

**GOVERNMENT OF ASSAM
ORDER BY THE GOVERNOR OF ASSAM
EDUCATION (HIGHER) DEPARTMENT**

Notification

The 7th August, 2007

No. AHE 154/2007/166 In exercise of powers conferred under sub-section (1) read with sub-section (2) of section 47 of the Assam Private Universities Act, 2007 (Assam Act No. XII of 2007), the Governor of Assam is hereby pleased to make the following rules for carrying out the purposes of the said Act, namely :-

- Short title and commencement**
1. (1) These rules may be called the Assam Private Universities Rules, 2007.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
- Definitions**
2. In these rules unless the context otherwise requires -
 - (a) "Act" means the Assam Private Universities Act, 2007 (Assam Act No. XII of 2007);
 - (b) "application fee" means the amount deposited by the sponsoring body along with the proposal and project report to establish a university in private sector;
 - (c) "committee" means a committee constituted under sub-section (3) of section 4 and sub-section (2) of section 5;
 - (d) "land" means land meant for the establishment of the main campus of the university but shall not include land on which "off-campus centre" and "study centre" are located or which is not used for the exclusive purpose of running of the university;
 - (e) "section" means section of the Act; and
 - (f) words and expressions used in these rules and not defined but defined in the Act, shall have the same meanings respectively assigned to them in the Act.
- Application for establishment of University.**
3. (1) Application for establishment of the university shall be submitted to the Government in the Education (Higher) Department at least 365 days earlier than the date on which the sponsoring body proposes to establish the university. At the time of submission of application the sponsoring body shall either be in the ownership or be

under an agreement to own the minimum area of land as per provisions contained in section 9 and shall furnish a "No objection Certificate" from the appropriate authority regarding legality of use of land for educational purpose.

- (2) Application shall be duly acknowledged by the Education (Higher) Department.
- (3) Application shall be signed by the person authorized to authenticate instruments on behalf of sponsoring body.
- (4) Application fee (non-refundable) of Rs. 10,00,000/- (Ten lacs rupees) shall be sent along with the application through a crossed account payee bank draft in favour of Director, Higher Education, Assam, payable at Guwahati. The money received on account of application fee shall be deposited by the Director, Higher Education in current account in a nationalized bank to be operated jointly by the Director, Higher Education and Sr. Finance and Accounts Officer of the Directorate. Office expenses and other related expenses for this purpose shall be met out of this account after obtaining approval from the Commissioner and Secretary, Education (Higher) Department.
- (5) Application for the establishment of the university shall be accompanied by at least ten copies of the detailed project report (including ten soft copies) in the format appended as Annexure-I.
- (6) The Project report shall contain particulars as mentioned in sub-section (2) of section 4. Applications rejected under sub-section (3) of section 5 or sub-rule (2) of rule 4 of these rules shall not be reconsidered. The sponsoring body may, however, apply afresh for a new or a modified project under section 4 along with application fee, not earlier than 6 months from the date of rejection of previous proposal.

Letter of Intent.

4. (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 a university, a letter of intent may be issued under sub-section (1) of

section 5 to the sponsoring body to fulfill the conditions mentioned in clauses (i) to (ix) of sub-section (1) of section 5.

**Endowment
Fund.**

5. (1) The endowment fund shall be pledged in the name of Director, Higher Education, Assam, who shall also be the custodian for all documents and instruments related to the endowment fund and its investment in accordance with the provisions of the Act.
- (2) If the Government is not so satisfied, it shall inform the sponsoring body preferably within three months, that their proposal has been rejected.
- (2) In case the university or the sponsoring body contravenes any of the provisions of the Act, Statutes, Ordinance, regulations or rules made thereunder, a part or whole of the endowment fund may be forfeited by the Government but before such forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the university, as the case may be.
- (3) The Government shall, among other things, duly consider the reply submitted by the sponsoring body/university.
- (4) In case the reply to show cause notice issued under sub rule (2) is not submitted by the sponsoring body or the university within 45 days of the notice, the Government may decide the case without waiting for such reply.
- (5) The forfeited amount of endowment fund shall be used in the manner to be specified by the Government at the time of forfeiture.

Commissioner & Secretary to the Government of Assam,
Education (Higher) Department

Memo No. AHE 154/2007/166-A

Dated Dispur, the 7th August, 2007

Copy to :

1. The Accountant General (A &E), Assam, Maidamgaon, Beltola, Guwahati-29.
2. The Secretary, Assam Public Service Commission, Jawahar Nagar, Khanapara, Ghy.-22.
3. The Commissioner & Secretary to the Govt. of Assam, Personnel Department, Dispur, Ghy-6.

4. The Commissioner & Secretary to the Govt. of Assam, Finance (EC-III) Department, Dispur, Ghy-6 with reference to their U.O. endorsement No. 68/2007 dated 10/5/07.
5. The Commissioner & Secretary to the Govt. of Assam, Administrative Reforms & Training Department, Dispur, Ghy-6.
6. The Secretary to the Govt. of Assam, Legislative Department, Dispur, Ghy-6 with reference to their U.O. endorsement No. 111 dated 7/7/2007.
7. The Legal Remembrancer, Assam, Judicial Department, Dispur, Ghy-6 with reference to their U.O. endorsement No. 341/07 dated 16/6/07.
8. The Director, Higher Education, Assam, Kahilipara, Ghy-19.
9. The Director, Technical Education, Assam, Kahilipara, Ghy-19.
10. The Under Secretary to the Govt. of Assam, Political (Cabinet Cell) Department, Dispur, Ghy-6.
11. The Director, Printing and Stationary, Assam Government Press, Bamunimaidam, Ghy-21 for publication of the above notification in the Extra Ordinary issue of the Assam Gazette and to furnish 200 copies of the same to the department.
12. The Staff Officer to the Chief Secretary, Assam, Dispur, Ghy-6.
13. The OSD to Minister, Education, Assam, Dispur, Ghy-6.

By order etc.

Secretary to the Government of Assam,
Education (Higher) Department

[See rule 3 (5)]

Application Form for the Establishment of Private University in Assam**Details of Sponsoring Body : -**

(i) Name

(ii) Address with e-mail, phone number :

(iii) Whether a Society registered under the

Societies Registration Act, 1860 or a Trust

Constituted under the Indian Trust Act, 1882 : _____

(a) Registration Number : _____

(b) Date of Registration : _____

(c) Place of Registration : _____

(Attach Copy of Registration of Society/Trust along with details of constitution, memorandum of association of the Society/Trust).

(iv) Legal Status in Assam and in India

(v) Name and year (s) of Establishment of the Institutions, if already established by the Sponsoring Body :

(vi) Organizational Information (Enclose Catalogue/Brochure) :-

(vii) Year of commencement of Programme (s) :

(viii) Details of relationship with the bodies In-charge of Education, Technical/Professional Education, Medical Education etc. (i.e. All India Council for Technical Education, Bar Council of India, Council of Scientific and Industrial Research, Indian Council of Agriculture Research, Medical Council of India, National Council of Teacher Education, Pharmaceutical Council of India, University Grants Commission, etc. :

(ix) Details of application fee i.e. name of the Bank, amount, demand draft number and date :

(x) Details of land available with the sponsoring body along with the certificate issued by the competent authority regarding the classification of land

(Attach copy of letter from competent authority for classification of land, if claimed to be within the limits of Municipal Authorities)

Area :

Whether owned by the applicant Society/Trust : Yes No

Or whether in agreement to own: Yes No

If yes, then

Area

/Acres

/Bigha

(Attach copy of land documents)

If owned, whether the land is registered through a

Sale Deed :

Gift Deed :

Leased by Government in the name of the Applicant Society/Trust/Proposed Institution

If yes, then -

Registration Number : _____

Date of Registration : _____

Place of Registration : _____

If the land is on lease from Government bodies then the purpose for which it was leased and period of lease granted.

(Land, if leased from private bodies/persons is not acceptable)

Any loans/mortgage raised against the titles of land :

Yes No

Whether the land has been exclusively earmarked for the Proposed Institution by any resolution :

Yes No

If land is agricultural, then conversion certificate from local Government/Competent Authorities :

Yes No

(Attach copy of land use certificate)

- (xi) Project Report as detailed in sub-section (2) of section 4 of the Act.
- (xii) Details of Financial Resources.

Availability of Funds in the name of Applicant Society/Trust.

[Please note that Bank Guarantees against mortgage of land, building and assurance are not acceptable]

Fixed Deposits (Fixed Deposit Receipts/other deposits in the name of the Applicant Trust/Society) [Attach Xerox copy of FD Receipt Front and Back Side]

Fixed Deposit Receipts Amount : Rs. _____ [in lakhs]

Other Deposits : Rs. _____ [in lakhs]

Whether the Accounts of the Applicant Society/Trust are audited.

Yes No

[Attach Xerox copy of last three years]

(Attach details of fund available with applicant for the proposed university programme along with Xerox copies as above)

(xiii) Information about the proposed programme with respect to the following : -

Sl. No.	Parameter	In parent state	Proposed in Assam
1	Nomenclature/Discipline		
2	Entry Level Qualification		
3	Examination Pattern		
4	Evaluation System		
5	Duration of Course		
6	Type Dip/Under Graduate/Post Graduate/Doctor of Philosophy		
7	Intake		
8	Course Curriculum (<i>provide semester wise details</i>)		
9	Fee		

(xiv) Any other relevant information

A copy of the certificate indicating that the applicant has been registered as a society registered under the Societies Registration Act., 1860 (Central Act 21 of 1860)/a company registered under section 25 of the Companies Act, 1956 (Central Act 1 of 1956) and is

approved and accredited by the Government or an agency authorized by the Government of India of its origin.

A copy of certificate indicating details of relationship with the bodies in-charge of Education, Technical/Professional Education, Medical Education etc. (i.e. All India Council for Technical Education, Bar Council of India, Council of Scientific and Industrial Research, Indian Council of Agriculture Research, Medical Council of India, National Council of Teacher Education, Pharmaceutical Council of India, University Grant Commission, etc.)

Name and Signature of the Authorized
Signatory of the Sponsoring body

Date :

Place :

