

Government of Himachal Pradesh
Department of Higher Education.

No. EDN-A-Ka (1) -12/2009-Pt.-I

Dated the 4th July, 2014.

NOTIFICATION

In supersession of this Department Notification number EDN-A-Ka(3)-1/2008-Loose dated 19th November, 2009, the Governor, Himachal Pradesh is pleased to order to issue the revised Guidelines for establishing Private University in Himachal Pradesh by the various Societies/ Trusts/Companies as per "Annexure A".

The Governor, Himachal Pradesh is further pleased to order that these guidelines shall come into force with immediate effect.

By Order,

Ali R. Rizvi

Principal Secretary (Education) to the
Government of Himachal Pradesh.

No. EDN-A-Ka (1) -12/2009-Pt.-I

Dated the 4th July, 2014.

Copy for information and necessary action to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla.
2. The Principal Secretary to the Chief Minister, Himachal Pradesh, Shimla.
3. The Pvt. Secretary to the CPS (Education), Himachal Pradesh, Shimla-2.
4. The Pvt. Secretary to Chief Secretary to the Government of Himachal Pradesh.
5. All the Administrative Secretaries to the Government of Himachal Pradesh.
6. The Secretary, H.P. Vidhan Sabha, Shimla-4
7. The Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi.
8. The Registrar, Himachal Pradesh University, Summer Hill, Shimla-5
9. The Registrar, Yashwant Singh Parmar Horticulture and Forestry Uni., Nauni, Solan, HP.
10. The Registrar, CSK Krishi Vishva Vidyalaya, Palampur, District Kangra, HP.
11. The Director of Higher Education, HP Shimla-01.
12. The Director of Elementary Education, HP Shimla-01.
13. The Guard File.

(Pushpa Chaudhary)

Under Secretary (Hr. Education) to the
Government of Himachal Pradesh.

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Government of Himachal Pradesh,
Department of Higher Education.

No. EDN-A-Ka (I) -12/2009-Pt.-I

Dated the 16th July, 2014.

NOTIFICATION

In-partial modification of this department Notification of even number dated 4th July, 2014, the Governor, Himachal Pradesh, is pleased to modify the para (4) of said notification with immediate effect as under;

- | | | |
|----|---|-------------------|
| 1. | Pr. Secretary (Education) | Chairman. |
| 2. | Pr. Secretary (Finance) | Member. |
| 3. | Pr. Secretary (Technical Education) | Member. |
| 4. | Vice Chancellor, HP University
or his nominee | Member. |
| 5. | Director, Higher Education, HP | Member. |
| 6. | Two subject experts to be
nominated by the Government. | Member (s). |
| 7. | Joint Director (Colleges), Himachal Pradesh. | Member Secretary. |

Explanation:- The expression "expert" means an academicians of eminence in the respective field(s) of Higher Education.

By Order,

Ali R. Rizvi
Pr. Secretary (Education) to the
Government of Himachal Pradesh.

No. EDN-A-Ka (1) -12/2009-Pt.-I

Dated the 16th July, 2014.

Copy for information and necessary action to following:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla.
2. The Principal Secretary to the Chief Minister, Himachal Pradesh, Shimla.
3. The Pvt. Secretary to the CPS (Education), Himachal Pradesh, Shimla-2.
4. The Pvt. Secretary to Chief Secretary to the Government of Himachal Pradesh.
5. All the Administrative Secretaries to the Government of Himachal Pradesh.
6. The Secretary, H.P. Vidhan Sabha, Shimla-4
7. The Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi.
8. The Registrar, Himachal Pradesh University, Summer Hill, Shimla-5
9. The Registrar, Dr. YS Parmar Horticulture and Forestry University, Nauni, Solan, HP.
10. The Registrar, CSK HP Krishi Vishva Vidyalaya, Palampur, District Kangra, HP.
11. The Director of Higher Education, HP Shimla-01.
12. The Director of Elementary Education, HP Shimla-01.
13. The Guard File.

(Pushpa Chaudhary)

Under Secretary (Hr. Education) to the
Government of Himachal Pradesh.

Guidelines for Establishing Private University in Himachal Pradesh.

The following procedure shall be adopted for establishing of Private University in the State of Himachal Pradesh:-

1. The proposal for the establishment of Private University shall be submitted by the Sponsoring Body intending to establish a Private University. The sponsoring body shall be:-
 - (i) a Society registered under the Societies Registration Act, 1860; or
 - (ii) any Public Trust registered under the Indian Trusts Act, 1882 or under the relevant laws in any other State or Union Territory; or
 - (iii) a company registered under Section 25 of the Companies Act, 1956;

2. Application for establishment of university: - (1) The sponsoring body intending to establish a private university shall submit an application containing proposals and twenty copies of the project report (every page numbered) through its authorized signatory to the Government.
 - (2) A non-refundable fee of ₹10,00,000/- (₹ Ten lacs) shall be sent alongwith application through crossed account payee bank draft in favour of the Director, Higher Education, Himachal Pradesh payable at Shimla.
 - (3) The money received on account of application fee shall be deposited by the Director in an appropriate receipt head and he shall seek allocation on Travel Expenses and Office Expenses to meet expenses. He shall open separate heads of receipt and expenditure for the purpose.

3. The project Report must 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 alongwith latest audited accounts;
 - (c) the name, location, areas of operation and headquarters of the proposed university;
 - (d) the objectives of the university;
 - (e) justification regarding the necessity of establishment of the proposed university;
 - (f) the development goals and local needs of the State and phasing of such programmes over the first five years;

- (g) the details of land/buildings and infrastructure facilities required by the university and means of acquiring the same;
- (h) the details of plans for campus development such as construction of buildings, infrastructure facilities and other amenities, procurement of equipment, etc. to be undertaken before the university starts functioning and phased programme for first five years and sources of finance for the same;
- (i) the experience and expertise in the concerned disciplines available with the sponsoring body;
- (j) the proposed fee structure with reference to the details of expenditure on unit cost basis and the extent of concessions or rebates in fees or free-ships and scholarships proposed for students from economically or socially backward families, including Scheduled Castes, Scheduled Tribes, Other Backward Classes and handicapped students;
- (k) the schemes for the generation of funds internally through fees from students, revenues anticipated from consultancy services and other activities included in the objects of the university and other anticipated incomes;
- (l) the system proposed to be followed for selecting students for admission to the courses of study at the university;
- (m) the system proposed to be followed for appointment of employees in the university;
- (n) if the university is desirous of taking up distance education programmes, details of such study centres;
- (o) if the university proposes to start programmes for the benefit of farmers, women and industries, details thereof;
- (p) details of playgrounds and other facilities available or proposed to be created for games, sports and extra curricular activities;
- (q) the arrangements proposed to be made for academic auditing;
- (r) documents to indicate the financial strength (including net worth details certified by the Chartered Accountant) of person/ organization and valid commitments (affidavits) from those parties who commit to provide funds;
- (s) an affidavit with regard to information relating to the members of Sponsoring Body, their permanent address, present address, educational qualifications & experience in the field of education, occupation, name of organizations in which they are having interest and list of any criminal cases pending against them;
- (t) The resolution of the Sponsoring Body about source of funding;

- (u) Job potential of each course proposed; and
- (v) any other details as the sponsoring body may like to give.

4. The Government, on receipt of an application complete in all respect, shall forward it to the following committee to examine the proposal so submitted:-

1. Additional Chief Secretary (Senior Most)	Chairman
2. Principal Secretary (Health)	Member
3. Principal Secretary (Finance)	Member
4. Principal Secretary (Education)	Member
5. Vice Chancellor, H.P. University	Member
6. Director, Higher Education	Member
7. Two subject experts to be nominated by Government.	Member(s)
8. Additional/ Joint Director, Education	Member Secretary

Explanation: - The expression "expert" means an academician of eminence in the respective field(s) of higher education.

5. The above committee shall meet at such time and place as may be convenient.

6. Traveling allowance/daily allowance and other allowances of the Chairman and members of the Committee: - (1) Every non-official member of the committee shall be paid honorarium of ₹500/- per sitting. Besides, they shall be entitled to traveling allowance/daily allowance as admissible to Grade-I officers of the Government.

(2) The non-official members may use their own car/taxi to perform journey. However, the reimbursement shall be restricted to the rates as approved by the Government from time to time.

(3) The official members shall be entitled to traveling allowance/daily allowance as per their entitlement on official duty and shall draw the same from their respective offices.

(4) The entire expenditure to be incurred under sub-para (1) and (2) shall be charged to the head of account of expenditure.

7. The committee shall consider the application on the following grounds, namely:-

- (a) financial soundness of the sponsoring body and its ability to set up the infrastructure of the proposed university;

- (b) back ground of the sponsoring body i.e its expertise and experience in the field education, its general reputation, and its commitment to follow the norms of the regulating bodies; and
- (c) potentiality of the courses proposed to be offered that is to say whether the courses proposed would be able to develop human resources as per the requirements of contemporary demands, offer new opportunities in emerging branches of education and the requirements of the State.

8. The committee, while considering the proposal and the project report under para 7, may call for such other information from the sponsoring body as it thinks proper.

9. The committee shall submit its report to the Government within a period of three months from the date of its constitution:

Provided that while computing the period of three months, the period commencing from the date on which requisition for any information under para 8 is issued and ending on the date on which requisite information is submitted to the committee, shall be excluded.

10. After the receipt of the report of the committee constituted under para 4, if the Government is satisfied that it is advisable to establish the university, it may issue a letter of intent asking the sponsoring body to-

- (a) establish an endowment fund in accordance with the provisions of para 11 ;
- (b) acquire atleast 50 bighas/100 kanals land on ownership basis or on lease from Government/Government Institution/Local Bodies for a lease period of atleast 30 years. However, in the proposals in which the 'letter of intent' have already been issued, the Government shall have the power to reduce the area of land ;
- (c) acquire and construct a minimum of 15,000 square meters of covered space and that 100 percent of the area should be used for educational and academic purposes ;
- (d) purchase books and journals, including subscription thereof, of at least worth ₹Ten lacs or as per the norms of regulating bodies, whichever is higher, and give an undertaking to incur expenditure for library networking and other facilities so as to well equip the library and to provide adequate facilities within first three years which shall not be less than ₹Thirty lacs or as per the norms of regulating body, whichever is higher;

- (e) Purchase equipment, computers, furniture, other movable and immovable assets and infrastructure facilities [(except buildings, under clause(b)] worth ₹ One hundred lacs or as per the norms of the regulating bodies, whichever is higher, and give an undertaking to procure within the first five years equipment, computers, furniture, other movable and immovable assets and infrastructure facilities other than buildings under clause (b) worth not less than ₹ Three hundred lacs or as per the norms of regulating bodies, whichever is higher ;
- (f) give an undertaking to provide at least 25% reservation in admissions in each course to the students who are bonafide Himachalis on the basis of merit ;
- (g) give an undertaking to appoint at least one Professor, two Associate Professors and adequate number of Lecturers alongwith necessary supporting staff in each department or discipline at least one month before commencement of studies ;
- (h) give an 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 ;
- (i) give an undertaking for the establishment of provident fund and to take up welfare programmes for the employees ;
- (j) give an undertaking not to dissolve the University before fifteen years of its establishment ;
- (k) fulfil such other conditions and provide such information as may be prescribed by the University Grants Commission, All India Council for Technical Education or any other statutory body established by the law of the Central or the State Government ;
- (l) give an undertaking that the V.C. will be appointed as per the Guidelines of University Grants Commission/ State Government ;
- (m) give an undertaking that the assets of the university without liabilities free from all encumbrances will vest with the Government if the university is dissolved before fifty years ;
- (n) give an undertaking that assets without liabilities free from all encumbrances will vest with the Government if the university is dissolved on account of contravention of the provisions of Act, Rules, Statutes, Ordinances, Regulations directives of the Government/other bodies ;
- (o) Essentiality Certificate will be issued after issuance of Letter of Intent' by the Government. The Government will also fix an upper limit of land for issue of Essentiality Certificate keeping in view the Project Report;

(p) Deviation from courses for which Letter of Intent has been issued will only allowed with the prior approval of the Government; and

(q) give an undertaking that 80% of the Class-III and Class-IV posts to be filled in from the Bonafide Himachalis. In other posts also Bonafide Himachalis will be given preference.

(r) fulfill such other conditions and provide such information as may be prescribed by the University Grant Commission, All India Council of Technical Education or any other statutory body established by the law of the Central or State Government.

Provided that a Sponsoring Body which have less than three years of experience of running institute of higher learning, (three years degree course at undergraduate level and two year post graduate course), as on the date of, their application, if granted Letter of Intent, it should be on following additional condition:-

within one month from the date of issue of LOI, the sponsoring body will take the services of a person who has been a Vice Chancellor of a University or was Head of a degree granting institute, on whole time basis to aid and advise the Sponsoring Body. This person will continue with the sponsoring body till the regular Vice Chancellor of University is appointed.

11. (i) The sponsoring body shall establish an Endowment Fund for the University with an amount of ₹ Three crores to be deposited in two annual installments, which shall be pledged to the Government, in a manner that, ₹ One crore shall be deposited while submitting the compliance report, i.e. in the first year and ₹ Two crores shall be deposited in the second year, i.e. after acceptance of compliance report:

Provided that, if the University is to be established in a tribal area, the amount of Endowment Fund shall be ₹ One crore.

(ii) The endowment Fund shall be kept as security deposit to ensure strict compliance of the provisions of these guidelines and the provisions under the Act enacted for the University, rules, regulations, statutes, ordinances made thereunder.

(iii) The government shall have the powers to forfeit, in the prescribed manner, a part or whole of the Endowment Fund in case the university or the sponsoring body contravenes any of the provisions of these guidelines and the provisions under the Act enacted for the University, rules, regulations, statutes, ordinances made thereunder.

(iv) Income from Endowment Fund shall be utilized for the development of infrastructure of the university but shall not be utilized to meet out the recurring expenditure of the university.

(v) The amount of Endowment Fund shall be kept invested, until the dissolution of the university, by way of Fixed Deposit Accounts in any Scheduled Bank subject to the condition that this Fund shall not be withdrawn without the permission of the Government.

12. The sponsoring body shall fulfill the requirements and conditions specified in Para-10 within a period of two years from the date of issue of this 'Letter of Intent' and report compliance to the Government.

13. On receipt of compliance report, the Government shall refer it to the Committee constituted under para 4, to verify the compliance report and to submit its report to the Government within one month from the date of receipt thereof from the Government specifying whether the sponsoring body has fulfilled the requirements and conditions laid down in para-10.

14. If the sponsoring body fails to comply with the provisions of para 10 of the Guidelines, its proposal shall stand rejected and the 'Letter of Intent' issued under the Guidelines shall stand cancelled.

15. The Government may further extend the time up to six months to the sponsoring body if there exists sufficient reasons for the delay.

16. If the State Government is satisfied after considering the report of the Committee submitted under para 13, necessary action in respect of establishment and incorporation of Private University may be taken by the State Government.

17. Education Department will make efforts to ensure that the courses offered by the Private Universities have high job potential.

18. Where any action, not inconsistent with the terms of these guidelines, has been taken in any proposal under the Himachal Pradesh Private Universities (Establishment and Regulation) Act, 2006, now repealed and Guidelines issued by this department on 19th September, 2009 such proposal would be continued and no new application or proposals in such cases would be required to be made.