

NEOTIA UNIVERSITY RULES, 2018

Registered IVO* WB/SCL247 3koLtata PAUSA 14] Extraorclinan,' Published by Authority FRIDAY, JANUARY 4, 2019 No. Ga}tte [SAKA 1939 PARIhl (Orders and INotifications by the Governor of West Bengal, the High Court, Government "Treasury, etc. GOVERNMENT OF WEST BENGAL DEPARrMENT OF HIGHER EDUCATION, (INTEGRATED CELL) BIKASH BHABAN, SALT LAKE CITY KOLKATA - 700 091 NOTIFICATION N(). dated, Kolkata the 181h December, 2018'.— in exercise of the povvers conferred by section 38 of the Neotia University Act, 2014 (West Ben. Act XXIII of 20 14), and in supersession of the earlier rules Inade in this vide l')epartnment's Notification No. 1 7-1LC dated the Ciovemor is hereby pleased to niake the fol louting revi sed rules: 1. Rules Short tile and conunencement:— rules nunv be called the Neotia LIniversity Rules, (2 Fhey shall conie Into {'orce on the date of their publication in the Ojjicial Gazette, Definitions:— In these ru les. unless the context otherwise require,- (1) (a) "Act" tneans the Neotia University Act, 2014 "l'dministrator" tneans the Adlnistrator appointed by the State by order for the purposes "Chairnvan" rneans the Chairman of the Regulatory Cornmittee constituted under these rilles; Jhancellor" lllceans the Chancellor of the University: (f) (g) (h) I HE KOLKATA GAZETFT'E EXTRAORDINARY JANUARY 4.2019 tendowment fund" means the endowment tund constituted in the manner prescribed under these rules; 'professional course" means the courses conducted in the University declared as such by Regulatory Body; properties of the Ciniversity* shall tnean and include all properties Inovable or immovable. held by the University in any form: security deposit" means the security deposit pledged in the name of the State Government by the University; means the Neotia LIniversity; tneans the Visitor of the University. 2) All other words and expressions used or explained but not defined in these rules shall have the same meaning as have been assigned to them under the Act. Certain powers of Visitor:— 3. 4. (1) (2) (3) 4) The Governor of the State of West Bengal shall by virtue of his office, be the Visitor of the University. SVithoul prejudice to the powers conferred by section 10 of the Act, the Visitor can, through its Secretariat. summon any employee including the Chancellor of the University for the purpose of any enqutry or investigation. Every Flonorary Degree proposed by' the University shall be conferred only upon prior approval of the Visitor. Any association, understanding or collaboration with International Universities or Organizations in regard to academic progratnrne or faculty exchange programme by the University may be made on the advice of the Visitor. The Inay address anv nreting the Governing Board and the decision taken in such rneeting rmay not be annul led or reversed or altered In anv subsequent nneetl112 of the Governing Board, The Visitor shall have als'0 pov€ers to give direction to the (Jniversity from time to time not Inconsistent with the provistons of the Act and the rules made hereunder. Visitor*s Secretariat:— (1) There shall be Visitor' Secretariat in the Higher Education Departnwnt and the Adcltional Chief Secretary as the case tmay be shall be the ex-officio or lthe Principal Secretary or the Secretary of the Depart ntent, ecretary to the Visitor. (2) All application or proposal for nomination of any member in the Governing Board by the Visitor and any reterence to the Visitor in regard to the conferrment of Honorary degree including reference regarding attendance of any meeting including convocation of the University or otherwise shall be made through the Visitor*s Secretariat. rrhe Visitor's Secretariat Inaya upon receipt of appropriate instruction from the Visitor, conornumcate the relevant (3) in fonnation to the University regnrnding any reference or proposal referred to under sub-rule (2). (4) 'The Visitor's Secretarial may perform such other acts as it may deetn necessary in furtherance of the purposes Regulatory Corn mittee: (1) There shall be a Regulatory Committee to be constituted in the rnanner hereinafter provided, for the pt.*rposes of the Act. 6. (2 (1) (5) GAZI ITTE. RY. J A A R Y 4, 20 1 9 [he Revulatory Conunittee constituted under lthe liet flitty act as a Regulator for the [Jniversity. I he Reslillatory (?onlülittee shall ill such place and on such tune as the (Pornjnittee nyay decides fron) tinie to ti;ne: Prov ided that the ('onunittee shall not use anx preini,ses provided by the (.Jniversity concerned. -Ik)r conveninu its In eetinu. ution of the (v:onunittee: Che IRegulatory C0lnrmittee shall consist of the following menobers:— (C) the (Ivairnran- shall be an Officer ofthe State Governint not below the rank ofa Special Secretary to the Governlnt of West Bengal and to be appointed by the State (Government by (rder; the Vice Chairinan (Acadenlic) of lthe West Bengal State Couricil of Higher Education,Ex-officio- ("-')ne Chancel lor of a State-aided (m) niversity, Io be nonfinated by the State Governintn 'd period the l)irector of Public Instruction, West Bengal. Fax-officio Inenlher, the Director of TQechnieal F.dueations

West Bengal, member and two persons not the rank of Deputy Secretary to the Government of West Bengal, one amongst the State Administrative Service and one from the West Bengal Legal Service, to be nominated by the State Government by order. The Member-Secretary of the West Bengal State Council of Higher Education shall act as the Member Secretary of the Committee. The tenure of the Chairman of the Committee shall be for three years or until he attains the age of sixty-five. The Committee may co-opt Legal and Accounts experts as members to the Committee shall also be the officers of the State Government. A member shall cease his membership in the Committee as soon as he ceases to hold the post or capacity by virtue of which he becomes the member of the Committee. Powers and functions of the Committee: Without prejudice to the generality of the provisions of the Act and the rules made hereunder the Regulatory Committee shall have the following powers, namely:- (1) (2) (3) (4) (5) To call for any records of the University its campuses, centers or institutions run by the University: to cause inspection of the University, its building, halls, hostel, library laboratory, including campus, center and other institutions maintained by the University. to inspect the academic, administrative and financial activities of the University. to summon any person with the University or to any witness in relation to any proceedings conducted by the University and to enforce their attendance in the same manner and with the same authority vested in a civil Court under the provisions of the Code of Civil Procedure, 1908, to recommend the State Government for dissolution of any authority of the University including the University starting new course and also to suggest syllabus and curriculum of various subjects or courses. 4 8. 9. 11. (8) KOLKATA GAZETTE, JANUARY 2019 to prescribe fees or professional courses in the University and to recommend a course for other courses. not inconsistent with the rules of relevant regulations and in considering the unit cost of education. infrastructural facilities provided to the students, quality of education and facilities provided, etc. to direct the University to adopt the admission policy not inconsistent with the norms of Regulatory Committee, to recommend to the State Government the dissolution of the University, (10) to do such other functions under the provisions of the Act. Determination of certain disputes by the Committee:— 2) (4) (5) The authority or Body including its employee may prefer application to the Regulatory Committee regarding any disputes in between the University or body or employees. Regulatory Committee, upon giving an opportunity of hearing to the other party in dispute, determine the dispute and issue necessary direction in this regard. Every direction issued in this regard is binding upon the University. its employee or any Body or authority of the proceedings under this rule shall be deemed to be a proceeding drawn under the Arbitration and Conciliation Act 1996. The result of the proceedings shall be binding on the party to the dispute concerned. Fixation or fees in professional courses:— [The State Government shall determine the tuition fees for professional courses, by not inconsistent the provisions of the Act. (2) The University subject to the provisions of the Act, shall be bound to follow the instructions and given by the Regulatory Committee or the State as the case may be: Provided that in case of any conflict directions given by the Regulatory and the State Government, the State Government's directions shall prevail, of poor and backward class:— [The State Government in consultation with other relevant Departments of the Government, determine the criteria identifying a person or student to be belong to the economically weaker sections and backward (2) Government may, from time to time determine and notify the appropriate authorities who will be to issue certificate identifying the economically weaker sections and backward classes. (3) The University shall make provisions for reservation at least five percent of its whole intake capacity for the economically backward students domiciled in the State of West Bengal. Reservation of seats:-- (1) The University shall make reservation seats for the students domiciled in the State of West Bengal to the tune twenty-five percent in each course/program in an academic year. The State Government may by notification determine the appropriate persons who shall be the competent to issue the certificate for this purpose. (1) The University shall waive tuition fees of economically backward class students to the tune of at least five (2) GAZETTE, JANUARY, 2019 The State Government may under sub-rule (1) recommend to the University for waiver of tuition fees, considering the social need of the State under the principle of corporate social responsibility, the State Government on satisfaction of necessary documents regarding income of parents/guardians may grant the University for in the University scheme. State Government may consider the market demands of the subject and cost to be incurred in a specific course, 13. Maintenance/ Utilization of Endowment Fund: (4) There shall be established an Endowment Fund by the University as provided under the Act. The endowment fund shall be

established and executed in Forni-A appended Lo the Schedule to these rules and ('lie instrunlent is to be properly stainedped and registered before the appropriaLe Registering at A certified copy of the reslisted instrtnent Endowinent fund shall be subniitted to the State erntnent after its registration. Phe State Governinent li•onl tinie to time. collect the status of the fund from the bank in which t'he fund is kept invested, lhe executor of the fund shall l*urnish a bank guarantee to this effieet, l*he Annual report of the niver.sity shall consist. a statetnent to the eftéct along with details that the Endowinent Funds is reularl v acilin i n i stered

14. YI ainienance/' Utilization of Security Deposit:—(1) "lhere shall be pledged a security deposit of Rs. I .00 crore in appended to the Schedule to these rules by the l]niversity. (2) [l'he Deed of Pledge shall be executed in favor OT" the State along with a Bank Guarantee. I ecl shall be executed •by [l'he o the Uni versity beine aiththori7ed by the sponsoring trust and to be registered be the appropriate Registering authority (4) An (fficer of the State Governinent not belowv the rank of an Assistant Secretary 'to the Governinent of" West Bengal will he authorized to execute the Deed of Pledge on behalf of the State GovernnmentR {5) Fhe State (loverntnet'lt tnay at anv point o f tin) e. satis ion (o that effect that the provusiil*gnso f the Act are io luted by l'he n iversity. rnay f i orfeit the see uril\ denosil thronufl the Bank (G uarantee filrnished in this l*he Cni\ epsity sha ll be uiven an opponuuiy beinu heard before ik)r fZhiting the security deposit. Procedu re (luring or winoing up of lehe (!niversiiv:— (2 (3) (5) Notice of dissolution of the Jniverqity shall be sziven to the Slate Governn)ent at least one year in ad vance Fhe notice shall be aceon"ipanied by a resoliiliou or the C)overning Board along ith a resolution of l'he sponsoring trust, On receipt of nolice 01' inding up the *State erlilnent shall appoint an A(hn inislfalute which shall replace I he Govern in vd o F the Jniversil\ and also the Chancel QI' the n i versity. I he outgoing, Governing Board shall however provide all assistance to the i\dinistrat or along with lilll details on l'he •svnrking of the (A) n iversity% Che properly of kind owned or possessed by the I shall be ltsed by the 6 17. THE KOLKATA GAZESITE. EXTRAORDINARY, JANUARY 4.2019 [PARf ((6) (7) l'he Adtninistrator shall soon after his appointments prepare an inventory of all properties, including its assets and liabilities and shall furnish to the State Government for considerations The University shall not be dissolved until the liabilities ofthe University are completely n•teet up by realizing the sanie fron) the properties of the University. Powers and functions of Administrator:— (1) (2) (3) (4) (5) (6) l'he person associated with higher education who shall preferably be an Officer of the State Government not below the rank of Joint Director of Public Instruction, or of a Joint Secretary to the State Govetnment il)ay be appointed as Adtninistrator. IShe Achnistrator shall on his appointment, inunediatel) stop all kind of admission process in any course pursued in the I Iniversity, No new enil)loyrment shall be 'permitted during dissolution procedure However, auditor or sonle other experts necessary in liltrherance of closure of the University Inay be engaged by the Administrator, The Adlninistrator, shall wherever necessary, apply to the relevant regulatory authority tor closure of courses fronl the immediately next acadenic session and shall strive to obtain No (b)jection Certi ficate froin relevant regulatory authority. Che Adrninistrator shall arrange all examinations for the remaining students and publish results and award degree to the eligible students in regular manner until the last student of the University is passed out. After closure of all acadenic activities. the Administrator shall submit a report to the State Government reuarcclinu the assets and liabilities 01 the Annual report of the University: (1) (2) (3) Che University shali within 30th August every year submit to the State Governntent an Annual Report regarding the working of the IJniversityr The annual report shall. interalia, contain the acadenic and achministrative details of the University. No Annual report shall be accepted unless the sanie is acc0\ npanied with the resolution of the Governing Board to the etteet that the annual report is placed in the Governing Board and passed unanimously. Bv order of the Governor, DRY R. S. A Additional C/üef Secretarv to the Government of Wes/ Bengal PART 11 I, Sri: Smt. THE KOLKXFA GAZETTE, EXTRAORDINARY. JANUARY 4, 2019 SCHEDULE ENDOWMENT AGREEMENT (See rule 13) sponsoring trust/society/company namely the Chancellor of the Amity University, being empowered by the vide its resolution dated (copy being part of this instrument) do, hereby; make a fixed deposit of Rs, Ten Crores in Bank. vide No (description) out of the trust society. company funds, specifically for the purpose of establishment of an endowment for the use and benefit of the University Schedule and Form of Contributions:— 1. r he trust sponsored the University in its meeting dated placed in a nationalized bank namely resolves that a sum of Ten Crores will be in the form of a long term fixed deposits In the name of the University out of its own fund accumulated from its

income as reflected in the last years balance sheet of the trust furnished to the Income Tax Department along with its Annual Return and Audit Report* The Fund will be known as the Neotia University Endowment Fund and will be kept invested until dissolution/ winding up of the University. The Trust further resolved that the Fund will never be removed from the above mentioned bank unless the bank is going into liquidation or otherwise closed. It is also resolved that the interest proceeds of the fund shall only be used for the development of the University

11. Purpose: The Neotia University Endowment Fund shall be a permanent endowment and shall be used for the benefit of the University.*

The purpose of the fund is actually to secure the smooth functioning of the University during winding up procedure. The fund guarantees the student of the University that there should not be sudden closure of the University for which the future of the student may be jeopardized. III. Administration:— The Endowment Fund shall be administered by the Sponsoring trust. The Endowment Fund shall never become the part of the University fund, These funds and all future earning to the endowment, including those made by the sponsoring trust in future, shall be subject to the provisions of this agreement and shall be classified as permanent endowment funds. IV. Investment, Payout and Reinvestment:— The Chancellor acknowledges and agrees that in connection with administration and management of the endowment funds the sponsoring trust may charge certain expenses against the endowment funds for administration, management and similar charges. V. Declaration I do hereby further declare that I shall remain bound and accountable to place the whole endowment fund to the Administrator as may be appointed by the State Government during the dissolution of the University Given under my hand, sealed and delivered Witness. 8 I, Sri/ Smt. THE KOLKATA GAZETTE, EXTRAORDINARY, JANUARY 4, 2019 FORM-B PROFORMA DEED OF PLEDGE OF SECURED DEPOSIT (See rule 14) the Chancellor of the being empowered by the sponsoring trust/society/company namely Amity University. vide its resolution dated Rs. one crore in (copy being part of this instrument) do, hereby make a fixed deposit of Bank, vide No (description) out of the trust/society/company funds, and the same is hereby pledged along with the Bank Guarantee (being part of this instrument) in the name of the State Government in the Department of Higher Education, Science & Technology and Biotechnology. on this day of 2018 on the following terms and conditions: I, being the Chancellor of the Neotia University, hereby undertake that the University shall abide by the provisions of the Neotia University Act, 2014 in its true spirit and objectives; That being the Chancellor of the Neotia University, hereby undertake that the University shall abide by the Government instructions issued from time to time not inconsistent with the provisions of the Neotia University Act, 2014 That I, being the Chancellor of the Neotia University, hereby pledge the Bank Guarantee (Description) of Rs. 1.00 crore which is fixed as a long term deposit in Bank at Branch vide (Description) in favor of the State Government in the Department of Higher Education, and hereby undertake that in the event of any breach or violation of any provisions of the Neotia University Act, 2014 the State Government may forfeit the said of Rs. 1 crore at one time or in installments on the strength of the above mentioned Bank Guarantee. (Given under my hand, sealed and delivered Witness: Published by the Department of Higher Education (Integrated Cell), West Bengal and printed at Saraswati Press Ltd. (Government of West Bengal Enterprise). Kolkata 700 056.