the Second Schedule" at both the places where they occur, the words "the First Schedule, the Second Schedule and the Third Schedule" shall be substituted;

(*ii*) in clause (*d*), the words, brackets, figures and letter "or sub-section (*1*) of section 30A" shall be omitted;

(*iii*) in clauses (*g*), (*k*) and (*m*), for the words "the First Schedule and the Second Schedule" wherever they occur, the words "the First Schedule, the Second Schedule and the Third Schedule" shall be substituted.

Amendment of section 4.

4. In section 4 of the principal Act,—

(*a*) in sub-section (*1*), for the words "the First Schedule and the Second Schedule", the words "the First Schedule, the Second Schedule and the Third Schedule" shall be substituted;

(*b*) after sub-section (*1*), the following sub-section shall be inserted, namely:—

"(*1A*) The Bengal Engineering and Science University, Shibpur shall be deemed to have been incorporated under this Act, and on such incorporation, be called the Indian Institute of Engineering Science and Technology, Shibpur.".

Insertion of new section 5A.

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

Effect of incorporation of Bengal Engineering and Science University, Shibpur.

"5A. On and from the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014—

(*a*) any reference to the Bengal Engineering and Science University, Shibpur in any law, contract or other instrument shall be deemed as a reference to the Indian Institute of Engineering Science and Technology, Shibpur;

(*b*) all property, movable and immovable, of or belonging to the Bengal Engineering and Science University, Shibpur, shall vest in the Indian Institute of Engineering Science and Technology, Shibpur;

(*c*) all the rights and liabilities of the Bengal Engineering and Science University, Shibpur shall be the rights and liabilities of the Indian Institute of Engineering Science and Technology, Shibpur;

(*d*) every person (including Director, officers and other employees) who is employed in the Bengal Engineering and Science University, Shibpur, immediately before the date of commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, shall, on and after such commencement, become an employee of the Indian Institute of Engineering Science and Technology, Shibpur and shall hold his office or service by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same on the date of the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, as if the said Act had not been brought into force and shall continue to do so until his employment is terminated or until such tenure, remuneration, terms and conditions are altered by the Statutes or Ordinances:

Provided that the tenure, remuneration, terms and conditions of service of such person shall not be altered to his disadvantage without the previous approval of the Central Government:

Provided further that any reference to the Chancellor and the Vice-Chancellor of the Bengal Engineering and Science University, Shibpur in

any law, instrument or other document made before the commencement of the said Act, shall be construed as a reference to the Visitor and the Director, respectively, of the Indian Institute of Engineering Science and Technology, Shibpur;

(*e*) Vice-Chancellor of the Bengal Engineering and Science University, Shibpur shall be the Director of the Indian Institute of Engineering Science and Technology, Shibpur till such date the Central Government appoints new Director for the Indian Institute of Engineering Science and Technology, Shibpur;

(*f*) any examination conducted by the Bengal Engineering and Science University, Shibpur immediately before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014 for admission or award of degrees shall be valid examination and shall be deemed to have been conducted by the Indian Institute of Engineering Science and Technology, Shibpur.".

Amendment of section 11A.

6. In section 11A of the principal Act,—

(*a*) in the marginal heading, for the words "Second Schedule", the words "Second Schedule and Third Schedule" shall be substituted;

(*b*) in the opening portion, for the words "the Second Schedule", the words "the Second Schedule and the Third Schedule" shall be substituted.

Amendment of section 30.

7. In section 30 of the principal Act, in sub-section *(1)*, after the words "the First Schedule", the words "the Second Schedule and the Third Schedule" shall be inserted.

Omission of section 30A.

8. Section 30A of the principal Act shall be omitted.

Amendment of section 31.

9. In section 31 of the principal Act, in sub-section *(2)*, the words, brackets, letters and figures "and clause *(j)* of sub-section *(2)* of section 30A" shall be omitted.

Amendment of section 37.

10. In section 37 of the principal Act, after clause (*d*), the following clauses shall be inserted, namely:—

"*(e)* the court, the Academic Council and the Executive Council of the Bengal Engineering and Science University, Shibpur performing functions as such immediately before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014 shall continue to function until a Board is constituted for the Indian Institute of Engineering Science and Technology, Shibpur under this Act, but on and after the constitution of a Board under this Act, the members of the court, the Academic Council and the Executive Council, shall cease to hold office;

(f) the authorities of the Bengal Engineering and Science University, Shibpur, by whatever names so called, performing functions as such immediately before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014 shall continue to function until a new Authority is appointed or constituted for performing the same functions under the said Act, but on and after such appointment or constitution, the authorities performing the functions under the Bengal Engineering and Science University, Shibpur Act, 2004 or any Statutes or Ordinances made thereunder shall cease to hold office;

13 of 2004.

(g) every Senate or any other authorities in the names so called constituted in relation to every Institute before the commencement of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014 shall be deemed to be the Senate constituted under the said Act until a new Senate is constituted under this Act for that Institute, but on the constitution of a new Senate under this Act, the members of the Senate holding office before such constitution shall cease to hold office;

(h) until the first Statutes and the Ordinances are made and brought in force under the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, the Statutes, Ordinances and rules made for the

Bengal Engineering and Science University, Shibpur immediately before the commencement of the said Act shall continue to apply to the Indian Institute of Engineering Science and Technology, Shibpur in so far as they are not inconsistent with the provisions of the said Act.".

Power to remove difficulties.

11. *(1)* If any difficulty arises in giving effect to the provisions of the National Institutes of Technology, Science Education and Research (Amendment) Act, 2014, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

Amendment of Schedule.

12. After the Second Schedule of the principal Act, the following Schedule shall be inserted, namely:—

"THE THIRD SCHEDULE

[*See* sections 3(*g*),(*k*), (*m*), 4(*1*) and 11A]

LIST OF INDIAN INSTITUTES OF ENGINEERING SCIENCE AND TECHNOLOGY

Sl. No.	University or Society	Corresponding Institute
(1)	(2)	(3)
	Bengal Engineering and Science University, Shibpur.	Indian Institute of Engineering Science and Technology, Shibpur.".

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Repeal and savings.

13. (*1*) The Bengal Engineering and Science University, Shibpur Act, 2004 is hereby repealed. 13 of 2004.

(2) The provisions of the General Clauses Act, 1897 shall apply to the repeal of the said Act as if the Act referred to in sub-section *(1)* were a Central Act. 10 of 1897.

(3) Notwithstanding such repeal, anything done or any action taken under the repealed Act, shall be deemed to have been done or taken under the corresponding provisions of that Act, as amended by this Act.

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P.K. MALHOTRA,
Secy. to the Govt. of India.

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