

अण्डमान तथा
Andaman And



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अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
सचिवालय / SECRETARIAT

NOTIFICATION

Port Blair, dated the 19th December, 2023.

No.126/2023/F. No. P-15030/2/2022-NO(NSCBIHL)-Sectt.-Sectt.)— The Lieutenant Governor, Andaman and Nicobar Islands has been pleased to approve the Memorandum of Association of **Netaji Subhash Chandra Bose Institute of Higher Learning (NSCBIHL)** in supersession of Memorandum of Association of Andaman Nicobar Islands Legal Education Society 2016 as approved by the Competent Authority is annexed.

Sd./-

(Aditya Kumar Jha)

Member Secretary (NSCBIHL)/Director (Higher Education)
(F. No. P-15030/2/2022-NO(NSCBIHL)-Sectt.-Sectt.)

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**NETAJI SUBHASH CHANDRA BOSE INSTITUTE OF HIGHER LEARNING
(NSCBIHL)**

(DEEMED TO BE UNIVERSITY)

MEMORANDUM OF ASSOCIATION (MOA)

- (1) **Name of the Society** – Netaji Subhash Chandra Bose Institute of Higher Learning (NSCBIHL).
- (2) **Name of the Institution Deemed to be University along with its constituent units**—The name of the Institution Deemed to be University shall be **Netaji Subhash Chandra Bose Institute of Higher Learning (Deemed-to-be-University) under De-Novo category** hereinafter referred as the NSCBIHL.
- (3) **Registered Office of the Society** – Office of NSCBIHL, New Block, JNRM Campus, South Point, Port Blair, South Andaman – 744101.
- (4) **Objectives of NSCBIHL** —
 - (1) The objectives of NSCBIHL shall be to :
 - a) provide for higher education leading to excellence and innovations in such branches of knowledge as may be deemed fit, primarily at undergraduate, post-graduate, and research degree levels, fully conforming to the concept of a University;
 - b) engage in inter-disciplinary or multi-disciplinary or trans- disciplinary teaching and research in addition to domain-specific specialisation;
 - c) provide for high-quality teaching and research recognised nationally and globally;
 - d) recognise, identify and foster the unique capabilities of each student, by sensitising teachers as well as parents to promote each student's holistic development;
 - e) provide multi-disciplinary and a holistic education in the faculties of science, engineering, technology, social sciences, arts, humanities, sports and other disciplines;
 - f) transform into research and teaching intensive University over a period of time;
 - g) focus on research and innovation by setting up start-up incubation centers; technology development centres; centres in frontier areas of research; greater industry-academic linkages; and inter- disciplinary research including humanities and social sciences research;
 - h) provide flexible and innovative curriculum, which includes credit- based courses and projects in the areas of community engagement and service, environmental education, value-based education, etc.;
 - i) contribute for social transformation through socially responsive teaching, learning, research, and fieldwork;
 - j) adopt the provisions of NEP,2020; and
 - k) strengthen the research ecosystem by establishing Research and Development Cell (RDC);
 - l) possess such academic and physical infrastructure as may be specified by the Commission or the relevant statutory body, as the case may be;

- m) have teacher-student ratio of 1:20 with a minimum combined faculty strength of not less than one hundred and fifty teachers and a minimum combined student strength of three thousand on rolls under the regular classroom mode, of which not less than one fifth being post-graduate or research or as per the norms of the relevant statutory body; and
- n) shall have an administrative area, library, lecture halls, labs, hostels, healthcare, common facilities and recreational facilities.

(5) Functions —

In order to attain the objectives as mentioned above the society shall perform the following functions :

- a. To establish, construct, maintain and manage NSCBIHL buildings, lecture halls, hostels, residential accommodations etc.;
- b. To carry on the administration and management of the NSCBIHL and such other centres for research, extension and instruction, functions of which shall be compatible to the object of the NSCBIHL;
- c. To create teaching, administrative, technical, ministerial and other posts under the NSCBIHL and to make appointments thereto, in accordance with the Rules and Regulations of the society and also in conformity with the guidelines of all regulatory authorities;
- d. To frame Rules and Regulations and bye-laws for service conditions of all categories of its employees taking full cognizance of such provisions existing in A & N Administration wherever applicable.
- e. To approve Rules and Regulations related to conduction of examination by the University / NSCBIHL.
- f. To make all such arrangements as may be required to be done as per the statutes, ordinances and regulations of NSCBIHL;
- g. To approve the fees structures of the courses run by the various institutions;
- h. To cooperate with potential collaborators in any part of the world having objects wholly or partly similar to those of the Society by exchange of faculty, scholars and in such manner as may be conducive to their common objects;
- i. To explore the feasibility and pre-feasibility in unexplored and critical areas of Higher Education related research and also to take steps for entering into joint venture(s) / memorandum of understanding and / or any such agreement for running and maintenance of the NSCBIHL and / or other Institution(s) / Unit(s) managed by the Society.
- j. To establish, construct, erect, maintain, run, manage, develop, own, acquire, purchase, undertake, improve, equip, promote, initiate and encourage NSCBIHL / Research Centres and other similar establishments for providing Higher Education and Research activities in all its branches by all available means to public at large on suitable fees / concessional fees or no fees of charge basis.
- k. To issue appeals for funds in furtherance of the objects of the NSCBIHL and undertake management of any endowments, trusts, funds or donations not in consistent with the objects of the NSCBIHL.
- l. To accept grants of money, securities or property of any kind on such terms as may seem expedient;
- m. To acquire by gift, purchase, exchange, lease, hire or otherwise, howsoever, any moveable or immoveable property which may be necessary or convenient for the purpose of the society to build, construct, improve, alter, demolish, repair and maintain such buildings, works and constructions as may be necessary for carrying out the objects of the Society;

- n. To sell, lease, hire or otherwise transfer of all or any portion of the moveable and immoveable property of the society, provided that prior approval in writing of the Competent Authority is to be obtained for the transfer or disposal of the same. With regard to land the provision of Andaman and Nicobar LRL Regulation, 1966 and Rules framed thereunder shall be applicable and in case of moveable property, the provision of GFR 2017 shall be applicable;
- o. To borrow and raise money with or without security or on the security of a mortgage, charge or hypothecation or pledge of all or any of the moveable or immovable properties belonging to the NSCBIHL or in any other manner whatsoever provided that prior approval in writing of the Competent Authority is to be obtained in that behalf, in terms of GFR 2017;
- p. To invest and deal with any money and securities of the Society not immediately required for any of its activities in such manner as may be provided in the Rules and Regulations of the Society, from time to time;
- q. To create any Reserve Fund, Insurance Fund or any other Special Funds whether for depreciation or for repair, improving, extending or maintaining any of the properties or rights of the Institute and / or for improvement / renovation of deteriorating assets and for any other purpose for which the institute deems it expedient or proper to create or maintain such funds except with the prior approval of Administrator; Any interest earned against Grant-in-Aid released to the society shall mandatorily be remitted to the consolidated fund of India immediately after finalization of the accounts, as per the provisions of Rule 230 (8) of GFR 2017. Grants released to the society for a specific purpose shall not be used for any other purpose;
- r. To draw, make, accept, endorse and discount cheques, notes or other negotiable instruments;
- s. To make Rules and Regulations and bye-laws for the conduct of the affairs of the NSCBIHL and to add, amend or rescind them from time to time with approval of the A & N Administration;
- t. To do all such other acts and things either alone or in conjunction with other organizations or person as the NSCBIHL may consider necessary, incidental or conducive to the attainment of the aforesaid objective. To establish any other Educational Institutions to meet the Higher Education needs of the Islanders;

(6) Programmes of the University & Constituent Colleges –

- a) The approved programmes of study and research and facilities to provide for instruction in such branches of study as the institution deems appropriate for the advancement of learning and dissemination of knowledge;
- b) The approved programmes of study in the constituent units and facilities to provide for instruction in such branches of study as the institution deems appropriate for the advancement of learning and dissemination of knowledge;

(7) Definitions — In this Memorandum of Association of the Deemed to be University, unless the context otherwise requires —

- (1) "Academic Council" means the academic council of the institution deemed to be University;
- (2) "Act" means the University Grants Commission Act, 1956 (3 of 1956);
- (3) "affiliated college" means a college recognised by, associated with and admitted to the privileges of a University;
- (4) "Board of Studies" means the Board of Studies of a Department of the institution deemed to be University;

- (5) "campus" means campus (single or multiple locations within the city) of the institution deemed to be University where in its facilities, faculty, staff, students, and Academic Departments are situated;
- (6) "centre" means a centre of studies of the institution deemed to be University;
- (7) "Chancellor" and "Vice-Chancellor" means the Chancellor and Vice-Chancellor of the institution deemed to be University, respectively;
- (8) "college" means any institution whether affiliated college or constituent college, known as such or by any other name and provides undergraduate or postgraduate or Ph.D. programmes or all together, for obtaining any qualification from a University, in accordance with the rules and regulations of such University, which has been recognised as competent by the University Grants Commission to provide such programmes or courses of study;
- (9) "Commission" means the University Grants Commission(UGC) constituted under the Act ;
- (10) "constituent college" means a college operating under the administrative, academic, and financial control of the sponsoring body;
- (11) "constituent unit" means an academic unit (Schools or Centres or Departments) of the institution existing on the date of submission of a proposal to declare an institution to be an institution deemed to be University;
- (12) "Department" means a department of studies of the institution deemed to be University;
- (13) "Executive Council" means the Executive Council of the institution deemed to be University;
- (14) "Expert Committee" means a committee consisting of academics and other experts from other fields and includes representatives of the statutory bodies and approved by the Chairman of the Commission;
- (15) "Government" means the Department in the Ministry of Education in the Central Government dealing with the higher education;
- (16) "institution" means an institution of higher education engaged in teaching and research at the undergraduate, post-graduate or higher level;
- (17) "institution deemed to be University" means an institution of higher education so declared by the Central Government by Notification under Section 3 of the Act, on the advice of the Commission;
- (18) "main campus" means the campus of the institution deemed to be University, where its major facilities, faculty, staff, students, academic departments and administration are situated;
- (19) "MoA" means Memorandum of Association of Netaji Subhash Chandra Bose Institute of Higher Learning;
- (20) "NAAC" means the National Assessment and Accreditation Council;
- (21) "NBA" means the National Board of Accreditation;
- (22) "necessary infrastructure" means the infrastructure required under the norms of the concerned statutory body or the Commission, as the case may be;
- (23) "NEP" means the National Education Policy,2020;
- (24) "NIRF" means the National Institutional Ranking Framework;
- (25) "notification" means a notification issued by the Central Government in the Official Gazette declaring an institution of higher education, as an institution deemed to be University under Section 3 of the Act;
- (26) "off-campus" means the premises of the institution deemed to be University, approved by the Government, other than the main campus or the campuses;

- (27) "off-shore campus" means the premises of the institution deemed to be University, approved by the Government, outside India, other than the main campus in India;
- (28) "processing fee" means the fee to be paid by the applicant institution to the Commission along with the application for processing such application;
- (29) "Regulations" means the University Grants Commission (Institutions deemed to be Universities) Regulations, 2023;
- (30) "school" or "faculty" means a school or faculty of studies of the institution deemed to be University;
- (31) "sponsoring body" means a body being a charitable or a not-for-profit society or trust or a company under Section 8 of the Companies Act, 2013 (18 of 2013), submitting an application for declaring an institution under its administrative, academic and financial control as an institution deemed to be University;
- (32) "Standing Committee" means a committee consisting of academics and other experts from other fields and includes representatives of the statutory bodies and approved by the Chairman of the Commission;
- (33) "statutory body" means a body constituted under any law for the time being in force for determining or maintaining standards of quality in the relevant areas of higher education, including the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Dental Council of India (DCI), the Indian Nursing Council (INC), the National Council for Teacher Education (NCTE) and the National Medical Commission (NMC), or any other statutory body established under an Act of Parliament;
- (34) "teacher" means Professors, Associate Professors, Assistant Professors and such other academic staff as may be appointed for imparting instructions or conducting research in the institution deemed to be University including the adjunct faculty or Professor of practice or visiting faculty; and
- (35) The words and expressions used in these regulations and not defined, but defined in the Act shall have the same meanings respectively assigned to them.

(8) Founder Members :

The name and addresses and occupations of the founder members of the then Andaman and Nicobar Islands Legal Education Society (ANILES) which has been renamed as NSCBIHL, were as follows :-

	Name	Address	Occupation
1.	Mr.Anand Prakash, IAS	Secretariat, PortBlair	Chief Secretary, A & N Administration
2.	Mr.Rajeev Yaduvanshi, IAS	Secretariat, PortBlair	Principal Secretary (Edn.), A & N Administration
3.	Mr.Arun Baroka, IAS	Secretariat, Port Blair	Principal Secretary (Power / APWD) A & N Administration
4.	Mr.G.Theva Neethi Dhas, IAS	Secretariat, Port Blair	Secretary (Law), A & N Administration
5.	Mr.S.N. Mishra, IAS	Secretariat, Port Blair	Secretary (Social Welfare), A & N Administration
6.	Mr.Ajay Kumar Singla, IAS	Secretariat, Port Blair	Secretary (Finance), A & N Administration
7.	Mr.P.Jawahar, IAS	Secretariat, Port Blair	Secretary (Transport), A & N Administration

(9) Powers and Functions of NSCBIHL—

To carry out the above objectives and for the management and properties of the University, the NSCBIHL shall have the following :-

Powers and Functions

- a. to establish courses of study and research and to provide instruction in such branches of study as the university deems appropriate for the advancement of learning and dissemination of knowledge in such branches;
- b. to confer Degrees and to grant Diplomas and / or Certificates to persons who have satisfactorily completed the approved courses of study and / or research as may be prescribed and shall have passed the prescribed examinations;
- c. to institute and award visitorship, fellowship, scholarships, stipends, exhibits, prizes and medals in accordance with the rules adopted by the University from time-to-time;
- d. to acquire, hold and dispose of property for the purpose of the University provided that the prior approval of the Board of Management is obtained in the case of acquisition or disposal of immovable property and to construct, improve, alter, demolish, repair and maintain any building or buildings for purposes of the University;
- e. to do all such things as may be necessary for the incidental or conducive to the attainment of all or any of the objects of the University.

(10) Monitoring —

- (1) The Commission shall monitor the performance and academic outcomes of the institutions deemed to be Universities.
- (2) The performance and academic outcomes of the institutions deemed to be Universities having valid accreditation by the NAAC with less than an 'A' grade or ranked more than 100 in the NIRF rankings (Universities category) shall be evaluated either physically or virtually by an Expert Committee, as may be decided by the Commission and for the purposes of such evaluation, the Expert Committee may adopt such procedure as it may deem appropriate.
- (3) The Expert Committee shall submit a report to the Commission specifying its recommendations on the performance and academic outcomes of the institution deemed to be University and those institutions deemed to be Universities that are found to be deficient in some aspects, shall be given a period to be specified by the Expert Committee, to rectify the deficiencies, failing which, the Expert Committee shall recommend for withdrawal of permission given under sub regulation (9) of regulation 8 for starting new courses or programmes by the institution deemed to be University, in any field, in their existing campus and the approved off-campus centres.
- (4) In cases where, the Expert Committee has recommended for withdrawal of permission under sub regulation (3), the Commission shall issue appropriate order informing the institution deemed to be University and the relevant statutory body concerned and in case, if the Commission finds that the institution deemed to be University is not adhering to its order, the Commission shall take action as per the provisions of regulation 34.
- (5) The Commission shall decide on the physical verification of an institution deemed to be University or constitute teams for such verification on its own or upon receipt of any complaint against the accuracy and veracity of the information submitted to the Commission and also hosted on the website of the institution.

(11) Governance —

- (1) The Institution deemed to be University shall be registered as a not-for-profit society under the Societies Registration Act, 1860 (21 of 1860) or as a not-for-profit trust under the Indian Trusts Act, 1882 (2 of 1882) or as a not-for-profit company registered under Section 8 of the Companies Act, 2013 (18 of 2013):

PROVIDED that a sponsoring body exclusively established for running educational institutions shall be exempted from registering as a separate not-for-profit society or trust or a company and the sponsoring body shall specifically mention in its registration deed that the sponsoring body is exclusively for running educational activities and no other activities are being carried out or shall be carried out in the future under it :

PROVIDED further that if the sponsoring body of an existing institution deemed to be University does not have a society or trust or company exclusively for running educational institutions, it shall form a new not-for-profit society or trust or company, for the purposes of institution deemed to be University and in such cases, the sponsoring body shall be exempted from transferring its moveable and immovable assets to the newly created society or trust or company, if such sponsoring body provides a notarized affidavit to the effect that the entire moveable and immovable assets allocated to the institution deemed to be University shall not be leased or otherwise disposed of without the prior permission of the Commission :

PROVIDED also that the sponsoring body shall make available the necessary infrastructure for operating the institution deemed to be University without any rental or other such charges.

- (2) All moveable and immovable assets of the institution deemed to be University shall be used for the purposes of conducting academic activities, promotion of research and related administrative requirements of the institution deemed to be University, including the outreach educational activities.
- (3) The highest governing body of the institution deemed to be University shall be the Executive Council to be headed by the Vice-Chancellor and consisting of not less than ten and not more than thirteen members.
- (4) The Executive Council shall be the principal executive body of the institution deemed to be University.
- (5) The composition of the Executive Council shall be as under —
- (a) Vice-Chancellor-Chairperson;
 - (b) Pro-Vice-Chancellor (wherever applicable);
 - (c) Two members from amongst the Deans of schools of studies, by rotation, to be appointed by the Vice-Chancellor;
 - (d) One Professor, who is not a Dean, by rotation, to be appointed by the Vice-Chancellor;
 - (e) One Associate Professor, by rotation, to be appointed by the Vice-Chancellor;
 - (f) One Assistant Professor, by rotation, to be appointed by the Vice-Chancellor;
 - (g) The respective Government shall nominate an officer, not below the rank of Joint Secretary or his / her representative;
 - (h) Upto four nominees of the Sponsoring body; and
 - (i) The Registrar, who shall be the *ex-officio* Secretary of the Executive Council.

(12) Tenure of the members of Executive Council —

- (1) All the members of the Executive Council, other than the Vice-Chancellor, shall hold office for a term of three years and in the case of Deans, the term shall be three years or until they hold the office of Dean, whichever is earlier.
- (2) Members of the Executive Council appointed by the Vice-Chancellor from Professor, Associate Professor and Assistant Professor category shall hold office for a period of one year or till such time they cease to be teachers of the University, whichever is earlier.

(13) Powers and Limitations of Executive Council —

- (1) The Executive Council shall have the power of management and administration of the institution deemed to be University.
- (2) The Executive Council shall be the final decision-making body of the institution deemed to be University in respect of every matter of the institution deemed to be University, including academic, administrative, personnel, financial and developmental matters.
- (3) Subject to the provisions of these regulations and the rules of the institution deemed to be University, the Executive Council shall, in addition to all other powers vested in it, have the following powers, namely :—
 - a. to appoint such Professors, Associate Professors, Assistant Professors and other academic staff, including Chairs, as may be necessary, on the recommendation of the Selection Committee constituted for the said purpose and to fill up temporary vacancies therein;
 - b. to regulate and enforce discipline amongst the employees of the institution in accordance with the rules of the institution deemed to be University;
 - c. to provide for the appointment of Visiting Professors, Emeritus Professors, Professor of Practice, Consultants, Scholars, etc., and determine the terms and conditions of such appointments;
 - d. to exercise such other powers and perform such other duties as may be conferred or imposed on it by the rules and regulations of the institution deemed to be University;
 - e. to make rules and regulations for the institution deemed to be University; and
 - f. the creation of posts shall be done by the Executive Council with prior approval of the General Body headed by Hon'ble Lieutenant Governor.

(14) Meetings of Executive Council —

- (1) The Executive Council shall meet at least four times a year (minimum two in one semester), with not less than seven days' prior notice given before every meeting of the Executive Council and emergency meetings may be convened at a shorter notice, for reasons to be recorded in writing for such emergency meeting.
- (2) One-third of the total number of members of the Executive Council shall form the quorum for the meeting.
- (3) In the absence of the Vice-Chancellor, a member chosen by the other members of the Executive Council present at the meeting, shall preside over the meeting.
- (4) Every member of the Executive Council including the Chairperson, shall have one vote and the decisions at the meetings of the Executive Council shall be taken by simple majority; and in case of a tie, the Chairperson shall have a casting vote.
- (5) Any business, which may be urgent in nature, may be carried out by circulation amongst its members.
- (6) A copy of the minutes of each meeting shall be furnished to the Chancellor of the institution deemed to be University, as soon as possible after the convening of the meeting.

(15) **Termination of Membership** — If a member other than the Vice-Chancellor and those representing the teachers, accepts a full-time appointment in the institution deemed to be University or fails to attend three consecutive meetings of the Executive Council, without proper leave of absence, such member shall cease to be a member of the Executive Council.

(16) **Delegation of Powers of Executive Council**—The Executive Council may, by a resolution, delegate to the Vice-Chancellor or any other officer or faculty or to a Committee of officers or faculties of the institution deemed to be University, such powers as it may deem fit, subject to the condition that the action taken by the Vice-Chancellor or the officer or faculty or the Committee in the exercise of the powers so delegated, shall be reported at the next meeting of the Executive Council.

(17) **Other authorities of institution deemed to be University** —

A. Academic Council :

(1) The Academic Council shall be the principal academic body of the institution deemed to be University and shall, subject to the provision of the rules of the institution deemed to be University, co-ordinate and exercise general supervision over the academic policy of the institution deemed to be University.

(2) The composition of the Academic Council shall be as under —

- a. Vice-Chancellor - Chairperson;
- b. Deans of faculties of the schools and heads of the departments or centres;
- c. upto ten Professors (excluding those who are Deans of schools and heads of departments or centres) by rotation, to be nominated by the Vice-Chancellor giving due regard to the representation of different schools or departments or centres;
- d. upto five Associate Professors from departments or centres other than the heads of the departments or centres, by rotation, to be appointed by the Vice-Chancellor;
- e. upto five Assistant Professors from the departments or centres other than the heads of the departments or centres, by rotation, to be appointed by the Vice-Chancellor;
- f. six persons of repute from amongst the educationists or experts for their specialised knowledge, who are not in the service of the institution deemed to be University, nominated by the Vice-Chancellor; and
- g. the Registrar, who shall be the *ex-officio* Secretary of the Academic Council.

(3) The representation of different categories shall be through rotation and not through an election and the term of members, other than the *ex-officio* members, shall be three years and the Controller of Examination shall be the permanent invitee to the meetings of the Academic Council.

B. Powers and Functions of Academic Council : Subject to the provisions of these regulations and rules of the institution deemed to be University, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely :—

- (a) to exercise general supervision over the academic policies of the institution deemed to be University and to give directions regarding methods of instruction, co-ordination of teaching among departments or faculties or schools or centers, evaluation of research and improvement of academic standards;
- (b) to bring about and promote inter-departmental, inter-faculty, inter-school, inter-center co-ordination and to establish or appoint such committees or boards, as may be deemed necessary for the purpose;
- (c) to consider matters of general academic interest either on its own initiative, or on a reference by a department or faculty or school or centre or the Executive Council, and to take appropriate action thereon;

- (d) to prescribe courses or programmes of study leading to degree and diploma of the institution deemed to be University;
- (e) to make arrangements for the conduct of examinations in conformity with the rules and bye-laws of the institution deemed to be University;
- (f) to maintain proper standards of the examination;
- (g) to recognise diplomas and degrees of Universities and other Institutions and to determine equivalence with the diplomas and degrees of the institution deemed to be University;
- (h) to institute Fellowships, Scholarships, Medals, Prizes, etc.;
- (i) to frame rules covering the academic functioning of the institution deemed to be University, admissions, examinations, award of fellowships and studentships, free-ships, concessions, attendance, discipline, residence, etc.;
- (j) to take a periodical review of the activities of the departments or centres and to take appropriate action to maintain and improve the standards of instruction;
- (k) to recommend the institution of teaching posts (Professors, Associate Professors and Assistant Professors) to the Executive Council;
- (l) to make recommendations to the Executive Council for the establishment or abolition of departments or centres or schools or faculties, etc.;
- (m) to make recommendations to the Executive Council; and
- (n) to exercise such other powers and to perform such other duties, as may be conferred or imposed upon it by the rules of the institution deemed to be University;

C. Meeting of Academic Council —

- (1) The Academic Council shall meet as often as necessary but not less than four times (at least two times in a semester) during an academic year with not less than seven days prior notice being given before every meeting of the Academic Council and emergency meetings may be convened at a shorter notice, for reasons to be recorded in writing for such emergency meeting.
- (2) One-third of the total number of members of the Academic Council shall constitute the quorum for the meeting of the Academic Council.
- (3) Each member, including its Chairperson, shall have one vote and decisions at the meetings of the Academic Council shall be taken by simple majority; and in case of a tie, the Chairperson shall have a casting vote.
- (4) Any business that may be necessary for the Academic Council to perform, which may be urgent in nature, may be carried out by circulation amongst its members.

(18) Finance Committee —

- (1) The composition of the Finance Committee shall be —
 - (i) Vice Chancellor-Chairperson;
 - (ii) Pro Vice-Chancellor(whenever applicable);
 - (iii) One person nominated by the society or trust or company, as the case may be (whenever applicable);
 - (iv) three persons to be nominated by the Executive Council, out of whom at least one shall be a member of the Executive Council;
 - (v) one representative of the Government not below the rank of Joint Secretary or his representative;
 - (vi) three persons to be nominated by the Chancellor;
 - (vii) Finance Officer-Secretary-ex officio.

- (2) In case the institution deemed to be University is controlled or managed or funded by the State Government, one representative of such Government.
- (3) All members of the Finance Committee other than ex-officio member shall hold office for a term of three years.
- (4) The Finance Committee shall meet at least four times in an academic year (at least twice each semester) to examine the accounts and scrutinise the proposals for expenditure and one-third of the total number of members of the Finance Committee shall form the quorum for a meeting.
- (5) All proposals relating to the creation of posts and those items which have not been included in the Budget, shall be examined by the Finance Committee before the Executive Council considers them and to decide waiver in fees, the establishment of scholarships, free-ship and any other financial benefits.
- (6) The annual accounts and financial estimates of the institution deemed to be University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter the same shall be submitted to the Executive Council for approval.
- (7) The Finance Committee shall recommend limits for the total recurring and non-recurring expenditures for the year, based on the income and resources of the institution deemed to be University.

(19) Board of Studies —

- (1) There shall be one Board of Studies for each department or school of the institution deemed to be University. The composition of the Board of Studies shall be —
 - (i) Dean of school or Head of the department-Chairperson;
 - (ii) All Professors of the school or department;
 - (iii) Two Associate Professors of the school or department, by rotation;
 - (iv) Two Assistant Professors of the school or department, by rotation; and
 - (v) Two external experts to be co-opted for their specialized knowledge.
- (2) Subject to the overall control and supervision of the Academic Council, the functions of a Board of Studies shall be to approve subjects for research for various degrees and other requirements of research degrees and to recommend to the concerned School Board in such manner as may be prescribed by the rules of the institution deemed to be University regarding —
 - (a) Courses of studies;
 - (b) appointment of supervisors for research; and
 - (c) measures for the improvement of the standards of teaching and research.
- (3) The powers and functions of the Board of Studies shall be prescribed by the rules of the institution deemed to be University.

(20) Selection Committee for appointment of teaching staff — There shall be one or more Selection Committees constituted, for making recommendations to the Executive Council for appointment to the post of Professors, Associate Professors, Assistant Professors and such other posts as may be prescribed, in accordance with the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations as published from time to time.

(21) Disqualification —

- (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities, or being appointed as, and for being an officer, of the institution deemed to be University if —
 - (a) If he or she is of unsound mind; or
 - (b) If he or she is a non-discharged insolvent; or

- (c) if he or she has been convicted by a court of law for an offense involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months; or
 - (d) if he or she has not been appointed as per the provisions of these regulations.
- (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned above, the question shall be referred to the Chancellor, and his or her decision shall be final and no suit or other proceedings shall be in any civil court against such decision.

(22) Miscellaneous matters relating to different authorities —

- (1) If any question arises, as to whether any person, other than Government nominated or appointed, has been duly nominated or appointed as, or is, entitled to be a member of any authority or any committee of the institution deemed to be University, the matter shall be referred to the Chancellor, whose decision thereon shall be final and binding.
- (2) Any member, other than an ex-officio member of any authority, may resign by a letter addressed to the Registrar and the resignation shall take effect as soon as it is accepted by the Chancellor or the Chairperson of the Executive Council, as the case may be.
- (3) Sudden vacancies among the members of any authority or any Committee of the institution deemed to be University shall be filled by the respective authority, as soon as may be, and within a period of six months.

(23) Officers of institution deemed to be University —

A. Chancellor :

- (1) The Chancellor of NSCBIHL shall be the Administrator of UT of A & N Islands.
- (2) The Chancellor shall, by virtue of his or her office, be the head of the institution deemed to be University and shall, if present, preside at the Convocations of the institution deemed to be University held for conferring degrees.

B. Vice-Chancellor :

- (1) The Vice-Chancellor shall be a whole-time salaried officer of the institution deemed to be University and shall be appointed by the Chancellor from a panel of three names suggested by a Search-cum-Selection Committee.
- (2) The qualifications of the Vice-Chancellor shall be in accordance with the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018.
- (3) The procedure for composition of Search-cum-Selection-Committee (SCSC) shall be in accordance with the University Grants Commission / GoI policies for the selection of Vice Chancellor shall be appointed by Central Government or the State Government, as the case may be.
- (4) The Vice-Chancellor shall hold office for a term of five years from the date on which he or she enters upon his or her office or until he or she attains the age of seventy years, whichever is earlier and shall be eligible for re-appointment for one more term by following the procedure prescribed for the appointment of Vice-Chancellor.

Provided that notwithstanding the expiry of the said period of five years, he or she shall continue in office until his or her successor is appointed and enters.

Upon his or her office, however, in no case, the Vice-Chancellor shall hold office beyond the age of seventy years.

- (5) Provided further that the Chancellor may direct the Vice-Chancellor, after his or her term has expired, to continue in office for such period, not exceeding a total period of one year.
- (6) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he or she is unable to perform his or her duties due to ill health or any other cause, the senior most Professor or any other eminent academician nominated by the Chancellor shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor assumes office or the existing Vice-Chancellor resumes the duties of his or her office, as the case may be.

C. Powers and Duties of Vice-Chancellor —

- (1) The Vice-Chancellor shall be the Principal Executive Officer and academic officer of the institution deemed to be University and shall exercise general supervision and control over the affairs of the institution deemed to be University and give effect to the decision of all authorities of the institution deemed to be University
- (2) The Vice-Chancellor may, if he or she is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the institution deemed to be University by or under these regulations and shall report to such authority at its next meeting the action taken by him or her on such matter:

PROVIDED that, if the authority mentioned in this sub-regulation is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor whose decision thereon shall be final:

PROVIDED further that any person in the service of the institution deemed to be University who is aggrieved by the action taken by the Vice-Chancellor under this regulation shall have the right to represent against such action to the Executive Council within ninety days from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

- (3) The Vice-Chancellor, if he or she is of the opinion that any decision of any authority of the institution deemed to be University is beyond the power of the authority conferred by the provisions of these regulations or that any decision taken is not in the interest of the institution deemed to be University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Chancellor whose decision thereon shall be final.
- (4) The Vice-Chancellor shall be the ex-officio Chairperson of the Executive Council, the Academic Council and the Finance Committee and shall, in the absence of the Chancellor, preside at the Convocations held for conferring degrees to the students.
- (5) The Vice-Chancellor shall be entitled to be present at, and address, any meeting of any authority or other body of the institution deemed to be University, but shall not be entitled to vote unless he or she is a member of such authority or body.
- (6) It shall be the duty of the Vice-Chancellor to see that these regulations are duly observed and implemented and he or she shall have all the powers necessary to ensure such implementation.
- (7) The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the institution deemed to be University, and he or she may delegate any such powers to such person or persons, as he or she may deem fit.
- (8) The Vice-Chancellor shall have the power to convene or cause to be convened the meetings of the Executive Council, the Academic Council, the Finance Committee, and other authorities.

D. Removal of Vice-Chancellor —

- (1) Where there are reasons to believe that the Vice-Chancellor of an institution deemed to be University does not possess the qualifications as required under the University Grants Commission (Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and other Measures for the Maintenance of Standards in Higher Education) Regulations, 2018, or is not appointed as per the procedure stipulated in these regulations or has committed any financial or administrative impropriety, the Chairman of Commission shall constitute an enquiry committee consisting of academic, administrative or financial experts to enquire into the matter.

- (2) On the directions from the Commission, the Chancellor shall place the Vice-Chancellor under suspension, pending an enquiry.
- (3) The enquiry committee shall give an opportunity of hearing to the Vice-Chancellor before submitting its report to the Commission and where the report of the enquiry committee confirms the ineligibility or procedural violations or impropriety, as the case may be, the Commission shall direct the Chancellor to remove the Vice-Chancellor by following due procedure:

Provided that, in respect of the Vice-Chancellor of institution deemed to be University managed or controlled or receiving funds more than or equal to fifty percent of their annual receipt from the Central Government or State Government, the concerned Government shall constitute an enquiry committee which shall provide an opportunity of hearing to the Vice-Chancellor before submitting its report to the Government and in the interregnum period, the Government shall place the Vice-Chancellor under suspension, pending enquiry and the Vice-Chancellor shall be removed only by the concerned Government.

- (4) Notwithstanding anything contained in these regulations, the Chancellor may, at any time after the Vice-Chancellor has entered upon his or her office, by order in writing, remove the Vice-Chancellor from office on the grounds of incapacity, misconduct or violation of these regulations:

PROVIDED that the Chancellor shall make no such order unless the Vice-Chancellor has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

PROVIDED further that the Chancellor may, at any time before making such order, place the Vice-Chancellor under suspension, pending an inquiry.

- (5) In case of an institution deemed to be University managed or controlled or receiving funds more than or equal to fifty percent of its annual receipt from the Central or State Government or its Agencies, the actions referred to in sub-regulations (1) to (4) shall have the approval of the appropriate Government.

E. Registrar —

- (1) (a) The Registrar shall be a whole-time salaried officer of the institution deemed to be University and shall be appointed by the Executive Council on the recommendations of the Selection Committee Consisting of the following :—
 - (i) Vice-Chancellor-Chairperson;
 - (ii) One nominee of the Chancellor;
 - (iii) Two members of the Executive Council nominated by it; and
 - (iv) One expert not in the service of the University to be nominated by the Executive Council.
- (b) The meeting of the Selection Committee shall be fixed after prior consultation with, and subject to the convenience of the Chancellor's nominee and the experts nominated by the Executive Council and the proceedings of the selection committee shall not be valid unless at least three of the Chancellor's nominees or persons nominated by the Executive Council attended the meeting.

- (2) The Registrar shall hold office for a term of five years from the date of assuming office and shall be eligible for re-appointment for a second term by following the procedure prescribed for Registrar:

PROVIDED that, the Registrar shall retire on attaining the age of sixty-two years and the emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the rules of the institution deemed to be University.

- (3) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence, or any other cause, unable to perform the duties of his or her office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

- (4) The Registrar shall be ex-officio Secretary of the Executive Council and the Academic Council, but shall not be deemed to be a member of any of these authorities.
- (5) The Registrar shall be directly responsible to the Vice-Chancellor and work under his or her direction.
- (6) The Registrar shall have the power to take disciplinary action against employees, excluding teachers and other academic staff, as may be specified in the order of the Executive Council and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment :

PROVIDED that no such penalty shall be imposed unless the person has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him or her.

- (7) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-regulation (6).
- (8) In the case where the inquiry discloses that a punishment beyond the power of the Registrar is called for, the Registrar shall, upon the conclusion of the inquiry, make a report to the Vice-Chancellor along with his or her recommendations :

PROVIDED that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.

- (9) It shall be the duty of the Registrar —
 - (a) To be the custodian of the records, the common seal, and such other property of the institution deemed to be University as the Executive Council shall commit to his or her charge;
 - (b) to issue all notices convening meetings of the Executive Council, the Academic Council, and any Committees appointed by those authorities;
 - (c) to keep the minutes of all the meetings of the Executive Council, the Academic Council, and any Committees appointed by those authorities;
 - (d) to conduct the official correspondence between the Executive Council and the Academic Council;
 - (e) to supply to the Chancellor copies of the agenda of the meetings of the authorities of the institution deemed to be University as soon as they are issued and the minutes of such meetings;
 - (f) to represent the institution deemed to be University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his or her representative for the purpose;
 - (g) to perform such other duties as may be specified in the rules of the institution deemed to be University or as may be required from time to time by the Executive Council or the Vice-Chancellor, as the case may be;
 - (h) to enter into an agreement, sign documents, and authenticate records on behalf of the institution deemed to be University;
 - (i) to make arrangements to safeguard and maintain the buildings, gardens, office, canteen, cars and other vehicles, laboratories, libraries, reading rooms, equipment and other properties of the institution deemed to be University; and
 - (j) to conduct the official correspondence on behalf of the authorities of the institution deemed to be University.

F. Finance Officer —

- (1) The Finance Officer shall be appointed by the Executive Council on the recommendations of a Selection Committee constituted for the purpose and he or she shall be a whole-time salaried officer of the institution deemed to be University.
- (2) The Finance Officer shall be appointed for a term of five years and shall be eligible for re-appointment by following the procedure prescribed for the appointment of the Finance Officer :

Provided that, the Finance Officer shall retire on attaining the age of sixty-two years.
- (3) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed by the Executive Council from time to time.
- (4) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his or her office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.
- (5) The Finance Officer shall be ex-officio Secretary of the Finance Committee but shall not be deemed to be a member of such Committee.
- (6) The Finance Officer shall —
 - (a) exercise general supervision over the funds of the institution deemed to be University and shall advise it as regards its financial policy; and
 - (b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by the rules of the institution deemed to be University.
- (7) Subject to the control of the Executive Council, the Finance Officer shall —
 - (a) Ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditures for a year are not exceeded and that all amounts of money are expended on the purpose for which they are granted or allotted;
 - (b) Be responsible for the preparation of annual accounts and the budget of the institution deemed to be university and for their presentation to the Executive Council;
 - (c) Keep a constant watch on the state of the cash and bank balances and on the state of investments;
 - (d) watch the progress of the collection of revenue and advice on the methods of collection employed;
 - (e) ensure that the registers of buildings, land, furniture, and equipment are maintained and up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all offices, departments, schools, faculties, centers and specialised laboratories;
 - (f) bring to the notice of the Vice-Chancellor un-authorized expenditure and other financial irregularities and suggest disciplinary action against persons at fault;
 - (g) call for from any office, department, school, faculty, centre, laboratory, etc. maintained by the institution deemed to be University any information or returns that he or she may consider necessary for the performance of his or her duties; and
 - (h) work under the direction of the Vice-Chancellor and shall be responsible to the Executive Council through the Vice-Chancellor.

G. Controller of Examinations —

- (1) The Controller of Examinations shall be appointed by the Executive Council on the recommendations of a selection committee constituted for the purpose and he or she shall be a whole-time salaried officer of the institution deemed to be University.

- (2) The Controller of Examinations shall be appointed for a term of five years and shall be eligible for re-appointment by following the procedure prescribed for the appointment of Controller of Examination:

Provided that the Controller of Examinations shall retire on attaining the age of sixty-two years.

- (3) The emoluments and other terms and conditions of service of the Controller of Examination shall be such as may be prescribed by the Executive Council from time to time.
- (4) When the office of the Controller of Examinations is vacant or when the Controller of Examinations is, by reason of illness, absence or any other cause, unable to perform the duties of his or her office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.
- (5) The Controller of Examination shall arrange for and superintend the examinations of the institution deemed to be University in the manner as may be prescribed by the rules of the institution deemed to be University.
- (6) The Controller of Examinations shall be a permanent invitee to the Academic Council.
- (7) The Controller of Examinations shall ensure that all the specific directions of the Executive Council, Academic Council and Vice-Chancellor in respect of examination and evaluation are complied with.

H. Dean —

- (1) The Departments dealing with allied subjects may be grouped into faculties or schools, etc. and every faculty shall be headed by a Dean.
- (2) Every Dean of the school or faculty shall be appointed by the Vice-Chancellor from amongst the Professors in the school or faculty, by rotation, for a period of two years:

PROVIDED that, if there is only one Professor or no Professor in a school or faculty, the Dean shall be appointed, for the time being, from amongst the Professor, if any, and the Associate Professors in the school or faculty.

- (3) When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform duties of his or her office, the duties of the office shall be performed by the senior-most Professor or Associate Professor, as the case may be, in the School.
- (4) The Dean shall be the Head of the school or faculty or centre and shall be responsible for the conduct and maintenance of the standards of teaching and research in the school or faculty or centre and shall have such other functions as may be prescribed by the rules of the institution deemed to be University.
- (5) The Dean shall have the right to present and speak at any meeting of the Board of Studies or Committees of the school or faculty or centre, as the case may be, but shall not have the right to vote there unless he is a member thereof.

I. Head of the Department —

- (1) There shall be a Head of the Department or chairperson of the centre for each of the department or centre in the institution deemed to be University, who shall be appointed by the Vice-Chancellor from amongst the Professors of the department or centre:

PROVIDED that, if there is no Professor in the department or centre or there is only one Professor in the department or centre, whose term as Head of the department or chairperson of the centre is ending, the Vice Chancellor may appoint an Associate Professor as Head of the Department.

- (2) The term of the Head of the department or chairperson of the centre shall normally be two years and he or she shall be eligible for re-appointment for one more term by following the procedure prescribed for appointment of the Head of the department or chairperson of the centre.
- (3) The powers and functions of the Head of the department or chairperson of the centre shall be prescribed by the rules of the institution deemed to be University.

(24) Admission and Fees Structure —

A. Admission — Admission of students to the institution deemed to be University shall be strictly based on merit in the entrance exam conducted by a Government Testing Agency or the institution deemed to be University and as prescribed by the appropriate statutory authority, wherever applicable and in case of no entrance examination, the admission of students to the institution deemed to be University may be made in the manner specified in the prospectus.

B. Fee Structure —

- (1) Donation or capitation fee in whatever nomenclature or form, either directly or indirectly, is strictly prohibited.
- (2) The institutions deemed to be Universities shall follow the rules and regulations regarding fee structure, number of seats, etc., issued by the relevant statutory bodies and in case an institution deemed to be University offers different courses which come under the regulatory ambit of different statutory bodies, namely the University Grants Commission, the All India Council of Technical Education, National Medical Council etc., the rules and regulations regarding fee structure, number of seats, etc., issued by such statutory body concerned shall be applicable.
- (3) The fee shall be fixed transparently by the Managing Committee of NSCBIHL, keeping in view non-profiteering or non-commercial aspects.
- (4) The fee shall be collected as declared in the prospectus of the institution deemed to be University and with a proper receipt for such payment and the prospectus shall also state that donation or capitation fee in whatever nomenclature or form, either directly or indirectly, shall not be collected from the student or parent and in case of any grievance, the student or parent may submit their complaint to the institution deemed to be University.
- (5) The institution deemed to be University may provide fee concession or scholarships or may allocate some seats to meritorious students belonging to socially and economically deprived groups of the society.
- (6) The institution deemed to be University shall abide by all the University Grant Commission notifications, guidelines regarding the refund of fees and return of original certificates, as may be issued from time to time.
- (7) Every institution deemed to be University shall maintain the records of the entire process of selection of candidates, exhibit such records on its website, and preserve such records for a minimum period of five years.
- (8) The institution deemed to be University shall make available the prospectus on its website at least sixty days before the commencement of admissions, including fee structure, refund policy, number of seats in a programme, eligibility qualifications, admission process, etc.
- (9) The institution deemed to be University shall not retain any original certificates of the students, faculty members, and staff.

(25) New Departments, Off-Campus Centres and Off-Shore Campus / Campuses —

- (1) NSCBIHL shall normally operate within its own main Campus as is declared by the Central Government in the notification and conduct approved programmes of study falling within the area of its specialization.

- (2) If NSCBIHL wishes to start a new Department dealing with a subject which is not in the field of its specialization or in an allied field, it may do so only, if that field is covered under the objectives for which the Institution deemed to be University was established, and with the prior approval of the Commission.
- (3) NSCBIHL may be allowed to operate beyond its approved geographical boundaries and start Off-Campus(es) / Off-shore Campus(es) as per the UGC regulations published from time to time.

(26) Institution deemed to be University open to all —

- (1) The institution deemed to be University shall be open to the persons of all genders and of whatever caste, creed, race or class, and it shall not be lawful for the institution deemed to be University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him or her to be appointed as a faculty member of the institution deemed to be University or to hold any other office therein or to be admitted as a student in the institution deemed to be University or to graduate there at or to enjoy or exercise any privilege thereof:

PROVIDED that nothing in this section shall be deemed to prevent the institution deemed to be University from making special provision for the employment or admission of women, persons with disabilities, or of persons belonging to the weaker section of the society and, in particular, of the Scheduled Castes, the Scheduled Tribes and the other socially and educationally backward classes of citizens.

- (2) All policies and procedures, in matters of admission, fee, and employment as applicable to the university level public funded and self-financing institutions, respectively, shall apply.

(27) Institution deemed to be University to be Unitary — The institution deemed to be University shall be Unitary in nature and shall not affiliate any other institution.

(28) Reservation policy — Institution deemed to be University shall implement the policy on reservations in admissions and recruitment, in accordance with the provisions of the Constitution of India and any Act of Parliament for the time being in force and disclose all such information on its website.

(29) Online or Distance Education — Institutions deemed to be Universities may offer courses online or distance courses or degrees in accordance with the regulations notified by the Commission from time to time.

(30) Power to conduct Enquiry and Consequences for Violation of Regulations —

- (1) Where the Government or the Commission, as the case may be, receives information by way of a complaint or otherwise, that an institution deemed to be University has violated any of the provisions of these regulations, it shall cause to conduct an enquiry into the facts of such information after issuing a notice to the said effect to the institution deemed to be University.
- (2) The Commission may also cause an inspection, to be made by experts in matters of academics, administration and finance regarding academic outcomes or any matter connected with the administration or finances of the institution deemed to be University for the purpose of the enquiry.
- (3) Based on the enquiry or through procedures mentioned in these regulations, if the Government or the Commission, as the case may be, is satisfied that the regulations have been violated, the institution deemed to be University shall be subjected to such action as provided in the University Grants Commission (Institutions deemed to be Universities) Regulations, 2023.

(31) Funds, Accounts, Audit, and Annual Report —

- (1) The books of accounts of the institution deemed to be University shall be maintained, managed, and operated in the name of the institution deemed to be University and not in the name of the sponsoring body or any other body; and, shall be kept in such form as may be specified by the Executive Council and conform to the rules or regulations, if any, prescribed by the Commission, in this regard.
- (2) Funds shall not be diverted at any time from the accounts of the institution deemed to be University to any other accounts, including to the accounts of the sponsoring body or to any other body.
- (3) The institution deemed to be University shall get its books of accounts audited annually, separately published and uploaded on the website of the institution; and if such institution is funded by Central or State Government or through its Agencies fully or partially, then the accounts of such institution deemed to be University shall be open for examination by the Comptroller and Auditor General of India and the accounts of institution deemed to be University shall also, where required, be open for inspection by the Commission.
- (4) The annual financial statements and accounts shall be audited by a qualified professional, a Member or Fellow of the Institute of Chartered Accountants of India, to be appointed by the institution deemed to be University:

PROVIDED that, the Commission may, on receipt of information regarding financial impropriety or embezzlement or illegal diversion of funds from the accounts of the institution deemed to be University; or of fees being collected against the provisions of these regulations, issue a notice directing the institution deemed to be University to show cause as to why an inspection, including a forensic audit, not be ordered in respect of the complaint, and after providing a reasonable opportunity to the respondent institution, the Commission may on being satisfied that there were sufficient grounds to proceed further, cause an inspection by a team of the Commission or may direct a forensic audit; the report of and the inspection team and the forensic audit report taken together shall form the basis for the Commission to take further action, as it may be deem fit, under these regulations including the recommendation for withdrawal of institution deemed to be University status, to the Government.

- (5) Annual Reports, Annual Financial Statements, and Audit Reports shall be uploaded on the institution deemed to be University website and also on the Commission's portal, after due approval by the Executive Council and the institution deemed to be Universities managed or controlled or funded by the Central or State Government shall submit a copy of the Annual Report, Annual Financial Statements and Annual Audit Report to the respective Government.

(32) Miscellaneous —

- (1) The institution deemed to be University shall, as soon as may be, after the completion of the academic programme, and in no case later than one hundred and eighty days from the date of such completion, ensure that the degree, diploma certificate, or any other qualification in respect of the programme of studies, is awarded and made available to students.
- (2) The institutions deemed to be Universities shall compulsorily create Academic Bank of Credits (ABC), identities of their students and upload their credit scores in digital lockers and ensure that the credit scores are reflected in ABC portal and adopt Samarth e-Gov.
- (3) The institution deemed to be University shall not at any time enter into any franchise agreement or arrangement, either overtly or covertly, with any individual or organisation for establishing, maintaining, or operating the off-campus or off-shore campus or constituent units or course or programme of study or department or school or faculty of the institution deemed to be University except in the following cases, namely :—

- (a) the institution deemed to be University, which is eligible under sub-regulations (1) and (2) of regulation 8 may enter into an agreement or arrangement, if—
- the establishment, maintenance, or operation of such institution is permitted under any Act of Parliament or the rules or regulations made thereunder; and
 - it has made an application under sub-regulation (3) of regulation 8, after following the procedure specified in these regulations.
- (b) the campus to be established under such agreement or arrangement shall be —
- treated as an off-campus centre of the institution deemed to be University as long as such agreement or arrangement remains valid under such law; and
 - subject to similar standards of audit and disclosure as a not-for-profit entity as that of the institution deemed to be University.
- (c) the institution deemed to be University, which is eligible under regulation 8 may enter into an agreement or arrangement for practical training of students of a skill-oriented vocational courses, if such course is approved by the University Grants Commission or any other body established under any Act of Parliament.
- (d) twinning Programmes, Joint Degree Programmes, and Dual Degree Programmes shall be offered in accordance with the provisions stipulated in the University Grants Commission (Academic Collaboration between Indian and Foreign Higher Educational Institutions to offer Twinning, Joint Degree, and Dual Degree Programmes) Regulations, 2022.
- (e) the income and property of the institution deemed to be University shall be utilised solely for promoting the objectives of the institution deemed to be University.
- (f) the Commission shall have the power to issue directions to an institution deemed to be University for implementation of any public policy of the Government or in respect of any law in force, including appropriate directions in case of any violation of any law or policy by the institution deemed to be University.
- (g) no portion of the income and property of the institution deemed to be University shall be paid or transferred directly or indirectly, by way of dividend, bonus, or otherwise howsoever by way of profit to the persons who were at any time or are members of the institution deemed to be University or to any of them or any persons claiming through them :

PROVIDED that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or another person as consideration for any service rendered to the institution deemed to be University or for traveling or other allowances and such other charges.

- (h) in consultation with the Commission, the Government shall have the power to impose such other conditions, not inconsistent with these regulations, in the notification, and the same shall be binding on the institution deemed to be University.
- (i) where the institution deemed to be University wishes to surrender its status of "institution deemed to be University", it shall do so with the prior permission of the Government; and similarly, withdrawal of any constituent units or off-campus or off-shore campus of the institution deemed to be University from the purview of an institution deemed to be University, shall require the sponsoring body to take the prior permission of the Government :

PROVIDED that such surrender or withdrawal, as the case may be, shall take effect only after the last batch of students on the rolls of the institution deemed to be University or its constituent units, as the case may be, have been accorded the opportunity to qualify for the completion of the programme of study and award of degree.

- (j) the institution deemed to be University shall furnish to the Central Government or the Commission such returns or other information with respect to its property or activities as the Central Government or the Commission may, from time to time, require, within such period as may be specified by the Central Government or Commission.
- (k) convocations of the institution deemed to be University for conferring the degrees or for other purposes shall be held in such manner as may be prescribed by the rules of the institution deemed to be University.
- (l) the Executive Council may, by a resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw a degree of academic distinction conferred on, or any certificate or diploma granted to, any person by the institution deemed to be University for good and sufficient cause :

PROVIDED that no such resolution shall be passed until a notice in writing has been given to that person calling upon him or her to show cause within such time as may be specified in the notice as to why such a resolution shall not be passed and until his or her objections, if any, and any evidence he or she may produce in support of them, have been considered by the Executive Council.

- (m) in the event of conflict of opinion with regard to the interpretation of these regulations, the opinion of the Commission shall be final.
- (n) the provisions contained in the University Grants Commission (Institutions deemed to be Universities) Regulations, 2023 shall prevail in case of any inconsistency or conflicting provisions in any other regulations issued by the Commission under the provisions of the Act.

(33) Legal proceedings —

- (1) The Registrar may sue or be sued for the purpose of any legal proceedings against institution deemed to be University, who shall have the power to enter into agreements, sign documents and authenticate records on behalf of the institution deemed to be University, and have the powers to exercise such powers and perform such duties under the provisions of these regulations.
- (2) No suit or legal proceedings shall lie against the Government or the Commission in respect of anything done or purported or intended to be done in pursuance of any of these regulations.

(34) Consequences of Violations of Regulations —

In the event of non-compliance of any of the provisions as enumerated hereinabove or any other provisions as stipulated in the University Grants Commission (Institutions deemed to be Universities) Regulations, 2023, the Institution shall be liable to be subjected to one or more of the following actions, namely :—

- (a) For violation of these regulations established by the enquiry committee set up by the Commission or Government, the institution deemed to be University shall be warned in writing with public notice or barred from any expansion in terms of diversification to new courses or programmes of study or departments and establishment of off-campus or off-shore campuses, for a period of three years or as recommended by the enquiry committee, whichever is higher;

- (b) Continuous violation of regulations established by the enquiry committee set up by the Commission or the Government may result in closure of the courses or programmes of study or Departments and off campuses or constituent institutions or off-shore campuses or may result in withdrawal of the status of institution deemed to be University;
- (c) In order to protect the interests of students in case of surrender or withdrawal of the status, as the case may be, shall take effect only after the last batch of students on the rolls of the institution deemed to be University or its constituent units, has been accorded opportunity to qualify for the completion of the programme of study and award of degree.

(35) Removal of Difficulty —

UGC reserves the right to remove difficulty(ies) in the course of implementation of this MoA in consultation with the Government of India, Ministry of Education.

The above Memorandum of Association is issued in supersession of Memorandum of Association of ANILES, 2016.