

The Arunachal Pradesh University of Studies Act, 2012

(Act No. 9 of 2012)

(Received the assent of the Governor on 26th May, 2012 And Published in the Arunachal Pradesh E.O. Gazette No. 102, Vol-XIX, dated 30th May, 2012)

An

Act

to establish and incorporate the Arunachal University of studies in the State of Arunachal Pradesh at Namsai, with an emphasis on providing high quality education supplemented with Industrial Internship and Professional Training in the areas of Business & Management, Engineering & Technology, Hydel Power, Training & Development, Computing & Information Technology, Entrepreneurship, Rural Development, Biotechnology, Biosciences & Environmental Sciences, Architecture, Media & Communication, Film & Television Production, Basis Sciences, Medical & Paramedical, Humanities, Juridical Sciences, Life Sciences, Liberal Art & Sciences, Performing Arts, Nursing, Quality Training & Development of State Government officers etc. and related areas sponsored by the World Education Mission (a wholly charitable trust), New Delhi and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of Arunachal Pradesh in the Sixty-third Year of the Republic of India as follows:

CHAPTER 1

Preliminary

Short title and commencement

- (1) This Act may be called "the Arunachal University of Studies", 2012.
(2) It shall come into force on such date as the State Government may by notification in the Official Gazette appoint.

Definitions :

2. In this Act, unless the context otherwise requires:

- (1) "Academic Council" means the Academic Council of the University;
- (2) "Act" means The Arunachal University of Studies, Arunachal Pradesh Act, 2012;

- (3) "Affiliated College" means a college or an institution which is affiliated to the University;
- (4) "AIU" means Association of Indian Universities;
- (5) "Annual Report" means the Annual report of the university as referred to in section 44 of the Act;
- (6) "Board of Governors" means the Board of Governors of the university constituted under section 20 of the Act;
- (7) "Board of Management" means the Board of Management of the university as constituted under section 21 of the Act;
- (8) "Chancellor" means the Chancellor of the university appointed under section 13 of the Act;
- (9) "Constituent College" means a college or an institution maintained by the university;
- (10) "DCI" means Dental Council of India;
- (11) "DEC" means Distance Education Council;
- (12) "Development Fund" means the development fund of the University established under section 42 of the Act;
- (13) "Distance Education System" means the system of imparting education through any means of information technology and communication such as multimedia, broadcasting, telecasting, online over internet, other interactive methods, e-mail, internet, computer, interactive talk back e-learning, correspondence course, seminar, contact Programmes or a combination of any two or more of such means;
- (14) "Endowment fund" means the endowment fund of the University established under section 40 of the Act;
- (15) "Employee" means employee appointed by the University; and includes teachers and other staff of the University or of a constituent college;
- (16) "Faculty" means the faculty of the university;
- (17) "Finance Officer" means the Finance Officer of the university appointed under section 17 of the Act;
- (18) "General fund" means general fund of the University established under section 41 of the Act;

(19) "INC" means the Indian Nursing Council;

(20) "Internship" means on-job training, apprenticeship, or a professional training of students with academic studies;

(21) "Internship Campus" means a center established, maintained or recognized by the University for the purpose of Internship & Training or for rendering any other assistance including conducting contact classes and administering examinations required by the Students;

(22) "MCI" means the Medical Council of India;

(23) "NCTE" means the National Council for Teacher Education;

(24) "Official Gazette" means the Gazette of Arunachal Pradesh;

(25) "Off-Campus" means a Campus of a University established by it outside the main campus (within or outside the state) operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff;

(26) "Off-Shore Campus" means a Campus of a University established by it outside the country, operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff;

(27) "PCI" means Pharmacy Council of India;

(28) "Prescribed" means prescribed by the statutes and the rules made under this Act;

(29) "Principal" in the relation to a constituent college, means the Head of the constituent college and includes where there is no Principal, the Vice-Principal or any other person for the time being as appointed to act as Principal;

(30) "Regional Centre" means a center established or maintained by the university for the purpose of coordinating and supervising the work of Study Centers in any region and for performing such other functions as may be conferred on such center by the Board of Management;

(31) "Registrar" means the Registrar of the University appointed under 16 of the Act;

(32) "Rules & Regulations" means the Rule & Regulations of the university;

- (33) "Sponsor" means the World Education Mission, New Delhi;
- (34) "State" means the State of Arunachal Pradesh;
- (35) "State Government" means the State Government of Arunachal Pradesh;
- (36) "Statutes" means the Statutes of the University;
- (37) "Study Centre" means a center established, maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance including training, conducting contact classes and administering examinations required by the Students;
- (38) "Teachers" means a professor, Associate Professor, Assistance Professor/Lecturer or such other person as may be appointed for imparting instruction or conducting research in the University or in a constituent college or institution and includes the Principal of a constituent college or institution, in conformity with the norms prescribed by the University Grants Commission;
- (39) "UGC" means the University Grants Commission established under the University Grants Commission Act, 1956;
- (40) "University" means the Arunachal University of Studies, established under this Act, within the meaning of University Grants Commission Act, 1956;
- (41) "Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 14 of the Act;

CHAPTER 2

The University and its Objectives

Proposal for the Establishment of the University

3. (1) The Sponsor shall have the right to establish the University in accordance with the provision of this Act;
- (2) The application containing the proposal to establish the University shall be made to the State Government by the Sponsor;
- (3) The proposal contains the following particular, namely;

- 3.1 (a) The objects of the University along with the detail of the Sponsor;

- (b) The extent and status of the University and the availability of land;
- (c) The nature and type of programmes of study and research to be undertaken in the University during a period of the next five years;
- (d) The nature of faculties, courses of study and research proposed to be started;
- (e) The campus development such as building, equipment and structural amenities;
- (f) The phased outlays of capital expenditure for a period of the next five years;
- (g) The item-wise recurring expenditure, sources of finance and estimated expenditure for each student;
- (h) The scheme for mobilizing resources and the cost of capital thereto and the manner of repayments to each source;
- (i) The scheme of generation of funds internally through the recovery of fee from students, revenues anticipated from consultancy and other activities relating to the objects of the University and other anticipated incomes;
- (j) The detail of expenditure on unit cost, the extent of concessions or rebates in fee, free ship and scholarship for students belonging to economically weaker sections and the fee structure indicating varying rate of fee, if any, that would be levied on non-resident Indians and students of other nationalities.
- (k) The history & credentials of the sponsor including years of experience and expertise in the concerned discipline at the command of the sponsor as well as the financial resources;
- (l) The years of experiences and expertise in the concerned discipline at the command of the Sponsor as well as the financial resources;
- (m) The system for selection of students to the course of study at the University;
- (n) Status of fulfillment of such other conditions as may be required by the State Government to be fulfilled before the establishment of the University.

4. Establishment of University :

- (1) Where the State Government, after such inquiry as it may deem necessary, is satisfied that the Sponsor has fulfilled the conditions specified in sub-section (2) of section 3; it may initiate proceedings of notification of University;
- (2) The State Government may by notification in the Official Gazette accord sanction for establishment of the University and direct Sponsor to establish the complete endowment fund within six months of notification;
- (3) The headquarters of University shall be in Namsai, Arunachal Pradesh and it may have campuses or Regional Centers, Study Centers anywhere in India and abroad with approval of the Board of Governors;
- (4) The Chancellor, the Vice-Chancellor, member of the Board of Governors, members of the Board of Management and the Academic Council for the time being holding office as such in the University so established, shall constitute a body corporate and can sue and be sued in the name of the University;
- (5) On the establishment of the University under sub-section (2), the land and other movable and immovable properties acquired, created, arranged or built by the University for the purpose of the University in the State of Arunachal Pradesh shall vest in the University;
- (6) The land, building and other properties acquired for the University shall not be used for any purpose, other than that for which the same is acquired.

5. University not to be entitled to financial assistance :

The University shall be self-financing and shall not make a demand to any grant-in-aid or any other financial assistance from the State Government.

6. Constituent Colleges and Affiliated Colleges :

- (1) The University may have Constituent Colleges, Regional Centers, Campuses, Off-Campuses, Off-shore Campuses, Internship Campuses and Study Centers;
- (2) The University may with the prior approval of the Board of Governors, affiliate any college or other institutions.

7. Objects of the University :

The objectives for which the university is established are as follows :

- (a) To provide instructions, teaching, training, and research in various fields of Agriculture, Business and Management, Engineering and Technology, Hydel Power, Training and Development, Computing and Information Technology, Entrepreneurship, Rural Development, Biotechnology, Biosciences and Environmental Sciences, Architecture, Media and Communication, Film and Television Production, Basic Science, Humanities, Juridical Sciences, Performing Arts, Nursing, Medical, Paramedical and related areas and subjects and to make provisions for research, advancement and dissemination of knowledge therein;
- (b) To establish a campus in the State of Arunachal Pradesh, and to have Regional Centers, Campuses, Off-Campuses, Off-Shore Campuses, Internship Campuses, Examination Centres and Study Centers at different places in India and abroad;
- (c) To offer continuing and distance education Programmes;
- (d) To institute degrees, diplomas, charters, certificates, pre-university certifications and other academic distinctions on the basis of examination or any other method of evaluation;
- (e) To collaborate with other colleges or universities research institutions, industry associations, professional associations or any other organization in India or abroad, to conceptualize, design and develop specific educational and research programmes, training programmes and exchange Programmes for students, faculty members and others;
- (f) To identify the need of education in an area at various level including primary, secondary, bachelor, masters & doctorate programmes and providing necessary facilities as per local requirements by introducing new programmes and relaxation in eligibility norms;
- (g) To disseminate knowledge through seminars, conferences, executive education programmes, community development programmes, publications, and training programmes;

- (h) To undertake programmes for the training and development of faculty members and teachers of the University and other institutions in India or abroad;
- (i) To undertake collaborative research with any organization in India or abroad;
- (j) To create higher levels of intellectual abilities ;
- (k) To provide consultancy to industry, Government and Public Organizations;
- (l) To ensure that the standard of the degrees, diplomas, charters, certificates, pre-university certificates and other academic distinctions are not lower than those laid down by the University Grants Commission, Bar Council of India, National Council for Teacher Education, Medical Council of India, Dental Council of India, Indian Nursing Council and the Pharmacy Council of India;
- (m) To do all things necessary or expedient to promote the above objectives ;
- (n) To pursue any other objective as may be prescribed by the State Government or Sponsor.

8. Powers of the University :

- (1) The University shall have the following powers, namely:-

- (a) To establish, maintain and recognize such Regional Centers, Campuses, Off-Campuses, Off-Shore Campuses, Internship Campuses, Examination Centres and Study Centers as may be determined by the University from time to time in the manner laid down by the Statutes;
- (b) To carry out all such other activities as may be necessary or feasible in furtherance of the object of the University;
- (c) To confer degrees, diplomas, charters, certificates, pre-university certifications or other academic distinctions etc. in accordance with the Statutes;
- (d) To institute and award fellowship, scholarship and prizes etc. in accordance with the Statutes;

- (e) To launch any academic and research programmes & courses, discipline of education which deemed suitable for meeting the objects provided in section 7(a)
- (f) To determine, demand and receive fees, bills, invoices and collect charges to fulfill the objects of University, as the case may be;
- (g) To make provision for extracurricular activities and trainings for students for students and employees;
- (h) To appoint the faculties, teachers, officers and employees of the University or a Constituent college, Affiliated college, Regional Centres, Study Centers, Campuses, Off-Campuses, Off-shore Campuses and Internship Campuses located in India and abroad;
- (i) To receive donations and gifts of any kind to acquire, hold, manage, maintain, lease, mortgage and dispose of any movable and immovable property, including trust and endowment properties for the purpose of University or a Constituent College, or a Regional Centers or a Off-Campus Centre or a Study Centers;
- (j) To establish and maintain halls and to recognize places of residence for students, officers, teachers and employees of the University or a constituent for students of the University or a constituent college or any other at the main campus and other campuses in India and abroad;
- (k) To supervise and control the residence, and to regulate the discipline among the students and all categories of employees and to lay down the conditions of service of such employees, include their Code of Conduct;
- (l) To create, academic, administrative and support staff and other necessary posts;
- (m) To co-operate and collaborate with other Universities and institutions in such a manner and for such purposes as the University may determine from time to time;
- (n) To offer regular, distance learning, continuing education, industry integrated, collaborative industry based education programmes and the manner in which such Programmes are offered by the University;

- (o) To organize and conduct refresher courses, orientation courses, workshops, seminars and other Programmes for students, industry executives, teachers, developers of courseware, evaluators and other academic staff;
- (p) To determine standards of admission to the University, Constituent Colleges, Affiliated Colleges, Regional Centers, Study Centres, Campuses, Off-Shore Campuses, Off-Campuses and Internship Campuses with the approval of Academic Council;
- (q) To make special provisions for students belonging to the State of Arunachal Pradesh for admission in course of the University or in a constituent college, affiliated college, regional centre, campus or study centre;
- (r) To come all such other acts or thing whether incidental to the powers aforesaid or not, as may be necessary to further the objects of the University;
- (s) To prescribe such courses of Bachelor, Masters, Doctorate and Research Degrees and such other Degrees, Diplomas, Charters, Certificates, Pre-University Certificates etc;
- (t) To provide for the preparation of instructional materials including films, cassettes, tapes, video cassettes, CD, VCD and other software;
- (u) To recognize examinations or period of study (whether in full or part) of other Universities, institutions or other places of learning as equivalent to examinations or period of study in the University and to withdraw such recognition at any time;
- (v) To create industry academia partnership by inviting Industry in the University Campus and other University centres for mutual benefit;
- (w) To raise, collect, subscribe and borrow with the approval of the Board of Management whether on the security or the property of the University, money for the purpose of the University;
- (x) To enter into, carry out, vary or cancel contracts;

(y) To create, amend and cancel the rules and regulations to fulfill the objects of the University;

(z) To do all such acts or things whether incidental to the powers aforesaid or not, as may be necessary to further the object of the University;

(aa) To carry out all such other activities as may be necessary or feasible in furtherance of the object of the University;

(bb) To do all things necessary or expedient to exercise the above powers;

9. University for all classes, castes, creed, religion, region, languages and gender and provisions for the students of Arunachal Pradesh :

- (1) The University shall be open to all irrespective of class, caste, creed, religion, region, language or gender;
- (2) The University shall ensure that the academic standards of the courses offered by the University are in accordance with the guidelines of the University Grants Commission and other statutory bodies as the case may be.
- (3) The appointment, qualification and emoluments and teacher-student ratio shall be as per the guidelines of the University Grants Commission and specific councils.

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for admissions to students of the State and socially and economically weaker section of the society, especially for the state of Arunachal Pradesh.

10. National and International Accreditation :

- (1) The University will seek accreditation from respective national and international accreditation bodies;
- (2) The University shall obtain prior permission/ approval from National Accreditation bodies like NCTE, BCI, AICTE etc. before commencing any course required permission or recognition from concerned bodies, if required by any law for the time being in force, shall be obtained;

(3) As regards other Programmes on technical education the relevant laws, rules, regulations etc. in the matter of obtaining approval/recognition or maintain standards shall apply to the University.

11. Places of Campuses :

- (1) The Campus of University shall be at any place in Namsai within the state of Arunachal Pradesh and it may have Campuses, Regional Centres, Study Centres anywhere in India & abroad subject to fulfillment of laid down terms and conditions, in the University Grants Commission Regulation.
- (2) The Chancellor, the Vice-Chancellor, members of the board of Governors, Members of the Board of Management and the academic council for the time being holding offices as such in the university so established, shall constitute a body corporate and can sue and be sued in the name of University.
- (3) The Board of Governors will decide the usage of land, building and other properties acquired by the university, which is for the benefits of university.

CHAPTER 3

Officers of the University

12. Officers of the University :

The following shall be the officers of the University namely:-

- (a) The Chancellor
- (b) The Vice-Chancellor
- (c) The Registrar
- (d) The Finance Officer, and
- (e) Such other officers as may be declared by the statutes to be officers of the University.

13. The Chancellor :

- (1) A person eminence shall be appointed by Sponsor as Chancellor of the University with the prior approval of the Visitor;
- (2) The Chancellor so appointed shall hold the office for a period of five years;

(3) The Chancellor shall be the head of the University;

(4) The Chancellor shall preside at the meeting of the Board of Governors and shall, when the Visitor is not present, preside at the convocation of the University for Conferring Degrees, Diplomas, Charters, Designations or Certificates.

(5) The Chancellor shall have the following powers, namely:-

(a) To call for any information or record;

(b) To appoint the Vice-Chancellor;

(c) To remove the Vice-Chancellor;

(d) Such other powers may be conferred on him by this Act or the Statutes made thereunder.

14. **The Vice-Chancellor :**

(1) The Vice-Chancellor shall be appointed on such terms and conditions as may be prescribed by the Statutes for a term of three years by the Chancellor;

(2) The Vice-Chancellor shall be appointed by the Chancellor from a panel of three persons recommended by the Board of Governors and shall hold office for a term of three years;

(3) The Vice-Chancellor shall be the Principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to decision of the authorities of the University;

(4) If in the opinion of the Vice-Chancellor it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Act, he may take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officers/ authority as would have in the ordinary course dealt with the matter;

Provided that if in the opinion of the concerned authority such action should not have been taken by the Vice-Chancellor, then such case shall be referred to Chancellor, whose decision thereon shall be final;

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within three months from the date on which such action is communicated to him/ her, an appeal to the Board of Governors and the Board of Governors may confirm or modify or reverse the action taken by the Vice-Chancellor;

- (5) If in the opinion of the Vice-Chancellor any decision of any authority of the University is outside the powers conferred by this Act, Statutes or is likely to be prejudicial to the interest of the University he shall request the concerned authority to revise its decision within seven days from the date of decision and in case the authority refuse to revise such decision wholly or partly or fails to take any decision within seven days, then such matter shall be referred to the Chancellor and his decision thereon shall be final;
- (6) The Vice-Chancellor shall exercise such other powers and perform such duties as may be laid down by the Acts and Statutes or the rule;
- (7) The Vice-Chancellor shall preside at the convocation of University in the absence of both, the Visitor and the Chancellor, for conferring Degrees, Diplomas, Charters, Designation or Certificates;
- (8) The Chancellor is empowered to remove the Vice-Chancellor after due enquiry. It will be open to the Chancellor to suspend the Vice-Chancellor during enquiry depending upon the seriousness of the charges as he may deem fit.

15. Deans of Faculties :

Deans of faculties shall be appointed by the Vice-Chancellor in such a manner and shall exercise such powers and perform such duties as may be prescribed by Statutes.

16. The Registrar :

- (1) The appointment of the registrar shall be made in such manner as may be prescribed by the Statutes;

- (2) All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University;
- (3) The Registrar shall exercise such other powers and perform other duties as may be prescribed or may be required from time to time, by the Board of Governors;
- (4) The Registrar shall be responsible for the due custody of the records and the common seal of the University and shall be bound to place before the Chancellor, the Vice-Chancellor or any other authority all such information and documents as may be necessary for transaction of their business;
- (5) The Registrar shall exercise such powers and perform such duties as may be prescribed by the Statutes;
- (6) The Vice-Chancellor is empowered to remove the Registrar after due enquiry. It will be open to the Vice-Chancellor to suspend the Vice-Chancellor during enquiry depending upon the seriousness of the charges as he may deem fit.

17. The Finance Officer :

- (1) The appointment of the Finance Officer shall be made in such manner as may be prescribed by the Statutes;
- (2) The Finance Officer shall exercise such other powers and perform such other duties as may be prescribed by the University or may be required from time to time by the Board of Governors;
- (3) The Vice-Chancellor is empowered to remove the Finance Officer after due enquiry. It will be open to the Vice-Chancellor to suspend the Finance Officer during enquiry depending upon the seriousness of the charges as he may deem fit.

18. Other Officers :

The manner of appointment, terms and conditions of service and powers and duties of the other officers of the University shall be such as may be prescribed by the Statutes, Rules and Regulations. However, Direct and indirect employment opportunities will be generated in the state with the establishment of the university. For example, the presence of well-developed center such a large number of people would lead to creation of Administrative jobs, courier, travel and residential services, in and around the campus ;

The employment generation would be in the following manners :-

- (A) IV grade employees 50 % reservation for local people
- (B) III grade employees 40% reservation for local people
- (C) II grade employees 20% reservation for local people
- (D) Faculty Staff Open at international level

CHAPTER 4

Authorities of the University

19. Authorities of the University :

The following shall be the authorities of the University namely:-

- (a) The Board of Governors;
- (b) The Board of Management;
- (c) The Academic Council;
- (d) The Finance Committee; and
- (e) Such other authorities as may be declared by the Statutes to be the authorities of the University.

20. The Board of Governors and its powers:

(1) The Board of Governors shall consist of the following Members :

- (a) The Chancellor;
- (b) The Vice-Chancellor;
- (c) Three persons nominated by the Sponsor;
- (d) One representative of the State Government;
- (e) One educationist of repute to be nominated by the State Government;
- (f) One educationist of repute to be nominated by the Sponsor.

(2) The Chancellor shall be the Chairman of the Board of Governors;

(3) In the absence of Chancellor the Vice-Chancellor shall be the Chairman of the Board of Governors;

(4) The Registrar shall be an ex-officio Secretary of the Board of Governors;

(5) In the absence of Registrar, one existing member nominated by the Board of Governor, will work temporarily as Secretary of the Board of Governors;

(6) The Board of Governors shall be the supreme authority and principal governing body of the University and shall have the following powers, namely:-

- To appoint the statutory Auditors of the University;
- To lay down policies to be pursued by the University;
- To review decisions of the other authorities of the University if they are not in conformity with the provision of this Act, or the Statutes or the rules;
- To approve the budget and annual report of the University;
- To make new or additional Statutes and rules or amend or repeal the earlier Statutes and rules;
- To make decision about voluntary windings up of the University;
- To approve proposals for submission to the State Government;
- To approve additional power and modify the existing power of Board of Management, Academic Council, Finance Committee, Other Authorities and Other Committees;
- To take such decision and steps as are found desirable for effectively carrying out the objects of the University;

(7) The Board of Governors, shall, meet at least twice in a calendar year at such time and place as the Chancellor thinks fit.

The Board of Management:

- The Board of Management shall consist of the following namely:
 - The Vice-Chancellor;
 - The Registrar;
 - Four persons nominated by the Sponsor;
 - Two Deans of the faculties as nominated by the Chancellor;
 - One State Government representation either Secretary Education or Director Education;

(f) One Management Representative nominated by Sponsor;

(g) One Women nominated by the Chancellor.

(2) The Vice-Chancellor shall be the Chairperson of the Board of Management and the Registrar shall be the Secretary of the Board of Management;

Provided in the absence of Vice-Chancellor, the management representative nominated by the sponsor will work temporarily as the Chairman of Board of the Management;

Provided further in absence of Registrar, one existing member nominated by Board of Management, will work temporarily as the Secretary of the Board of Management.

(3) The Board of Management shall have following power namely :

- (a) To establish maintain and recognize regional centres, campuses, study centres, off-campuses, off-shore campuses;
- (b) To launch any academic research programme and courses, discipline of education which deemed suitable for meeting the object of University;
- (c) To create and amend rules and regulations of the University to fulfill the objects of the University;
- (d) To determine, demand and receive fees, bills, invoices and collect charges;
- (e) To make provisions of extra-curricular activities for students and employees;
- (f) The Operation of endowment fund, general fund and development fund;
- (g) To appoint faculties, teachers, officers and employees of the University or a constituent college, regional centre, study centre or a campus, establish, maintain, recognize such regional centre, study centre and campuses, off-campuses, off-shore campuses located in India and abroad;
- (h) To receive donation and gifts of any kind and to acquire, hold, manage, maintain, lease, mortgage and dispose of any movable or immovable property, including trust and endowment properties for the purpose of University or a constituent college, or a Regional Centre, or a study Centre;

- (i) To create academic, administrative, and support staff and any other post;
- (j) To co-operate and collaborate with other Universities, Institutions in such a manner and for such purpose as university may determine from time to time;
- (k) To offer regular, industry integrated, distance education and continuing education programmes;
- (l) To organize and conduct refresher courses, orientation courses, workshops, seminars and other programmes, for industry executives, developers of courseware, evaluator and other academic staff;
- (m) To determine standards of admission to the various programmes with the approval of academic council;
- (n) To make special provisions for students belonging to the state of Arunachal Pradesh or other states for admission in any course of the University or in a constituent college, affiliated college, off-campus centre, off-shore campus, regional centre or study centre;
- (o) To prescribe such course for Bachelor Degree, Master's Degree, Doctor of Philosophy, Doctor of Science and Research and such other degrees, diplomas, certificates etc.;
- (p) To provide for the preparation of instructional material, reference books, study material, including films, cassettes, tapes, video cassettes, CD, VCD, DVD and other Software;
- (q) To recognize examinations or periods of study (Where in Full or Part) of other Universities, Institutions, or other places of higher learning as equivalent to examination or period of study in the University and to withdraw such recognition at any time;
- (r) To create Industry Academia partnership by inviting industry in-campus and other university centres for mutual benefits;
- (s) To raise, collect, subscribe and borrow whether on the security of the property of the University, money for the purpose of the University;

- (t) To enter into, carry out, vary or cancel contracts;
- (u) To do all such acts or things as direct by Board of Governors;
- (v) To do all things necessary or expedient the above powers;
- (w) The other powers and functions of the Board of Management shall be such as may be prescribed by the Statutes.

22. **The Academic Council :**

- (1) The Academic Council shall consist of the :-
- (a) The Vice-Chancellor as Chairman;
- (b) The Registrar as Secretary;
- (c) Such other members as may be prescribed in the Statutes (Like Dean, HOD, Professors).

(2) The Academic Council shall be the Principal academic body of the University and shall, subject to the provision of this Act, the Statutes and the rules, co-ordinate and exercise general supervision over the academic policies of the University.

23. **The Finance Committee :**

- (1) The Finance Committee shall consist of :-
- (a) The Vice-Chancellor as Chairman;
- (b) The Registrar as Secretary;
- (c) The Finance Officer as Member;
- (d) Such other members as may be recommended by Sponsor.

(2) The Finance Committee shall be the principal financial body of the University to take care of financial matters and shall, subject to the provision of this Act, Rules and Statutes, Coordinate and exercise general supervision over the financial matters of the University.

24. **Other Authorities :**

The constitution, powers and functions of the other authorities of the University shall be such as may be prescribed by the Statutes.

25. **Proceedings not invalidated on account of Vacancy :**

No Act or proceeding or any authority of the University shall be invalid merely reason of the existence of any vacancy or defect the constitution of the authority.

CHAPTER 5

Statutes and Rules

26. **Statutes :**

Subject to the provision of this Act. The statutes may provide for any matter relating to the University and staff, as given below:-

- (a) The constitution, powers and functions of the authorities and other bodies of the University as specified in the Act: and such other authorities as may be constituted from time to time;
- (b) The operation of the endowment fund, the general fund and the development fund;
- (c) The terms and conditions of appointed of the Vice-Chancellor, the Registrar and the finance officer and their powers and functions;
- (d) The mode of recruitment and the conditions of service of the other officers, teachers and employees of the University;
- (e) The procedure for resolving disputes between the University and its offices, faculty members employees and students;
- (f) Certain abolition or restructuring of departments and faculties;
- (g) The manner of co-operation with other Universities or Institutions of higher learning;
- (h) The procedure for conferment of honorary degrees;
- (i) Provisions regarding grant of free-ship, sponsorships and scholarship;
- (j) Number of seats in different courses of studies and the procedure of admission of students to such courses;
- (k) The fee chargeable from students for various courses of studies;

- (l) Institution of fellowships, scholarships, studentships, freeships, medals and prizes;
- (m) Procedure for creation and abolition of posts;
- (n) Other matters which may be prescribed.

27. **Statutes how made :**

- (1) The first statutes framed by the Board of Governors shall be submitted to the state government for its approval; which may within three months from the receipt of the Statutes give its approval with or without modifications;
- (2) Where the State Government fails to take any decision with respect to the approval of the Statutes within the period specified under Sub-Section (1) it shall be deemed to have been approved by State Government.

28. **Power to amend the Statutes :**

- (1) The Statutes as stated in the Act may be amended or new Statutes may be added by the Board of Management which needs to be approved by Board of Governors;
- (2) The Board of Governors shall submit the new and amended Statutes to the state government for its approval, which may within three months from the date of receipt of the Statutes give its approval with or without modifications;
- (3) Where the State Government fails to take any decision with respect to the approval of Statutes within the period specified under Sub-section (1), it shall be deemed to have been approved by State Government.

29. **Rules :**

Subject of the provisions to this Act, the rules may provide for all or any of the following matters namely:-

- (a) Admission of students to the University and their enrolment and continuance as such;
- (b) The courses of study to be laid down for all Degrees, Diplomas, Certificates, Charters and other Academic Distinctions of the University;

- (c) The award of Degrees, Diplomas, Charters, Certificates, pre-university certificates and other Academic Distinctions of the University;
- (d) Creation of new authorities of the University;
- (e) Accounting Policy and Financial Procedure;
- (f) The conditions of the award of Fellowships, Scholarships, Studentships, Medals and Prizes;
- (g) The conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners, invigilators, tabulators, and moderators;
- (h) The fee to be charged for the admission to the examinations, Degree, Diplomas, Certificates, Charters and other Academic Distinctions of the University;
- (i) Revision of Fees;
- (j) Alteration of number of seats in different courses and Programmes;
- (k) The conditions of residence of the students at all University or a constituent college or affiliated college;
- (l) Maintenance or discipline among the students of the University or a constituent college or affiliated college;
- (m) All other matters as may be provided under the Act.

30. Rules how made :

- (1) The Rules shall be made by the Board of Governors and shall be submitted to the State Government for its approval, which may within two months from the date of receipt of the Rules, give its approval with or without modifications;
- (2) Where the State Government fails to take any decision with respect to the approval of the Rules within the period specified under sub-section (1), it shall be deemed to have been approved by State Government.

31. Power to amend rules :

The Board of Governors may make new additional Rules or amend or repeal the Rules.

CHAPTER 6

Miscellaneous

32. Condition of Service of Employees :

- (1) Every employee shall be appointed under a written contract, which shall be kept in the University and a copy of which shall be furnished to the employee concerned;
- (2) Disciplinary action against the students/ employees shall be governed by procedure prescribed in the Statutes.

33. Right to appeal :

Every employee or student of the University or of a constituent college, shall notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed, to the Board of Management against the decision of any officer or authority of the University or of the Principal of any such college, and thereupon the Board of Management may confirm modify or change the decision appealed against.

34. Provident Fund and Pension :

The University shall constitute for the benefit of its employee such provident or pension fund and provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be prescribed.

35. Disputes as to constitution of University authorities and bodies :

If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor or whose decision thereon shall be final.

36. Constitution of Committees :

Any authority of the University mentioned in section 19, may constitute a committee of such authority, consisting of such members as such authority may deem fit and having such powers as the authority may deem fit.

37. **Filling of Casual Vacancies :** (3)

Any casual vacancy among the members, other than ex-officio members, of any authority or body of the University shall be filled in the same manner in which the member whose vacancy is to be filled, was chosen, and the person filling the vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he/she fills would have been a member.

38. **Protection of action taken in good faith :** (c)

No suit or other legal proceedings shall lie against any officer or other employee of the University for anything, which is done in good faith or intended to be done in pursuance of the provision of this Act, the Statutes or the Rules & Regulations.

39. **Transitional Provision :** (1)

Notwithstanding anything contained in any other provisions of this Act and the Statutes : (5)

(a) The First Vice-Chancellor shall be appointed by the Chancellor and the said officer shall hold office for a term of three years;

(b) The First Registrar and the First Finance Officer shall be appointed by the Chancellor who shall be hold office for a term of three years;

(c) The First Board of Governors shall hold office for a term not exceeding three years;

(d) The First Board of Management, the First Finance Committee and the First Academic Council shall be constituted by the Chancellor for a term of three years.

40. **Endowment Fund :** (1)

(1) The Sponsoring body shall establish an Endowment Fund for the University with an amount of three crores rupees which shall be pledged to the Government.

(2) The Endowment Fund shall be kept as security deposit to ensure strict compliance of the provisions of this Act, rules, regulations, statutes or ordinances as made there under.

- (3) The Government shall have the power to forfeit, in the prescribed manner, a part or whole of the Endowment Fund in case the university or the sponsoring body contravenes any of the provisions of this Act, rules, statutes, ordinances or regulations made there under.
- (4) Income from Endowment Fund shall be utilized for the development of infrastructure of the university but shall not be utilized to meet out the recurring expenditure of the university.
- (5) The amount of Endowment Fund shall be kept invested, until the dissolution of the university, by way of Fixed Deposit Accounts in any Scheduled Bank subject to the condition that this Fund shall not be withdrawn without the permission of the Government.

41. General Fund :

- (1) The University shall establish a general fund to which the following amount shall be credited namely:
 - (a) All Fees which may be charged by the University;
 - (b) All sums received from any other sources;
 - (c) All contributions made by the Sponsor;
 - (d) All contributions/ donations made in this behalf by any other person or body, which are not prohibited by any law for the time being in force.
- (2) The funds credited to the general fund shall be applied to meet the following payments, namely:
 - (a) The repayment of debts including interest charges thereto incurred by the University for the purposes of this Act, the Statutes and the rules made thereunder;
 - (b) The upkeep of the assets of the University;
 - (c) The payment of the cost of audit of the fund created under section 42;
 - (d) Meeting the expenses of any suit or proceedings to which University is a party;

(e) The payment of salaries and allowance of the officers and employees of the University, members of the teaching and research staff, and payment of any Provident Fund contributions, gratuity and other benefits to any such officers and employees, members of the teaching and research staff;

(f) The payment of travelling and other allowances of the members of the Board of Governors, the Board of Management, Academic Council, and other authorities so declared under the Statutes, Rules & Regulations of the University and of the members of any committee of Board appointed by any of the authorities of the University in pursuance of any provision of this Act or the Statutes or the rules made thereunder;

(g) The payment of fellowships, freeships, scholarships, assistantships and other awards to students, research associates or trainees eligible for such awards under the Statutes or rules of the University under the provisions of this Act;

(h) The payment of expenses incurred by the University in carrying out the provisions of this University Act, and the Statutes or the rules & regulations made thereunder;

(i) The payment of cost capital not exceeding the privilege bank rate of interest, incurred by the Sponsor for setting up the University and investment made thereof;

(j) The payments of charge and expenditure relating to the consultancy work undertaken by the University in pursuance of the provision of this Act, and the statutes, and the rules made thereunder;

(k) The payment of any other expense including a management fee payable to any organization charged with the responsibility of Managing the University on behalf of Sponsoring Body, as approved by the Board of Management to be an expense for the purpose of the University;

Provided that no expenditure shall be incurred by the University in excess of the limits of total recurring expenditure and total non-recurring expenditure for the years as may be fixed by the Board of Management without the prior approval of the Board of Management;

Provided further that the General fund shall be applied for the object specified under sub-section (2) with the prior approval of the Board of Management of the University.

42. Development Fund :

- (1) The University shall also establish a development fund to which the following funds shall be credited, namely:
 - (a) Development fees which may be charged from students;
 - (b) All sums received from any other source for the purpose of the development of the University;
 - (c) All contributions made by the Sponsor;
 - (d) All contributions/ donations made in this behalf by any other person or body which are not prohibited by any law for the time being in force;
 - (e) All incomes received from the endowment fund.
- (2) The funds credited to the development fund from time to time shall be utilized for the development of the University.

43. Maintenance of Fund :

The funds established under sections 41, 42 and 43 shall be regulated and maintained in such manner as may be prescribed by Statutes.

44. Annual Report :

- (1) The annual report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Board of Governors for its approval;
- (2) The Board of Governors shall consider the annual report in its meeting and may approve the same with or without modifications;
- (3) A copy of the audited annual report duly approved by the Board of Governors shall be sent to Visitor and the State Government on or before December 31 following close of the financial year in March 31 each year.

45. Account and Audit :

- (1) The annual accounts and balance sheet of the University shall be prepared under the direction of Board of Management and all funds accruing to or receive by the University from whatever source and all amount disbursed or paid shall be entered in the accounts maintained by the University;
- (2) The annual accounts of the University shall be audited by a Chartered Accountant, who is the member of Institution of Chartered Accountants of India, to be appointed by the Board of Management on mutually agreeable terms for a period of three years;
- (3) A copy of the Annual Accounts and Balance Sheet together with the audit report shall be submitted to the Board of Governors on or before December 31 following close of the financial year in March 31 each year;
- (4) The annual accounts, the balance sheet and the audit report shall be considered by the Board of Governors at its meeting and the Board of Governors shall forward the same to the Visitor and the State Government along with its observation thereon on or before December 31 each year;
- (5) In the event of any material qualification in the report of the editors, the State Government may issue directions to the University, and such directions shall be binding on the University.

46. Mode of Proof of University Report :

A copy, receipt, application, notice, order, proceeding or resolution of any authority or committee of the University or other documents in possession of the University of any entry in any register duly maintained by the University, if certified by the registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding, resolution of document or the existence of entry in the register and shall be admitted as evidence of the matters and the transactions therein recorded where the original therefore would, if produced, have been admissible in evidence.

47. Power of State Government to call for the information and records and dissolution of the University :

- (1) (i) It shall be the duty of the University or any authority or officers of the University to furnish such information or records relating to the administrative or finance and other affairs of the university as the State Government may call for.
- (ii) The State Government, if it is of the view that there is a violation of the provisions of the Act or the statutes or ordinance made thereunder, may issue such directions to the university as it may deem necessary.
- (2) (i) If the Sponsor proposes dissolution of the University in accordance with the law governing its constitution or incorporation, it shall give at least 6 (Six) months' notice in writing to the State Government and it shall ensure that no new admissions to the University are accepted during the notice period;
- (ii) On identification of mismanagement, maladministration, indiscipline, failure in the accomplishment of the objects of University and economic hardships in the management systems of University, the State Government would issue directions to the management system to the University. If the directions are not followed within such time as may be prescribed, the right to take decision for winding up of the University would vest in the State Government;
- (iii) The manner of winding up of the University would be such as may be prescribed by the State Government in this behalf. Provided that no such action will be initiated without affording a reasonable opportunity to show cause to the Sponsor;
- (iv) On receipt of the notice referred to in Sub-Section (1), the State Government shall in consultation with the regulatory bodies make such arrangements for administration of the University for the proposed date of dissolution of University by the Sponsor and until the last batch of Students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed by the Statutes.

48. Expenditure of the University during dissolution :

- (1) The expenditure for administration of the University during the taking over period of its endowment fund, management fund, the general fund or the development fund;
- (2) If the funds referred to sub-section (1) are not sufficient to meet the expenditure of the University during the taking or period of its management, such expenditure may be met by disposing of the Properties or Assets of the University, by the Sponsor and State Government;

Provided that, notwithstanding anything contained in this section, the State Government may issue such directions from time to time to the university on policy matters not inconsistent with the provisions of this Act, as it may deem necessary which shall be complied with by the university.

49. Laying of Statutes and Rules :

Every Statutes or rules made under this Act shall as soon as may be after it is made will be submitted to state Education department.

50. Removal of Difficulties :

- (1) If any difficulty arises in giving effect to the provisions to this Act, the State Government may, by a notification or order, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty;

Provided that no notification, order under sub-section (1) shall be made after the expiration of period of three years from the commencement of this Act;

- (2) Every order made under sub-section (1) shall as soon as may be after it is made, be laid before the State Legislature.

51. Savings :

Notwithstanding anything contained in this Act, all rules, orders, notifications, scheme, bye-laws, regulation, circular, office memoranda issued by the State Government in pursuance of the Arunachal Pradesh and other Institutions of Higher Education (Establishment and Regulations) Act, 2010 (No. 6 of 2010) shall mutatis mutandis apply to the University until the same is superseded by the State Government.

The Venkateshwara Open University Act, 2012

(Act No. 10 of 2012)

(Received the assent of the Governor on 15th June, 2012 And Published in the Arunachal Pradesh E.O. Gazette No. 116, Vol-XIX, dated 20th June, 2012)

An Act

to establish and incorporate a teaching Open University sponsored by Padmawati Educational Trust, 208 A, Saket, Meerut registered under the Indian Trust Act, 1882 (Act No. 2 of 1882) and to provide for matters connected there with or incidental thereto, the Governor of Arunachal Pradesh, in pursuance of the provisions of clause (3) of Article 348 of the Constitution, is pleased to order the publication of the incorporation of the Act of the Venkateshwara Open University, Itanagar, Arunachal Pradesh.

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Sixty-third year of the Republic of India, as follows,-

1. Short title and commencement :

- (1) This Act may be called the Venkateshwara Open University Act, 2012,
- (2) It shall come into force on such date as the State Government of Arunachal Pradesh may by notification in the Official Gazette appoint.

2. Definitions : In this Act, unless the context otherwise requires :

- (a) "Academic Council" means the Academic Council of the University;
- (b) "Distance Education Council" means Distance Education Council of the University;
- (c) "Board" means the Board of studies or the Planning Board, or any other Board of the University;
- (d) "Chancellor", "Pro-Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" means respectively the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor of the University;
- (e) "Court" means the Court of the University;