

**No.2-7/2016-PN-I**  
**Government of India**  
**Ministry of Human Resource Development**  
**Department of Higher Education**  
**(PN.I Section)**

Shastri Bhawan, New Delhi,  
Dated the 16<sup>th</sup> January, 2020

To

**The Registrar**  
**National Institute of Educational**  
**Planning & Administration (NIEPA)**  
**17-B, Sri Aurobindo Marg, NIE Camp,**  
**New Delhi.**




**Sub: Revised Memorandum of Association and Rules of NIEPA as per UGC Regulations, 2019 – reg.**

Sir,

With reference to your letter No.NUEPA/Admn/RO/RMOA&R/155-2016-17 dated 13-12-2019 on the subject noted above, approval of the Competent Authority to the Revised Memorandum of Association and Rules of NIEPA, 2019 is being conveyed herewith for further necessary action at your end please. A duly attested copy of approved MoA & Rules is enclosed herewith.

*Encl: As above.*

  
**(A. K. Chattopadhyay)**  
**Under Secretary to Govt. of India**

# **MEMORANDUM OF ASSOCIATION AND RULES 2020**



**National Institute of Educational Planning and Administration  
17-B, Sri Aurobindo Marg, New Delhi**

**Revised Memorandum of Association and Rules of  
National Institute of Educational Planning and Administration  
(NIEPA), 2019**

**NAME**

The Name of the Society shall be the "National Institute of Educational Planning and Administration", (Declared by the Government of India under Section 3 of the UGC Act, 1956) vide Government of India Notification No. F.9-16/2006-U.3 (A) dated 11<sup>th</sup> August, 2006 (hereinafter referred to as "The Institute").

**OFFICE**

The Registered Office of the Institute shall be in its own building currently numbered as 17-B, Sri Aurobindo Marg, New Delhi - 110016, INDIA.

**PREAMBLE**

To realize the vision of the Institute as "a humane learning society through advancement of knowledge."

To fulfill the mission of the Institute to serve as a centre of excellence in the areas of educational policy, planning and management by promoting advanced level teaching, research and capacity building in national and global contexts.

To provide educational policy, planning support and its implementation to central and state governments and other bodies managed and maintained by the government.

The Institute makes the following memorandum of association and rules for its governance.

**DEFINITIONS**

In this Memorandum of Association made hereunder, unless the context otherwise requires:

- (a) **"The Institute"** means the National Institute of Educational Planning and Administration (NIEPA);
- (b) **"Academic Council"** means the Academic Council of the Institute;
- (c) **"Appointing Authority"** in relation to any post under the Institute, means the authority competent to make appointment to that post;
- (d) **"Authorities"** means the authorities of the Institute;

- (e) "**Borrowed Employee**" means an employee of any other Organization whose services are obtained by the Institute on lien or deputation;
- (f) "**Board of Management**" means Board of Management of Institute;
- (g) "**Board of Studies**" means the Board of Studies of the Institute;
- (h) "**Campus**" means the campus of the Institute located in New Delhi;
- (i) "**Commission**" means the University Grants Commission.
- (j) "**Controller of Examinations**" means the Controller of Examinations of Institute;
- (k) "**Chancellor**" means the Chancellor of the Institute;
- (l) "**Departmental Promotion and Confirmation Committee**" means a Committee constituted for promotion, declaration of satisfactory completion of probation and confirmation of non-teaching employees;
- (m) "**Dean (Academics and Research)**" means the Dean – Academics and Research of Institute.
- (n) "**Deemed to be University**" means the University created by Ministry of Human Resource Development, Government of India under Section 3 of the UGC Act, 1956.
- (o) "**DoPT**" means Department of Personnel and Training of the Ministry of Personnel, Public Grievances and Pensions of the Government of India.
- (p) "**Employee**" means any person serving the Institute against sanctioned posts;
- (q) "**Faculty**" means the teaching staff holding posts covered under UGC Regulations as provided in Second Schedule;
- (r) "**Finance Committee**" means the Finance Committee of the Institute;
- (s) "**Foreign Service**" means the service for which an employee receives, with the approval of the controlling authority, his pay from any source other than the funds of the Institute;
- (t) "**Fundamental Rules**" means the Fundamental Rules of the Government of India;
- (u) "**Government**" unless the context to specifies, means the Central Government in the Ministry of Human Resource Development allocated with business pertaining to higher education;
- (v) "**Head of the Department**" means the Head of the Department/ Units/ Centre of the Institute;

- (w) **“Internal Quality Assurance Cell (IQAC)”** means the internal quality assurance cell of the Institute;
- (x) **“Legal Advisor”** means the Legal Advisor of the Institute;
- (y) **“NAAC”** means “National Assessment and Accreditation Council”;
- (z) **“Planning and Coordination Committee”** means the Planning and Coordination Committee of the Institute;
- (aa) **“Planning and Monitoring Board”** means the Planning and Monitoring Board of the Institute;
- (bb) **“Project Post”** means a post sanctioned for a specific project or for a training programme for a fixed period;
- (cc) **“Registrar”** means the Registrar of the Institute;
- (dd) **“Regulations”** means the Regulations made by any authority of the Institute under this MOA for the time;
- (ee) **“Schedule”** means a Schedule appended to these Regulations;
- (ff) **“Selection Committee”** means a Committee constituted for recommending persons for appointments to various posts in the Institute;
- (gg) **“Student”** means a student of the Institute and includes any person who has enrolled himself/herself for pursuing any course of study in the Institute;
- (hh) **“UGC Regulations, 2018”** means Gazette Notification No. F. 2/2017(EC/PS) dated 18.07.2018 regarding minimum qualifications for appointment of teachers and other academic staff in Universities/Institutes,as amended from time to time;
- (ii) **“UGC Regulations, 2019”** means Gazette Notification No. F. 1-2/2018 (CPP-I/DU) dated 20.02.2019 regarding Institutions deemed to be Universities,as amended from time to time; and
- (jj) **“Vice-Chancellor”** means the Vice-Chancellor of the Institute.

## **OBJECTIVES OF THE INSTITUTE**

- (i.) To provide quality of higher education leading to excellence and innovations in such branches of knowledge as may be deemed fit at undergraduate, post-graduate and research degree levels.
- (ii.) To provide educational policy, planning support and its implementation to central and state governments and other bodies managed and maintained by the government.

- (iii.) To undertake, aid, promote and coordinate research in various aspects of educational policy, educational planning, educational administration, educational finance and allied disciplines; disseminate the findings in the different States of India and in other countries of the world.
- (iv.) To provide for high quality teaching at various levels of higher education for the advancement of knowledge by faculty in above areas.
- (v.) To organize training, conferences, workshops, meetings, seminars and briefing sessions for educational personnel of the Central Government, State Governments, Union Territories, administrators and faculty members in universities, colleges and schools;
- (vi.) To collaborate with other agencies, institutions and organizations in school and higher education in India and abroad;
- (vii.) To provide, on request, facilities for training and search in educational planning and administration to other countries, especially of the Asian and African region, and collaborate with them in programmes;

## **AUTHORITIES OF THE INSTITUTE**

### **Board of Management**

The highest governing body of the Institute shall be a Board of Management to be headed by the Vice-Chancellor, and consisting of not less than 10 members and a maximum of fifteen members.

The Board of Management of the Institute shall be independent of the sponsoring body with full autonomy to discharge its academic and administrative responsibilities.

The Board of Management of the Institute shall consist of:

- a.) Vice-Chancellor of the Institute - Chairperson - ex-officio;
- b.) Dean (Academics and Research)
- c.) Three eminent academics as nominated by the Chancellor, who shall have worked at the rank of Professor and shall neither be from the Institution or the sponsoring body nor be their relatives.
- d.) One representative of the MHRD not below the rank of Joint Secretary, Government of India;
- e.) Two Faculty members of the institute: one each from Professors and Associate Professors by rotation based on seniority.
- f.) Three nominees of the MHRD who shall be an eminent academician not below the rank of Professor.

The Registrar of the Institute shall be the Ex-officio Secretary of the Board of Management.

All the members of the Board of Management other than the ex-officio members and teachers, shall hold office for a term of three years from the date of first appointment and shall be eligible for reappointment. Members of the Board of Management

appointed from among teachers shall hold office for a period of 2 years or till such time as they cease to be teachers of the Institute, whichever is earlier.

### **Powers and Limitations of the Board of Management**

- i. The Board of Management shall be the principal organ of management and the apex executive body of the Institute, with powers to make rules of the Institute.
- ii. The Board of Management shall be the final decision making body of the Institute in respect of every matter of the Institute, including in the academic, administrative, personnel, financial and developmental matters.
- iii. The Board of Management shall not infringe upon the powers of the respective authorities provided under these Regulations; and where any authority has been given advisory/recommendatory powers, the Board of Management shall obtain advice/recommendations from such authority, before deciding on any matter before it.

### **Meetings of the Board of Management**

- (i.) The Board of Management shall meet at least two to three times a year, with not less than 15 days' notice being given before every meeting of the Board of Management. Attendance by more than one-half of the total number of members of Board of Management shall form the quorum for a meeting.
- (ii.) Every meeting of the Board of Management shall be presided over by Vice-Chancellor of the Institute and in his/her absence, the Dean (Academic and Research) shall preside the Meeting of the Board of Management. If the Dean (Academic and Research) is also absent, then the Meeting would be presided by a member chosen by the members present, from amongst themselves.
- (iii.) Each member of the Board of Management, including the Chairperson, shall have one vote and decisions at the meetings of the Board shall be taken by simple majority; in case of a tie, the Chairperson shall have a casting vote.
- (iv.) Any business which it may be necessary for the Board of Management to perform may be carried out by circulation amongst its members.
- (v.) A copy of the proceedings of each meeting shall be furnished to the Chancellor of the Institute as soon as maybe possible after the meeting.

### **Termination of Membership**

If a member other than the Vice-Chancellor, and those representing the teachers, accepts a full time appointment in the Institute or does not attend three consecutive meetings of the Board of Management, without proper leave of absence, he/she shall cease to be a member of the Board of Management.

## **Delegation of Powers of the Board of Management**

The Board of Management may, by a resolution, delegate to the Vice-Chancellor or any other officer/faculty or to a Committee of officers/faculties of the Institute, such powers as it may deem fit, subject to the condition that the action taken by the Vice Chancellor or the officer/faculty, or the Committee in the exercise of the powers so delegated, shall be reported at the next meeting of the Board of Management.

## **Other Authorities of the Institute**

The following shall be the other Authorities of the Institute:

- a) Academic Council
- b) Planning and Monitoring Board
- c) Finance Committee
- d) Board of Studies
- e) Selection Committee
- (f) Miscellaneous matters pertaining to different authorities of the Institute.

## **Academic Council**

The Academic Council shall be the principal academic body of the Institute and shall, subject to the provision of the Rules, have the control over, and be responsible for, the maintenance of standards of teaching, research and training, approval of syllabus, coordination of research activities, examinations and tests conducted by the Institute; and shall exercise such powers and perform such other duties and functions as may be prescribed or conferred upon it by the Rules of the Institute.

The composition of the Academic Council shall be as under:

- (i.) Vice Chancellor ..... Chairperson;
- (ii.) Dean( Academic & Research);
- (iii.) Heads of the Departments;
- (iv.) All Professors, other than the Heads of the Departments, by rotation based on inter-se seniority;
- (v.) Two Associate Professors from the Departments, other than the Heads of the Departments, by rotation based on inter-se seniority;
- (vi.) Two Assistant Professors from the Departments by rotation based on inter-se seniority;
- (vii.) Three persons from amongst educationists of repute or persons from any other field related to the activities of the Institution Deemed to be University who are not in the service of the Institution Deemed to be University, nominated by the Vice-Chancellor;
- (viii.) Three persons who are not teachers, co-opted by the Academic Council for their specialized knowledge.
- (ix.) The Registrar, who shall be ex officio the Secretary of the Academic Council.

**Note:** The representation of different categories shall be only through rotation and not through election. The term of members, other than the ex-officio members, shall be two years. The Controller of Examination shall be the



permanent invitee to the meetings of the Board of Studies and Academic Council.

### **Powers and Functions of the Academic Council**

The Academic Council shall have the following powers and duties, namely:-

- (i.) To consider matters of academic interest either on its own initiative or at the instance of the Board of Management or those proposed by the departments/faculties and to take appropriate action thereon;
- (ii.) To exercise general supervision over the academic work of the National University and to give direction regarding selection of candidates for research and other programmes (M. Phil., Ph.D., Post-Doctoral, etc.), methods of instructions, evaluation or research or improvements in academic standards etc.;
- (iii.) To promote research within the Institute, and to acquire reports on such researches from time to time;
- (iv.) To prescribe courses /programmes of study leading to degree and diploma of the Institute;
- (v.) To make arrangements for the conduct of examinations in conformity with the Bye-Laws;
- (vi.) To appoint examiners, moderators, tabulators and such other personnel for different examinations;
- (vii.) To maintain proper standards of the examinations;
- (viii.) To recognize diplomas and degrees of universities and other Institutions and to determine equivalence with the diplomas and degrees of the Institute;
- (ix.) To suggest measures for departmental co-ordination;
- (x.) To make recommendations to the Board of Management on:
  - a.) measures for improvement of standards of teaching research and training;
  - b.) institution of Fellowships, Travel Fellowships, Scholarships, Medals, Prizes, etc.;
  - c.) the establishment or abolition of departments/centres; and
  - d.) to frame rules covering the academic functioning of the Institute, admissions, examinations, award of fellowships and studentships, free-ships, concessions, attendance, discipline, residence etc.
- (xi.) To appoint sub-committees to advise on such specific matters as may be referred to it by the Board of Management;
- (xii.) To consider the recommendations of the sub-committees and to take such action as the circumstances of each case may require;
- (xiii.) To take periodical review of the activities of the departments/centres and to take appropriate action with a view to maintaining and improving standards of instruction;
- (xiv.) To recommend institution of teaching posts (Professors, Associate Professors and Assistant Professors) to the Board of Management; and
- (xv.) To exercise such other powers, and to perform such other duties, as may be conferred or imposed upon it by the Rules.
- (xvi.) To prepare a list of experts and submit the same to the BOM for the approval.

## **Meetings of the Academic Council**

- a.) The Academic Council shall meet as often as may be necessary but not less than two to three times during an academic year with not less than 15 days' notice being given before every meeting of the Academic Council.
- b.) One third of the total number of members of the Academic Council shall constitute the quorum for the meeting of the Academic Council.
- c.) Each member, including its Chairperson, shall have one vote and decisions at the meetings of the Academic Council shall be taken by simple majority; and in case of a tie, the Chairperson shall have a casting vote.
- d.) Any business, which it may be necessary for the Academic Council to perform, except such as may be placed before its meeting, may be carried out by circulation of the resolution.

## **Planning and Monitoring Board**

- a.) The Planning & Monitoring Board shall be the principal Planning Body of the Institute and shall be responsible for the monitoring of the development programmes of the Institute.
- b.) The Vice-Chancellor shall be the Chairperson of the Planning & Monitoring Board. The Registrar shall be its Secretary. It may include seven internal members and three eminent experts of eminence from outside the Institute.
- c.) The constitution, powers and functions of the Planning & Monitoring Board shall be prescribed by the Rules.
- d.) The Planning & Monitoring Board shall have the right to advise the Board of Management and the Academic Council on any matter which it considers necessary for the fulfilment of Institute.
- e.) The recommendations of the Planning & Monitoring Board shall be placed before the Board of Management for consideration and approval.

## **Finance Committee**

The Finance Committee shall consist of the following members:

- (i.) Vice Chancellor – Chairperson.
- (ii.) Dean (Academics and Research)
- (iii.) A representative of MHRD (not below the rank of Joint Secretary)
- (iv.) Two nominees of the Board of Management, one of whom shall be a member of the Board.
- (v.) Finance Officer- Secretary ex-officio.

## **Tenure of the members of Finance Committee**

All members of the Finance Committee other than ex-officio members shall hold office for a term of three years from the date of first appointment.

## **Powers and Functions of the Finance Committee**

- (i.) To consider the annual accounts and financial estimates of the Institute and submit them to the Board of the Management for approval;

- (ii.) To consider and recommend the annual budget and revised estimates to the Board of Management; and
- (iii.) To fix limits of the total recurring expenditure and the total non-recurring expenditure of the year based on the income and resources of the Institute.

**Note:** *No expenditure other than that provided in the budget shall be incurred by the Institute without the approval of the Finance Committee.*

### **Meetings of the Finance Committee**

The Finance Committee shall meet at least twice a year to examine the accounts and to scrutinize proposals for expenditure. Four members shall constitute the quorum for the meeting.

### **Board of Studies**

There shall be a Board of Studies of the Institute consisting of:

- a) Vice-Chancellor – Chairman.
- b) Dean (Academics and Research).
- c) HoD(s) and All Professors of the faculty/Department.
- d) Two Associate Professors of the faculty/Department by rotation based on inter-se seniority.
- e) Two Assistant Professors of the faculty/Department by rotation based on inter-se seniority.
- f) Not more than 2 persons to be co-opted for their expert knowledge including those belonging to the profession concerned.

Controller of Examinations shall be the permanent invitee.

**Note:** *The powers and functions of the Board of Studies shall be prescribed under the Bye-laws of the Institute.*

### **Selection Committee**

- (i.) There shall be one or more Selection Committees constituted, for making recommendations to the Board of Management for appointment to the post of Professors, Associate Professors, Assistant Professors and such other posts as may be prescribed, in accordance with the UGC Regulations (on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education), 2018, as amended from time to time.
- (ii.) The meetings of the Selection Committees shall be convened, as and when necessary, by the Chairperson of each Selection Committee.
- (iii.) Four members of the Selection Committee, of which at least two shall be experts, shall form the quorum.

## **Miscellaneous matters pertaining to different authorities of the Institute**

- (i.) If any question arises, as to whether any person has been duly nominated or appointed as, or is, entitled to be a member of any authority or any committee of the Institute, the matter shall be referred to the Chancellor, whose decision thereon shall be final and binding.
- (ii.) Any member, other than an ex-officio member of any authority, may resign by a letter addressed to the Registrar and the resignation shall take effect as soon as it is accepted by the Chancellor or the Chairperson of the Board of Management, as the case may be.
- (iii.) Sudden vacancies among the members of any authority or any Committee of the Institute shall be filled by the respective authority, as soon as may be, and within a period of six months.
- (iv.) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the Institute:
  - a.) if he/she is of unsound mind
  - b.) if he/she is an un-discharged insolvent
  - c.) if he/she has been convicted by a court of law for an offence involving moral turpitude.
  - d.) if he/she has not been appointed as per the provisions of these Regulations.

**Note:** *If any question arises as to whether a person is or has been subjected to any disqualifications mentioned above, the question shall be referred for decision to the Chancellor, whose decision shall be final and binding.*

## **OFFICERS OF THE INSTITUTE**

The following shall be the officers of the Institute:

### **1) Chancellor**

- (i.) The Institute shall have a Chancellor who shall, when present, preside over the convocations of the Institute.
- (ii.) The Chancellor, who shall be appointed by the MHRD, shall hold office for a period of 5 years from the date of first assuming office, and shall be eligible for reappointment for one more term.
- (iii.) Where power is conferred upon the Chancellor to nominate persons to authorities, he/she shall, to the extent necessary, nominate persons to represent the various interests for the furtherance of the objectives of the Institute.

## **2) Vice-Chancellor**

- (i.) The Vice-Chancellor shall be a whole time salaried officer of Institute, and shall be appointed by the Chancellor from a panel of three names suggested by a Search-cum-Selection Committee.
- (ii.) The qualifications of the Vice-Chancellor shall be in accordance with the UGC Regulations (on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education), 2018, as amended from time to time.
- (iii.) The procedure/composition of Search-cum-Selection-Committee (SCSC) for selection of Vice-Chancellor shall be as under:
  - a.) A nominee of Chancellor, who shall be a reputed academician as the Chairperson of the Committee;
  - b.) A nominee of the MHRD, who shall be an academic of eminence; and,
  - c.) An academician, with not less than 10 years' service as Professor, nominated by the Board of Management, NIEPA.

### **Tenure of Vice-Chancellor**

- (i.) The Vice-Chancellor shall hold office for a term of 5 years from the date of assuming office, and shall be eligible for reappointment for a second term;

Provided that in no case shall the person appointed as Vice Chancellor hold office beyond the age of 70 years;

Provided further that notwithstanding the expiry of the period of 5 years, the Vice Chancellor may continue in office for not more than six months or till the successor is appointed and the latter assumes office, whichever, is earlier.

- (ii.) Where the office of the Vice-Chancellor falls vacant due to death, resignation or otherwise and in case of his/her absence due to illness or any other cause, the Dean (Academics and Research), and in his/her absence, the Senior most Professor shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor is appointed, or the existing Vice-Chancellor resumes duties, as the case may be.

### **Powers of the Vice-Chancellor**

- (i.) The Vice-Chancellor shall be the Principal Executive Officer of the Institute and shall exercise general supervision and control over its affairs, and shall be mainly responsible for implementation of the decisions of all its authorities.
- (ii.) The Vice-Chancellor shall be the Ex-officio Chairperson of the Board of Management, the Academic Council, the Finance Committee, the Planning & Monitoring Board and Selection Committees.

- (iii.) The Vice-Chancellor shall have the power to convene, or cause to be convened, meeting of the various authorities of the Institute.
- (iv.) The Vice-Chancellor may, if he/ she is of the opinion that immediate action is called for on any matter, exercise any power conferred upon any authority of the Institute under these Regulations and Rules of the Institute, and take such action, or proceed to take such action, and shall report to the authority concerned on the action taken by him/her on such matters.

Provided that if the relevant authority mentioned in Clause (ii) herein above is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor, whose decision thereon shall be final.

Provided further that if any person in the service of the Institute is aggrieved by the action taken by the Vice-Chancellor under the said Clause, he/she shall have the right to appeal against such decision to the Board of Management within 30 days from the date on which such action is communicated to him/her and thereupon the Board of Management shall call the matter in a subsequent meeting and may confirm, modify or reverse the action taken by the Vice-Chancellor.

- (v.) It shall be the duty of the Vice-Chancellor to ensure that these Regulations and Rules of the Institute are duly observed and implemented; and, he/she shall have all the necessary powers in this regard.
- (vi.) All powers relating to the proper maintenance and discipline of the Institute shall be vested in the Vice-Chancellor.
- (vii.) The Vice-Chancellor shall exercise all other powers as may be delegated to him/her by the Board of Management.
- (viii.) The Vice-Chancellor shall have the power to re-delegate some of his/her powers to any of his/her subordinate officers with the concurrence and approval of the Board of Management.
- (ix.) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by these Regulations, Rules and Bye-Laws of the Institute.

### **Removal of Vice Chancellor**

- (i.) Where there are reasons to believe that the Vice-Chancellor of an Institute does not possess the qualification as required under these Regulations and also under the UGC Regulations on Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2018, as amended from time to time or is not appointed as per the procedure stipulated in these Regulations or has committed any financial/administrative impropriety, MHRD shall constitute a committee consisting of academic, administrative or financial experts to enquire into the matter.
- (ii.) Where the report of the Enquiry Committee confirms the ineligibility, or procedural violations, or impropriety, as the case may be, MHRD shall direct the Chancellor to remove the Vice Chancellor after following the due process.

## **Dean (Academics and Research)**

The Institute shall have a Dean (Academics and Research) to be appointed by the Vice-Chancellor from amongst the Professors of the Department by rotation according to their seniority in accordance with the procedure as approved by the Board of Management. The term of the Dean (Academics and Research) shall be for a period of three years. The Dean (Academics and Research) will discharge functions and responsibility as assigned by the Vice-Chancellor.

## **Registrar**

- (i.) The Registrar shall be a whole time salaried officer of the Institute appointed on tenure basis for a period of five years by the Board of Management on the recommendations of the Selection Committee consisting of the following:-
  - a.) Vice Chancellor – Chairperson;
  - b.) One nominee of the Chancellor;
  - c.) One nominee of the Board of Management; and,
  - d.) One expert, not being an employee of the Institute, to be appointed by the Board of Management.
  - e.) One expert (not below the rank of Professor or equivalent) representing SC/ST/OBC/Minority/Women/Differently-abled categories, if any of candidates representing these categories is the applicant, to be nominated by the Vice Chancellor, if any of the above members of the Selection Committee do not belong to that category.
- (ii.) The emoluments and other terms and conditions of service of the Registrar shall be as prescribed by Rules of the Institute.
- (iii.) When the office of the Registrar is vacant or when the Registrar is on leave or absent due to any other reasons, the duties and functions of the Registrar shall be performed by such other person as the Vice Chancellor may appoint for the purpose.
- (iv.) The Registrar shall be ex-officio Secretary of the Board of Management, the Academic Council and the Planning and Monitoring Board, but shall not be deemed to be a member of any of these authorities.
- (v.) The Registrar shall be directly responsible to the Vice-Chancellor and shall work under his direction.
- (vi.) The following shall be the duties of the Registrar: -
  - a.) To be the custodian of the records and the funds and such other property of the Institute as the Board of Management may commit to his/her charge;
  - b.) To conduct the official correspondence on behalf of the authorities of the Institute;
  - c.) To issue notices convening meetings of the authorities of the Institute and all Committees and sub-Committees appointed by any of these authorities;

- d.) To maintain the minutes of the meetings of all the authorities of the Institute and of all the Committees and sub-Committees appointed by any of these authorities;
- e.) To make arrangements for the examinations conducted by the Institute;
- f.) To represent the Institute in suits or proceedings by or against the Institute, sign powers of attorney and perform pleadings or depute his/her representatives for this purpose;
- g.) To enter into agreement, sign documents and authenticate records on behalf of the Institute;
- h.) To make arrangements to safeguard and maintain the buildings, gardens, office, canteen, cars and other vehicles, laboratories, libraries, reading rooms, equipment and other properties of the Institute;
- i.) To perform such other duties as may be specified in the Rules of the Institute, or as may be assigned by the Board of management or the Vice-Chancellor from time to time.

### **Finance Officer**

- (i.) The Finance Officer shall be a whole time salaried officer of the Institute appointed on tenure basis for a period of five years by the Board of Management.
- (ii.) The emoluments and other terms and conditions of service of the Finance Officer shall be as may be prescribed by Rules of the Institute.
- (iii.) The Finance Officer shall work under the direction of the Vice-Chancellor and shall be responsible to the Board of Management through the Vice-Chancellor.
- (iv.) He/she shall be responsible for the preparation of annual budget estimates and statements of account for submission to the Finance Committee and the Board of Management.
- (v.) He/she shall be responsible for the management of funds and investments of Institute, subject to the control of Board of Management.

### **Controller of Examinations**

- (i.) The Controller of Examinations shall be selected/appointed by the Vice Chancellor and approval of the Board of Management.
- (ii.) The emoluments and other terms and conditions of service of the Controller of Examination shall be as may be prescribed by Rules of the Institute.
- (iii.) The Controller of Examinations shall ensure that all the specific directions of the Board of Management, Academic Council and Vice-Chancellor in respect of examination and evaluation are complied with.
- (iv.) The Controller of Examinations shall be a permanent invitee to the Board of Studies and Academic Council.

### **Head of the Department**

- (i.) There shall be a Head of the Department for each of the Departments in the Institute/Unit/Centre who shall be appointed by the Vice-Chancellor from amongst the Professors of the Department.



- (ii.) The powers and functions of the Head of the Department shall be prescribed by Rules of the Institute.

Notwithstanding anything contained in these Regulations, the governance system and management structure of an Institute managed and controlled by the MHRD shall be in accordance with the decision of the MHRD.

## **ADMISSIONS AND FEE STRUCTURE**

- I. The Institute, for admission in respect of any course or programme of study conducted, shall not accept payment towards admission fee and other fees and charges -
  - a.) which is a capitation fee or donation in whatever nomenclature or form, either directly or indirectly
  - b.) other than such fee or charges for such admission, which has been declared by it in the prospectus for admission against any such seat, and on the website of the institution,
  - c.) more than the fee prescribed by the fee committee constituted as per fee regulations issued by the Commission.
  - d.) without a proper receipt in writing issued for such payment to the student admitted in such Institute.
- II. The Institute shall not charge any fee for an admission test other than an amount representing the reasonable cost incurred by it in conducting such test.
  - a.) The Institute shall abide by UGC Notification regarding refund of fees and non-retention of original certificate as amended time to time.
- III. Admission of students to the Institute, shall be strictly based on merit in the entrance exam prescribed by the appropriate statutory authority and in the manner specified in the prospectus, in case no entrance exam has been prescribed.
- IV. The Institute shall maintain the records of the entire process of selection of candidates, exhibit such records on its website, and preserve such records for a minimum period of five years.
- V. Before the expiry of sixty days prior to the commencement of admission to any of its courses or programmes of study, the Institute shall publish and upload on its website (in the form of an affidavit) its prospectus containing inter alia, the following:
  - a.) each component of the fee, deposits and other charges payable by the students admitted to the Institute for pursuing a course or a 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 admitted in the Institute in case such student withdraws from the Institute before or after completion of course or programme of study and the time within, and the manner in, which such refund shall be made to the student;

- c.) the number of seats approved in respect of each course or programme of study for the academic year for which admission is proposed to be made;
  - d.) the educational qualifications specified by the relevant statutory authority/body, or by the Institute, where no such qualifying standards have been specified by any statutory authority;
  - e.) the process of admission and selection of eligible candidates applying for such admission, including all relevant information in 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;
  - f.) all relevant instructions in regard to maintaining the discipline by students within or outside the campus of the Institute, and, in particular, such discipline relating to prohibition of ragging of any student or students and the consequences thereof and for violating the provisions of any regulation in this behalf made under the University Grants Commission Act, 1956 or any other law for the time being in force.
- VI. The Institute shall not retain from the candidates seeking admission any original certificates of school leaving examinations, or degree or any other award; and shall, after due verification with the original certificates, retain only copies of such certificates self-attested by the candidates for its records.

#### **INSTITUTE OPEN TO ALL**

Admission and employment in the Institute shall be open to all citizens of India regardless of religion, race, caste, sex and place of birth or residence.

All policies and procedures, in matters of admission and employment as applicable to the public university shall apply to the Institute.

#### **INSTITUTE TO BE UNITARY**

The Institute shall be unitary in nature, and shall not affiliate any other institution nor shall add any constituent institutions.

#### **RESERVATION POLICY**

The Institute shall implement the policy on reservations in admissions and recruitment, in accordance with provisions of the Constitution of India and any Act of Parliament for the time being in force and disclose all such information on its website.

#### **DISTANCE EDUCATION**

The Institute may offer courses in the Open, Distance Learning / On Line mode in accordance with the UGC (Open and Distance Learning) Regulations, 2017, and UGC (Online Courses or Programs) Regulations 2018 as amended from time to time.

## **OFF-CAMPUS CENTRE(S)/OFF-SHORE CAMPUS (ES) OF THE INSTITUTE**

NIEPA shall establish Off-Campus Centre(s)/ Off-Shore Campus (es) as per the UGC (Institutions Deemed to be Universities) Regulations, 2019.

### **CORPUS FUND**

- (i.) A Corpus Fund of the Institute shall be created and maintained permanently in the name of the Institute approved by the Board of Management.
- (ii.) The interest accrued on the Corpus Fund shall be used only for the purpose of development of the Institute.

### **POWER TO CONDUCT ENQUIRY AND CONSEQUENCES OF VIOLATION OF REGULATIONS**

- I. Where the Government or the Commission, as the case may be, receives information by way of a complaint or otherwise, that an Institution Deemed to be University has violated any of the provisions of these Regulations, it shall cause to conduct an enquiry into the facts of such information after issuing a notice to the said effect to the Institute.
- II. The Commission may also cause an inspection, to be made by persons of eminence and integrity; being experts in matters of academics, administration and finance; regarding academic outcomes or any matter connected with the Administration or finances of the Institute for the purpose of the enquiry.
- III. Based on the enquiry or through regular inspections mentioned in these Regulations, if the Government or the Commission, as the case may be, is satisfied that these Regulations have been violated, the Institute shall be subjected to such action as provided in these Regulations, after a reasonable opportunity has been given to the institution to present its case.
- IV. Where an Institute is found to have violated the provision(s) of these Regulations, it may be subjected to one or more of the following action(s) :

**(i.)** Violations leading to issuance of unapproved degrees:

- a. Punishment under Section 24 of the University Grants Commission, 1956.
- b. Barring from any expansion in terms of diversification to new Courses / Programmes of study/ Department(s) and Off-Campus (es) / Constituent Institution(s) / Off-Shore Campuses, for a limited period.
- c. Reducing the intake capacity in student enrolment in a specific course(s) or in all courses, for a limited period or in perpetuity.
- d. Barring from admission of students for a limited period or in perpetuity in a specific course(s) or all courses.
- e. Closure of the Courses / Programmes of study / Department(s) and Off-Campus (es) /Constituent Institution(s) / Off-Shore Campuses.

f. Withdrawal of the notification of declaration as Institute.

**(ii.)** Violations leading to non-adherence of the Regulations:

a. Where any deficiencies in complying with the provisions of these Regulations come to the notice of the Commission, it shall issue a warning in that regard to the Institute requiring rectification within a reasonable time; and, failure to take remedial action within the said period shall attract punishments provided under these Regulations.

Provided that any punishment awarded to the Institute shall be without detriment to the interests of the students.

b. Vice-Chancellor of the Institute may be removed as per the procedure laid down in relevant Clause of these Regulations.

c. Repeated violations of the provisions of these regulations shall attract action(s) mentioned in Clause **(i)**, herein above.

#### **FUNDS, ACCOUNTS, AUDITS AND ANNUAL REPORT**

**(i.)** The books of accounts of the Institute shall be maintained, managed and operated in the name of the Institute and shall be kept in such form as may be laid down by the Board of Management and conform to the rules, if any, prescribed in this regard by the UGC/MHRD.

**(ii.)** Funds shall not be diverted at any time from the accounts of the Institute to any other accounts, including to the accounts of the Sponsoring body.

**(iii.)** The Institute shall get its books of accounts audited, annually and at such other frequency as shall be prescribed by the MHRD, separately published and uploaded on the website of the Institution; and the accounts of the Institute shall be open for examination by the Controller and Auditor General of India; accounts of Institute shall also, where required, be open for inspection by MHRD.

**(iv.)** The annual financial statements and accounts shall be audited by a qualified professional, being a Member or Fellow of the Institute of Chartered Accountants of India, to be appointed by the Institute.

Provided that, MHRD may, on receipt of information in regard to financial impropriety or embezzlement or illegal diversion of funds from the accounts of the Institute; or of fees being collected against the provision of the regulations, issue a notice directing the Institute to show cause as to why an inspection, including a forensic audit, not be ordered in respect of the complaint, and after providing a reasonable opportunity to the respondent institution, MHRD may on being satisfied that there were sufficient grounds to proceed further, cause an inspection by a team of MHRD and also direct a forensic audit to be undertaken by a qualified Member or Fellow of the Institute of Chartered Accountants of

India; the report of and the inspection team and the forensic audit report taken together shall form the basis for MHRD to take further action, as it may be Deemed fit, under these Regulations.

- (v.) Annual Reports and the Audit Reports shall be submitted by the Institute to MHRD within nine months of the closure of the accounting year.
- (vi.) In the event of **Board of Management not in place**, the Vice-Chancellor being an Ex-officio Chairperson of the Board of Management, he/she shall be authorised to approve the Annual Accounts and submit the Annual Accounts to CAG for Auditing after the approval of the Annual Accounts by Finance Committee of the Institute.
- (vii.) NIEPA shall also explore the possibility of internal resource generation corpus fund through different mechanisms including new programmes extended to different clientele groups.

The Accounts of income and expenditure as also the annual financial statement and annual accounts shall be audited by the Auditor appointed by the Board of Management in consultation with the Comptroller and Auditor General of India. The accounts of NIEPA shall also be open for examination by the Comptroller & Auditor General of India.

#### **MISCELLANEOUS**

- (i.) All moveable and immoveable assets of the institutions shall be used only for the purpose of conducting academic activities, promotion of research and related administrative requirements of the Institute.
- (ii.) The Institute shall mention the name of the Institute with address on the degree, diploma, certificate, or any other qualification awarded to students on its rolls.
- (iii.) The Institute shall, as soon as may be, after the completion of the academic programme, and in no case later than 180 days from the date of such completion, ensure that the degree, diploma, certificate, or any other qualification in respect of the programme of studies, is awarded and made available to students.
- (iv.) The Institute shall not enter into any franchise agreement or arrangement, either overtly or covertly, with any individual or organization for establishing, maintaining or operating the off-Campus/off-shore campus/constituent unit(s) / constituent institution/course/ programme of study/ department/ school/ faculty of the Institute.
- (v.) While every effort shall be made by the Government or the Commission, as the case may be, in respect of disposal of applications received from the Institute within the prescribed time limit, if any, such applications shall not be Deemed to have been disposed off owing merely to the fact that such time limit has been

exceeded; the applicant shall, however, be at liberty to remind the Government or the Commission, as the case may be.

- (vi.)** The income and property of the Institute shall be utilized solely for promoting the objectives of the Institute.
- (vii.)** The Commission shall have the powers to issue directions to the Institute for implementation of any public policy of the Government or in respect of any law in force, including appropriate directions in case of any violation of any law or policy by the Institute.
- (viii.)** All expenditure incurred on the processing of application for granting Deemed to be University status, starting of off-campus/off-shore campus/constituent institution, etc. including all inspections by the Expert Committee shall be borne by the Commission; and any expenditure incurred directly or indirectly by the Institute, as the case may be, on or in connection with the visit of any inspection team of the Commission shall be Deemed to be a violation of these Regulations and proceeded with accordingly.
- (ix.)** No portion of the income and property of the Institute shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit to the persons who were at any time or are members of the Institute or to any of them or any persons claiming through them, provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or other person as consideration for any service rendered to the Institute or for travelling or other allowances and such other charges.
- (x.)** The Government, in consultation with the Commission, shall have powers to impose such other condition(s), not inconsistent with these Regulations, in the Letter of Intent or Notification, and the same shall be binding on the Institute.
- (xi.)** The Institute shall, in order to comply with the relevant UGC norms, provide for the following, namely:
  - a.) Anti-Ragging Cell
  - b.) Anti-discrimination Cell
  - c.) Gender Sensitization Cell
  - d.) Grievance Redressal Cell
  - e.) Internal Complaints Committee for prevention of Sexual Harassment
  - f.) Barrier Free access to persons with disabilities to all its facilities
- (xii.)** Where, the Institute wishes to surrender its status of 'Deemed to be University', it may do so with the prior permission of the Government; and similarly, withdrawal of any Constituent Unit(s) of the "Institute-Deemed to be University" from the purview of an Institute, shall require the Sponsoring body to take the prior permission of the Government.

Provided that such surrender or withdrawal, as the case may be, shall take effect only after the last batch of students on the rolls of the Institute or its

Constituent Unit(s), as the case may be, have been accorded opportunity to qualify for the completion of the programme of study and award of degree.

**(xiii.)** In the event of conflict of opinion with regard to interpretation of these Regulations, the opinion of the Commission shall be final.

### **LEGAL PROCEEDINGS**

**(i.)** For the purpose of Section 6 of the Societies Registration Act, 1860, the person in whose name the Institute may sue or be sued shall be the Registrar, who shall have the power to enter into agreements, sign documents and authenticate records on behalf of the Institute, and shall exercise such powers and perform such duties, as may be prescribed by these Regulations.

**(ii.)** No suit or legal proceedings shall lie against the Government, or the Commission, or the Institute, or an Officer of the Institution Deemed to be University, or a member of the authority of the Institute, in respect of anything done or purported or intended to be done in pursuance of any of these Regulations.

**(iii.)** Vice Chancellor shall be empowered to appoint Legal Advisor to look into the legal matters of the Institute.

### **REMOVAL OF DIFFICULTY**

The Institute reserves the right to remove difficulty (ies) in the course of implementation of these regulations in consultation with the Government of India, Ministry of Human Resource Development.