

CHHATTISGARH NIJI KSHETRA VISHVIDYALAYA (STHAPNA AVAM VINIYAMAN) ADHINIYAM, 2001

4 2002 CHHATTISGARH NIJI KSHE'RRRA VISHWAVIDYALAYA (STHAPANA A UQ VINIYAMAN) ADHINIYAM, 2001 BLE OF CONTENTS Clauses : 3 4. 5. 6, 13. 15 19 20. 21 23. Shon tide. exletll and conunencelnent. Definitions. Objecß of the University. Proposal establishi]1CiN of the University. Establishtnen•s of lthe University. Incorporation of the University. General Fund. Appl•cation Df General Fund. University 10 be self financed. Land IO be •nade avilable by State Governiilent University open to all classes, castes and creeds. or (he University. Visitor. Chancellor. Vice•chanceltor_ Registrar. Chief Finance and Accounts Offcer. Other omcers_ Authorities or lthe University. Governing Body. Board of Management. Academic Council _ Other Authorities. 24 _ 27 2B 31 38 _ 4 2002 Powers of State Governmlent to insfEc-L University. First scuutes. Subsequenl Statutes Ordi nances Subseqlleru Ordirances_ Annual Report. Annual Accounts. 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Shori tide. extent and V•shuavidyalaya (Sthapana Aur Villiyamau) Adhiniyam, 2001 (No, 2 (2) it extends EO the whole of Chhattiégarh. ii shall conre into force 011 such a date as the State Govetnncut may, by (3) notification, appoint. In this Adhiniyal't, uunless the context otheLwise requires- (A) "Ordinance" means an Ordinance ofthe University , (b) "Sponsoling Body" in relation to a University means- (i) a society registered under the Madhya Pradesh Societies Registrikarau k 973 (No. 44 of 1973); (ii) any Public Tiust ; or (c) (d) (iii) a Company registered under Section 25 of the Companies Act, 1956 (No. ' 'Statute" meaus a Statute of the University ; 'University' means a University established under sub-section (l) of Section 5, Definiuons. Objects or 'he university ne objects of the University shall be- (1) to provide instmctions, teaching and training in Higher Education and mako provisions for research, advancement and disseimiation of knowledge , (2) to create higher levels of intellectual abilities ; (3) to establish state of the art facilities for education and training ; (4) to can-y out teaching and research and offer continuirig education programmes (5) to create centres of excellence for research aud development and for sharing knowledge aud its application ; (6) to provide consultancy to lbe industry and public organizations ; (7) to establish main catnpus in Chhattisgarh and to have study centres at diffeleflk places in India and other couauies; (8) to establish examination centres; (9) to institute degrees, diplomas, certificates and other academic dis- Proposal ror e x, tauishn.ent or the un rsi ty. 4. (l) (2) 4 2002 tinctiions on the basis Qtexanlation. or any other luetl10d or evalu- ation , (IO) to pursue auy other objective as lilay be approved by the State Gov- emment_ (11) to ensure that Ille standard of the deyees, diplonlas, cell ificat•q and other academic distinctions arc 110t lower thau those laid dawn by AICTE.fNCTEfUGC,MC1 and Council etc. An application coutaming the Project Repott to establish. A University for carrying out any or a)' of the objects enumerated in section 3 of this Adhimiyam shall be made to the State Government by the Sponsoling Body along with such fee as may be prescribed. The Project Report shall contain {he following particulars, namely- (a) the objects of the University,along widi the details of the Sponsoling Body ; (b) the extnt aud the status of the University and the avatiability of land • (c) the nature and lthe type of programmes of study and research to bc undcnaken in the University during a period not less than the next five years. (d) the nature of faculties, courses of study and research proposed to be stared ; (e) the calnpus development such as building, equipment and stuuctural amenities; (f) the phased outlays of capital expenditure for a period not less than the next five years ; (g) the item- wige recu ning expenditure, sources of finance aud cs(irrnated expenditure for each student (h) the scheme for Inobilizing resources aud the cost of capital Illereto and the manner of repayments to the Sponsoring Body and other sources (i) the schme for the generation of funds internally through the recov- ery of fee

from students, revenues anticipated from consultancy and other activities relating to the objects of the University. and other anticipated incomes ; (J) the details of expenditure on non-judicial costs: and the extent of concessions or rebates in fee or freeship and scholarship for students belonging to the Scheduled Tribes and Scheduled Castes, belonging to economically weaker sections, in lieu of land grants if any, from the State Government, subject to the condition that the number of students getting concessions and freeships or scholarships shall not be less than twenty two and one half per cent of the total number of seats. The proposed fee structure shall also indicate the rationale for the varying rates of fee that would be levied on non-resident Indians and students of other nationalities , 5. 6. 7 8. 4 2002 (k) the years of experience and expertise in the concerned disciplines at the command of the Sponsoring Body as well as the financial resources. (l) the system to select students for admission to the courses of study at the University , (m) such other details as may be prescribed by rules framed under this Adhiniyam. (3) The State Government, on receipt of the Project Report shall make such enquiry as it may deem necessary within forty five days from the date of submission of the Project Report. (4) [f the State Government is satisfied with the proposal to establish the University, it may, subject to such conditions as may be specified, accord the sanction for the same. (I). The State Government may by notification in the Gazette establish a University by such name and with such jurisdiction and location of campus as may be specified therein having regard to- (a) the desirability to establish a University ; (b) recognition or authorisation as may be required under any other law for the time being in force to conduct the syllabus and to grant degrees or diplomas or awards (2) Every notification issued under sub-section (1) shall be laid on the table of the Legislative Assembly. (I) Every University established under sub-section (1) if Section 5 shall be a body corporate by the name notified under the said section having succession and a common seal, and may sue or be sued by the said name, (2) The University established under sub-section (1) of Section 5 may, with the prior approval of the State Government, affiliate any college or other institution or set up more than one campus. Every University, shall establish a fund which shall be called the General Fund to which shall be credited the following namely (a) fees and other charges received by the University ; (b) any contributions made by the Sponsoring Body ; (c) any income received from consultancy and other work undertaken by the University in pursuance of its objectives ; (d) trusts, bequests, donations, endowment and any other grants ; (e) all other sums received by the University. The General Fund shall be used for one or more of the following objects, and in the following order, namely (a) the repayment of debts including interest charges there to incurred by the University for the purposes of this Adhiniyam and the Statutes, and the Ordinances and Regulations made thereunder , Establishment of the University. incorporation of the University. Central hand. Application General Fund. 60 (20) Universities to be self -Gaz Aced. 9. 4 2002 (b) the upkeep of the assets of the University (c) the payment of the cost or maintenance of the funds created under section 7 (d) the meeting expenses of any suit or proceedings to which University is a party 'c) payment of' and at] advance of the officers and employees of the University. Members of the teaching and research staff and payment of any Provident Fund contributions, gratuity and other benefits to any such officers and employees, members of the teaching and research staff ; (f) the payment of travelling and other allowances of the members of the Governing Body, the Board of Management, Academic Council, and other authorities so declared under the Statutes of the University and of the members of any Committee or Board appointed by any of the authorities of the University in pursuance of any provision of this Adhiniyam, or the Statutes, or the Ordinances or the Regulations made thereunder ; (g) the payment of fellowships, free-ships, scholarships, assistantships and other awards to students belonging to economically weaker sections of the society or research associates or trainees as the case may be; or to any student otherwise eligible for such awards under the Statutes, Ordinances or Regulations of the University under the provisions of this Adhiniyam ; (h) the payment of any expenses incurred by the University in carrying out the provisions of this Adhiniyam, and the Statutes, the Ordinances or the Regulations made thereunder ; (i) the payment of cost of capital, not exceeding the prevailing bank rate of interest, incurred by the Sponsoring Body for setting up the University and the investments made therefor (j) the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of the provisions of this Adhiniyam, and the Statutes, Ordinances and the Regulations made there under ; (k) the payment of any office expenses including a management fee payable to any organization entrusted with the responsibility of managing the University on behalf of the sponsoring body, as approved by the Board of Management to be all expense for the purposes of the University. Provided

that no expenditure shall be incurred by the University in excess Of the limits for total recurring expenditure and total uanvecur- ling expenditure for the year as may be fixed by the Board of Management without the previous approval of Ibe Board of Management. Provided fuither that the General F uud shall be applied for the jects specified under clause (a) with the Plior approval of the Governing Body of the University. The University sball not be entitled to receive any grant or other financial 2002 assistance from the Central GovtnnnenL, any State (.Gov•enunem any other authority, except far the pmvoses of ; (i) meeting in full or in part any amount towards the fee otherwise payable by students belonging to the socially -disadvantaged or economically weaker sections ; (ii) conducting any study for research purpoSes, including fol the puJpose of instituting any faculty for runheling research. IO. The State Goven2ment mpy make available land for setting up the Uni- versity on such tenns and conditions as may be prescribed. (i) The University shall be opeu to an persons of either sex and of every caste• _ creed, religion, race, or class or place of domicile and it Shan not be the-University to adopt or onpose on any person, any test whatsoever ofre*us belief or any profession in order to entitle to he appointed as a Teacher of Ibe t Jn_ ivelsity or to bold any other office therein or to be admitted as a student in the (JDiversity to graduate there at or to enjoy or exercise any privilege thereof. (ii) Notwiths•anding any thing contained in clause (i) the IJDiversity shall make special provisions for the employment or profession of educa-- tional interests of women, persons with disability or of pet-Sons belonging to the weaker sections of the society and in palticular of the scheduled Castes and Scheduled Tribes aild Other Backward Classes as jnay be directed by the State Government from time to time. 12 The follov.i!lg shaD be officers of University, namely (1) The Visitor ; (2) l'he Chancellor ; (3) Vice-chancellor ; (4) TELC Registrar; (5) •rhc CbiefFinance and Accounts Officer; (6) Such other officers as may be declared by the Statutes to be the officers of the University; 13. (1) The Ciovemor of Chhattisgarh shall be the Visitor OF the University. (2) The Visitor shall, when present, preside at the convocation orthe Uui- versity for'confening degrees and diplOmas. (3) The Visitor Shall] have the following powers namely :- (a) To call for any paper or infonnation relating to l'he affairs of the University. (b) On (he basis of the infonnation received by the Visitor, if he is satisfied that any order, proceeding, or decision taken by auy authority the University is not in confonnity with the Adhiniyam, Regula. tions. Ordinances or Rules, he may issue such directions as he may decin fit ill the interest of the University and the directions so issued Land (o able Covecn- ment. Ul.tverslty open to _ - 111 classes. castes Officers or Ille Univcrsi(y_ Visitor. 60 (22) Chancellor. 14. (1) (2) (3) (4) 15. (1) (2) (3) (4) 2002 shall be complied with by all l'he conceaned. The ChanceHer shall be appoiDted by the sponsming body for a period of three years, with prior approval of Lhe Visitor by following such procedure and ou such tenns and conditions as Inay be pvescribed by the Statutes. The Chancellor sbaJI be the bead of the University. The Chancellor Shall] preside at l'be meeting of the governing body and shall, when the Visitor is not present, preside at the convocation of the University for confening degrees or diplomas. The Chancellor shall have the following powers, namely .- (a) To call for any infomation or record (b) To appoint the Vice-chancellor; (c) To remove the Vice-cbancellor ; (d) Such other powers as may be prescribed by the statutes. 'The Vice-cha»cellor shall be. appointed by the Chancellor from a panel of three persons recommended by the Governing body and shall subject to provision contained in Section 3/4 (7) hold omce for a term of four 'years. Provided that, after expiration of the term of 4 years the Vice-chancellor sball be eligible for re-appointnment for another temi not ex- ceeding four years. The Vice-chancellor shall be the principal executive and academic of- Ecer of the University and shall exercise general supcrintendences and control over the affairs of the University and shad execute the decisious of vanous authorities of the University The Vice-chancellor shall preside at the convocation of the university ill the absence of both, the Visitor and the Chancellor ; If in the opinion of the Vice-chancellor it is nesssmy to take immediate action on any matter for which powers are conferred 011 any other au- thority by or under this Adhiniyam, he may take such action as he deems nesssamy and shall at the earliest opportunity thereafter repotl Ilis ac- tion to such offcer or auth01ity as would have in the ordinalY course dealt with the matter ; Provided that if in the opinion of the concemed auth01ity such ac- tion should not have been taken by the Vice-chancellor then such case shall be referred to the Chancellor whose decision thereon shall be final. Provided fmther that where auy such action taken by the Vice-chan- cellot affects any person in the sewice of the University such person 20 shall be entitled to prefer, within three months from the date on which such action is communicated to him. an appeal to the Board of Manage- ment and the Board of Management may confirm or '110dify or reverse the action taken by the Vice-chancellor. (5)

[In the opinion of the Vice-chancellor any decision of any authority of the University is outside the powers conferred by this Adhiniyam, Statute (6) (7) 16 (1) (3) (2) or Ordinances or is likely to be prejudicial to the interest, of the University, he shall request the concerned authority revise its decision within seven days from the date of his decision; and in case the authority refuses to revise such decision wholly or partly or fails to take any decision within seven days, then such matter shall be referred to the Vice-Chancellor and his decision shall be final. Vice-Chancellor shall exercise such powers and perform such duties as may be prescribed by statutes or the ordinances. If any time upon representation made or otherwise and after making such enquiries as may be deemed necessary, Chancellor or by authorizing stating the reasons therein, may ask the vice-chancellor to relinquish his office as from such date as may be specified in the The appointment of the Registrar shall be made in such manner as may be prescribed by the First Statute. All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University. The Registrar shall exercise such powers and perform such duties as may be prescribed by the Statutes. The appointment of Chief Finance and Accounts Officer shall be made in such a manner as may be prescribed by the Statutes. The Chief Finance and Accounts Officer shall exercise such powers and perform such duties as may be prescribed by the Statutes. In like manner of appointment of other officers of the University shall be prescribed by the Statutes.

19. (1) The following shall be the authorities of the University, namely : (1) The Governing Body; (2) The Board of Management ; (3) The Academic Council ; and (3) such other authorities as may be declared by the Statutes to be the authorities of the University.

20 (2) The Governing Body of the University shall consist of:- the Following, namely - (a) The Vice-chancellor (c) Three persons nominated by the Sponsoring Body ; (d) One representative of the State Government ; (e) one educationist of repute to be nominated by the state Government (f) One academician to be nominated by the Visitor. (2) The Chancellor shall be the Chairman of the Governing Body. (3) The Governing body shall be the supreme authority of the University. Registrar, Chief Finance Accounts Officer, Other Authorities University, Governing Body, Quicker Authorities, to inspect First Statutes.

21 22 23 24 25 (4) (2) (3) (1) (2) (3) (2) (3) 4 2002 and shall have the following powers, namely (a) to review the decisions of other authorities of the University in case they are not in conformity with this Adhiniyam, Rules, Statutes (1), (b) to approve the budget and annual report of the University . (c) to lay down the extensive policies to be followed by the University (d) It can take decision about the voluntary liquidation of the University. The Governing Body shall meet at least twice in a calendar year. The Board of Management shall consist of the following members, namely . (a) Vice-Chancellor (b) One representative to be nominated by the State Government ; (c) Two representatives to be nominated by the Sponsoring body , (d) Senior most Professor of the University, Vice-Chancellor or shall be the Chairman of the Board of Management. The powers and functions of the Board of Management shall be such as may be by the Statutes. Academic Council shall consist of the such number of other members as be prescribed by the Statutes. The Vice-chancellor shall be of the Academic Council. The Academic Council shall be the Principal Academic Body of the University and shall, subject to the provisions of this Adhiniyam, Rules Statutes and Ordinances coordinate and exercise general supervision over the academic policies of the University. The constitution, and functions of other authorities of the University shall be such as may be prescribed by the Statutes. For the purpose of establishing standards of teaching, and research or any other relating to the University Government- 'new India' after consultation with Vice-chancellor cause an assessment to be made in such a manner as may be prescribed by such person or persons as it may deem fit. The State Government shall communicate to the University its recommendations in regard to the result of such assessment corrective action. [In the opinion of the State Government, the action taken or proposed to be taken under sub-section (2) by the University is if satisfactory the same may further be communicated to the Vice-Chancellor who shall put the recommendation within a reasonable time in which the State Government take any action as it deems fit Subject to the provisions of this and the Rules, the First Statutes of the University may provide for all or any of following matters, 2002 name]v - (c) (O) (g) (11) O) power and functions of the authorities and the constitution, other bodies of the University as may be constituted from time to time ; The terms and conditions of service of the Vice-Chancellor and his powers and functions terms and conditions of appointment of the Registrar and Chief Finance and Accounts Officer and their powers and functions , the terms and conditions of appointment of other officers and members of the Faculty and their powers and functions the terms and conditions of service of employees of the University the procedure for arbitration in case of disputes

between members of the Faculty, employees and students, the conferring of honorary degrees; provision regarding exemption from tuition fee and; provision regarding the policy of admission including regulation or reservation of seats, provision regarding fees to be charged from students; provision regarding number of seats in syllabus (2) (4) (5) 26 (1) Provided that the University shall make any statute relating to charge of donation or capitation fee from the students without the prior approval of the State Govt. The first Statutes of the University shall be made by the Governing Body and shall be submitted to the State Government for approval. The State Government shall consider the first Statutes submitted by the University within two months from the date of its receipt and shall give its approval with such modifications as it may deem necessary. The University shall communicate its agreement to [the first Statutes as approved by the State Government, and if it desires to give effect to the modifications made by the State Government under sub-section (3), it give the reasons therefore and the State Government may or may not accept the suggestions made by the University. The State Government shall publish the first Statutes as approved by it in the official gazette and thereafter such statutes shall come into force. Subject to the provisions of this Adhiniyam: and the rules, the Statutes of the University shall provide all or any of the following matters, namely:— (a) the admission of students to the University and their enrolment as such; (b) the courses of study to be laid down for the degrees, diplomas and certificates of the University; (c) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same; (d) the conditions for award of fellowships, scholarships, stipends, (e) (f) (i) (j) medals and prizes; the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators; fees to be charged for the various courses examinations, degrees and diploma of the University the condition of residence of the students of the University provision regarding disciplinary action against the students the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University, the manner of co-operation and collaboration with other universities and institutions of higher education, all other matters by this Adhiniyam, Rules or Statutes are (2) (4) 28 (i) (2) 29. (i) (2) 30. (1) (2) (3) (4) 32 4 2002 Required to be provided by the Ordinances. The first Ordinances of the University shall be made by the Vice-chancellor which shall be submitted to the State Government for approval, The State Government shall consider the first Ordinances submitted by the Vice-chancellor under sub-section (2) two months from the date of its receipt and shall either approve it or give suggestions for modifications, The Vice-chancellor shall give his comments on the suggestions made by the State Government and shall return the first Ordinances to the State Government and on receipt of the same the State Government shall either approve the comments of the Vice-chancellor or disapprove the same and on the basis of its final decision the Ordinances as approved shall be notified in the Gazette and on such publication the ordinances shall come into force. All ordinances other than the first Ordinances shall be made by the Academic Council with the approval of the Board of Management. The State Government shall publish all Ordinances made under sub-section (1) in the Gazette and on such publication the Ordinances shall come into force. The Annual report of the University shall be prepared by the Board of Management which shall include among other matters, the steps taken by the University

towards the fulfilment of its objects and shall be approved by the Governing Body and a copy of the same shall be sent to the Visitor. A copy of the annual report prepared under sub-section (1) shall be presented to the State Government. The annual accounts and balance sheet of the University shall be prepared under the directions of the Board of Management and the annual accounts shall be audited at least once every year by the Auditors appointed by the University for this purpose. A copy of the annual accounts together with the audit report shall be submitted to the Governing Body. A copy of the annual accounts, audit report along with the observations of the Governing Body shall be submitted to the Visitor and the State Government. The direction of the State Government the subject arising out of the accounts and audit report of the University shall be binding on the University. No act or proceedings of any authority of the University shall be invalid merely by reason of any vacancy in or defect in the constitution thereof. A copy of any receipt, application, notice, order, proceeding, resolution, 60 Subsidiary Ordinances. Annual Report. Annual Accounts- Vancie n x inta4i of 'u'hroiry or Mode proof of Ch}. versizy record. 60 (28) Management or University on dissolution of sponsoring body. Special Powers or the State Govt. in c'reums 33. 34. (2) (3) (1) (2) (4) 4 2002 rion. or any authority or Commi(ttee of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt; application, notice, order, proceeding, resolution or documents (b) the existence of in register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force. If the sponsoring body proposes to dissolve itself according to the provisions of law governing its constitution or incorporation it shall give at least six months prior notice to the State Government. The State Government shall, on receipt of such notice make such arrangements as may be prescribed, for the administration of the University from the date of dissolution of the sponsoring body till the completion of syllabus by the last batch of students admitted to the University or may also cause the functioning of the University to continue by appointing an administrator in place of the sponsoring body, who shall be entrusted 'With the powers, duties and functions of the Sponsoring Body as prescribed under this Adhiniyam. On appointment of an Administrator under sub-section (2) the Chancellor may after affording the opportunity of being heard remove the Vice-chancellor and may appoint such person as Vice-chancellor as he deems fit. If it appears to the State Government that any of the directions issued by it to the University under this Adhiniyam has been violated or a situation of financial mismanagement and maladministration has arisen in the university, it shall issue notice requiring the University to show cause within fifteen days as to; (a) Why an order of its liquidation should not be made : (b) Why the board of Management should not be suspended and an administrator be appointed under sub-section (7). If the State Government considers it necessary to suspend the Board of Management for the proper investigation, it shall, by published in the Gazette, order suspension of the Board of Management and shall make such arrangements in consultation 'with the sponsoring body for the administration of the business of the [University] during the period of investigation as it considers necessary. If the State Government, on receipt of reply of University in notice issued under sub-section (1), is satisfied that there is a prima facie case of financial mismanagement, maladministration or violation of any of the provisions of this Adhiniyam or directions issued under it shall make an order of such enquiry as it may consider necessary. The State Government shall, for the purpose of any enquiry under sub- (5) (6) (7) (8) (9) 4 2002 section appoint an officer or authority to enquire into any of the allegations and to make report thereon. The enquiring authority appointed under sub-section (4) shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (No. 40 of 1908) while trying a suit in respect of the following matters namely (a) Summoning and enforcing the attendance of any person and examining him on oath, (b) requiring the discovery and production of any such document or any other material as may be producible in evidence : (c) requisitioning any public record from any Court or office ; (d) any other matter which may be prescribed ; Every enquiring authority enquiring under this Adhiniyam shall be deemed to be a civil court for the purposes of Section 195 of Chapter 26 of the Code of Criminal Procedure, 1973 (No. 2 of 1974) ; If the State Government on receipt of the enquiry report is satisfied that owing to financial mismanagement and maladministration situation has arisen where by the financial stability or administration of the University has become insecure, it shall, by notification in the official Gazette, order liquidation of the University or may cause the functioning of the University to continue by appointing au

Administrator who shall have the powers vested in the Governing Body While issuing notification in respect of liquidation under sub-section (7), the State Government shall, till the end of its current session make arrangements for the administration of business of the University. The State Government during the period of management of University under sub-section (8) shall use the funds available. with the University and the surplus, if any, shall be forfeited for itself. 3.5 36. (IO) Event' notification issued under sub-section (7) shall be laid on the table of the Legislative Assembly. The State Government shall have the following powers, namely (a) to issue directions to do anything as is required to be done or rectify any violation by the University under this Adhiniyam, Rules, Statutes or any other provisions of Ordinances made thereunder ; (b) to adjudicate disputes between the University or any other special body under this Adhiniyam and issue directions to comply with the decisions in respect of such disputes ; (c) to pass order of dissolution of board of management or appoint administrator under section 34 (d) to pass order under section 35 (e) to make order to amend Statutes in respect of specific matters under this Adhiniyam. (I) The State Government may, by notification in the Gazette, make rules for carrying out the provisions of this Adhiniyam_ 60 (29) Power of Government. Power to make rules. 60 (30) Regulations. Lay down Rule'. Statutes and Ordinances. power to remove difficulties. 37. 38. 39. (2) (2) (2) 4 2002 Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, (a) the manner of making proposal to establish University and the fees payable under sub-section (1) of section 4: (b) Other particulars to be contained in the Project under sub-section (2) of section 4 (c) Other matters to be provided for in the Statutes under sub-section (1) of section 25 (d) arrangements to be made for the continuation of the University on the dissolution of the Sponsoring Body under sub-section (2) of section 33; (e) matters to be prescribed under clause (d) of sub-section (5) of section 34, The Authority of the University constituted by or under this Adhiniyam may make regulations subject to the provisions of this Adhiniyam, the statutes and the ordinances of the University. The Board of Management may make or amend any regulations made under this section by any authority. Provided that any authority which is not satisfied with any modification or annulment may appeal to the Governing Body whose decision in this matters shall be final, Every Rule, Statute, or Ordinances made under this Adhiniyam shall be laid, as soon as may be after it is made, on the table of the Legislative Assembly. If any difficulty arises in giving effect to the provisions of this Adhiniyam, the State Government may, by Order published in the Gazette, make provision, not inconsistent with the provisions of this Adhiniyam as appear to it to be necessary or expedient for removing the difficulty Every order made under this section shall as soon as may be after it is made be laid on the table of the Legislative Assembly. 4 2002 STATEMENT OF OBJECTS AND REASONS The avenues of higher education & advanced knowledge are limited in the State. Public financial constraints come in the way of investments by the State in creating adequate higher educational infrastructure. The State Policy provides for attracting private investments in setting up institutions of higher education and research. By providing adequate incentives to such private investors, the organizations of national and international repute can be attracted to invest in setting up Universities for financial support is required from the State Government

2. Specific or enabling legislation is required for establishment of such Universities. A common set of guidelines be required for the establishment of such Universities by ensuring educational standard and by preventing commercialization. It is felt expedient to have an enabling legislation to provide for establishment and functioning of self financed private Universities and for matters regulating them. Hence this Vidheyak. RAIPUR, Dated the Member -in-charge. 2001. «1 Mr. aul Bhatnagar@T7-2002 AC-r VISHWAVIDYALAYA (STHAPANA VINEYAM.ÂN) SANSODHAN ADHINIYAM, 2004 An to amend Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam 2002 (No. 2 of 2002') Be it enacted by the Chhattisgarh Legislature in the Fifty-Fifth year of the Republic of India, as follows Shoffe title extent and 1 (1) (2) (3) This Act may be called the Chhattisgarh Niji Kshetra Vishwavidyalaya .r (9thapana Aur Viniyaman) commencement Sansodhan Act, 2004. It extends to the whole State of Chhattisgarh It shall come into force from the date of publication in the Gazette. in this Act, unless the context otherwise requires:- its Definition Amendment of Section 2 2 3. Principal Adhiniyam I means the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002.) (No.' of 2002) In Section 2 of the Principal Adhiniyam ; after clause (d), the following clause shall be inserted ; namely :- (g) 106 nvalß canapus Rieans uue unwersity where main office of the university is situated and where the Vice- chancellor and Registrar reside and where not less than three University Teaching

Departments / Schools of studies are located. off-campus centre " means a centre of the university established by it outside the main campus (within or outside the State) operated and maintained as its constituent unit having the university's complement of facilities, faculty and staff. "off-shore campus" means a campus of the university established by it outside the country operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff. Study centre " means a centre established and maintained or recognized by the university for the purpose of advising, counselling or for rendering any other assistance required by the students in the context of distance education. means collection made by the university from the students by whatever name it may be called, which is not refundable.

4. Amendment of Section 3. Amendment of Section 3. 'Regulatory Commission' means the Regulatory Commission established by the Adhiniyam. For Sub-sections (10) and (11) of Section 3 of the Principal Adhiniyam, the following Sub-sections shall be substituted; namely :- (10) To ensure that the standard of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by AICTE, NCTE, UGC, MCI Pharmacy Council, and such other agency/agencies established by the Government for regulation of education Regulatory Commission ;and (11) To pursue any other objective as approved by the Regulatory Commission ' For Sub-section (1) of Section 4 of the Central and the may be Principal Adhiniyam, then, following Sub-sections shall be substituted ; namely . (a) An application containing the Project (1) Report to establish a university for carrying out any the objectives enumerated in Section 3 Of the Adhiniyam shall be made to the Regulatory Commission by Sponsoring Body alongwith fee and such form as may be prescribed, at least one year before the date from which it intends to start the university. 17 2004 (b) 'the Sponsoring Body shall submit alongwith its application as per (a) above, (i) Proof of having established an Endowment Fund of Rs.2 crore; (ii) Proof- of being in possession of 15 acres of land, in case the main campus is proposed to be established within the Municipal Corporation Limits of Raipur; or 2.5 acres of land in case the main campus is proposed to be established elsewhere in the State and in addition, if the land has been obtained on lease, the period of lease should be at least 30 years. In case, the Sponsoring Body does not possess the required land, it shall furnish proof of having deposited an additional sum of Rs. 2 crore in the manner prescribed. Withdrawals out of this additional fund shall be permitted by the Regulatory Commission for the purchase of land for the use of the university. where the main campus of the University is proposed to be established 'in a Scheduled Area of the Vercent of the amounts in (i) and (ii). above need to be deposited. (c) The Endowment Fund shall be used as security deposit to ensure that the University complies with the provisions of provision of the Adhiniyam, the Statutes and the Act The Regulatory Commission shall have the power to forfeit a part or whole of the Endowment Fund in case of non-compliance in the manner as may be prescribed (d) The Endowment Fund shall be invested in the manner as may be prescribed. (e) The Sponsoring Body shall be permitted to use Income from the Endowment Fund for the development of the University. A University already established in the State under the provisions of the Adhiniyam, shall comply with the provisions of clauses (b) to (e) of Sub- section (1) of Section 4 above by 30th June 2004, or else the Notification issued by the Government under, Sub-section . (1) of Section 5 of the Adhiniyam shall be liable to be cancelled on the recommendations of the Regulatory Commission. In the event of such de-notification of the University, completion of courses, conduct of examinations, award of the degrees to the students of the University may be assigned to another University in such a manner that the interests of the students are not affected . Expenditure made in this behalf shall be made good from the General Fund of the University concerned. " 6. 7. 8 0 for (J) Sub-section (1) of Section 5 of the Principal Adhiniyam shall be substituted; namely :- (3) The Regulatory Commission on receipt of the application, Project Report, proof of creation of Endowment Fund and of possession of land to be used exclusively for running the University or in lieu thereof proof of deposit of additional fund as per the provisions of Sub-section (1) above. shall make such enquiries as it may deem necessary within 45 days from the date of application . For Sub-section (4) of Section 4 of the Principal Adhiniyam, the following shall be substituted ; namely 106 (24) . Amendment of Section 5. the Regulatory Commission is satisfied with the proposal of the University, it may advise the State to issue a notification. For (1) of Section 5 of the

Principal 9. Adhiniyam, the following. shau 'Substituted ; namely ' (1) The &atö Governmeni on receipt o? the edvice. o: tine •Regu;afow Commission under Secfion 4 of the Adhiniya;n,. by notification in gazette. that the university is by such name and with such jur.Édä\$ion End .Qf - main campus, from: such date as may be mentioned in the notficetidn . (b) notiicä{ione under Sub- •seeiiot: -Of Seclic•n 5 .-of..:the Adh}rriyam ..pomiRd force •of the ..Nij'i .lKsheträ 'vfishwavidj&a Vtniyarnan) Sansodhar Adhiniyam. 2004, Shail be included as of 'Adhiéiiyam and hereafter, notificatio.n.,ipsued. regarding establishment of a.Unjuer.sity -gnder..ibeprovisions...of*this. Adhioiyem, shall- form .pari of the Said Scheduie -l in chronological order. Amendment of Section 6 Amendment of Section 7 IO 11. 0) All the provisions of the Adhiniyam shaft apply to Universities included in Schedue - After Sub-section (2) of Section 6 of the Principa! the 'following shall be substituted; Adhiniyam namely .- Ori its notification under Sub-section (1) of (2) Se.ctjpn \$,. th_e Unjversity. shall establish its rhäicf-éälnpus jn the• State of Chhattisgarh oi the land to in Sub-section (1) of Sqgtiqa ara4-tor.!hat: purpose shall create a up aréä öf• at least 25,000 Sq-.ft. •in . -:tqrm• , qf hu\$JdingS ånd ancillary EtiVGtures .within a-periqd of 2 years from thé no!\$ficåtion. 'n the case ä'ready beeh -riÖfifieffbéföi-e•ihj\$ -9qri50dhan Adhjnyiam, I the: 2 -&hällibé reckoödéd .ifr_øm ft5é?.date ini, force- of •this . Säp•sQdhan4Qhinyi.ani ...Éri9ing a result of the madajn:this Adhiniyam shall be settledlb9z-a-qliuti öf law iocatéd in the State After clauSe. (e) -'Of Section 7 of Adhiriyyam , - the following proviso shall be insulted; namely:- 17 2004 Provided that one percent of the fees collected from students enrolled in the main campus/off-campus centre or study centre located in the State of Chhattisgarh; two Of fees c#llected from students enrolled iri bff-eampus cente or study centre, off-shore campUs located outsid : the State of Chhattisgarh; under. (a) above, shäl[be:-g •posited With the Regulätory Commissiön withih 161, åys 'of Ithe mdhth- mdnth- in which h- reæ(üeåfrhé; RégÜlatory.'Commissiqnis: . creditåhis ' :tfie-• Co#Öfidated Fund the. State alorigwifhÜ•thö-iiiteréSt, if: ätlj, earned bhé*his• dep'osit, •Iiå •of-th&UriiGeisity, RegUlåtqgy. 12, , •Acti, -t -'e following Amendment df Sekiion 10. f\$shail. i.jséd •för for 13: For Här%élY• .i Arnehdment-of-Sééttöht24. 17 2C04 06 (27) etang up of 3 egulatory mmission (BorniTiissiD•51 ior There the purpose of ensurin,--! appropriate standards examinatic.x-s, (2) (3) (4) (6) research, protection oi the interest of the students and ensuring reasonable service condi\$ibns of employees while the University haé•åill freedom to function. The - 'Régulätöry ICorrhission Shall function under the general dönrtrb\ of the Visitor. - The shali- consist Of å- Chåiitiäfl•t:- and. not. exceeding two _part'time mérhbbers to be appointed by the-ViSitör'- .-o-•by. •the -.by: the' t:CöfiSisting •of eminent have I a thorough .khöW bé• appointed by. the ViSitéti regommended. -by the of;persens of law •arid'th.e members shäll ribi be conridötéd\ diiy• way With any of the univerSities eStablished under the Adhiniyam. 2004 (7) Ail end decisions of the Col-nn-tission and all instrunerits the Comnmission shal be authenticated signature gtåhe Chairman. by by (B) (5) (a) Terms and conditions Of services of Chairman and the members, procedure for meetings of the Commission; recruitmentand service conditionsof ståff.- åhe Commission, temporary associatioh of' personS •with the Commission •for. particular purposes, -funds of the •Commission, its 'budqét:,.• ?bcqunt, audit and such d.thefi m'åttet.-.@é may be required for proper fånc*ioning ofÆhe Commission shall-be provided in the •rules. made by the State Government in this te•gerd.. ft: -general. dufy ofr-the Regulatory -With the Universities and" on dthét:böBieS 'åohéerh'éd with I-regulätory. function of *Gystem inl the. •country - such Pharmacy Co.üibjlj uåådf;-gqåi.oggencylagicies established pyl foil" regulation ,of <Steps-l it. econsiders : .maintenance of •teaching, *xaminatiön and reseatch inethé'universit(es;. t06 (29) (c) 17 2004 TO ensure that universities heve the to make rules for admissions, subject to reservation poicy of the 'State of Chhattisgarh with regard to admissionS of students belonging to Scheduled Tribes, Schöduted Castes and other decide course weaker -Sections of Society; contents, method of teaching and the evaluation ofStudents and matters gonected thereto; To .are allowed to: collect such fees and other Charges which cover the cost of, give: a •<ihém to maintåin assets andi car.ryr QRgfUrther:expansion; of the. unjuer_Sity ' éduéåtiorial emblüri!léhtS looking to •théfr -gua lifieations; of -the .üniüérs(ty - is apioiniéé ct Wfiich •shåi(be, kept Of; whiph shall •be ihr-the university and, unscrupulous cé.liect fees from them; (NV-A, 17 .(g) To take action pertaining to the liquidation of a university. This wilt include completion of courses, conduct of examinations, award of degrees, etc. either by undertakiqg.:jöb itself or by assigning the job to Some other-ÜfiiverSity in. such a manner that the interest:öf the Stüdånts are not adversely affected in anyway. -Expenditure mädö- for these arrangements foo -•the Studénts ålohgwith• .the .prqges. of liquidatipm.of ••the; •univerSity •-shall• be made -good, tier-money: ,deposit.d .:ih ithe

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Comrnission, its bue,ge.: accounts e,rtci audit z nd sux--% matters as may be required for procer of the Commission ündeï' SuSseeiics• oi Section 24 fi4ü1*, 30-s-2001. ' 2002- 1923 4 2002 1 064/2 1 f" 27-1-2002 59 60 4. 5. 6. 1.5. 15- 16. 18. 19. 4 2002 q 2001) 2001 V2XTtFT7. fä•ITA3. e-qft. .3..Tæ fr4i-p;r. *fir. 27 _ 28. " 29. 30 _ 3). 32. 33. 34. 35. 36. 37. 38. 4 2002 .33Vlät. gfiâq-;t. avr. P&zri, *-âq-dl a-a. *'ft-qi. Gfä-pa Ä{TüüT. / 60 2 4 2002 31 200' . g<FT 2. 3. 52 : - (1) 2001 2 2002) (l) 1973 (3) 1956 2. 3. 4. 5. 6. 7. 8 9

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