

UNIVERSITY OF ENGINEERING AND MANAGEMENT, KOLKATA RULES, 2018

Registered No. WB SC-247 3koLkata PA Uste\ 141 No. 6a\ tttt Extraordinary Published by Authority FRIDAY, 4, 20 1 9 PART Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc, GOVERNMENT OF WEST BENGAL DEPARTMENT OF HIGHER EDUCATION, (INTEGRATED LAW CELL) BIKASH BHABAN. SAIIC LAKE CITY KOLKATA 700 091 NOTIFICATION NO. 410 (dated« Kolkata the Dav of January, 2()19:— In exercise of the powers conferred by' section 39 of the (Jniversity of Engineering and nlanagement: Kolkata Act, 2014 (VWest Ben. Act XXV of 2014), and in supersession of the earlier rules ruade in this regard vide l)epartmentls Notification No. 15-111"" dated 15.01.2() 1 8 published in the Kolkata Gazette Extraordnaty dated 15.0112018, the Governor is hereby pleased to Inake the tblowing rules. 1, 2. Rules Short tile and commencement:— *Phese rules rmay be called the University of Fingineering and Managenwnt. Kolkata Rules. (2) *I'hey' shall come into force on the date of their publication in the Official Gazelle, Definitions:— In these rules, urfless the context otherswise require,» (a) tneans the C Iniversity of lineineerll)k and Ndanagement. Kolkata Act L 14: 'A(di)linistratortt Ilicans the appointed by the State Governinent, by order for the purposes of the Act; "C)hairmanlt Ineans the (x:hail'i'llan of the Rcgulatory Conlülittee constituted under these rules; "C?hancellor'i Ineans the Chancellor of the Uni versity: "Cornrnitte,e" Ineans lthe Regulatory Q lornnnlltee constituted by the State Governincnt• fund .rmean.s the Inenl fund constituted in the nnanner prescribed 1.11) deer these rules x (g) (h) 0) (k) KOLKATA (GAZE'TTE, EXTR 4. 20 9 professional course" rmean;; the courses conducted in the University declared as such by Regulatory Body, properties of the University* shall luean and include all properties movable or numovable- held by the University in any form: security deposit" tneans the security deposit pledgled in the naine of the State (jovernnlcnt by the University; "University" means the University of Engineering and Nlanagement. Kolkata; "Visitor" means the Visitor of the University. 3. 4. 5. (2) All other words and expressions used but not defined in these rules shall have the sarne Ineanine as have been assigned to them under the Act, Powers of Visitor:— (1) The Governor of the State of \West Bengal shall by virtue of his office, be the Visitor of the University. iVithout prejudice to the poxver.s conferred by section IO of the Act, the Visitor can through its Secretariat q (2) surnnu.)ns any etmployee including the C*hancellor of the L}niversity for the purpose of any enquirv or mvestigation. (3) Every Honorary Degree proposed by the University shall be conferred only upon prior approval of the Visitor. (4) Any association, understanding or collaboration with International Universities or Organizations in regard to acadernic programltne or faculty exchange progralnnu2 by the University Inay be nvacle on the advice of the Visitor. (5) The Visitor may address any meeting of the Governing Board and the decision taken in such rmeeting not be annulled or reversed or altered in any subsequent meeting of the Governing Board. (6) The Visitor shall have also powers to give direction to the University from time to time not inconsistent with the provisions of the Act and the rules made hereunder. Visitor's Secretariat:— (1) There shall be a VtisiLor's Secretariat ill -lthe Fliher Education, Sciencce and Technolouy and. Biotechnology Departpaent and the AUditional Chief Secretary or the Principal Secretary or the Secretary of the as the case Inay be, shall be the ex-officio Secretary to the Visitor. (2) All application or proposal for of' any nneniber in the Governing Board by the Visitor and anv refierence to the Visitor in rezard to the confiennent of Honorary depree including regarding attendance of any meeting including convocation of the University or otherwise shall be Inade through the Visitor's Secretariat. (3) The Visitor's Secretariat Inay, upon receipt of appropriate instruction from the Visitor, conununicate the relevant information to the Ulniversity regarding anv ref&ence or proposal referred to under sub-rule (2) (4) The Visitor's Secretariat rna_v perfâ•nn such other acts as it nvay decin necessary in furtherance of the purposes of the Act* Regulatory Committee: (1) (2) (3) There shall be a Regulatory Con)lnittee to be constituted in the Inanner hereinafter provided, for the purposes The R.cgulatot•v (Tornnnnittee constituted under the Acl Inav act as a Reeulator for the Ciniversity. The Regulatory Cunlillttee shall nieet in such place and on such time as the Conm)lttee decides from tin•ue Io titne;

6. KOLKATA -GAZE*I'TE, EXTRAORDINARY.JANUARY 4, 2019 Provided that the C,ommittee shall not use any prernises provided by the University concerned for convening its lmeeting. Constitution of the Conunittec: l'he Regulatory shall consist of the follow iny tnefflbeus:- (b) (d) (f) the Chairman- who

shall be all Officer of the State Government not below the rank of a Special Secretary to the Government of West Bengal and to be appointed by the State Government by Order: the Vice Chairman (Academic) of the West Bengal State Council of Higher Education, -Ex-officio- Member: One Vice Chancellor of a State-aided University, to be nominated by the State for a period of two years: the Director of Public Instruction, West Bengal Ex-officio member: the Director of Technical Education, West Bengal-ex-officio member; and two persons not below the rank of Deputy Secretary to the Government of West Bengal one from amongst the State Administrative Service and other from the West Bengal Legal Service, to be nominated by the State Government by order, (2) (3) (4) (5) The Member-Secretary 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 years, whichever is earlier. The Committee may co-opt Legal and Accounts experts as member to the Committee who shall also be from the officers of the State Government. A shall cease to his membership in the Committee as soon he ceases to 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:- to call for any records of the University its campuses, centers or institutions run by the University. (1) (2) to cause inspection of the University, its building, halls, hostel, library, laboratory including campus, center and other institutions maintained by the University. (3) to inspect the academic, administrative and financial activities of the University, (4) to summon any person associated 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 to a Civil Court under the provisions of the Code of Civil Procedure, 1908. (5) to recommend to the State Government the dissolution of any authority of the University including the Governing Board: (6) to recommend to the University for starting new course and also to suggest syllabus and curriculum of various subjects or courses, as per UGC guidelines, if any; (7) to prescribe fees of professional courses in the University and to recommend course fee for other courses, not inconsistent with the provisions of the Act and the rules of relevant regulatory bodies and in considering the unit cost of education, infrastructural facilities provided to the students, quality of education and facilities provided, etc. 4 8. 9. 10. 11

12. KOLKATA GAZETTE, EXTRAORDINARY, JANUARY 4, 2019 [PART I (8) to direct the University to adopt the admission policy not inconsistent with the norms of Regulatory Bodies, (9) 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) (3) (4) (5) The University, its authority or Body including its employee may prefer application to the Regulatory Committee regarding any disputes in between the University or body or employees. The Regulatory Committee may, 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 University. The proceedings drawn under this rule shall be deemed to be a proceeding drawn under the Arbitration and Conciliation Act 1996. In the result of the proceedings shall be binding on the party to the dispute concerned. Fixation of fees in professional courses: (2) The State Government shall determine the tuition fees for professional courses, by notification, not inconsistent with the provisions of the Act. The University subject to the provisions of the Act, shall be bound to follow the instructions and directions given by the Regulatory or the State Government, as the case may be: Provided that in case of any conflict directions given by the Regulatory Committee and the State Government, the State Government's directions shall prevail. Determination of poor and economically Backward Classes : (2) (3) The State Government in consultation with other relevant Departments of the Government, determine the criteria for identifying a person or student to be belong to the economically Backward Classes. The State Government may, from time to time, determine and notify the appropriate authorities who will be competent to issue certificate identifying the poor and economically Backward Classes. The University shall make provisions for reservation of five percent of its whole intake capacity for the economically weaker persons domiciled in the State of West Bengal. Reservation of seats:— (1) The University shall make reservation of seats; for the students domiciled in the State of West Bengal to the tune of twenty-five percent in each course/programme in an academic year. (2) The State Government may by notification determine the appropriate persons who shall be competent to

issue donnici led certi ficate for this purpose 'I'tuition Fees Waiver Sch eme:— (1) (2) (3) (4) The University shall w»eave tuition fees of poor and economically Backward Classes students to the lune of at least five percent The State Governnt Inay under sub-rule (1) reconuncnd to the University for waiver of tuition fees. considering the social need of the State under the principle of corporate social responsibility. The State (Jove.rnlnel on salisfaction of necessary documents regarding income of parents or ouarelians nyay recommend to the University for allowing free-ship. In allowing the free-ship scheme, the State Cioverntnent paay consider the market demands of the subject and cost to be incurred in pursuing a specific course. PARI I] THE KOLKATA GAZETI E, EXIRAORDINARY, JANUARY 4, 2019 13. 14, 15

16. Maintenance/ Utilization of Endowrnent Fund:—There shall be established an Endowment Fund by the University as provided under the Act, (2) (3) (4) (5) 'I he endowment fund shall be established and executed in Form-A appended to the Schedule to these rules and the instillment is to be properly stamped and registered before the appropriate Registering authority. A certified copy of the registered instrument executing Endowment fund shall be submitted to the State Government soon after its registrations -rhe State Governlnelit nway, from ume to unne,, collect the status of the fund fronl the bank in which the fund is kept invested, and the executor of the flind shall furnish a bank guarantee to this effect, I he Annual repon of the IJniverslly shall consist a statement to the effect along with details that the Enclownr,nt Funds is regularly administered. Maintenance/ Utilization of Security Deposit: (1) (2) (3) (4) (5) (6) here shall be pledged a security deposit of Rs. I .00 crore in Form-B appended to the Schedule to these rules by the University. The I)eed of Pledge shall be executed in favor of the State Government along with a Bank Guarantee. The Deed of Pledge shall be executed by the Chancellor of the University being authorized by the sponsoring trust and to be registered before the appropriate Registering authority An Officer of the State Government not below the rank of an Assistant Secretary to the Government of West Bengal will be authorized to execute the Deed of Pledge on behalf of the State Government* 'Phe State Government may at any point of time, upon satisfaction to that effect that the provisions of the Act is violated by the IJmiversity, Inay forfeit the security deposit through the Bank Guarantee furnished in this behalf. The University shall be given an opportunity of being heard before förfeiting the security deposit. Procedure during dissolution or winding up of the University: (1) (2) (3) (4) (5) (6) Notice of dissolution of the University shall be given to the State Government at least one year in advance. T lie notice of' dissolution shall be accompanied by a resolution ofthe Cioverning Board along with a resolution of the sponsoring trust. On receipt of notice of winding up the State Ciovernnwnt shall appoint an Administrator which shall replace the Governing Board of the University and also the Chancellor of the University. [The outgoing Governing Board shall however provide all assistance to the Administrator along with full details on the working of the University. "The property of whatever kind 0'sned or possessed by the Unnersity shall be used by the Acirninistrator during the dissolution process of the University. Ibe Administrator shall soon after his appointment, prepare an inventory of all properties& including its assets and liabilities ancl shall furnish to the State Government för consideration. The University shall not be dissolved until the liabilities of the University are conlpletely meet up by realizing the sanie from the properties of the Uni versity. Powers and functions of Adnünistrator:— "The person associated with higher education who shall preferably be an Oilicer of the State Governntnent not (1) below the rank of a Joint I)irector of Public Instruction, or of a Joint Secretary Io the Stalc Ciovcvrl*Illnent be appointed as Adlilinator. 6 KOLKATA GAZETrTE, EXTRAORDINARY, JANUARY 4. 2019 limnecciately stop all kind of adlülission process In any course l'he adinistrator shall on his appointiuent, (2) pursued in the University, (3) No new employnent shall be permitted during dissolution procedure. However, auditor or seine other experts necessary in furtherance of closure of the University may be engaged by the Adnlinistrator, (4) The administrator, shall wherever necessary, apply to the relevant regulatory authority för closure of courses from the inunediatly next academic session and shall s'trive to obtain No C)bjection Certificate frotl) relevant regulatory authority. (5) The Administrator shall arrange all examinations for the remaining students and publish results and award degree to the eligible students in regular man.ner until the last student or the University is passed out* (6) After closure of all academic activities, the Adnlinistrator shall submit a report to the State Cioxærninent regarding the assets and liabilities of the University. Annual report of the University:— WI*he University shall within 30th August every year submit to the State Governntnent an Annual Report regarding (1) the working of the University. (2) The annual report shall

interalia contain the academic and administrative detail of the University (3) No Annual report shall be accepted unless the same is accompanied with the resolution of the Governing Board to the effect that the annual report is placed in the Governing Board and passed unanimously. By order of the Governor, DR. R. S. SHUKLA Additional Chief Secretary to the Government of West Bengal PART 11 I, Sri/ Smt. THE KOLKATA GAZETTE, EXTRAORDINARY JANUARY 4, 2019 SCHEDULE FORM-A ENDOWMENT AGREEMENT (See rule 13) 7 the Chancellor of the University of Engineering and Management, Kolkata, being empowered by the sponsoring trust namely 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's funds, specifically for the purpose of establishment of an endowment for the use and benefit of the University

1. Schedule and Form of Contributions:—The trust sponsored the University in its meeting dated placed in a nationalized bank namely resolves that a sum of Rs. 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 University of Engineering and Management, Kolkata Endowment Fund and will be kept invested until dissolution; winding up of the University. The Society 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 University of Engineering and Management, Kolkata 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 society. 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 society in future, shall be subject to the provisions of this agreement and shall be classified as permanent endowment funds. I V. Investment: The Chancellor acknowledges and agrees that in connection with administration and management of the endowment funds, the sponsoring society may charge certain expenses against the endowment funds for administration, management, and similar charges. V. Declaration:— I hereby further declare that I shall remain bound and accountable to place the whole endowment fund to the as may be appointed by the State (in event during the dissolution of the University. Given under my hand, sealed and delivered in witness: 1. 8 KOLKATA GAZETTE, JANUARY 4, 2019 FORM-B PROFORMA DEED OF PLEDGE OF SECURITY DEPOSIT (See rule 14) the Chancellor of the University of Engineering and Management, Kolkata, being empowered by the sponsoring trust namely the University of Engineering and Management, Kolkata, vide its resolution (copy being part of this instrument) do, hereby, make a fixed deposit of Rs. One Crore In (description) out of the trust funds, and the Bank, vide No same is hereby pledged along with the Bank Guarantee (being part of this instrument) in the name of the State Government, 2018 on the following terms and conditions, day of in the Department of Higher Education on this That I, being the Chancellor of the University of Engineering and Management, Kolkata, hereby undertake that the University shall abide by the provisions of the University of Engineering and Management, Kolkata Act, in its true spirit and objectives; 2. That I, being the Chancellor of the University of Engineering and Management, Kolkata hereby undertake that the University shall abide by the Government instructions issued from time to time not inconsistent with the provisions of the University of Engineering and Management, Kolkata Act, 2014; 3. That I, being the Chancellor of the University of Engineering and Management, Kolkata, hereby, pledge the Bank Bank at Guarantee (Description) of Rs. 100 Crore which is fixed as a long term deposit in 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 University of Engineering and Management, Kolkata Act, 2014 the State Government may forfeit the said of Rs. 100 Crore at one time or in installments on the strength of the above mentioned Bank Guarantee Given under my hand, sealed and delivered in witness: Published by the Department of Higher Education (Integrated Law Cell) West Bengal and printed at Saraswaty Press 1 vid (356, KOI (Government of West Bengal