

This proposed university is being set up pursuant to West Bengal Government's Policy and guidelines for setting up private universities issued by the Higher Education Department circular No. 142-Edn (u) IU-95/12 issued on January 31, 2013.

RATIONALE BEHIND SETTING UP THIS PRIVATE UNIVERSITY

President Pranab Mukherjee recently stated that there was need to improve the quality of higher education in India, President Pranab Mukherjee expressed concern over Indian universities not figuring in any international rank charts and said the private sector could play a role in fulfilling educational aspirations of the young and raising standards.

"The standards of higher education in India today need improvement," The President of India said while addressing at the 2012 convocation of SRM University. He stated, "We need universities to provide quality education that meet international benchmarks. We must change the reality of our universities not figuring in the list of top universities of the world," he said. No Indian university figures in the first 200 ranks in prestigious Times Higher Education survey for 2011-12.

The president pointed out that participation of private sector is very important in this process. "With unlimited demands and limited resources, it is important that the private sector also contributes its best to the provision of higher education in India.

The private sector has played a key role in higher education in other countries across the world. Many top universities, including Harvard, Yale and Stanford are the result of efforts of the private sector. There is no reason why Indian private sector cannot achieve similar results," he said. He also said Indians in general were apprehensive about private universities, and "prefer education in established public universities as opposed to private universities which are mostly newly built".

"To build the trust of the people, private universities must constantly prove themselves because they do not have the benefit of age. They must be able to promise a good future to the students and make sure that they fulfill all of their promises," he said. The president also expressed concern over shortage of good faculty in universities.

As stated in the circular published by the West Bengal department of higher education, the growing need for quality facilities in west Bengal's higher education system to cater to the growing number of students emerging out of the State's secondary school system, the State Government considers it necessary to formulate a policy to provide a stable policy and institutional framework to encourage private investment in the State, with an emphasis on the guiding principles of expansion, inclusion and quality. in the higher education sector.

As documented in the West Bengal Private Universities Act, West Bengal's Gross Enrolment Ratio (GER) in higher education is 12.6% as against the national average of 13.8%. To achieve the national target of 30% GER by 2020, The State will need to create over 4, 00,000 new seats in under-graduate and postgraduate courses. Considering the staggering requirement of funds for

achieving this goal, the State Government's efforts need to be supplemented by the private sector in creation of the required infrastructure in the higher education sector. Nationally, the private sector is playing an important role in the expansion of higher education facilities. Eighty eight private universities (94% of the total) in the country have come up in the last five years. In 2001, private institutions accounted for 33% of the country's total enrolment in higher education; in 2006, it increased to 52%.

This proposed Private University in West Bengal is expected to provide a stable environment and a level playing field to private players in the State. It is intended to encourage private investment in the higher education sector in a well-regulated and transparent manner. The spin-off benefits of private investments are expected to have significant benefits for the State's GDP in the short run; and in the long run, they will enable the State to establish itself as an educational hub, and thereby re-claim the mantle of being the country's intellectual capital.

DECLARATION

The undersigned Swami Nityananda, President of Ramakrishna Vivekananda Mission, 7 Riverside Road, Barrackpore, 24 Parganas and Pradip K. Ghosh, President of Pradip and Kumkum Ghosh Foundation, 11508 Manorstone Lane, Columbia, Maryland, USA, hereby declare that the Vivekananda International University, located at 3 B. T. Road, Kolkata, will fully comply with The following regulations as narrated in the West Bengal Private Universities Act.

Signature_____

Swami Nityananda, President,
Ramakrishna Vivekananda Mission

Date

Signature_____

Pradip K. Ghosh, Ph.D.
Pradip and Kumkum Ghosh Foundation, USA

Date

PROCEDURES AND REGULATIONS TO BE FOLLOWED IN THE ESTABLISHMENT OF THE PROPOSED VIVEKANANDA INTERNATIONAL UNIVERSITY:

- A. Application is being made by Ramakrishna Vivekananda Mission in collaboration

with Dr. Pradip K. and Kumkum Ghosh f Family Foundation is duly registered under the Societies Registration Act, 1860 (21 of 1860)

B. This application is being submitted to the State Government in the Higher Education Department with ten copies of a detailed project report furnishing such particulars as may be specified in this regard by order along with non refundable Application fees of Rupees One Lakh.

C. The applicant is in possession of 30.65 bghas of contiguous landed property having absolute title on it and free from all encumbrances as required by the West Bengal Private Universities Act.

D. The applicant meets the total built up area requirements of the W B Private University Act.

ENDOWMENT FUND OF THE PROPOSED PRIVATE UNIVERSITY

A. Upon approval, the applicant shall establish an Endowment Fund through a fixed deposit of a minimum of Rupees ten crore in a nationalized bank, which may be used for the development of the University.

B. The endowment fund shall be invested and kept invested until the dissolution of the University.

C. A security deposit will be pledged in the name of Higher Education Department, through a fixed deposit of Rupees One Crore in a nationalized bank to be kept as security deposit.

D. The applicant understands that the State Government shall have the power to forfeit the security deposit, in case the University contravenes any of the provisions of the constituting Act passed by the State Legislature in pursuance of this Policy.

E. The powers and functions of the members of the Regulatory Committee shall be such as may be specified by the State Government by order.

F. The recommendations of the Regulatory Committee shall be binding on this University established in pursuance of this Policy.

REGULATIONS FOR PROPOSED PRIVATE UNIVERSITY:

A. The rules regarding the establishment, constitution, powers and functions of the proposed Private University shall be prescribed by the Act and rules framed there under.

B. The proposed University shall not admit students or to start any course of study therein or to conduct any examination there under without the prior permission in this regard from the State Government in writing.

C. The proposed private University as may be established by any Minority, whether based on religion or language, may adopt their special constitution in relation to its different bodies and committees of such University and their powers and functions subject to ratification of such special constitution by the State Government in consonance with the well-established principles of the Constitution of India.

D. The proposed Private University shall have the power to provide their Statutes or Regulations in conformity with the regulations of the State Government and the relevant Regulatory Bodies.

E. The proposed University shall ordinarily be a Unitary University and shall have no power to provide affiliation to any college or institution on its own.

OBLIGATIONS OF THE PROPOSED PRIVATE UNIVERSITY:

A. The tuition fees chargeable by this University in relation to professional courses such as Engineering & Technology, Management, and Pharmacy etc. will follow regulations under the Act and approved by the State Government.

B. No degree or diploma or Certificate may be withheld by any Private University for nonpayment of dues beyond what is stated upfront published in the public domain.

C. The proposed University shall allow free-ship in tuition fees in the manner to be specified by the Government and to the extent of five percent of their total strength, to students belonging to the poor and economically backward classes. The relevant criteria/yardstick for determining poor and economically backward class shall be such as determined by the State from time to time.

D. The proposed University established in pursuance of this Policy shall compulsorily make provision for reservation of seats for the students domiciled in the State of West Bengal to the extent of at least twenty five percent of the total number of students in the University.

E. The proposed University established in pursuance of this Policy shall make provisions for reservation of non-teaching posts of the University for persons living in the State of West Bengal so that at least fifty percent of the total number of non-teaching employees of the University.

F. The proposed University established in pursuance of this Policy shall appoint adequate number of teachers and officers in the University maintaining the academic standards specified and shall ensure that the qualifications of such teachers or officers of the University shall not be lower than as prescribed by the relevant Regulatory Body.

G. The proposed University shall compulsorily place in the public domain every information in relation to the University which would be of interest to students and other stake holders interalia, including the courses or offer, number of seats under different quotas, fees and other charges, facilities/ amenities offered, faculty in place and such other relevant information.

OBJECTIVES OF THE PROPOSED PRIVATE UNIVERSITY:

The objects of Private University shall include:

- (i) to provide instruction, teaching and training in higher education and make provisions for research, advancement and dissemination of knowledge;
- (ii) to create higher levels of intellectual abilities;
- (iii) to establish state-of-the-art facilities for education and training;
- (iv) to carry out teaching and research and offer continuing education programs;
- (v) to create centers of excellence for research and development and for sharing knowledge;
- (vi) to establish campuses in the State of West Bengal;
- (vii) to establish study centers at different places within its jurisdiction;
- (viii) to establish examination centers;
- (ix) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination or any such other method as prescribed by the relevant Regulatory Body;
- (x) to ensure that the standard of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by the Regulatory Bodies concerned;
- (xi) to ensure that the University shall abide by and be restricted to the rules and regulations, guidelines and instructions of relevant Regulatory Bodies in relation to Private Universities;
- (xii) to set up off-campus centers or a study centre within or outside of the state of West Bengal, with the prior approval of the University Grants Commission and the State of West Bengal;

According to law the University may

- (a) establish off-campus centers only after the University has been in existence for five years;
- (b) establish as an off campus center an educational institute which has already been in existence for at least five years in the state of West Bengal with the approval of the regulatory body;

(Xiii) to pursue any other objectives as may be approved by the State Government.

OFFICERS OF THE PROPOSED UNIVERSITY

The following shall be the officers of the proposed Private University:

A. The Governor of West Bengal, The Visitor B. The Chancellor; C. The Vice-Chancellor; D. The Registrar; E. The Chief Finance and Accounts Officer; and F. Such other officers, as may be declared by the Statutes, to be the officers of the University.

POWERS OF VISITOR:

- (A) The Governor of West Bengal shall be the Visitor of the University.
- (B) The Visitor shall, when present, preside at the convocation of the University for the purpose of conferring degrees, diplomas, awards, certificates of other academic distinctions in the University.
- (C) The Visitor shall have the following powers, namely:
 - (a) to call for any paper or information relating to the affairs of the University; and
 - (b) on the basis of the information received by the Visitor, 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 or Statutes, Ordinances, Regulations and Rules made there under, 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.

THE CHANCELLOR:

- (A) The Chancellor shall be appointed by the sponsoring body for a period of three years by following such procedure and on such terms and conditions as may be provided by the Statutes.
- (B) The Chancellor shall be the head of the University.
- (C) The Chancellor shall preside over the meetings of the Governing Body and shall, when the Visitor is not present, preside at the convocation of the University for the purpose of conferring degrees, diplomas, awards, certificates or other academic distinctions.
- (D) The Chancellor shall have the following powers, namely:
 - (a) to call for any information or record of the University;
 - (b) to appoint the Vice-Chancellor;
 - (c) to remove the Vice-Chancellor in accordance with the provisions of this Act; and
 - (d) such other powers as may be provided by the Statutes.

THE VICE CHANCELLOR:

- (A) The Vice-Chancellor shall be appointed by the Chancellor from a panel of three persons recommended by the Governing Body of the University 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, he may be eligible for reappointment for another term of three years: Provided further that the Vice-Chancellor shall continue to hold the office even after expiry of his term till a new Vice-Chancellor is appointed.
- (B) The Vice-Chancellor shall be the principal executive and principal academic officer of the University and shall exercise general superintendence and control over the affairs of the University and shall also execute the decisions of various authorities of the University.
- (C) The Vice-Chancellor shall preside at the convocation of the University in the absence of both, the Visitor and the Chancellor.
- (D) The Vice-Chancellor shall also exercise powers and duties as prescribed by the Statutes,
- (E) 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 Visitor 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.

THE REGISTRAR

- A. The appointment of the Registrar shall be made by the Chancellor on recommendation of the sponsoring body in such manner, as may be provided by the University's Statutes.
- B. All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.
- C. The Registrar shall be the Member Secretary of the Governing Body, the Board of Management and Academic Council but he shall not have a right to vote.

D. The Registrar shall exercise powers and perform duties as may be provided by the Statutes.

THE CHIEF FINANCE AND ACCOUNTS OFFICER:

A. The appointment of the Chief Finance and Accounts Officer shall be made by the Chancellor in such manner as may be prescribed by the Statutes.

B. The Chief Finance and Accounts Officer shall exercise such powers and perform such duties as may be prescribed by the Statutes.

OTHER OFFICERS

A. The university may appoint such other officers as may be necessary for its functioning.

B. The manner of appointment shall be such as may be prescribed by the Statutes.

AUTHORITIES OF THE PROPOSED PRIVATE UNIVERSITY:

The following shall be the authorities of the university, namely:

- A. the Governing Body;
- B. the Board of Management;
- C. the Academic Councils;
- D. such other authorities as may be declared by the Statutes to be the authorities of the university.

THE GOVERNING BODY:

A. The Governing Body of the university shall consist of the following, namely:

- i. the Vice-Chancellor;
- ii. five persons nominated by the sponsoring body out of whom two shall be eminent educationists;
- iii. one expert of management or information technology from outside the university, nominated by the Chancellor; and
- iv. one expert of finance, nominated by the Chancellor.

B. 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.

C. The Governing Body shall have the following powers, namely:

- (a) to provide general superintendence and directions and to control functioning of the university;
- (b) to review the decisions of other authorities of the university in case they are not in conformity with the provisions of the constituting Act or the Statutes, Ordinances, Regulations or rules;
- (c) to prepare and improve 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 in consultation with the Visitor about the voluntary liquidation of the university if a situation arises when smooth functioning of the university does not remain possible, in spite of all efforts;

- (f) such other powers as may be prescribed by the Statutes.
- D. The Governing Body shall meet at least three times in a calendar year.
- E. The quorum for meetings of the Governing Body shall be four.

The BOARD OF MANAGEMENT:

- A. The Board of Management shall consist of the following members, namely:
 - (a) The Vice-Chancellor;
 - (b) Two members of the Governing Body, nominated by the sponsoring body;
 - (c) Three persons, who are not the members of the Governing Body, nominated by the sponsoring body;
 - (d) Three persons from amongst the teachers, nominated by the sponsoring body;
 - (e) Two teachers, nominated by the Vice-Chancellor.
- B. The Vice-Chancellor shall be the Chairperson of the Board of Management.
- C. The powers and functions of the Board of Management shall be prescribed by the Statutes.
- D. The Board of Management shall meet once in every two months.
- E. The quorum for meetings of the Board of Management shall be five.

THE ACADEMIC COUNCIL

- A. The Academic Council shall consist of the Vice-Chancellor and members according to Statutes.
- B. The Vice-Chancellor shall be the Chairperson of the Academic Council.
- C. The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Policy and the rules, Statutes or Ordinances, made under the Act.
- D. The quorum for meetings of the Council shall be such as may be prescribed by the Statutes.

THE FIRST STATUTES

- A. The First Statutes of the university will provide for all or any of the following matters, namely:
 - i. the constitution, powers and functions of the authorities and other bodies of the university as may be constituted from time to time;
 - ii. the terms and conditions of appointment of the Vice-Chancellor and his powers and functions;
 - iii. the manner and terms and conditions of appointment of the Registrar and Chief Finance and Accounts Officer and their powers and functions;
 - iv. the manner and terms and conditions of appointment of other officers and teachers and their powers and functions;
 - v. the terms and conditions of service of employees of the university;
 - vi. the arbitration process in case of disputes between officers, teachers, employees and students;
 - vii. The conferment of honorary degrees;
 - viii. The provisions regarding exemption of students from payment of tuition fee and for awarding to them scholarships and fellowships consonant with the relevant regulations of regulatory body;

- ix. Provisions regarding the policy of admissions, including regulation of reservation of seats consonant with the relevant regulations of regulatory body;
- x. Provisions regarding number of seats in different courses; and
- xi. such other provisions as may be necessary in the functioning of the University.

B. The First Statutes of the university shall be made by the Governing Body and shall be submitted to the State Government.

C. The State Government shall consider the First Statutes, submitted by the university and shall give its approval thereon within two months from the date of its receipt and with such modifications if any, as it may deem necessary, for compliance.

Appointment of teachers and non-teaching employees

A. The proposed University may create as many posts of Teachers and Non-teaching employees in the University and may appoint such teachers and non-teaching employees of their own, in compliance with the norms prescribed by the regulatory authorities.

B. The proposed Private University shall have power to make Regulations regarding terms and conditions of service of the employees, as prescribed by the regulatory authorities.

FUND AND ACCOUNTS OF THE PROPOSED PRIVATE UNIVERSITY:

A. The proposed private University shall establish and constitute a fund to be known as General Fund of the University to which the following shall be credited:

- i. fees and other charges received by the University from the student;
- ii. any contribution made by the sponsoring body;
- iii. any income received from consultancy and other work undertaken by the University in pursuance of its objectives;
- iv. trusts, bequests, donations, endowments and any other grants; and
- v. all other sums received by the University from any source whatsoever.

B. The General Fund of the University may be utilized for the following purposes:

- i. for payment of debts including interest charges thereto incurred by the University for the purpose of the constituting Act in pursuance of this Policy;
- ii. for upkeep of the assets of the University;
- iii. for the payment of cost of audit of the funds of the University;
- iv. for meeting the expenses of any suit or proceedings to which the University is a party;
- v. for payment of salaries and allowances of the officers and non-teaching employees of the University and members of the teaching and research staffs and for payment of any provident fund constitutions, gratuity and other benefits to any such employees.
- vi. for the payment of travelling and other allowances of the members of the Governing Body, the Board of management, the academic councils 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;

vii. For the payment of fellowship, free ships, scholarships, assistance ships and other awards to the student belonging to economically weaker sections of the society or research associates or trainees, as the case may be, or to any student otherwise eligible for such awards under the statutes.

viii. For the payment of any expenses incurred by the University for the purpose of the University;

ix. For payment of cost of capital, not exceeding the prevailing bank rate of interest, incurred by the sponsoring body for setting up the University and the investment made therefore;

x. For the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of this Policy; and

xi. For the payment of any other expenses including service fees 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 purpose of the University.

ADMISSION OF STUDENTS:

A. Admission in the University shall be made on the basis of merit: Provided that for the purpose of filling minority quota in the University established and administered by a Minority community, whether based on religion or language, the zone of consideration for determination of merit shall be limited only to the students belonging to that minority.

B. Merit for admission in the University may be determined either on the basis of marks or grade obtained in the qualifying examination or on the basis of marks or grade obtained in a relevant entrance examination conducted by the University or a Common Entrance Test conducted at the State or National level: Provided that any achievements in co-curricular activities or extra-curricular activities may be given weightage at the discretion of the University:

Provided further that the admission criteria for specific courses, as prescribed by Regulations;

EXAMINATIONS AND RESULTS:

A. The proposed University shall at the beginning of each academic session and in any case not later than 31st of August of every calendar year, 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. Provided that if, for any reasons 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 reasons for making a departure from the published schedule.

B. The State Government shall have power to issue such directions to such Private University in removing difficulties in relation to any examination of the University, as it may deem necessary in the interest of the students.

C. The proposed University shall strive to declare the results of every examination conducted by it within a period of thirty days from the last date of examination for that particular course and shall in any case declare the results latest within a period of forty five days from such date:

Provided that if, for any reasons 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 State Government: provided further that the State Government may upon considering such report issue such directions to such University as it may deem necessary in the interest of the students.

D. The proposed University shall have power to award Degrees or Diplomas or Titles or Awards or Certificates to any person involved in the course of study or in research in such University in accordance with the Rules or Regulations as may be framed or upon such terms and conditions as may be provided by the University Grants Commission or by All India Council for Technical Education, or by National Council for Teachers Education, or by the Bar Council of India, or by Medical Council of India, or by some other organizations of like nature empowered to provide the mode of course of study under any law for the time being in force from time to time.

ACCREDITATION OF THE PROPOSED UNIVERSITY:

A. The proposed University established in pursuance of this Policy shall obtain accreditation from the National Assessment and Accreditation Council within three years of its establishment and communicate the State Government and relevant Regulatory Bodies in writing along with such accreditation certificate by the National Assessment and Accreditation Council (NAAC).

B. The University shall apply for renewal of such accreditation from time to time.

GENERAL POWERS OF THE STATE GOVERNMENT:

A. The State Government shall have the power to cause inspection of the University established under any Act of State Legislature in such manner as may be prescribed and in particular, its buildings, libraries, halls, museums and other infrastructures including the administrative as well as financial functions of the University.

B. Every such inspection shall be made after due notice to the concerned University.

C. Proceedings of every such Inspection along with suggestion or advice of the State Government shall be sent to the concerned University for its necessary action.

D. Subject to the provisions referred to above, the University grants Commission as well the All India Council for Technical Education, or the National Council for Teachers Education, or the Bar Council of India, or the Medical Council of India, or the Dental Council of India, or by any Regulatory Body of like nature empowered to provide the mode of course of study under any law for the time being in force from time to time, shall also have the power to cause inspection under the provisions of their respective Acts, Rules or Regulations and shall have power to do all acts as provided under their respective Acts, Rules or Regulations, as the case may be.

E. The State Government shall have power to give directions to every such Private University from time to time considering the interest of the Student as well as for public interest. The decision of the State Government shall be final in deciding a particular purpose to be related to public interest or the interest of the students of such Universities.

REPORT OF THE UNIVERSITY

The University shall submit a detailed annual report showing its academic performance and other particulars of the University as may be prescribed in this behalf before the State Government within three months of the commencement of the financial year.

A. The State Government shall have power after due application of mind and by passing a reasoned order to relax any of the provisions of this Policy or of any guidelines made there under for deserving cases, including the objective of encouraging local entrepreneurs/investors in this sector.

B. In the event of major irregularities and contravention of the rules and regulations of the regulatory bodies which endanger the academic environment and the future of the students, the State Government shall have the power to take action such as recommending to the statutory bodies to de-affiliate or de-recognize the said university and other penal actions as it may deem fit.