



The Haryana Private Universities Act, 2006

Act 32 of 2006

Keyword(s):

Existing Private University, Faculty, Hostel, Indian Nursing Council, National Assessment and Accreditation Council, National Board of Accreditation, National Council for Teacher Education, Pharmacy Council of India

Amendment appended: 16 of 2012, 8 of 2013, 21 of 2014

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

269

HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT

Notification

The 10th November, 2006

No. Leg. 36/2006.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 10 November, 2006, and is hereby published for general information:—

HARYANA ACT NO. 32 OF 2006

THE HARYANA PRIVATE UNIVERSITIES ACT, 2006

AN

Act

to provide for establishment and incorporation of private universities in the State of Haryana for imparting higher education and to regulate their functions and for matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Fifty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Haryana Private Universities Act, 2006.

Short title,
extent and
commencement.

(2) It extends to the whole of the State of Haryana.

(3) It shall come into force at once.

2. In this Act and in all the Statutes, Ordinances and Regulations made hereunder, unless the context otherwise requires,—

Definitions.

(a) "All India Council for Technical Education" means All India Council for Technical Education established under the All India Council for Technical Education Act, 1987 (Central Act 52 of 1987);

(b) "Council of Scientific and Industrial Research" means the Council of Scientific and Industrial Research, New Delhi, an agency of the Central Government;

(c) "Department of Science and Technology" means the Department of Science and Technology of the Central Government;

(d) "distance education" means education imparted by a combination of any two or more means of communication, viz. broadcasting, telecasting, correspondence courses, seminars, contact programmes and any other such methodology;

(e) "Distance Education Council" means the Distance Education Council constituted under statute 28 arising from section 25 of the Indira Gandhi National Open University Act, 1985 (Central Act 50 of 1985);

(f) "employee" means a person appointed by the university to work in the university, or its study centres and includes a teacher, officer (other than the visitor) and any other employee of the university;

- (g) "fee" means collection made by the university from the student by whatever name it may be called, which is not refundable;
- (h) "Government" means the Government of the State of Haryana,
- (i) "higher education" means study of a curriculum or course for the pursuit of knowledge beyond 10+2 level;
- (j) "hostel" means a place of residence for the students of the university or of its centres ;
- (k) "Indian Council of Agriculture Research" means the Indian Council of Agriculture Research, a society registered under the Societies Registration Act, 1860 (Central Act 24 of 1860);
- (l) "Medical Council of India" means Medical Council of India, Delhi;
- (m) "National Council of Assessment and Accreditation" means the National Council of Assessment and Accreditation, Bangalore, an autonomous institution of the University Grants Commission;
- (n) "National Council of Teacher Education" means the National Council of Teacher Education, Delhi,
- (o) "off campus centre" means a centre of the university established by it outside the main campus, operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff;
- (p) "off-shore campus" means a campus of the private university established by it outside the country, operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff;
- (q) "Pharmaceutical Council of India" means Pharmaceutical Council of India, Delhi;
- (r) "prescribed" means prescribed by rules made under this Act;
- (s) "regulating body" means a body established by the Central Government for laying down norms and conditions for ensuring academic standards of higher education, such as University Grants Commission, All India Council for Technical Education, National Council of Teacher Education, Medical Council of India, Pharmaceutical Council of India, National Council of Assessment and Accreditation, Indian Council of Agriculture Research, Distance Education Council, Council of Scientific and Industrial Research etc. and includes the State Government;
- (t) "Rules" means the Rules made by the university under this Act.

the students
undable;
of Haryana;
urse for the
ents of the
s the Indian
ed under the
(1860);
cil of India.
r" means the
i, Bangalore,
ommission;
the National
y established
ained as its
t of facilities,
te university
d maintained
mplement of
rmaceutical
or this Act;
y the Central
s for ensuring
versity Grants
Education,
al Council of
f Agriculture
Scientific and
vernment;
nder this Act;

- (u) "Schedule" means Schedule appended to this Act;
- (v) "sponsoring body" in relation to a university means--
 - (i) a society registered under the Societies Registration Act, 1860 (Central Act 21 of 1860); or
 - (ii) any public trust; or
 - (iii) a company registered under section 25 of the Companies Act, 1956 (Central Act 1 of 1956);
- (w) "Statutes", "Ordinances" and "Regulations" mean respectively, the Statutes, Ordinances and Regulations of the university made under this Act;
- (x) "student of the university" means a person enrolled in the university for taking a course of study for a degree, diploma or other academic distinction duly instituted by the university, including a research degree;
- (y) "study centre" means a centre established and maintained or recognized by the university for the purpose of advising, counselling or for rendering any other assistance required by the students in the context of distance education;
- (z) "teacher" means a Professor, Reader, Lecturer or any other person required to impart education or to guide research or to render guidance in any other form to the students for pursuing a course of study of the university;
- (za) "university" means a university incorporated by law in India; and
- (zb) "University Grants Commission" means the University Grants Commission, established under the University Grants Commission Act, 1956 (Central Act 3 of 1956).

3. Following shall be the objects of the university, namely :-
- (1) to provide instructions, teaching and training in higher education and make provisions for research, advancement and dissemination of knowledge;
 - (2) to create higher levels of intellectual abilities;
 - (3) to establish state of the art facilities for education and training;
 - (4) to carry out teaching and research and offer continuing education programmes;
 - (5) to create centres of excellence for research and development and for sharing knowledge and its application;

Objects of university

- (6) to establish a campus in the State of Haryana and to have study centres at different places within its jurisdiction;
- (7) to establish examination centres;
- (8) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination, or any such other method;
- (9) to ensure that the standard of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by All India Council for Technical Education, National Council of Teacher Education, University Grants Commission, Medical Council of India, Pharmaceutical Council of India, and other similar agency/agencies established by the Central Government for regulation of education;
- (10) to open study centres within its jurisdiction;
- (11) to set up off-campus centre in for the study centre within and out of the State, with the prior approval of the University Grants Commission and that of the concerned State Government;
- (12) to open any off-shore campus in foreign countries after obtaining due permission from University Grants Commission, the Government, the Government of India and also that of the Government of the host country; and
- (13) to pursue any other objective as may be approved by the Government.

Submission of proposal for establishment of university and its evaluation

4. (1) An application containing the proposal and the project report to establish an university in private sector shall be made by the sponsoring body to the Government, along with such fee as may be prescribed. At the time of submission of application the sponsoring body shall be in the ownership of the minimum quantum of land as per provision laid down in section 9.

(2) The project report shall contain the following particulars namely :—

- (a) the details of the sponsoring body along with the copies of its registration certificate, constitution and bye-laws;
- (b) the information regarding financial resources of the sponsoring body along with audited accounts for the last five years;
- (c) the name, location and headquarters of the proposed university;
- (d) the objectives of the university;

273

ve study
ademic
ch other
ates and
ad down
Council
Medical
nd other
ernment
thin and
y Grants
ent;
btaining
ion, the
t of the
by the
report to
body to
omission
imum
iculars,
opies of
vs;
s of the
the last
roposed

- (e) the availability of land and details of buildings and infrastructure facilities, if already existing;
- (f) availability of academic facilities including teaching and non-teaching staff, if any, at the disposal of sponsoring body;
- (g) the details of plans for campus development such as construction of buildings, development of structural amenities and infrastructure facilities and procurement of equipment etc. to be undertaken before the university starts functioning and phased programme for first five years;
- (h) the phased outlays of capital expenditure proposed for the next five years and its sources of finance;
- (i) the nature and the type of programmes of study and research proposed to be undertaken by the university and their relevance to the development goals and employment needs of the State and phasing of such programmes over the first five years with course-wise enrolment targets;
- (j) the experience and expertise in the concerned disciplines at the command of the sponsoring body;
- (k) the nature of facilities, courses of study and research proposed to be started;
- (l) the estimated recurring expenditure, course-wise or activity-wise, sources of finance and estimated expenditure per student;
- (m) the scheme for mobilizing resources and the cost of capital thereto and the manner of repayment to such sources;
- (n) the scheme for the generation of funds internally through the recovery of fee from students, revenue anticipated from consultancy services and other activities relating to the objects of the university and other anticipated incomes;
- (o) the proposed fee structure with reference to the details of expenditure on unit cost and the extent of concessions or rebates in fee or free-ships and scholarships to the poor students from economically poor or socially backward families including Scheduled Castes, Other Backward Classes and handicapped students;
- (p) the system proposed to be followed for selection of students for admission to the courses of study at the university;
- (q) the system proposed to be followed for appointment of teachers and other employees in the university;

- (a) whether the university is desirous of taking up dis- educational programme. If so, details of study course proposed to be started;
- (b) whether the university proposes to undertake spe- cial programmes relating to local needs. If so, the nature and extent of such programmes, the manner in which they are to be undertaken by the university so as to fulfil this objective;
- (c) whether the university proposes to start some programme for the benefit of farmers, women and industries. If so, details thereof may be given;
- (d) details of play grounds and other facilities available proposed to be created for games and sports and extracurricular activities like Physical Cadet Corps, Nataraj Service Scheme, Scouts and Guides etc;
- (e) the arrangements proposed to be made for academic auditing;
- (f) justification regarding the necessity of establishment of proposed university;
- (g) commitment to follow the norms of the regulating body such other details as the sponsoring body may like to give and such other details as may be prescribed.

(3) The Government, on receipt of the proposal and the project report for establishment of a university, shall constitute a committee consisting of members as may be specified by it, out of whom at least one shall be an expert to examine the proposal and the project report.

EXPLANATION. - In this sub-section the expression "expert" means an academician of prominence in the respective field of higher education.

(4) The committee shall consist of the proposal and the project report on the following grounds, namely:—

- (a) financial soundness and assets of the sponsoring body and its ability to set up the infrastructure of the proposed university;
- (b) background of the sponsoring body, that is to say, its expertise and experience in the field of education, its general reputation etc. and its commitment to follow the norms of the regulating bodies;
- (c) potentiality of the courses proposed to be offered, that is to say whether the courses are able to develop the human resources of the State.

474

385

resources as per the requirements of contemporary demands, and whether the courses have new features and include emerging branches of learning.

(5) The committee, while considering the proposal and the project report under sub-section (4), may call for such other information from the sponsoring body as it thinks proper for the purpose.

(6) The committee shall submit its report to the Government within a period of one month from the date of its constitution :

Provided that while computing the period of one month, the period commencing from the date on which requisition for any information under sub-section (5) is issued and ending on the date on which requisite information is submitted to the committee shall be excluded.

5. (1) After the receipt of the report of the committee constituted under sub-section (3) of section 4, if the Government is satisfied that it is advisable to establish the university, it may issue a letter of intent and ask the sponsoring body to—

issuance of letter of intent and compliance report.

- (i) establish an endowment fund in accordance with the provisions of section 11 ;
- (ii) construct a minimum of 10,000 square meters of covered area for administrative and academic purposes;
- (iii) provide all the relevant information relating to the first degree and post-graduate degree/diploma programme including the curriculum structure, contents, teaching and learning process, examination and evaluation system and the eligibility criteria for admission of students to the committee headed by Financial Commissioner and Principal Secretary to Government, Haryana, Education Department, Chandigarh in which Director, Higher Education, Haryana, Dean, Academic Affairs, Kurukshetra University, Kurukshetra and Dean, Academic Affairs, Maharshi Dayanand University, Rohtak shall be the members. On detailed examination of the information made available the committee shall inform the sponsoring body about any shortcomings in respect of conformity to relevant regulations for rectification. The university shall offer the programme only after necessary rectification and approval from the committee;
- (iv) purchase books and journals of at least ten lac rupees or as per the norms of regulating bodies, whichever is higher, and give an undertaking to invest, within the first three years, not less than fifty lac rupees or as per the norms of

regulating bodies, whichever is higher, on books, journals, computers, library networking and other facilities so as to make the library facilities adequate for contemporary teaching and research;

- (v) purchase equipments, computers, furniture, other movable and immovable assets and infrastructure facilities (other than buildings, referred to in clause (ii) above) worth twenty lac rupees or as per the norms of regulating bodies, whichever is higher, and give an undertaking to procure within the first five years equipments, computers, furniture, other movable and immovable assets and infrastructure facilities (other than buildings, referred to in clause (ii) above) worth not less than one crore rupees or as per the norms of regulating bodies, whichever is higher;
- (vi) give undertaking to appoint at least one Professor, two Readers and adequate number of Lecturers along with necessary supporting staff in each department or discipline to be started by the university;
- (vii) give undertaking to take up co-curricular activities like seminars, debates, quiz programmes and extra-curricular activities like games, sports, National Service Scheme, National Cadet Corps etc. for the benefit of students as per the norms laid down by the regulating bodies;
- (viii) give undertaking for establishment of provident fund and to take up welfare programmes for the employees of the university; and
- (ix) fulfill such other conditions and provide such other information as may be prescribed by University Grants Commission, All India Council for Technical Education or any other statutory body established by Central or State Government.

(2) The sponsoring body shall fulfill the requirements and conditions specified in sub-section (1) and shall report the compliance to the Government within a period of one year from the date of issue of the letter of intent. On receiving the compliance report, the Government shall appoint a committee consisting of such members, including the representative of the regulating bodies, as may be specified, to verify the compliance report. The committee shall submit its report to the Government within a period of one month from the date of its constitution specifying whether the sponsoring body has fulfilled the requirements and conditions as laid down in sub-section (1).

(3) If the sponsoring body has failed to comply with the provisions of sub-section (2), its proposal submitted under section 4 shall stand rejected.

276

letter o
of the u6.
for sub-
missions o
publish a p
structure7.
Item 6, sh
the perpetu
hold pro
and be s8. 7
grant or
operation9. 4
ession of

(

10. 7
tribution.11. (1
rarsity wi(2
the univerGovernment
or part
measures in(3
development

the recurri

(4
acted until
intended by
person

7. The notification issued under sub-section (1) of section 5 shall be deemed to have been withdrawn.

8. The Government, if satisfied, after considering the report submitted under sub-section (2) of section 5 that the sponsoring body has complied with the provisions of sub-section (1) of section 5, may, by an Act of the State Legislature, establish a private university with such name, location, jurisdiction and with such other features as may be specified in the Schedule.

9. Every university established by an Act of the State Legislature under section 8 shall be a body corporate by the name, as specified in the Act, and shall have perpetual succession and a common seal. It shall have the power to acquire and hold property both movable and immovable and to make contracts, and shall be sued by the said name.

10. The university shall be self-financed and shall not be entitled to receive any grant or other financial assistance from the Government or any Board or institution owned or controlled by the Government.

11. No university shall be established unless the sponsoring body is in possession of—

- (i) a minimum of twenty acres of land outside the municipal limits ; or
- (ii) a minimum of ten acres of land within the municipal limits.

12. The university shall not admit any college or institution to the privilege of affiliation.

13. (1) The sponsoring body shall establish an endowment fund for the university with a minimum amount of three crore rupees.

(2) The endowment fund shall be used as a security deposit to ensure that the university complies with the provisions of this Act, Statutes and Ordinances. The Government shall have the powers to forfeit in the prescribed manner, the whole or part of the endowment fund in case the university or the sponsoring body violates any of the provisions of this Act, Statutes, Ordinances, Regulations or

(3) Income from endowment fund may be utilized for the development of infrastructure of the university but shall not be utilized to meet the recurring expenditure of the university.

(4) The amount of endowment fund shall be invested and kept until the dissolution of the university, in long term securities issued or guaranteed by the Government or deposited and kept deposited in an interest bearing personal deposit account in Government treasury.

Establishment of university.

Incorporation of university.

University to be self-financed.

Requirement of land.

No power to affiliate any college or institution.

Endowment fund.

(5) In case of investment in a long term security, the certificate of the security shall be kept in the safe custody of the Government and in case of deposit in the interest bearing personal deposit account in the Government treasury the deposit shall be made with the condition that the amount shall not be withdrawn without the prior permission of the Government.

General fund.

12. Every university shall establish a fund, which shall be called the general fund to which the following shall be credited, namely :—

- (a) fees and other charges received by the university;
- (b) any contributions made by the sponsoring body;
- (c) any incomes received from consultancy and other work undertaken by the university in pursuance of its objectives;
- (d) trusts, bequests, donations, endowments and any other grants and
- (e) all other sums received by the university.

Application of general fund.

13. The general fund shall be utilized for the following objects, namely :—

- (a) for the repayment of debts including interest charges thereon incurred by the university for the purposes of this Act, the Statutes, Ordinances, Regulations and Rules;
- (b) for upkeep of the assets of the university;
- (c) for the payment of the cost of audit of the funds established under sections 11 and 12;
- (d) for meeting the expenses of any suit or proceedings to which the university is a party;
- (e) for the payment of salaries and allowances of the officers and employees of the university and members of the teaching and research staff, and for payment of any provident fund contributions, gratuity and other benefits to any such officers and employees, and members of the teaching and research staff;
- (f) for the payment of travelling and other allowances of the members of the Governing Body, the Board of Management, the Academic Council and other authorities so declared under the Statutes of the university and of the members of any committee appointed by any of the authorities or by the Chairperson of the sponsoring body or the Vice-Chancellor, as the case may be, of the university in pursuance of any provision of this Act, Statutes, Ordinances, Regulations or Rules;

14.

15.

- (g) for the payment of fellowships, freships, scholarships, assistantships and other awards to students belonging to economically weaker sections of the society or research scholars or trainees, as the case may be, or to any student otherwise eligible for such awards under the Statutes, Ordinances, Regulations or Rules;
- (h) for the payment of any expenses incurred by the university in carrying out the provisions of this Act, Statutes, Ordinances, Regulations or Rules;
- (i) for the payment of cost of capital not exceeding the prevailing maximum interest rate payable to the university and the instruments made therefor;
- (j) for the payment of charges and expenditure relating to the consultancy work undertaken by the university in pursuance of the provisions of this Act, Statutes, Ordinances, Regulations or Rules; and
- (k) for the payment of any other expenses including service fee payable to any organization charged with the responsibility of providing any specific service, including the managerial services to the university, on behalf of the sponsoring body, as approved by the Board of Management to be an expense for the purposes of the university;

Provided that no expenditure shall be incurred by the university in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year, 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, for the objects specified under clause (a), be applied with the prior approval of the Governing Body of the university.

14. The following shall be the officers of the university, namely:— Officers.
- (1) the Visitor;
 - (2) the Chancellor;
 - (3) the Vice-Chancellor;
 - (4) the Registrar;
 - (5) the Chief Finance and Accounts Officer;
 - (6) such other officers as may be declared by the Statutes to be the officers of the university.
15. (1) The Governor of Haryana shall be the Visitor of the university. Powers of Visitor.

- (2) The Visitor shall have the following powers, namely:—
- (a) when present, he shall preside over the convocation of the university for conferring degrees and diplomas;
 - (b) to call for any paper or information relating to the affairs of the university; and
 - (c) on the basis of the information received under clause (b), if he is satisfied that any order, proceeding, or decision taken by any authority of the university is not in conformity with the provisions of this Act, Statutes, Ordinances, Regulations or Rules, he may issue such directions as he may deem fit in the interest of the university and the directions so issued shall be complied with by the university.

Appointment,
functions and
powers of
Chancellor.

16. (1) The Chancellor shall be appointed by the sponsoring body for a period of three years with the approval of the Visitor by following such procedure and on such terms and conditions as may be prescribed.

- (2) The Chancellor shall be the head of the university.
- (3) The Chancellor shall preside over the meetings of the Governing Body and shall, when the Visitor is not present, preside over the convocation of the university for conferring degrees, diplomas or other academic distinctions.
- (4) 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 in accordance with the provisions of sub-section (7) of section 17; and
 - (d) such other powers as may be specified by the Statutes.

Appointment,
functions and
powers of Vice-
Chancellor.

17. (1) The Vice-Chancellor shall be appointed by the Chancellor from a panel of three persons recommended by the Governing Body and shall, subject to the provisions contained in sub-section (7), hold office for a term of three years:

Provided that after expiry of the term of three years, a person shall be eligible for re-appointment for another term of three years:

Provided further that a Vice-Chancellor shall continue to hold the office even after the expiry of his term till new Vice-Chancellor joins. However, in any case this period shall not exceed one year.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the university and shall exercise general superintendence and control over the affairs of the university and shall execute the decisions of various authorities of the university.

(3) In the absence of both the Visitor and the Chancellor, the Vice-Chancellor shall preside over the convocation of the university.

(4) Immediate authority by or not shall at the authority as wor

authority such as purchase shall be

Chancellor affect: notified to prefer Management may Chancellor.

(5) I authority of the uni Statutes, Ordinance interests of the uni decision within five advises to revise suc fifteen days, then su tion shall be fine

(6) The rules as may be spe

(7) If, making such inquiry; the continuance of the Chancellor may, by a Chancellor to relinqu

Provided t Chancellor shall be gi

13. (1) The person of the spo

(2) All co authenticated by the

(3) The Re Board of Manage

(4) The Re duties as may be sp

(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 officer by or under this Act, he may take such action as he may deem necessary and shall at the earliest opportunity thereafter report his action to such officer or authority as would have in the ordinary course dealt with the matter:

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

Provided 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, an appeal to the Board of Management and the Board of Management 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 beyond the scope of the powers conferred by this Act, Statutes, Ordinances, Regulations or Rules or is likely to be prejudicial to the interests of the university, he shall direct the concerned authority to revise its decision within fifteen days from the date of such direction and in case the authority fails to revise such decision wholly or partly or fails to take any decision within fifteen days, then such matter shall be referred to the Chancellor and his decision thereon shall be final.

(6) The Vice-Chancellor shall exercise such powers and perform such duties as may be specified by the Statutes or the Ordinances.

(7) If, at any time upon representation made or otherwise and after making such inquiry as may be deemed necessary, the situation so warrants and if the continuance of the Vice-Chancellor is not in the interests of the university, the Chancellor may, by an order in writing stating the reasons therein, ask the Vice-Chancellor to relinquish his office from such date as may be specified in the order:

Provided that before taking an action under this sub-section, the Vice-Chancellor shall be given an opportunity of being heard.

16. (1) The appointment of the Registrar shall be made by the Chairperson of the sponsoring body in such manner, as may be specified 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 be the Member-Secretary of the Governing Body, Board of Management and Academic Council but shall not have a right to vote.

(4) The Registrar shall exercise such other powers and perform such duties as may be specified by the Statutes.

Appointment,
functions and
powers of
Registrar.

Appointment,
powers and
duties of Chief
Finance and
Accounts
Officer.

19. (1) The appointment of the Chief Finance and Accounts Officer shall be made by the Chancellor in such manner as may be specified by the Statutes.
- (2) The Chief Finance and Accounts Officer shall exercise powers and perform such duties as may be specified by the Statutes.

Appointment,
functions and
powers of other
officers.

20. (1) The university may appoint such other officers as may be necessary for its functioning.
- (2) The manner of appointment of other officers of the university and their powers and functions shall be such as may be specified by the Statutes.

Authorities.

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

Constitution
and powers of
Governing
Body.

22. (1) The Governing Body of the university shall consist of the following members, namely:—

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Secretary to Government, Haryana, Education Department, or in his absence, Director, Higher Education, Haryana;
- (d) five persons nominated by the sponsoring body out of which two shall be eminent educationists;
- (e) one expert of management or technology from outside the university, nominated by the Chancellor; and
- (f) one expert of finance, nominated by the Chancellor.

- (2) The Governing Body shall be the supreme authority of the university. All the movable and immovable property of the university shall vest in the Governing Body. It shall have the following powers, namely:—

- (a) to provide general superintendence and directions and control the functioning of the university by using all the powers as are provided by this Act, Statutes, Ordinances, Regulations or Rules;
- (b) to review the decisions of other authorities of the university in case they are not in conformity with the provisions of this Act, Statutes, Ordinances, Regulations or Rules.

nts Officer of
/ the Statute
l exercise s.
s.
ers as may
f the universi
by the Statute
y, namely:--
e Statutes (a)
consist of
na, Educatio
gher Educatio
dy out of whic
om outside
nd
ancellor.
uthority of r
ity shall ver
--
rections and
using all sub
as, Ordinance
f the universi
e provisions
or Rules;

- (c) to approve the budget and annual report of the university;
- (d) to lay down the extensive policies to be followed by the university;
- (e) to recommend to the sponsoring body for the dissolution of the university if a situation arises when there is no smooth functioning of the university in spite of best efforts; and
- (f) such other powers as may be specified by the Statutes :

Provided that the Secretary to Government, Haryana, Education Department or in his absence, Director, Higher Education shall be present in each meeting in which decisions on issues involving Government policies/ instructions are to be taken.

- (3) The Governing Body shall meet at least three times in a calendar year.
- (4) The quorum for meetings of the Governing Body shall be four.

23. (1) The Board of Management shall consist of the following members, namely:--

- (a) the Vice-Chancellor ;
- (b) the Secretary to Government, Haryana, Education Department, or in his absence, Director, Higher Education, Haryana;
- (c) two members of the Governing Body, nominated by the sponsoring body;
- (d) three persons, who are not the members of the Governing Body, nominated by the sponsoring body;
- (e) three persons from amongst the teachers, nominated by the sponsoring body; and
- (f) two teachers, nominated by the Vice-Chancellor.

Constitution, functions and powers of Board of Management.

- (2) The Vice-Chancellor shall be the Chairman of the Board of Management.
- (3) The powers and functions of the Board of Management shall be such as may be specified by the Statutes.
- (4) The Board of Management shall meet once in every two months.
- (5) The quorum for the meetings of the Board of Management shall be five:

Provided that the Secretary to Government, Haryana, Education Department, or in his absence, Director, Higher Education, Haryana, shall be present in each meeting in which decisions on issues involving Government policies/ instructions are to be taken.

284

Constitution and functions of Academic Council

24. (1) The Academic Council shall consist of the Vice-Chancellor and such other members as may be specified by the Statutes.

(2) The Vice-Chancellor shall be the Chairperson of the Academic Council.

(3) The Academic Council shall be the principal academic body of the university and shall, subject to the provisions of this Act, Statutes, Ordinances, Regulations or Rules, co-ordinate and exercise general supervision over the academic policies of the university.

(4) The quorum for meetings of the Academic Council shall be such as may be specified by the Statutes.

Composition, constitution, powers and functions of other authorities.

25. The composition, constitution, powers and functions of other authorities of the university shall be such as may be specified by the Statutes.

Disqualification for membership of an authority or body.

26. A person shall be disqualified for being a member of any of the authorities or bodies of the university, if he—

- (a) is of unsound mind and stands so declared by a competent court;
- (b) is an undischarged insolvent;
- (c) has been convicted of any offence involving moral turpitude;
- (d) is conducting or engaging himself in private coaching class or
- (e) has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere.

Vacancies not to invalidate proceedings of any authority or body of a university.

27. No act or proceeding of any authority or body of the university shall be invalid merely by reason of any vacancy or defect in the constitution thereof.

Filling up of emergent vacancy.

28. Any vacancy which may occur in the membership of the authorities or bodies of the university due to death, resignation or removal of a member or change of capacity in which he was appointed or nominated, shall be filled up as early as possible by the person or the body who had appointed or nominated a member.

Provided that the person appointed or nominated as a member of an authority or body of the university on an emergent vacancy, shall remain a member of such authority or body only for the unexpired tenure of the member, in whose place he is appointed or nominated.

Committees.

29. The authorities or officers of the university may constitute such committees with such terms of reference as may be necessary for specific purposes.

to performed
ities shall b

30. (1)
Statute of the
University—

(2)
by and shall b

(3)
to university an

the date of
necessary.

(4)
date as approv

of the modifi

reasons ther

not accept if

285

...formed by such committees. The constitution of such committees and their powers shall be such as may be specified by the Statutes.

13. (1) Subject to the provisions of this Act and the Rules, the First Statute of the university may provide for all or any of the following matters, namely:—

First Statute.

- (a) the constitution, powers and functions of the authorities and other bodies of the university, as may be constituted from time to time;
- (b) the terms and conditions of appointment of the Vice-Chancellor and his powers and functions;
- (c) the manner, terms and conditions of appointment of the Registrar and Chief Finance and Accounts Officers and their powers and functions;
- (d) the manner, terms and conditions of appointment of other officers and teachers and their powers and functions;
- (e) the terms and conditions of service of employees of the university;
- (f) the procedure for arbitration in case of disputes between officers, teachers, employees and students;
- (g) the conferment of honorary degrees or distinction which shall be subject to the prior approval of the Visitor;
- (h) the provisions regarding exemption of students from payment of tuition fee and for awarding them scholarships and fellowships;
- (i) provisions regarding the policy of admissions, including regulation of reservation of seats;
- (j) provisions regarding fees to be charged from students; and
- (k) provisions regarding number of seats in different courses.

(2) The First Statute of the university shall be made by the Governing Body and shall be submitted to the Government for its approval.

(3) The Government shall consider the First Statute, submitted by the university and shall give its approval thereon within a period of two months from the date of its receipt and with such modifications, if any, as it may deem necessary.

(4) The university shall communicate its agreement to the First Statute approved by the Government, and if it desires not to give effect to any or all the modifications made by the Government under sub-section (3), it may state the reasons thereof and after considering such reasons, the Government may or may not accept the suggestions made by the university.

(5) The Government shall publish the First Statute, as finally approved by it, in the Official Gazette.

Subsequent
Statutes.

31. (1) Subject to the provisions of this Act and the Rules, the subsequent Statutes of the university may provide for all or any of the following matters, namely:—

- (a) creation of new authorities of the university;
- (b) accounting policy and financial procedure;
- (c) representation of teachers in the authorities of the university;
- (d) creation of new departments and abolition or restructuring of an existing department;
- (e) institution of medals and prizes;
- (f) creation of posts and procedure for abolition of posts;
- (g) revision of fees;
- (h) alteration of the number of seats in different syllabi; and
- (i) all other matters which under the provisions of this Act are to be specified by the Statutes.

(2) The Statutes of the university other than the First Statute, shall be made by the Board of Management with the approval of the Governing Body.

(3) The Statutes made under sub-section (2) shall be sent to the Government and the Government may approve them as such or, if it considers necessary, give suggestions for modifications in them within two months from the date of receipt of the Statutes.

(4) The Governing Body shall consider the modifications suggested and return the Statutes to the Government with changes made therein with its comments on the suggestions made by the Government.

(5) The Government shall consider the changes or the comments of the Governing Body and shall approve the Statutes with or without modification and then the Statutes as finally approved by the Government shall be published in the Official Gazette.

First Ordinance.

32. (1) Subject to the provisions of this Act, the Statutes, the Regulations or the Rules, the First Ordinance may provide for all or any of the following matters, namely:—

- (a) the admission of students to the university and their enrolment as such;
- (b) the courses of study to be laid down for the degrees, diplomas and certificates of the university;

Change
submitted

by the
the di
modif

incor
incor
First
of the
and s
modif
be put

the As
shall

as finally
subsequent
g matters.

university;
structuring

f posts;

yllabi; and
f this Act are

Statute, shall
erning Body.
e sent to the
f it considers
onths from the

ifications as
ade therein or

e comments of
modifications
e published by

the Regulations
f the following

rsity and their

or the degrees.

- (c) the award of the degrees, diplomas, certificates and other academic distinctions, the minimum qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
- (d) the conditions for award of fellowships, scholarships, stipends, medals and prizes;
- (e) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (f) fees to be charged for the various courses, examinations, degrees and diplomas of the university;
- (g) the conditions of residence of the students of the university;
- (h) provisions regarding disciplinary action against the students;
- (i) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the university;
- (j) the manner of co-operation and collaboration with other universities and institutions of higher education;
- (k) all other matters which by this Act or Statutes are required to be provided for by the Ordinances.

(2) The First Ordinance of the university shall be made by the Vice-Chancellor which after being approved by the Board of Management shall be submitted to the Government for its approval.

(3) The Government shall consider the First Ordinance submitted by the Vice-Chancellor under sub-section (2) within a period of two months from the date of its receipt and shall either approve it or give suggestions for modifications therein.

(4) The Vice-Chancellor shall either modify the Ordinance incorporating the suggestions of the Government or give reasons for not incorporating any of the suggestions made by the Government and shall return the First Ordinance along with such reasons, if any, to the Government and on receipt of the same, the Government shall consider the comments of the Vice-Chancellor and shall approve the First Ordinance of the university with or without such modifications, and then the First Ordinance, as approved by the Government shall be published by the Government in the Official Gazette.

33. (1) All Ordinances other than the First Ordinance shall be made by the Academic Council which after being approved by the Board of Management shall be submitted to the Government for its approval.

Subsequent
Ordinances.

(2) The Government shall consider the Ordinances submitted by the Academic Council under sub-section (1) within a period of three months from the date of their receipt and shall approve them or give suggestions for modifications therein.

(3) The Academic Council shall either modify the Ordinances incorporating the suggestions of the Government or give reasons for not incorporating any of the suggestions made by the Government and shall return the Ordinances along with such reasons, if any, to the Government and on receipt of the same, the Government shall consider the comments of the Academic Council and shall approve the Ordinances with or without modifications and then the Ordinances, as approved by the Government, shall be published by the Government in the Official Gazette.

Regulations.

34. The authorities of the university may, subject to the prior approval of the Board of Management, make regulations, consistent with this Act, Statutes, Ordinances and Rules for the conduct of their business and that of the committees appointed by them.

Admissions.

35. (1) Admission in the university shall be made strictly on the basis of merit:

Provided that in the purpose of filling minority quota in the university established and administered by a minority community, the zone of consideration for determination of merit shall be limited only to the students belonging to that minority community.

(2) Merit for admission in the university may be determined either on the basis of marks or grade obtained in the qualifying examination and achievements in co-curricular and extra-curricular activities or on the basis of marks or grade obtained in the entrance test conducted at the State level either by an association of the universities conducting similar courses or by any agency of the State:

Provided that admission in professional and technical course shall be made only through an entrance test.

(3) A minimum of 25% seats for admissions in the university shall be reserved for students who are domicile of Haryana, out of which 10% seats shall be reserved for students belonging to Scheduled Castes of the State of Haryana.

Fee structure.

36. (1) The university may, from time to time, prepare fee structure and shall send it for information to the Government, at least 30 days before the commencement of the academic session.

(2) The fee structure for the 25% of the students who are domicile of Haryana shall be based on merit-cum-means and be as follows:—

(i) 5% out of the 25 shall be granted full fee exemption.

with

than
publ
fore.

about
a sche
exami

to foll
the Gov
the pub
issue su

3
examina
essama
lues

uable
of forty
such def
shall issue

invalid on
stipulated i

39.
year in the
diplomas or

40.
Assessment
establishme
no connecte
by NAAC to
interval of

(ii) 10% out of the 25% shall be granted 50% fee concession.

(iii) The balance 10% of the 25% shall be granted 25% fee concession.

(1) The university shall not charge any fee, by whatever name called, in excess than that prescribed as per clause (1) and (2) of rule.

37. At the beginning of each academic session and in any case not later than the 30th of August of every calendar year, the university shall prepare and publish a semester wise or annual, as the case may be, Schedule of examinations for each and every course conducted by it and shall strictly adhere to the Schedule.

Explanation.— "Schedule of Examination" means a table giving details about the time, day and date of the commencement of each paper which is a part of a scheme of examinations and shall also include the details about the practical examinations.

Provided that if, for any reason whatsoever, the university has been unable to follow the Schedule, it shall, as soon as may be practicable, submit a report to the Government incorporating the detailed reasons for making a departure from the published Schedule. The Government may, on considering the report shall issue such directions to the university as it may deem fit.

38. (1) The university shall strive to declare the results of every examination conducted by it within a period of thirty days from the last date of the examination for that particular course and shall in any case declare the results not within a period of forty-five days from such date.

Provided that if, for any reason whatsoever, the university is unable to finally declare the results of any examination within the aforesaid period of forty-five days, it shall submit a report incorporating the detailed reasons for such delay to the Government. The Government may, on considering the report shall issue such directions to the university as it may deem fit.

(2) No examination or the results of an examination shall be held invalid only for the reasons that the university has not followed the Schedule as stipulated in section 37 or, as the case may be, in this section.

39. The convocation of the university shall be held in every academic year in the manner as may be specified by the Statutes for conferring degrees, diplomas or for any other purpose.

40. The university shall obtain accreditation from the National Council of Assessment and Accreditation (NAAC), Bangalore within three years of its establishment and inform the Government and such other regulating bodies when accredited with the courses taken up by the university about the *pro*vide provided by NAAC to the university. The university shall get renewed such accreditation at an interval of every five years thereafter.

290

University to follow rules, regulations, orders or directions

41. Notwithstanding anything contained in this Act, the university shall be bound to comply with all the rules, regulations, norms etc. of the regulatory bodies and provide all such facilities and assistance to such bodies as may be required by them to discharge their duties and carry out their functions.

Annual report

42. (1) The annual report of the university shall be prepared by the Board of Management which shall include among other matters, the steps taken by the university towards the fulfilment of its objects and shall be approved by the Governing Body and a copy of the same shall be submitted to the sponsoring body.

(2) Copies of the annual report prepared under sub-section (1) shall also be presented to the Visitor and the Government.

Annual accounts and audit

43. (1) The annual accounts including balance sheet of the university shall be prepared under the directions of the Board of Management and the annual accounts shall be audited at least once in every year by the auditors appointed by the university for this purpose.

(2) A copy of the annual accounts together with the audit report shall be submitted to the Governing Body.

(3) A copy of the annual accounts and audit report along with the observations of the Governing Body shall be submitted to the sponsoring body.

(4) Copies of annual accounts and balance sheet prepared under sub-section (1) shall also be presented to the Visitor and the Government. In the absence of the Government or the Visitor, if any, arising out of the accounts and audit report of the university shall be placed before the Governing Body. The Governing Body shall take such decisions, as may be necessary, and the same shall be reported to the Visitor or the Government, as the case may be.

Powers of Government to inspect university

44. (1) For the purpose of ascertaining the standards of teaching, examination and research or any other matters relating to the university, the Government may after consultation with the V.C. (Cancellor), cause an assessment to be made in such manner as may be specified by such person or persons as may be deemed fit.

(2) The Government shall communicate to the university its recommendations in regard to the result of such assessment for corrective measures. The university shall adopt such corrective measures and make efforts to ensure the compliance of the recommendations.

(3) If the university has failed to comply with the recommendations made under sub-section (2) within a period of thirty days, the Government may give such directions as it may deem fit for such compliance.

Direction of Government to university to comply with recommendations of sponsoring body

45. (1) The sponsoring body may recommend to the Government to discipline the university by giving a notice to this effect in the manner as may be prescribed to the employees and the students of the university at least ten days in advance:

deemed to be Code of

university shall
of the regular
as are requir-

Provided that dissolution of the university shall have effect only after the last batch of the students of the regular courses have completed their courses and have been awarded degrees, diplomas or awards, as the case may be:

ered by the Board
eps taken by
approved by
to the sponsor-

Provided further that such dissolution of the university shall not have any adverse effect on the validity of degrees, diplomas or awards conferred on the students.

-section (1) shall

(2) On the dissolution of the university, all the assets and liabilities of the university shall vest in the sponsoring body.

of the university
nt and the author-
tors appointed

46. (1) If it appears to the Government that the university has contravened any of the provisions of this Act, Statutes, Ordinances, or Rules or has violated any of the directions issued by it under this Act or has ceased to carry out any of the requirements and conditions as laid down under sub-section (1) of section 5 or is involved in financial mismanagement or maladministration, it shall issue a notice requiring the university to show cause within a period of forty-five days as to why the university should not be dissolved by an Act of State Legislature.

Special powers
of Government
in certain
circumstances.

(the audit report

(2) If the Government, on receipt of reply of the university on the notice issued under sub-section (1), is satisfied that there is a prima facie case of contravening all or any of the provisions of this Act, Statutes, Ordinances or Rules or of violating directions issued by it under this Act or of ceasing to carry out the requirements and conditions as laid down under sub-section (1) of section 5 or is involved in financial mismanagement or maladministration, it shall make an order of such enquiry as it may consider necessary.

art along with
sponsoring body

it prepared under
Government. The

the accounts of
erning Body of

t, and complaints
may be.

(3) The Government shall, for the purpose of any enquiry under sub-section (2), appoint an inquiry officer or officers to inquire into any of the allegations and to report thereon.

ards of teaching
he university,

aise an assessment
r persons as it

(4) The inquiry officer or officers appointed under sub-section (3) shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (Act 5 of 1908), while trying a suit in respect of the following matters, namely:—

the university
r corrective action

ke efforts to

Government

he Government

manner as may
at least one year

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any such document or any other material as may be producible in evidence;
- (c) requisitioning any public record from any court or officer; and
- (d) any other matter which may be prescribed.

(5) The inquiry officer or officers inquiring under this Act shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (Act 2 of 1974).

(6) On receipt of the enquiry report from the officer or officers appointed under sub-section (3), if the Government is satisfied that the university has contravened all or any of the provisions of this Act, Statutes, Ordinances or Rules or has violated any of the directions issued by it under this Act or has ceased to carry out the requirements and conditions under sub-section (1) of section 5 or a situation of financial mismanagement and maladministration has arisen in the university which threatens the academic standard of the university, it shall dissolve the authorities of the university and appoint an administrator.

(7) The administrator appointed under sub-section (6) shall have all the powers and shall be subject to all the duties of the Governing Body and the Board of Management under this Act and shall administer the affairs of the university until the last batch of the students of the regular courses have completed their courses and have been awarded degrees, diplomas or awards, as the case may be.

(8) After having been awarded the degrees, diplomas or awards, as the case may be, to the last batch of the students of the regular courses, the administrator shall make a report to this effect to the Government.

(9) On receipt of the report under sub-section (8), the Government shall by an Act of the State Legislature repeal the Act by which the concerned university was established and from the date of such repeal, all the assets and liabilities of the university shall vest in the sponsoring body.

Provided that the degrees, diplomas or awards awarded under sub-section (8) shall not be invalid merely on the ground that the university has been dissolved.

Power to make rules.

47. (1) The Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner of making proposal to establish a university and the fee payable under sub-section (1) of section 4;
- (b) other particulars to be contained in the project report under sub-section (2) of section 4;
- (c) the manner of forfeiting the endowment fund in case of contravention of the provisions of this Act, Statutes, Ordinances, Regulations or Rules under sub-section (2) of section 11;
- (d) the manner, terms and conditions of appointment of Chancellor under sub-section (1) of section 16;
- (e) the manner for making recommendation for dissolution of university under sub-section (1) of section 45.

- (f) matter to be prescribed under clause (d) of sub-section (4) of section 46; and
- (g) any other matter which is required to be or may be prescribed by rules under this Act.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature, while it is in session. If the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

48. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.

Power to remove difficulties.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the House of the State Legislature.

49. The provisions of this Act and the Statutes, Ordinances, Regulations and the Rules shall have effect notwithstanding anything to the contrary contained in any other law, for the time being in force, made by the State Legislature relating to the universities.

Act to have overriding effect

... officer or officer
... d that the univers
... tutes, Ordinances
... his Act or has cease
... n (1) of section 5
... on has arisen in
... sity, it shall disson

... ion (6) shall have
... rning Body and the
... fairs of the univers
... ave completed the
... as the case may be
... nas. or awards, as the
... es, the administrat

... (8), the Governme
... hich the concerned
... all the assets and

... ards awarded under
... t the university h

... he Official Gazette

... regoing power, such
... ely:—

... tablish a university
... (1) of section 4;

... project report und

... ent fund in case of
... this Act, Statutes,
... er sub-section (2) of

... appointment of the
... ction 16;

... on for dissolution of
... ction 45;

SCHEDULE
(see section 6)

M. S. SULLAR,
Secretary to Government, Haryana,
Legislative Department.

PART I

HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 10th February, 2012

No. Leg. 18/2012.— The followint Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 16th April, 2012, and is hereby published for general information:—

HARYANA ACT No. 16 OF 2012

**THE HARYANA PRIVATE UNIVERSITIES
(AMENDMENT) BILL, 2012**

AN

ACT

further to amend the Haryana Private Universities Act, 2006.

Be it enacted by the Legislature of the State of Haryana in the Sixty-third Year of the Republic of India as follows :—

1. This Act may be called the Haryana Private Universities (Amendment) Act, 2012.

Short title.

2. In section 2 of the Haryana Private Universities Act, 2006 (hereinafter referred to as principal Act),—

Amendment of section 2 of Haryana Act 32 of 2006.

(i) after clause (a), the following clauses shall be inserted, namely:—

“(aa) ‘Bar Council of India’ means the Bar Council of India constituted under the Advocates Act, 1961 (Central Act 25 of 1961).

(ab) ‘campus’ means that area of the university in which it is established;”;

(ii) clauses (d) and (e) shall be omitted;

(iii) for clause (f), the following clauses shall be substituted, namely :—

“(f) ‘employee’ means a person appointed by the university and includes a teacher, officer and any other staff of the university;

(fa) ‘existing private university’ means a university which has been established under the Haryana Private Universities

- Act, 2006 (32 of 2006) before the notification of the Haryana Private Universities (Amendment) Act, 2012;
- (fb) 'faculty' means a group of academic departments of similar disciplines;";
- (iv) for clause (j), the following clause shall be substituted, namely:—
- “(j) 'hostel' means a place of residence of the students of the university;”;
- (v) after clause (k), the following clause shall be inserted, namely :—
- “(ka) 'Indian Nursing Council' means an autonomous body constituted under section 3 of the Indian Nursing Council Act, 1947 (48 of 1947);”;
- (vi) for clauses (m) and (n), the following clauses shall be substituted, namely :—
- “(m) 'National Assessment and Accreditation Council' means National Assessment and Accreditation Council, Bangalore, an autonomous institution of the University Grants Commission;
- (ma) 'National Board of Accreditation' means National Board of Accreditation, New Delhi, an autonomous body of All India Council for Technical Education;
- (n) 'National Council for Teacher Education' means the National Council for Teacher Education, Delhi;”;
- (vii) clauses (o) and (p) shall be omitted;
- (viii) for clause (q), the following clause shall be substituted, namely:—
- “(q) 'Pharmacy Council of India' means Pharmacy Council of India, Delhi;”;
- (ix) for clause (s), the following clause shall be substituted, namely:—
- “(s) 'regulating body' means a body established by the Government of India for laying down norms and conditions for ensuring academic standards of higher education, such as University Grants Commission, All India Council for Technical Education, National Council for Teacher Education, Medical Council of India, Bar Council of India, Pharmacy Council of India, National Assessment and Accreditation Council, Indian Council of Agriculture Research, National Board of Accreditation, Indian Nursing Council, Council of Scientific and Industrial Research etc. and includes the Government or any such body constituted by Government of India or the Government;”;

- (x) for clause (t), the following clause shall be substituted, namely:—

“(t) ‘Rules’ means the rules made by the Government under this Act;”;

- (xi) clause (y) shall be omitted; and

- (xii) for clause (z), the following clause shall be substituted, namely:—

“(z) ‘teacher’ means a Professor, Associate Professor, Assistant Professor or any other person required to impart education or guide research or render guidance in any other form to the students for pursuing a course or programme of study of the university;”.

3. In section 3 of the principal Act,—

Amendment of
section 3 of
Haryana Act
32 of 2006.

- (i) for clause (6), the following clause shall be substituted, namely:—

“(6) to establish a campus;”;

- (ii) clause (7) shall be omitted;

- (iii) for clause (9), the following clause shall be substituted, namely :—

“(9) to maintain the academic standard of degrees, diplomas, certificates and other academic distinctions as per bye-laws and to ensure that the same are not lower than those laid down by the regulating body;”;
and

- (iv) clauses (10), (11) and (12) shall be omitted.

4. In section 4 of the principal Act,—

Amendment of
section 4 of the
Haryana Act 32 of
2006.

- (i) in sub-section (1), for sign (.) existing at the end, the sign (:) shall be substituted;

- (ii) after sub-section (1), the following proviso shall be added, namely :

“Provided that the university excluding existing private university shall offer minimum three faculties at its commencement and shall provide instructions upto the level of Ph.D. in a period of three years in any of the three faculties in which it is imparting degree i.e. Humanities, Languages, Medicines, Commerce, Science, Engineering, Information Technology, Law, Agriculture and Allied Sciences, Management (Business, Hotel, Hospitality, Tourism etc.), Bio-Tech, Media and Mass Communication etc. with due permission from the relevant regulating bodies:

Provided further that if a sponsoring body intends to set up Health and Medical Sciences University, it shall not be mandatory to offer minimum three faculties.”;

- (iii) in sub-section (2), clause (r) shall be omitted;
- (iv) in clause (a) of sub-section (4), the following sign and words shall be added at the end, namely:—

“, manner of generation of funds to be raised by the proposed university before its operations. The sponsoring body shall give the detailed information in this regard as per the format given in the bye-laws framed under this Act at the time of application;”and

- (v) in sub-section (6), for the words “one month” occurring twice, the words “six months” shall be substituted.

Amendment of
section 5 of
Haryana Act
32 of 2006.

- 5. In sub-section (1) of section 5 of the principal Act,—
 - (i) for clause (vi), the following clauses shall be substituted, namely:—
 - “(vi) give undertaking to appoint at least one Professor, two Associate Professors and adequate number of Assistant Professors alongwith necessary supporting staff in each department or discipline to be started by the university;
 - (vi-a) maintain objectivity, fairness and transparency in the recruitment of teachers of the proposed university with qualification not less than those prescribed by the University Grants Commission or other regulating bodies;”;
 - (ii) in clause (ix), for the sign “.” existing at the end, the sign “;” shall be substituted; and
 - (iii) after clause (ix), the following clause shall be added, namely:—
 - “(x) provide its commitment to prevent all types of ragging in the campus in accordance with the regulations prescribed by the University Grants Commission, Government norms and statutory provisions in this regard, if any.”.

Amendment of
section 10 of
Haryana Act
32 of 2006.

- 6. For section 10 of the principal Act, the following section shall be substituted, namely:—

“(10) Bar to affiliation and opening off shore campus etc.— (1) The university shall not admit any college or institution to the privilege of affiliation.

(2) It shall not open any off campus, off shore campus, study centre and examination centre in or out of the State of Haryana and shall not offer any programme through distance education mode.”.

7. For sub-sections (1) and (2) of section 11 of the principal Act, the following sub-sections shall be substituted, namely :—

Amendment of section 11 of Haryana Act 32 of 2006.

“(1) The sponsoring body shall establish an endowment fund for the university with a minimum amount of five crores rupees which shall be pledged in the form of Fixed Deposit Receipt in original in favour of the Higher Education Commissioner, Haryana, Panchkula.

Note : The provisions of sub-section (1) shall not be applicable to the existing private university.

(2) The endowment fund shall be used as a security deposit to ensure that the university complies with the provisions of this Act, Statutes, Ordinances, Rules and Bye-laws. The Government shall have the power to forfeit the whole or part of fund in case the university or the sponsoring body contravenes any of the provisions of this Act, Statutes, Ordinances, Bye-laws or Rules or use it for meeting the expenditure for academic and administrative purposes in case of dissolution in accordance with bye-laws.”.

8. In section 14 of the principal Act, after clause (4), the following clause shall be inserted, namely:—

Amendment of section 14 of Haryana Act 32 of 2006.

“(4A) the Controller of Examinations:”.

9. For sub-section (1) of section 17 of the principal Act, the following sub-section shall be substituted, namely:—

Amendment of section 17 of Haryana Act 32 of 2006.

“(1) The Vice-Chancellor shall be appointed by the Chancellor as per the qualifications prescribed by the University Grants Commission, subject to the provisions contained in sub-section (7) and shall hold office for a term of three years:

Provided that after expiry of the term of three years, the Vice-Chancellor shall be eligible for re-appointment for another term of three years:

Provided further that a Vice-Chancellor shall continue to hold the office even after the expiry of his term till new Vice-Chancellor joins. However, in any case the period shall not exceed one year.”.

Amendment of
section 18 of
Haryana Act
32 of 2006.

10. For sub-section (1) of section 18 of the principal Act, the following sub-section shall be substituted, namely:—

“(1) The appointment of the Registrar shall be made by the Chairperson of the sponsoring body in such manner, as may be specified by the Statutes. The Registrar shall possess the qualifications prescribed by the University Grants Commission.”.

Insertion of
section 18A in
Haryana Act
32 of 2006.

11. After section 18 of the principal Act, the following section shall be inserted, namely:—

“18A. **Appointment and functions of the Controller of Examinations.**— (1) The Controller of Examination shall be whole time salaried officer of the university and shall be appointed by the Chancellor in accordance with the Statutes.

(2) It shall be the duty of the Controller of Examinations,—

- (i) to conduct examinations in a disciplined and efficient manner;
- (ii) to arrange for the setting of papers with strict regard to secrecy;
- (iii) to arrange for the evaluation of answer-sheets in accordance with the planned time schedule for results;
- (iv) to constantly review the system of examinations in order to enhance the level of impartiality and objectivity with a view to make it better instrument for assessing the attainments of students;
- (v) to deal with any other matter connected with examinations which may, from time to time, be assigned to him by the Vice-Chancellor.”.

Amendment of
section 30 of
Haryana Act
32 of 2006.

12. In section 30 of the principal Act,—

(i) for clause (b) of sub-section (1), the following clause shall be substituted, namely:—

“(b) the terms and conditions of appointment of the Chancellor and the Vice-Chancellor and their powers and functions;”;

(ii) for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:—

“(2) The Governing Body shall prepare First Statute of the university and submit the same to the Government for its approval within a period of one month after incorporation of the university in the Schedule of the Act.

(3) The Government shall consider the First Statute submitted by the university and if any modifications are deemed necessary, the same shall be conveyed to the university for sending the amended draft and if the amended draft is found in order, it shall give approval within a period of three months from the date of its receipt.”.

13. In sub-section (3) of section 31 of the principal Act, for the words “two months”, the words “three months” shall be substituted.

Amendment of section 31 of Haryana Act 32 of 2006.

14. In sub-section (3) of section 32 of the principal Act, for the words “two months”, the words “three months” shall be substituted.

Amendment of section 32 of Haryana Act 32 of 2006.

15. In sub-section (2) of section 33 of the principal Act, for the words “two months”, the words “three months” shall be substituted.

Amendment of section 33 of Haryana Act 32 of 2006.

16. After section 34 of the principal Act, the following sections shall be inserted, namely:—

Insertion of sections 34A, 34B and 34C in Haryana Act 32 of 2006.

“34A. Authorisation to commence the course.— (1) The university intending to start a new course or programme of study, shall intimate such intention to the Government, along with an assessment report as prescribed under the bye-laws.

(2) The Government shall specify the manner in which the university shall commence enrolment of students for such course or programme of study and shall give authorization to the university to start the course or programme of study and also approve the procedure thereof.

(3) The university shall not commence first enrolment of students without specific authorization of the Government. In no case, the application for authorization be kept pending beyond 120 days, whereafter it shall be deemed to have the concurrence of the Government to start the course or programme of study.

34B. Power to cancel a course.— The Government may if it is satisfied that the university is not in a position to efficiently discharge the duties and obligations imposed, it may, after making

such inquiry, as may be specified by bye-laws, cancel the permission to continue the course or programme of study.

34C. Compulsory disclosure of information.— (1) Every university established under this Act shall publish before expiry of sixty days prior to the date of the commencement of admission to any of its courses or programme of study, a prospectus containing the following information, namely:—

- (a) each component of the fee, deposits and other charges payable by the students for pursuing a course or programme of study, and the other terms and conditions of such payment;
- (b) the percentage of tuition fee and other charges refundable to a student in case such student withdraws from university before or after completion of course or programme of study and the time within, and the manner, in which such refund shall be made;
- (c) the number of seats approved by the statutory authority in respect of each course or programme of study for the academic year for which admission is proposed to be made;
- (d) the conditions of eligibility for admission in a particular course or programme of study;
- (e) the educational qualifications specified by the university where no such qualifying standards have been specified by any regulating body;
- (f) the process of admission and selection of candidates, including all relevant information with regard to the details of test or examination for selecting such candidates for admission to each course or programme of study and the amount of fee to be paid for the admission test;
- (g) details of the teaching faculty, including therein the educational qualifications, teaching experience and indicating therein whether such member is a regular faculty member or is a visiting member;
- (h) information with regard to physical and academic infrastructure and other facilities including hostel accommodation, library and hospital or industry wherein the practical training to be imparted to the students and in particular the facilities accessible by students on being admitted to the university;
- (i) broad outlines of the syllabus specified by the appropriate statutory authority or by the university, as the case may be, for every course or programme of study, including the teaching hours, practical sessions and other assignments;
- (j) all relevant instructions with regard to maintenance of discipline by students within or outside the campus.

prohibition of ragging and consequences thereof for violating the provisions of any regulations in this regard made under the University Grants Commission Act, 1956 (Central Act 3 of 1956) or any other law for the time being in force.

- (k) any such other information which may be prescribed:

Provided that the university shall publish information referred to under this section on its website, and the attention of prospective students and the general public shall be drawn to such publication on the website through advertisements displayed prominently in the different newspapers and through other media.

(2) Every university shall fix the price of each printed copy of the prospectus, not more than the reasonable cost of its publication, distribution or sale and its copy shall be sent to the Government for information.”

17. For existing section 36 of the principal Act, the following section shall be substituted, namely:—

Amendment of
section 36 of
Haryana Act
32 of 2006.

“36. Fee structure.— (1) The university may, from time to time, prepare fee structure and shall send it for information to the Government, at least thirty days before the commencement of the academic session.

(2) The fee structure for the twenty-five per cent of the students who are domicile of Haryana shall be based on merit-cum-means and be as follows:—

- (i) one-fifth of the twenty-five per cent shall be granted full fee concession;
- (ii) two-fifth of the twenty-five per cent shall be granted fifty per cent fee concession;
- (iii) the balance two-fifth of the twenty-five per cent shall be granted twenty-five per cent fee concession.

(3) The university shall not charge any fee, by what ever name called, other than that prescribed as per sub-sections (1) and (2) above :

Provided that in case of the university having collaboration with reputed foreign or international universities or other institutions of other similar nature, the Government, may, approve different percentage of students eligible for hundred per cent, fifty percent or twenty-five per cent fee concession.”

18. For section 40 of the principal Act, the following section shall be substituted, namely:—

Amendment of
section 40 of
Haryana Act
32 of 2006.

“40. The university shall obtain accreditation from the National Assessment and Accreditation Council, Bangalore or National Board of Accreditation within five years of its establishment and inform the Government and such other regulatory bodies which are

connected with the courses taken up by the university about the grade provided by the said accrediting bodies to the university. The university shall get renewed such accreditation at an interval of every five years thereafter or as per norms of the concerned accrediting bodies.”.

Amendment of
section 44 of
Haryana Act
32 of 2006.

19. For section 44 of the principal Act, the following section shall be substituted, namely :—

“44. Powers of Government to inspect university and academic and administrative audit.— (1) The Government may cause an assessment to be made, in such manner, as may be prescribed, for the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the university.

(2) The Government for ascertaining and ensuring quality at different levels of higher education in a university and for its continued sustenance shall conduct annual academic and administrative audit through Higher Education Department, Haryana or any other body or persons authorized by it, which shall scrutinize whether the university is complying with and functioning in accordance with the provisions of this Act, Statutes, Ordinances, Rules, bye-laws, instructions and the conditions of the Letter of Intent.

(3) Such persons or body shall give their report within three months to the Government with specific recommendations and deficiencies, if found. The Government shall consider the report and issue a show cause notice of thirty days to the Chancellor as to why action should not be initiated against the university for the deficiencies noticed.

(4) After considering the reply to the show cause notice, the Government shall have the power to impose penalty under the Act.”.

Insertion of
section 44A in
Haryana Act
32 of 2006.

20. After section 44 of the principal Act, the following section shall be inserted, namely:—

“44A. Penalties.— The following penalties may be imposed upon the university for maladministration, misinformation and for not maintaining standards, namely:—

- (i) stopping of admissions in one or more faculties;
- (ii) financial penalty of a minimum of ten lakhs and maximum of one crore;
- (iii) dissolution of the university in a phased manner:

Provided that no such penalty shall be imposed unless the university has been given a show cause notice.”.

Amendment of
section 46 of
Haryana Act
32 of 2006.

21. In section 46 of the principal Act,—

- (i) after sub-section (7) the following sub-section shall be inserted, namely:—

“(7A) The administrator shall meet day to day expenses from the income/assets of the university. If the same are not sufficient, then the administrator with the prior approval of the Government shall have the powers to dispose of the properties and assets of the university.”;

- (ii) for sub-section (9), the following sub-section shall be substituted, namely :—

“(9) On receipt of the report under sub-section (8), the Government shall make an amendment in the Schedule under section 6 by omitting concerned university therefrom and from the date of such amendment, all the assets and liabilities of the university shall vest in the sponsoring body:

Provided that the degrees, diplomas or awards granted under sub-section (8) shall not be invalid merely on the ground that the university has been dissolved.”.

22. After section 47 of the principal Act, the following section shall be inserted, namely :—

“47A. Power to make bye-laws.-The Government may, by notification in the Official Gazette, make bye-laws for carrying out the purposes of this Act.”.

Insertion of section 47A in Haryana Act 32 of 2006.

23. In the Schedule to the principal Act, after serial number 6 and entries thereagainst, the following serial numbers and entries thereagainst shall be added, namely :—

Amendment of Schedule in Haryana Act 32 of 2006.

“7.	Baba Mast Nath University	District Rohtak
8.	M.V.N. University	District Palwal
9.	Ansal University	District Gurgaon”.

MANJEET SINGH,
Secretary to Government, Haryana,
law and Legislative Department.

PART-I

**HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT**

Notification

The 3rd May, 2013

No. Leg.10/2013.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 11th April, 2013 and is hereby published for general information:—

HARYANA ACT NO. 8 OF 2013

THE HARYANA PRIVATE UNIVERSITIES (AMENDMENT) ACT, 2013

AN

ACT

further to amend the Haryana Private Universities Act, 2006.

Be it enacted by the Legislature of the State of Haryana in the Sixty-fourth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Private Universities (Amendment) Act, 2013. Short title.

2. In the Schedule to the Haryana Private Universities Act, 2006, after serial number 9 and entries thereagainst, the following serial numbers and entries thereagainst shall be added, namely:— Amendment of Schedule to Haryana Act 32 of 2006.

“10. Shree Guru Gobind Singh Tricentenary University	District Gurgaon
11. Jagan Nath University	Bahadurgarh (Haryana)
12. G.D. Goenka University	Sohna Road, Gurgaon
13. K.R. Mangalam University	Sohna Road, Gurgaon
14. S.R.M. University	Sonepat (Haryana)”.

3. (1) The Haryana Private Universities (Amendment) Ordinance, 2013 (Haryana Ordinance No. 1 of 2013), is hereby repealed. Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

RAJ RAHUL GARG,
Secretary to Government, Haryana,
Law and Legislative Department.

PART I

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Notification

The 2nd May, 2014

No. Leg. 24/2014.—The following Act of the Legislature of the State of Haryana received the Assent of the Governor of Haryana on the 23rd April, 2014, and is hereby published for general information :—

(HARYANA ACT NO.21 OF 2014)

**THE HARYANA PRIVATE UNIVERSITIES
(AMENDMENT) ACT, 2014**

AN

ACT

further to amend the Haryana Private Universities Act, 2006.

Be it enacted by the Legislature of the State of Haryana in the Sixty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Haryana Private Universities (Amendment) Act, 2014. Short title.

2. In section 2 of the Haryana Private Universities Act, 2006 (hereinafter called the principal Act),— Amendment of section 2 of Haryana Act 32 of 2006.

(i) after clause (n), the following clauses shall be inserted, namely:—

(na) “off-campus centre” means a centre of the university established by it outside the main campus but within the State of Haryana, operated and maintained as its constituent unit and having its complement of facilities, faculty and staff;

(nb) “off-shore campus” means a campus of the university established by it outside the country, operated and maintained as its constituent unit and having its complement of facilities, faculty and staff;’;

(ii) for clause (s), the following clause shall be substituted, namely:—

(s) “regulating body” means a body established by the

Government of India for laying down norms and conditions for ensuring academic standards of higher education, such as University Grants Commission, All India Council for Technical Education, National Council for Teachers Education, Medical Council of India, Bar Council of India, Pharmacy Council of India, Indian Council of Agricultural Research, Indian Nursing Council, Council of Scientific and Industrial Research etc. and includes the Government or any such body constituted by the Government;’.

Amendment of section 3 of Haryana Act 32 of 2006.

3. After clause (9) of section 3 of the principal Act, the following clauses shall be added, namely:—

- “(10) to set up off – campus centre within the State of Haryana after obtaining approval from the University Grants Commission;
- (11) to open off-shore campus in foreign countries after obtaining due permission from the University Grants Commission, the Government, the Government of India and also from the Government of the host country.”.

Insertion of section 3A in Haryana Act 32 of 2006.

4. After section 3 of the principal Act, the following section shall be inserted, namely:—

“(3A) Conditions for setting up off-campus centre.—

- (1) The university shall be allowed to set up only one off-campus centre within the State of Haryana on fulfillment of the following conditions, namely:-
 - (a) it has completed five years of establishment;
 - (b) it has been accredited “A” grade by National Assessment and Accredited Council;
 - (c) it has never violated the conditions of Letter of Intent and the provisions of the Act;
 - (d) it has obtained the approval from the University Grants Commission; and
 - (e) it has in its possession the land as described below:—
 - (i) three acres of land by way of ownership or lease of thirty years, if the university intends to set up off-campus centre in a Municipal Corporation;
 - (ii) four acres of land by way of ownership or lease of thirty years, if the university intends to set up off-campus centre in a Municipal Committee;

(iii) five acres of land by way of ownership or lease of thirty years, if the university intends to set up off-campus centre in a rural area.

- (2) The off-campus centre shall be totally administered by the university and no franchise for its running shall be allowed.
- (3) The off-campus centre shall have adequate buildings, other infrastructure facilities and staff as per the norms and standards prescribed by the University Grants Commission and other regulatory bodies. Such facilities shall be proportionate to the size and activities of the off-campus centre.
- (4) The university shall furnish adequate financial guarantee as per the rules framed or as decided by the Government, from time to time.”.

5. For sub-section (2) of section 10 of the principal Act, the following sub-sections shall be substituted, namely:—

Amendment of section 10 of Haryana Act 32 of 2006.

“(2) The university shall not open any study centre and examination centre in or out of the State of Haryana and shall not offer any programme through distance education mode.

(3) The university shall not offer any programme through distance education mode from off-campus centre or off-shore campus established under clauses (10) or (11) respectively of section 3 of the Act.”.

6. For sub-section (1) of section 17 of the principal Act, the following sub-section shall be substituted, namely:—

Amendment of section 17 of Haryana Act 32 of 2006.

“(1) The Vice-Chancellor shall be appointed by the Chancellor as per the qualifications prescribed by the University Grants Commission, subject to the provisions contained in sub-section (7) and shall hold office for a term of three years:

Provided that after expiry of the term of three years, the Vice-Chancellor shall be eligible for re-appointment for another term of three years:

Provided further that the Chancellor may further extend the term for another three years if the Vice-Chancellor has contributed significantly to raise the academic and research standards of the University:

Provided further that a Vice-Chancellor shall continue to hold the office even after the expiry of his term till the new Vice-Chancellor joins. However, in any case the period shall not exceed one year.”.

Amendment of
section 22 of
Haryana Act 32 of
2006.

7. For clause (c) of sub-section (1) of section 22 of the principal Act, the following clause shall be substituted, namely:—

“(c) the Secretary to Government, Haryana, Higher Education Department or his nominee;”

Amendment of
section 23 of
Haryana Act 32 of
2006.

8. For clause (b) of sub-section (1) of section 23 of the principal Act, the following clause shall be substituted, namely:—

“(b) the Secretary to Government, Haryana, Higher Education Department or his nominee;”

Amendment of
Schedule to
Haryana Act 32 of
2006.

9. In the Schedule to the principal Act, after serial number 14 and entries thereagainst, the following serial numbers and entries thereagainst shall be added, namely:—

- | | |
|---------------------------|--------------------|
| 15. Ashoka University | District Sonapat |
| 16. Al-Falah University | District Faridabad |
| 17. BML Munjal University | District Gurgaon”. |

RAJ RAHUL GARG,
Secretary to Government Haryana,
Law and Legislative Department.