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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 81-L.—21st January, 2015.—The following Act of the West Bengal Legislature, having been assented by the Governor, is hereby published for general information:—

West Bengal Act XXII of 2014

THE JIS UNIVERSITY ACT, 2014.

[Passed by the West Bengal Legislature.]

*[Assent of the Governor was first published in the Kolkata Gazette,
Extraordinary, of the 21st January, 2015.]*

An Act to provide for the establishment and incorporation of the JIS University at Agarpara, in the district of North 24-Parganas, West Bengal and to confer the status of a Private University thereon and for matters connected therewith and incidental thereto;

WHEREAS it is expedient to provide for the establishment and incorporation of the JIS University at Agarpara, in the district of North 24-Parganas, West Bengal promoted by the Narula Educational Trust, an educational and charitable trust duly created and registered under the Indian Trust Act, 1882, and to confer the status of a Private University thereon and for matters connected therewith and incidental thereto.

II of 1882.

It is hereby enacted in the Sixty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title,
extent and
commencement.

1. (1) This Act may be called the JIS University Act, 2014.
(2) It shall extend to the whole of the State of West Bengal.

*The JIS University Act, 2014.**(Section 2.)*

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

- (1) **“Academic Council”** means the Academic Council of the University;
- (2) **“Administrator”** means the Administrator appointed under this Act by the State Government;
- (3) **“Chairman”** means the Chairman of the Governing Board;
- (4) **“Chancellor”** means the Chancellor of the University;
- (5) **“distance education”** means education imparted by a combination of any two or more means of communication like contact programmes, correspondence courses, online courses, broadcasting, telecasting, seminars and any other such methodology;

Note.— Through distance education a student is expected to study a course or a part of it without being present physically;
- (6) **“employee”** means a person appointed by the University to work in the University or its study centres, off-campus centres, off-shore campus and includes a teacher, officer and any other employee of the University other than the Visitor;
- (7) **“fee”** means collection of money made by the University from the students for the purpose of any course of study and incidental thereto, in the University;
- (8) **“Finance Committee”** means the Finance Committee of the University;
- (9) **“Governing Board”** means the Governing Board of the University;
- (10) **“Governor”** means the Governor of the State of West Bengal;
- (11) **“Off-campus centre”** means a centre of the University established by it outside the main campus, operated and maintained as its constituent unit, having the University’s complement of facilities and employees;
- (12) **“Off-shore campus”** means a campus of the University established by it outside India, operated and maintained as its constituent unit, having the University’s complement of facilities and employees;
- (13) **“prescribed”** means prescribed by rules made under this Act;
- (14) **“Registered Office”** means the Registered Office of the University;
- (15) **“Regulatory Body”** means—
 - (a) a body established by the Central Government for laying down norms and conditions for ensuring academic standards of higher education in its designated areas of coverage, including University Grants Commission, All India Council for Technical Education, Council for Scientific and Industrial Research, Department of Science and Technology, Distance Education Council, Indian Council of Scientific Research, National Assessment and Accreditation Council, National Council for Teacher Education, Pharmacy Council for India, Bar Council of India, Medical Council of India, Dental Council of India, Indian Nursing Council, Central Council of Homoeopathy, Central Council of Indian Medicine,

*The JIS University Act, 2014.**(Section 3.)*

Council of Architecture, Rehabilitation Council of India and such other statutory body as may be established or incorporated by the Central Government for the purpose of regulating higher education; and

(b) the State Government of West Bengal in the Higher Education Department;

(16) **“Regulatory Committee”** shall mean the committee constituted by the State Government for the purpose of this Act;

(17) **“Sponsoring trust”** in relation to the University means the Narula Educational Trust, an educational and charitable trust duly constituted and registered under the Indian Trust Act, 1882;

II of 1882.

(18) **“State Government”** means the Government of West Bengal in the Higher Education Department;

(19) **“Statutes, Regulations and Ordinances”** shall mean respectively the Statutes, the Regulations and the Ordinances of the University as may be framed by the University in the manner provided under this Act with prior approval of the State Government;

(20) **“Student”** means a person enrolled in the University for taking a course of study leading to a degree, diploma, certificate or other academic distinction duly instituted by the University including a research degree;

(21) **“Study Centres”** means a centre established and maintained or recognized by the University for the purpose of advising, counselling or for rendering any other assistance required by the student in the context of distance education;

(22) **“Teacher”** means a Professor, Associate Professor, Assistant Professor, or any other person required to impart education or to guide research or to render guidance in any other form to the students for pursuing a course of study in the University for the purpose of this Act;

(23) **“University”** means the JIS University established and incorporated under Section 3 of this Act;

(24) **“University Grants Commission”** means the University Grants Commission, established under the University Grants Commission Act, 1956.

III of 1956.

Establishment
and
incorporation of
the University.

3. (1) There shall be established and incorporated a University by the name of the JIS University at Agarpara, North 24-Parganas within the territory of West Bengal duly sponsored and financed by the Narula Educational Trust, an educational and charitable trust, more specifically described under Schedule-A of this Act.

(2) The University shall be a body corporate by the name of the JIS University having perpetual succession and common seal and shall, by the said name, sue and be sued.

(3) The University shall be a self-financed unitary University.

(4) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar or any other official as may be duly authorized by the Chancellor and all processes in such suits and proceedings shall be issued to, and served on, the Registrar or on such other official as may be authorized by the Chancellor.

(5) The headquarters of the University shall be at the University Campus at Agarpara, North 24-Parganas, West Bengal.

*The JIS University Act, 2014.**(Sections 4, 5.)*

(6) The University may have departments or schools or centres anywhere in the State of West Bengal as may be decided by the Governing Board with prior approval of the State Government and the relevant Regulatory Bodies.

(7) All existing institutes held by the sponsoring trust may be integrated within the University after being subsumed by the University in due course as may be decided by the Governing Board and with prior approval of the State Government in writing:

Provided that every such institute so subsumed within the University shall, under no circumstances, be permitted to be used or operated as the University Study Centre, University Campus, off-campus, off-shore campus or in any like manner within such period as may be determined by the Regulatory Body from time to time:

Provided further that the procedure of subsumption shall be such as may be notified by the State Government.

Properties of the University and its application.

4. (1) The Sponsoring trust shall transfer movable and immovable properties described under Schedule-B to the University and all such properties shall be deemed to be so transferred and vested absolutely to the University with effect from the date of coming into force of this Act.

(2) The properties, movable or immovable, as transferred by the Sponsoring trust to the University shall be used and administered by the Governing Board in such manner as may be provided for by the Regulations.

(3) The properties transferred in the name of the University under sub-section (1) shall be applied for meeting the liabilities of the University in the event of dissolution or winding up of the University in such manner as may be prescribed by rules.

Restrictions and obligations of the University.

5. (1) The tuition fees for professional courses such as Engineering and Technology, Management etc., in the University shall be such as may be determined by the State Government from time to time.

(2) The University shall allow free-ship in tuition fees to at least five percent of their total strength, to the students belonging to poor and economically backward classes.

Note.—The relevant criteria for determining poor and economically backward class shall be such as may be determined by the State Government from time to time.

(3) The University 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.

(4) The University shall make provisions for reservation of non-teaching posts in the University for the persons domiciled in the State of West Bengal to the extent of at least fifty percent of the total number of non-teaching employees of the University.

(5) The University shall appoint adequate number of teachers and officers in the University for 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 Bodies.

(6) The University shall compulsorily place in the public domain every information in relation to the University which would be of interest to the students and other stake holders *inter alia*, including the courses offered, number of seats under different quotas, fees and other charges, facilities and amenities offered, faculty in place and such other relevant information.

*The JIS University Act, 2014.**(Sections 6, 7.)*

Objects of the University.

6. The objects of the University shall be as follows, namely:—

- (i) to provide instruction, teaching, training and research in various branches and specialized fields of study of Science, Technology, Medicine, Management, Law, Humanities, Social Sciences, Education, Performing Arts, Sports and any other fields of study including the imparting of skills that have employment potentiality;
- (ii) to establish the main campus at Agarpara, North 24-Parganas, West Bengal, and to have study centres, campuses, off-campus centres, off-shore campuses and regional centres at different places in India and abroad as per the norms and regulations of the University Grants Commission and other relevant Regulatory Bodies;
- (iii) to provide regular and distance education programmes;
- (iv) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination, or any other method of evaluation;
- (v) to collaborate with other colleges or Universities, research, institutions, industry associations, professional associations or any other organizations, in India and abroad, and to conceptualize, design and develop specific educational and research programmes, training programmes and exchange programmes for students, faculty members and others;
- (vi) to disseminate knowledge through seminars, conferences, executive education programmes, community development programmes, publications and training programmes;
- (vii) to undertake programmes for the training and development of faculty members and teachers of the University and other institutions in India and abroad;
- (viii) to undertake collaborative research with any organization in India and abroad;
- (ix) to create higher levels of intellectual abilities;
- (x) to create entrepreneurs by providing necessary skills and support;
- (xi) to provide consultancy to industry, Government, public and private organization;
- (xii) to create an Industry Academia partnership by inviting Industry and institutions in the University campus and other university places for mutual benefits;
- (xiii) to ensure that the standard of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by the Regulatory Bodies in India;
- (xiv) to do all things necessary or expedient to promote the objectives of this Act;
- (xv) to pursue any other objective as may be assigned to the University by the State Government.

University shall remain open to all irrespective of sex, religion, class, colour, creed or opinion.

7. No person shall be discriminated against or be excluded from any office of the University or from membership of any of its authorities or from admission to any course of study leading to a degree, diploma or other academic distinction on the grounds of sex, race, creed, caste, class, place of birth and religious belief or political or other opinion.

*The JIS University Act, 2014.**(Section 8.)*

Powers and
functions of the
University.

8. Subject to the provisions of this Act and the policy of the State Government in this regard, the University shall exercise the following powers and functions, namely:—

- (i) to administer and manage the University, its departments, schools, centres for research, education and instruction as are necessary for the furtherance of the objects of the University;
- (ii) to provide for instruction, education, training and research in such branches of knowledge or learning of its programmes of study and allied areas;
- (iii) to conduct innovative experiments in new methods and technologies in the core and emerging fields of education to achieve high standards of such education, training and research;
- (iv) to provide courses and curricula and to provide for flexibility in the education system and delivery methodologies, including electronic and distance learning;
- (v) to hold examinations through physical or electronic mode and to confer degrees, diplomas or to grant certificates and other academic distinctions or to award titles on persons, subject to such conditions, as the University may determine, and to withdraw or cancel any such degrees, diplomas, certificates, or other academic distinctions or titles in the manner provided for by the Regulations;
- (vi) to confer ordinary and honorary degrees or other distinctions in the manner provided for by the Statutes;
- (vii) to establish such centres, specialized study centres or other units within the campus and departments for research and instruction as are in the opinion of the University necessary for the furtherance of its objects;
- (viii) to provide printing, reproduction and publication of research and other works and to organize exhibitions;
- (ix) to sponsor and undertake research in all aspects of information and communication technology and allied areas;
- (x) to collaborate or associate with, advise, administer, control, develop, maintain or take over by way of merger or otherwise, any educational institution having similar objects;
- (xi) to develop and maintain linkages with educational or other institutions in any part of the world through exchange of teachers and scholars in such manner as may be conducive to their common objects;
- (xii) to develop and maintain relations with teachers, researchers, and domain experts in information and communication technology and allied areas in any part of the world for achieving the objects of the University;
- (xiii) to regulate expenditure and to manage the finances and to maintain accounts of the University;
- (xiv) to receive funds from industry, institutions, national and international organizations, national or international financial institutions including nationalized banks or from any other source, or to receive loans, subsidies, grants, assistance, donations, benefactions, bequests and to transfer of movable and immovable properties, for the purposes and objects of the University in such manner as may be provided for by the Regulations;

*The JIS University Act, 2014.**(Section 8.)*

- (xv) to establish, maintain and manage halls and hostels for the use and residence of the students;
- (xvi) to supervise and control the residence and regulate the discipline of the students of the University and to make arrangements for promoting their health, general welfare and cultural activities;
- (xvii) to fix, demand, receive and recover fees and such other charges as may be provided for by the Regulations;
- (xviii) to institute and award fellowships, scholarships, prizes, medals and other awards;
- (xix) to purchase or to take on lease or accept as gifts or otherwise any land or building or works or any other movable or immovable property which may be necessary or expedient for the purpose of the University and for its expansion and on such terms and conditions as it may deem fit and proper and to construct or alter and maintain any such building or works;
- (xx) to lease, exchange, or otherwise dispose of all or any of the properties of the University, movable or immovable, on such terms as it may think fit and consistent with the interest, activities and objects of the University in such manner as may be provided for by the Regulations;
- (xxi) to draw and accept, to make and endorse, to discount and negotiate all promissory notes, bills, exchange, cheques or other negotiable instruments;
- (xxii) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to pay out of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;
- (xxiii) to invest the funds of the University in such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of the University;
- (xxiv) to execute conveyances regarding transfer, mortgages, leases, licences, agreements and other conveyances in respect of property, movable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University within the guidelines of the Central Government and the State Government and the Reserve Bank of India;
- (xxv) to admit students into the courses offered by the University in the manner as may be provided for by the Regulations;
- (xxvi) to create academic, technical, administrative, ministerial and other posts and to make appointment thereto;
- (xxvii) to regulate and enforce discipline among the employees of the University and to provide for such disciplinary measures as may be provided for by the Regulations;
- (xxviii) to institute Professorship, Associate Professorship, Assistant Professorship and any other teaching, academic or research posts and to prescribe qualifications for them not repugnant to the requirement of the Regulatory Bodies;

*The JIS University Act, 2014.**(Sections 9, 10.)*

(xxix) to appoint persons as Professors, Associate Professors, Assistant Professors as teachers and researchers of the University;

(xxx) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of all or any of the objects of the University.

Teaching in the University.

9. (1) All recognized teaching in connection with any degrees, diplomas, certificates, awards, distinctions of the University shall be conducted by the teachers of the University under the general control of the Governing Board and the Academic Council.

(2) The courses of study, the curricula and the authorities responsible for such teaching shall be such as may be provided for by the Regulations.

The Visitor.

10. (1) The Governor of West Bengal shall, by virtue of his office, be the Visitor of the University.

(2) 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.

(3) The Visitor shall have the power to call for any paper or information relating to the affairs of the University and 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 policy of the State Government in this regard or the provisions of this Act or the Rules, the Statutes, the Regulations or the Ordinances of the University, 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 forthwith.

(4) The Visitor shall have the power to cause an inspection to be made by such person or persons as he may direct, of the University, its building, libraries, laboratories and equipment and of any centre, department, institution, school or campuses maintained by the University and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University and its centres, departments, institutions or schools.

(5) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made, and the University shall, on receipt of such notice, have the right to make, within thirty days from the date of receipt of the notice or such other period as the Visitor may determine, such representations to the Visitor, as it may consider necessary.

(6) Without prejudice to the generality of the foregoing provisions of this section, the Visitor may, by order in writing annul any proceeding of any meeting of any authority or committee of the University which is not in conformity with this Act or the rules or the policy of the State Government or the Statutes or the Regulations or the Ordinances of University:

Provided that before making any such order, he shall call upon the University to show cause as to why such an order should not be made, and if any satisfactory cause is shown within a reasonable time, he may consider the same.

(7) The Visitor shall have such other powers as may be prescribed by the rules.

*The JIS University Act, 2014.**(Sections 11-13.)*

Authorities of the University.

11. The following shall be the authorities of the University, namely:—
- (a) the Governing Board;
 - (b) the Academic Council;
 - (c) the Finance Committee; and
 - (d) such other authorities as may be declared by the Statutes of the University to be the authorities of the University.

Officers of the University.

12. The following shall be the officers of the University, namely:—
- (a) the Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deans;
 - (d) the Registrar;
 - (e) the Law Officer;
 - (f) the Chief Finance Officer;
 - (g) the Controller of Examinations; and
 - (h) such other persons as may be declared by the Statutes of the University to be officers of the University.

The Governing Board, its powers and functions.

13. (1) The Governing Board of the University shall consist of the following members, namely:—

- (i) the Chancellor, who shall be the Chairman of the Governing Board;
- (ii) two representatives of the Sponsoring trust to be nominated by the trust;
- (iii) the Vice-Chancellor of the University;
- (iv) two Deans of the faculty councils for post-graduate and undergraduate studies to be nominated by the Chancellor, by rotation of every three years in alphabetical order;
- (v) three academicians to be nominated by the Visitor, the State Government and the Chancellor respectively;
- (vi) three experts representing other disciplines such as finance, legal, management or humanities, to be nominated by the Chancellor;
- (vii) two representatives from the industrial sector to be nominated by the Chancellor; and
- (viii) the Registrar, who shall be the Secretary of the Governing Board.

(2) The Governing Board shall be the supreme authority of the University and all the powers and functions as conferred to the University under this Act shall be executed by the Governing Board.

(3) In addition to the powers and functions conferred under section 8 of this Act, the Governing Board shall also have the following powers, namely:—

- (a) to provide general superintendence and directions and to control the functioning of the University;
- (b) to frame Statutes, Regulations, Ordinances and to place them before the State Government for approval;
- (c) to borrow or invest the funds of the University and to take decisions in this regard on recommendation of the Finance Committee;
- (d) to create or to abolish posts of teachers and other employees of the University;

*The JIS University Act, 2014.**(Sections 14, 15.)*

- (e) to review the decisions of other authorities of the University in case they are not in conformity with the provisions of this Act or the rules or the Statutes or the Regulations or the Ordinances of the University;
- (f) to prepare the budget and annual report of the University;
- (g) to lay down the academic, administrative and other policies to be followed by the University;
- (h) to recommend to the Sponsoring trust, in consultation with the Visitor, about the voluntary winding up of the University if a situation arises where the smooth functioning of the University is not possible, in spite of all efforts;
- (i) such other powers as may be provided for by the Statutes or by the Regulations or by the Ordinances of the University.

(4) The term of office of members of the Governing Board including their re-nomination or resignation shall be such as may be provided for by the Statutes.

(5) The Governing Body shall meet at least three times in a calendar year.

(6) The quorum for meetings of the Governing Board shall be seven.

Chancellor of the University and its powers.

14. (1) The Chancellor shall be appointed by the Sponsoring trust.

(2) The Chancellor shall be the head of the University.

(3) The Chancellor shall preside over the meetings of the Governing Board 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.

(4) 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 made under this Act;
- (d) such other powers as may be provided for by the Statutes.

The Vice-Chancellor.

15. (1) The Vice-Chancellor shall be appointed by the Chancellor on recommendation of the Governing Board.

(2) The Vice-Chancellor shall be an educationist and must meet the eligibility criteria, as determined by the Regulatory Bodies.

(3) The term of the office of the Vice-Chancellor shall be determined by the Governing Board.

(4) Where a vacancy in the office of the Vice-Chancellor occurs and it cannot be conveniently and expeditiously filled up in accordance with the provisions of sub-section (1) and if there is an emergency, the Chancellor in consultation with the Governing Board, may appoint any suitable person to be the Vice-Chancellor and may from time to time, extend the term for a period not exceeding the total period of one year.

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

*The JIS University Act, 2014.**(Sections 16-18.)*

(6) The Vice-Chancellor shall preside at the convocation of the University in the absence of the Visitor and the Chancellor.

(7) The Vice-Chancellor shall also exercise such powers and perform such duties as may be provided for by the Statutes.

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

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

The Academic Council.

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

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

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

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

Powers and functions of the Academic Council.

17. Subject to the provisions of this Act, the rules and the Statutes, Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:—

- (i) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, evaluation of research or improvement in academic standards;
- (ii) to bring about inter-faculty co-ordination, and to establish or appoint committees or boards, for taking up projects on an inter-faculty basis;
- (iii) to consider matters of general academic interest either at its own initiative or referred to in the Faculty Councils, and to take appropriate action thereon; and
- (iv) to suggest framing of such Regulations consistent with the provisions of this Act, the rules, the Statutes, the Regulations and the Ordinances regarding the academic functioning of the University, discipline, residence, admissions, award of fellowships and studentships, fee concessions, corporate life and attendance.

The Deans.

18. (1) There shall be a Dean for each and every Faculty Council for Post-graduate and Undergraduate Studies in the University who shall be appointed by the Chancellor on recommendation of the Governing Board from amongst the existing teachers of the University.

(2) Every Dean shall be the Vice-Chairman of the respective Faculty Council for Post-graduate and Undergraduate Studies and shall have such powers and functions as may be provided for by the Statutes.

(3) The Dean of every Faculty Council for Post-graduate and Undergraduate Studies may be removed from his office for such reasons and in such manner as may be provided for by the Statutes.

*The JIS University Act, 2014.**(Sections 19-23.)*

The Registrar.

19. (1) The Registrar shall be appointed by the Chancellor on recommendation of the Sponsoring trust in such manner, as may be provided for by the Statutes.

(2) All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.

(3) The Registrar shall be the Member Secretary of the Governing Board and the Academic Council but he shall not have a right to vote.

(4) The Registrar shall exercise such other powers and perform such other functions as may be provided for by the Statutes.

The Law Officer, Chief Finance Officer and the Controller of Examinations.

20. (1) The appointment of the Law Officer, the Chief Finance Officer and the Controller of Examinations shall be made by the Chancellor in such manner and with such terms and conditions as may be provided for by the Statutes.

(2) The Law Officer, the Chief Finance Officer and the Controller of Examinations shall exercise such powers and perform such functions as may be provided for by the Statutes.

The Finance Committee.

21. (1) There shall be a Finance Committee with the Chancellor as Chairman.

(2) The constitution, powers and functions of the Finance Committee shall be such as may be provided for by the Statutes.

Other officers.

22. (1) The University may appoint such other officers as may be necessary for its functioning.

(2) The manner of appointment of such other officers of the University and their powers and functions, including the terms and conditions of their service, shall be such as may be provided for by the Statutes.

The Faculty Councils for Post-graduate and Undergraduate Studies.

23. (1) There shall be as many Faculty Councils for Post-graduate and Undergraduate Studies as there are courses of studies or faculties in the University as per the decision of the Governing Board.

(2) Each Faculty Council for Post-graduate and Undergraduate Studies shall consist of the following members :—

- (i) the Vice-Chancellor—Chairman;
- (ii) the Dean of the Faculty Council concerned;
- (iii) the Head or Heads of the Department or Departments concerned, if any;
- (iv) the Professors and the Associate Professors of the Department concerned, if any;
- (v) the Librarian of the University and if the post of Librarian is vacant then the person acting as Librarian of the University;
- (vi) five Teachers of the University, other than Professors and Associate Professors, to be nominated by Chancellor.

(3) One-third of the total number of members of a Faculty Council for Post-graduate and Undergraduate studies shall be a quorum for a meeting of the Faculty Council.

*The JIS University Act, 2014.**(Sections 24, 25.)*

Powers and functions of the Faculty Council for Post-graduate and Undergraduate Studies.

24. Subject to the provisions of this Act, the rules, the Statutes, the Regulations and the Ordinances made thereunder, the Faculty Council for Post-graduate and Undergraduate Studies shall exercise the following powers and perform the following functions, namely:—

- (i) to make proposals to the Governing Board for the establishment of University departments, institutions, libraries, laboratories and museums for study and research to be maintained by the University;
- (ii) to recommend to the Governing Board the creation and institution of Professorships, Associate Professorships, Assistant Professorships and other teaching posts and their emoluments thereof;
- (iii) to make proposals to the Governing Board for the promotion of research and, through special committees, if any constituted for the purpose, to call for reports on such research work from persons engaged therein, and to make recommendations to the Governing Board thereon;
- (iv) to make proposals to the Governing Board regarding provisions to be made for enabling the University to undertake specialization of studies and for organization of common laboratories, libraries, museums, institutes of research and other institutions, maintained by the University;
- (v) to advise the Governing Board on institution of degrees, titles, diplomas, certificates and other academic distinctions;
- (vi) to hold and conduct, subject to general supervision by the Governing Board, University examinations and publish the results thereof in accordance with the Regulations made in this regard;
- (vii) to provide for the inspection or the investigation into the affairs of any department and submit report to the Governing Board;
- (viii) to frame guidelines relating to the courses of post-graduate and undergraduate studies and the division of subjects in regard thereto including interdisciplinary or multidisciplinary integrated courses in selected subjects and to recommend to the Governing Board the making of Regulations in this regard;
- (ix) to call for such reports or information as the Faculty Council may consider necessary for efficient discharge of its duties from the teaching departments or the research units;
- (x) to consider any educational matter relating to the Faculty Council and to arrive at a decision or to make recommendations pertaining thereto to the appropriate authority or officer;
- (xi) to submit each year its annual report to the Governing Board;
- (xii) to consider and approve results of examinations leading to undergraduate and post-graduate degrees, diplomas and certificates;
- (xiii) to recommend to the Governing Board the conferment of undergraduate and post-graduate degrees, diplomas and certificates;
- (xiv) to exercise all other powers and perform all other functions conferred and imposed on it by or under this Act and such other powers as may be provided for by the Statutes which are not repugnant to the provisions of this Act.

Other authorities.

25. (1) There shall be such other authorities in the University as may be constituted by the Governing Board in such manner as may be provided for by the Statutes.

(2) The composition, constitution, powers and functions of such other authorities of the University shall be such as may be provided for by the Statutes.

*The JIS University Act, 2014.**(Sections 26-28.)*Regulatory
Committee.

26. (1) There shall be a Regulatory Committee to be constituted by the State Government for the purpose of monitoring and regulating the working of the University in such manner as may be prescribed.

(2) The powers and functions of the Regulatory Committee shall be such as may be prescribed by the State Government.

(3) The recommendation of the Regulatory Committee shall be binding on the University.

(4) Until such time the Regulatory Committee is constituted, the West Bengal State Council of Higher Education constituted under the provisions of the West Bengal State Council of Higher Education Act, 1994, will function as the Regulator for the University.

West Ben. Act
XXXVII of
1994.Act not to be
invalidated by
reason of
vacancy.

27. No act or proceeding of the Board or any Authority of the University or any Committee constituted under this Act or the rules or the Statutes or the Regulations or the Ordinances shall be questioned merely on the ground of the existence of a vacancy in or defect in the constitution of the Board, Authority or Committee of the University.

The First
Statutes.

28. (1) The First Statutes of the University shall provide for all or any of the following matters, namely :—

- (a) the constitution, powers and functions of the authorities and other bodies of the University as may be constituted under this Act;
- (b) the terms and conditions of appointment of the Vice- Chancellor, his powers, functions and removal thereof;
- (c) the manner and procedure including the terms and conditions of appointment of the Registrar, the Law Officer, the Chief Finance Officer and the Controller of Examinations and their powers and functions;
- (d) the manner and procedure including the terms and conditions of appointment of all other officers and teachers of the University and their powers and functions thereof;
- (e) the terms and conditions of service of the employees of the University;
- (f) the procedure for arbitration in case of disputes between officers, teachers, employees and students;
- (g) the conferment of honorary degrees;
- (h) the provisions regarding exemption of students from payment of tuition fee and for awarding to them scholarships and fellowships in consonance with the regulations of relevant Regulatory Body;
- (i) provisions regarding the policy of admissions, including regulation of reservation of seats consonant with the regulations of relevant Regulatory Body;
- (j) provisions regarding number of seats in different courses of study; and
- (k) such other provisions as may be necessary in the functioning of the University.

(2) The First Statutes of the University shall be made by the Governing Board and shall be submitted to the State Government for approval.

(3) The State Government may consider the First Statutes as submitted by the University and may 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.

*The JIS University Act, 2014.**(Sections 29, 30.)*

Appointment of teachers and non-teaching employees in the University.

29. (1) The 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 consonance with the norms provided by the relevant Regulatory Bodies.

(2) The University shall have the power to make Regulations regarding terms and conditions of service including the procedure of disciplines of the employees of the University, and these shall be consistent with the norms and standards provided by the Regulatory Bodies.

Funds and accounts of the University.

30. (1) The University shall establish and constitute a fund to be known as General Fund of the University to which the following shall be credited:—

- (a) fees and other charges received by the University from the students;
- (b) any contribution made by the Sponsoring trust;
- (c) any income received from consultancy and other work undertaken by the University in pursuance of its objectives;
- (d) trusts, bequests, donations, endowments and any other grants; and
- (e) all other sums received by the University from any source whatsoever.

(2) The General Fund of the University may be utilized for the following purposes:—

- (a) for payment of debts including interest charges thereto incurred by the University;
- (b) for upkeep of the assets of the University;
- (c) for the payment of cost of audit of the University;
- (d) for meeting the expenses of any suit or proceedings to which the University is a party;
- (e) 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 contribution, gratuity and other benefits to any such officers, employees and members of teaching and research staff;
- (f) for the payment of travelling and other allowances of the members of the Governing Board, 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 Chancellor or the Vice-Chancellor and other officers and employees in performance of official duties, as the case may be, of the University;
- (g) for the payment of fellowships, free-ships, scholarships, assistanceships 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, Regulations and the Ordinances;
- (h) for the payment of any expenses incurred by the University in discharging its functions;
- (i) for payment of cost of capital not exceeding the prevailing bank rate of interest, incurred by the Sponsoring trust for setting up the University and the investment made therefor;

*The JIS University Act, 2014.**(Sections 31-33.)*

- (j) for the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of this Act; and
- (k) 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 trust, as approved by the Governing Board to be an expense incurred for the purpose of the University.

Endowment
Fund of the
University.

31. (1) The University shall establish an Endowment Fund in the name of the University 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:

Provided that the Sponsoring trust shall make available the whole Endowment Fund to the Administrator during the process of winding up of the University failing which the same shall be realized from the properties of the University.

(2) The Endowment Fund shall be invested and kept invested until the dissolution of the University.

(3) A security deposit shall 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; interest proceeds of which may be used for the development of the University.

(4) The State Government shall have the power to forfeit the security deposit in prescribed manner, in case the University contravenes any of the provisions of this Act.

Pension and
Provident Fund.

32. (1) The University shall with the approval of the Governing Board, constitute for the benefit of the officers, teachers and other employees of the University, in such manner and subject to such terms and conditions as may be provided for by the Regulations, such scheme of pension, provident fund, gratuity and insurance as it may deem fit.

(2) Any provident fund instituted by the University for the benefit of its teachers, officers, or employees shall be governed by the provisions of the Provident Funds Act, 1925, as if such fund were a Government Provident Fund and such provident fund may be maintained in a Government Treasury.

19 of 1925.

Annual accounts
and audit.

33. (1) The University shall maintain proper accounts and other relevant records, and prepare an annual statement of accounts including the income and expenditure account and balance sheet, in such form and in such manner as may be provided for by Regulations.

(2) The University shall adopt a proper system of internal checks and balances and controls in the discharge of its finance, accounting and auditing functions as may be provided for by the Regulations.

(3) The accounts of the University shall be audited not less than once in every year by a statutory auditor who shall be a Chartered Accountant as defined in the Chartered Accountant Act, 1949 as may be appointed by the Governing Board.

38 of 1949.

(4) The annual statement of accounts shall, together with copies of the audit report, be submitted to the Governing Board and to the State Government and shall thereupon be published by the Governing Board.

*The JIS University Act, 2014.**(Sections 34, 35.)*

Admission of students.

34. (1) Admission of students in the University shall be made on the basis of merit.

(2) 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 by 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 the concerned Regulatory Bodies, shall be adhered to.

(3) The seats in engineering, technology and management courses in the University or the colleges and other institutions subsumed in the University shall be guided by the existing framework of the All India Entrance Examination or the West Bengal Joint Entrance Examinations Board through its state level common entrance test and counselling process until the University opts to work out its own entrance examination framework for admission into the courses as per the decision of the Governing Board.

(4) The University shall keep five percent of total intake reserved for filling up with economically weaker persons in the manner as may be notified by the State Government from time to time.

Examinations and results.

35. (1) The 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.

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

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 State Government incorporating the detailed reasons for making a departure from the published schedule.

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

(3) The University shall declare the results of every examination conducted by it within a period of forty-five days from the last date of examination for that particular course:

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 the University as it may deem necessary in the interest of the students.

(4) The 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 the University in accordance with the Regulations as may be framed or upon such terms and conditions as may be provided by the Regulatory Bodies.

*The JIS University Act, 2014.**(Sections 36-38.)*

Conferment of degrees, diplomas and grant of certificate by the University.

36. Notwithstanding anything contained in any other law for the time being in force, the University shall have powers to confer degrees, diplomas, certificates and honorary degrees and other distinctions and titles, as approved by the Governing Board.

Power to delegate.

37. Subject to the provisions of this Act and the rules made thereunder, any officer or authority of the University may, by order, delegate his or its powers, except the power to make the Statutes, the Regulations or the Ordinances of the University, to any other officer or authority under his or its control and subject to the conditions that the ultimate responsibility for the exercise of the power so delegated shall continue to vest in the officer or authority delegating them.

Powers to make Regulations.

38. (1) Subject to the provisions of this Act, the Governing Board shall have, in addition to all other powers vested in it, the power to make Regulations to be provided for the administration and management of the affairs of the University.

(2) In particular and without prejudice to the generality and foregoing powers, such Regulations may provide for all or any of the following matters, namely:—

- (i) the summoning and holding of meetings of the authorities of the University other than the first meeting of the Governing Board, the quorum and conduct of business at such meetings;
- (ii) the powers and functions to be exercised and discharged by the Chancellor of the University;
- (iii) the constitution, powers and duties of the other authorities, bodies and committees of the University established under this Act, the qualifications and disqualifications for membership of such authorities, bodies and committees, term of office of the membership, appointment and removal of members thereof and other matters connected therewith, and removal of members of the Governing Board, the Academic Council and the Finance Committee;
- (iv) the procedure to be followed by the Governing Board and any Committee or other body constituted under this Act and the Statutes made thereunder, in conducting of their business;
- (v) the procedure and the criteria to be followed in established courses of study and admission of students thereof;
- (vi) the procedure to be followed by enforcing discipline in the University;
- (vii) the management of the properties of the University;
- (viii) the degrees, diplomas, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;
- (ix) the conduct of examinations including the term of office and appointment of examiners;
- (x) the creation of posts of Professors, Associate Professors, Assistant Professors or equivalent academic designations or posts, officers and employees of the University, and the appointment of persons to such posts including the qualifications requisite therefor;
- (xi) the fees and other charges which may be paid to the University for the courses, training facilities and services provided by it;

*The JIS University Act, 2014.**(Sections 39-41.)*

- (xii) the manner and conditions for constitution of insurance, pension and provident funds and such other schemes for the benefit of officers, teachers and other employees of the University;
- (xiii) the terms and conditions applicable for association of the University with other institutions;
- (xiv) the preparation of budget estimates and maintenance of accounts;
- (xv) the mode of execution of contracts or agreement by or on behalf of the University;
- (xvi) the method of recruitment, classification and procedure for appointment of officers and staff of the University;
- (xvii) the terms and conditions governing deputation of officers and staff of the University;
- (xviii) the terms and conditions governing fellowship, scholarship, stipends, medals and prizes;
- (xix) the authentication of the orders and decisions of the Governing Board;
- (xx) the matters relating to hostels and halls of residence including disciplinary control therein;
- (xxi) all other matters which by this Act are to be provided for by the Regulations.

Powers to make rules.

39. (1) Subject to the provisions of this Act, the State Government shall have powers to make rules for the purpose of duly carrying out the provisions of the Act.

(2) Every rules made by the State Government under this Act shall, as soon as they are made, be laid down before the State Legislature while it is in session.

Disqualification.

40. (1) No person shall be qualified for appointment or nomination as a member of any authority or body of the University or shall continue as such member if he:—

- (i) is of unsound mind, or
- (ii) is an undischarged insolvent, or
- (iii) has been convicted by a court of law for an offence involving moral turpitude.

(2) In case of any dispute, the decision of the Chancellor whether a person is disqualified under the provisions of sub-section (1) shall be final.

General powers of the State Government.

41. (1) The State Government shall have the power to cause inspection of the University 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.

(2) Every inspection shall be made after due notice to the University.

(3) Proceedings of every inspection along with suggestion or advice of the State Government shall be sent to the Governing Board for its necessary action.

(4) The State Government shall have power to give directions to the University from time to time considering the interest of the Student as well as for public interest.

Explanation.—The decision of the State Government shall be final whether a particular issue is related to public interest or the interest of the students.

*The JIS University Act, 2014.**(Sections 42-45.—Schedule A.—Schedule B.)*

Power to remove difficulty.

42. The State Government shall have power to remove any difficulty that arises in applying any provisions of this Act.

Report of the University.

43. The University shall submit a detailed annual report showing its academic performance and other relevant particulars of the University before the State Government within three months of the commencement of every academic year.

Accreditation of the University.

44. (1) The University shall obtain accreditation from the National Assessment and Accreditation Council or such other body or authority as may be determined by the Central or the State Government or the appropriate Regulatory Body from time to time, within three years of its establishment and communicate the same to the State Government and relevant Regulatory Bodies in writing along with such accreditation certificate.

(2) The University shall ensure renewal of such accreditation from time to time.

Winding up of the University.

45. (1) The Governing Board in consultation with the Sponsoring trust and the Visitor may recommend to the State Government to dissolve the University by giving notice to this effect in such manner as may be prescribed by the State Government in this behalf, to the employees and students of the University at least one year in advance:

Provided that the University shall not be permitted to serve notice for winding up within a period of ten years from the date of coming into effect of this Act.

(2) The State Government on receiving the notice referred to under sub-section (1) shall appoint an Administrator by replacing the Governing Board and the Chancellor and the Administrator thereafter shall act as the supreme authority during the process of winding up.

(3) The properties of the University as well as the Endowment Fund of the University shall be used by the Administrator during the process of winding up in such manner as may be prescribed.

(4) The dissolution of the University shall have effect only after the last batch of the students of the regular courses have completed their courses and have been awarded degrees, diplomas or awards, as the case may be and also after total clearance of bank liabilities, loan etc.

SCHEDULE A*(See sub-section (1) of section 3)*

The Narula Educational Trust, an educational and charitable trust created *vides* Deed No. 2239, dated 05.08.2000 and registered before the Additional Registrar of Assurance-III, Calcutta.

SCHEDULE B*(See sub-section (1) of section 4)***Schedule of Land**

(1) All that piece and parcels of land measuring about 5.28 acres, appertaining to J.L. No. 11 under Mouza Agarpara, Police Station Khardah, District North 24-Parganas, Khatian No. 713, 290, 714, 75 and 1177, L.R. Plot nos. 1571, 1558, 1572, 1571/1591, 1573 and 1574 butted and bounded thereto and transferred to the University absolutely.

*The JIS University Act, 2014.***Schedule of Building**

All that eleven storied pucca (cemented) constructed buildings measuring about 21,600 square metre situated in the land mentioned in the Schedule-B and transferred to the University absolutely.

By order of the Governor,

SIDDHARTHA CHATTOPADHYAY,
Secy.-in-Charge to the Govt. of West Bengal,
Law Department.

The
Kolkata  **Gazette**
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WEDNESDAY, FEBRUARY 04, 2015

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL
HIGHER EDUCATION DEPARTMENT
(UNIVERSITY BRANCH)
BIKASH BHABAN, SALT LAKE
KOLKATA-700091**

NOTIFICATION

No. 86 –Edn (U)/OM-4L/2013

Date: The 3rd February, 2015

In exercise of the powers conferred by sub-section (3) of section 1 of the JIS University Act, 2014 (West Bengal Act XXII of 2014), the Governor is hereby pleased to appoint the 3rd day of February, 2015 as the date of effect, from which the JIS University Act, 2014 (West Bengal Act XXII of 2014) shall come into force.

By order of the Governor,
VIVEK KUMAR
Principal Secretary,
Higher Education Department



Government of West Bengal
Higher Education Department
University Branch
Bikash Bhavan, Bidhannagar, Kolkata - 700091

No: 273 - Edn(U)/1U(JIS)-01/15

Date: 19.03.2015

From: The Deputy Secretary
to the Government of West Bengal.

✓ **To: The Chancellor,**
JIS University,
81, Nilgunj Road, Agarpara, Kolkata - 700109

Subject: NOC for starting undergraduate and postgraduate courses in the JIS University

Sir

In reference to the above mentioned subject, I am directed to inform you that the JIS University does not require any formal or separate "No Objection Certificate" from the State Government for starting any course in the University provided that the Governing Board of the University has unanimously taken resolutions/ decisions in this regard and necessary infrastructural, administrative as well as academic requirements are in place as per the guidelines of relevant regulatory bodies for starting the said courses. Report of inspection as may be conducted by the concerned regulatory authorities from time to time, such as the UGC, BCI, NCTE, etc, as the case may be, and their observations in this regard, should be intimated to the Higher Education Department.

This is, however, without prejudice to the powers and rights of inspection and enquiry of the University by the State Government, as and when the State Government deems necessary.

Yours faithfully,

Deputy Secretary
to the Government of West Bengal

To file
24/04/15

GOVERNMENT OF WEST BENGAL
HIGHER EDUCATION DEPARTMENT
(UNIVERSITY BRANCH)
BIKASH BHABAN, SALT LAKE
KOLKATA-700091

NO. 104 -Edn (U)/ OM-4L/2013

Date: 06.02.2015

From: Shri Pabitra Kumar Das,
Asst. Secretary to the Govt. of West Bengal

✓ To: Taranjit Singh,
Managing Director,
JIS Group, Dwarka, 1st Floor,
7 Sarat Bose Road, Kolkata-700020

Subject: Implementation of the provisions of JIS University Act, 2014 and to start academic activities from the Academic Session 2015-16

Sir,

In reference to the above mentioned subject, I am directed to say that the provisions of the JIS University Act, 2014 have come into effect w.e.f 03.02.2015 vide this Department's Notification No. 96-Edn (U) dated 03.02.2015 published in the Kolkata Gazette (Copy enclosed). As per provisions of section 3 (1) of the JIS University Act, 2014, the JIS University is now established and incorporated under the aegis of Narula Educational Trust.

In this connection, I am directed to request you to take immediate necessary action for constitution of the Governing Board of the University and for appointment of the Chancellor, the Vice-Chancellor and other academic and administrative staffs of the University on urgent basis under intimation to the State Government. You are also requested to inform to the UGC of the enactment of JIS University Act, 2014 by the State Legislature and to request them to include the name of the JIS University in their list of Private Universities. You are also request to take immediate necessary action for creation of Endowment Fund and Security Deposit as per provisions of the JIS University Act, 2014.

Yours faithfully,

P. Das
Assistant Secretary

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Kolkata Gazette
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FRIDAY, JANUARY 4, 2019

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL
DEPARTMENT OF HIGHER EDUCATION,
(INTEGRATED LAW CELL)
BIKASH BHABAN, SALT LAKE CITY
KOLKATA - 700 091**

NOTIFICATION

NO. 407-L/OM-201L/2017, dated, Kolkata the 3rd Day of January, 2019:— In exercise of the powers conferred by section 39 of the JIS University Act, 2014 (West Ben. Act XXII of 2014), and in supersession of the earlier rules made in this regard vide Department's Notification No. 16-ILC dated 15.01.2018 published in the Kolkata Gazette Extraordinary dated 15.01.2018, the Governor is hereby pleased to make the following rules:—

Rules

1. Short title and commencement:—

- (1) These rules may be called the JIS University Rules, 2018.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definitions:—

- (1) In these rules, unless the context otherwise require,-
 - (a) "Act" means the JIS University Act, 2014;
 - (b) "Administrator" means the Administrator appointed by the State Government, by order for the purposes of the Act;
 - (c) "Chairman" means the Chairman of the Regulatory Committee constituted under these rules;
 - (d) "Chancellor" means the Chancellor of the University;
 - (e) "Committee" means the Regulatory Committee constituted by the State Government;

- (f) "endowment fund" means the endowment fund constituted in the manner prescribed under these rules;
 - (g) "professional course" means the courses conducted in the University declared as such by Regulatory Body;
 - (h) "properties of the University" shall mean and include all properties movable or immovable, held by the University in any form;
 - (i) "security deposit" means the security deposit pledged in the name of the State Government by the University;
 - (j) "University" means the JIS University;
 - (k) "Visitor" means the Visitor of the University.
- (2) All other words and expressions used but not defined in these rules shall have the same meaning as have been assigned to them under the Act.

3. Powers of Visitor:—

- (1) The Governor of the State of West Bengal shall by virtue of his office, be the Visitor of the University.
- (2) Without prejudice to the powers conferred by section 10 of the Act, the Visitor can through its Secretariat, summons any employee including the Chancellor of the University for the purpose of any enquiry or investigation.
- (3) Every Honorary Degree proposed by the University shall be conferred only upon prior approval of the Visitor.
- (4) Any association, understanding or collaboration with International Universities or Organizations in regard to academic programme or faculty exchange programme by the University may be made on the advice of the Visitor.
- (5) The Visitor may address any meeting of the Governing Board and the decision taken in such meeting may not be annulled or reversed or altered in any subsequent meeting of the Governing Board.
- (6) The Visitor shall have also powers to give direction to the University from time to time not inconsistent with the provisions of the Act and the rules made hereunder.

4. Visitor's Secretariat:—

- (1) There shall be a Visitor's Secretariat in the Higher Education, Science and Technology and Biotechnology Department and the Additional Chief Secretary or the Principal Secretary or the Secretary of the Department, as the case may be, shall be the ex-officio Secretary to the Visitor.
- (2) All application or proposal for nomination of any member in the Governing Board by the Visitor and any reference to the Visitor in regard to the conferment of Honorary degree including reference regarding attendance of any meeting including convocation of the University or otherwise shall be made through the Visitor's Secretariat.
- (3) The Visitor's Secretariat may, upon receipt of appropriate instruction from the Visitor, communicate the relevant information to the University regarding any reference or proposal referred to under sub-rule (2).
- (4) The Visitor's Secretariat may perform such other acts as it may deem necessary in furtherance of the purposes of the Act.

5. Regulatory Committee:—

- (1) There shall be a Regulatory Committee to be constituted in the manner hereinafter provided, for the purposes of the Act.
- (2) The Regulatory Committee constituted under the Act may act as a Regulator for the University.

- (3) The Regulatory Committee shall meet in such place and on such time as the Committee may decide from time to time:

Provided that the Committee shall not use any premises provided by the University concerned for convening its meeting.

6. Constitution of the Committee:—

- (1) The Regulatory Committee shall consist of the following members:—
- (a) the Chairman- who shall be an Officer of the State Government not below the rank of a Special Secretary to the Government of West Bengal and to be appointed by the State Government by Order;
 - (b) the Vice Chairman (Academic) of the West Bengal State Council of Higher Education, -Ex-officio member;
 - (c) One Vice chancellor of a State-aided University, to be nominated by the State Government, for a period of two years;
 - (d) the Director of Public Instruction, West Bengal- Ex-officio member;
 - (e) the Director of Technical Education, West Bengal, -ex-officio member; and
 - (f) two persons not below the rank of Deputy Secretary to the Government of West Bengal, one from amongst the State Administrative Service and other from the West Bengal Legal Service, to be nominated by the State Government by order.
- (2) The Member-Secretary of the West Bengal State Council of Higher Education shall act as the Member Secretary of the Committee.
- (3) The tenure of the Chairman of the Committee shall be for three years or until he attains the age of sixty-five years, whichever is earlier.
- (4) The Committee may co-opt Legal and Accounts experts as member to the Committee who shall also be from the officers of the State Government.
- (5) A member shall cease to his membership in the Committee as soon he ceases to the post or capacity by virtue of which he becomes the member of the Committee.

7. Powers and functions of the Committee:— Without prejudice to the generality of the provisions of the Act and the rules made hereunder, the Regulatory Committee shall have the following powers, namely:—

- (1) to call for any records of the University, its campuses, centers or institutions run by the University;
- (2) to cause inspection of the University, its building, halls, hostel, library, laboratory, including campus, center and other institutions maintained by the University,
- (3) to inspect the academic, administrative and financial activities of the University,
- (4) to summon any person associated with the University or to any witness in relation to any proceedings conducted by the University and to enforce their attendance in the same manner and with the same authority vested to a Civil Court under the provisions of the Code of Civil Procedure, 1908,
- (5) to recommend to the State Government for dissolution of any authority of the University including the Governing Board;
- (6) to recommend to the University for starting new course and also to suggest syllabus and curriculum of various subjects or courses, as per UGC guidelines, if any;
- (7) to prescribe fees of professional courses in the University and to recommend course fee for other courses, not inconsistent with the provisions of the Act and the rules of relevant regulatory bodies and in considering the unit cost of education, infrastructural facilities provided to the students, quality of education and faculties provided, etc.

- (8) to direct the University to adopt the admission policy not inconsistent with the norms of Regulatory Bodies,
- (9) to recommend to the State Government the dissolution of the University,
- (10) to do such other functions under the provisions of the Act.

8. Determination of certain disputes by the Committee:—

- (1) The University, its authority or Body including its employee may prefer application to the Regulatory Committee regarding any disputes in between the University or body or employees.
- (2) The Regulatory Committee may, upon giving an opportunity of hearing to the other party in dispute, determine the dispute and issue necessary direction in this regard.
- (3) Every direction issued in this regard is binding upon the University, its employee or any Body or authority of the University.
- (4) The proceedings drawn under this rule shall be deemed to be a proceeding drawn under the Arbitration and Conciliation Act 1996.
- (5) The result of the proceedings shall be binding on the party to the dispute concerned.

9. Fixation of fees in professional courses:—

- (1) The State Government shall determine the tuition fees for professional courses, by notification, not inconsistent with the provisions of the Act.
- (2) The University subject to the provisions of the Act, shall be bound to follow the instructions and directions given by the Regulatory Committee or the State Government, as the case may be:

Provided that in case of any conflict directions given by the Regulatory Committee and the State Government, the State Government's directions shall prevail.

10. Determination of poor and economically Backward Classes :—

- (1) The State Government in consultation with other relevant Departments of the Government, determine the criteria for identifying a person or student to be belong to the economically Backward Classes.
- (2) The State Government may, from time to time, determine and notify the appropriate authorities who will be competent to issue certificate identifying the poor and economically Backward Classes.
- (3) The University shall make provisions for reservation of five percent of its whole intake capacity for the economically weaker persons domiciled in the State of West Bengal.

11. Reservation of seats:—

- (1) The University shall make reservation of seats for the students domiciled in the State of West Bengal to the tune of twenty-five percent in each course/programme in an academic year.
- (2) The State Government may by notification determine the appropriate persons who shall be the competent to issue domiciled certificate for this purpose.

12. Tuition Fees Waiver Scheme:—

- (1) The University shall waive tuition fees of poor and economically Backward Classes students to the tune of at least five percent.
- (2) The State Government may under sub-rule (1) recommend to the University for waiver of tuition fees, considering the social need of the State under the principle of corporate social responsibility.
- (3) The State Government on satisfaction of necessary documents regarding income of parents or guardians may recommend to the University for allowing free-ship.

- (4) In allowing the free-ship scheme, the State Government may consider the market demands of the subject and cost to be incurred in pursuing a specific course.

13. Maintenance/ Utilization of Endowment Fund:—

- (1) There shall be established an Endowment Fund by the University as provided under the Act.
- (2) The endowment fund shall be established and executed in Form-A appended to the Schedule to these rules and the instrument is to be properly stamped and registered before the appropriate Registering authority.
- (3) A certified copy of the registered instrument executing Endowment fund shall be submitted to the State Government soon after its registration.
- (4) The State Government may, from time to time, collect the status of the fund from the bank in which the fund is kept invested, and the executor of the fund shall furnish a bank guarantee to this effect.
- (5) The Annual report of the University shall consist a statement to the effect along with details that the Endowment Funds is regularly administered.

14. Maintenance/ Utilization of Security Deposit:—

- (1) There shall be pledged a security deposit of Rs. 1.00 crore in Form-B appended to the Schedule to these rules by the University.
- (2) The Deed of Pledge shall be executed in favor of the State Government along with a Bank Guarantee.
- (3) The Deed of Pledge shall be executed by the Chancellor of the University being authorized by the sponsoring trust and to be registered before the appropriate Registering authority.
- (4) An Officer of the State Government not below the rank of an Assistant Secretary to the Government of West Bengal will be authorized to execute the Deed of Pledge on behalf of the State Government.
- (5) The State Government may at any point of time, upon satisfaction to that effect that the provisions of the Act is violated by the University, may forfeit the security deposit through the Bank Guarantee furnished in this behalf.
- (6) The University shall be given an opportunity of being heard before forfeiting the security deposit.

15. Procedure during dissolution or winding up of the University:—

- (1) Notice of dissolution of the University shall be given to the State Government at least one year in advance.
- (2) The notice of dissolution shall be accompanied by a resolution of the Governing Board along with a resolution of the sponsoring trust.
- (3) On receipt of notice of winding up the State Government shall appoint an Administrator which shall replace the Governing Board of the University and also the Chancellor of the University.
- (4) The outgoing Governing Board shall however provide all assistance to the Administrator along with full details on the working of the University.
- (5) The property of whatever kind owned or possessed by the University shall be used by the Administrator during the dissolution process of the University.
- (6) The Administrator shall soon after his appointment, prepare an inventory of all properties, including its assets and liabilities and shall furnish to the State Government for consideration.
- (7) The University shall not be dissolved until the liabilities of the University are completely meet up by realizing the same from the properties of the University.

16. Powers and functions of Administrator:—

- (1) The person associated with higher education who shall preferably be an Officer of the State Government not below the rank of a Joint Director of Public Instruction, or of a Joint Secretary to the State Government may be appointed as Administrator.
- (2) The administrator shall on his appointment, immediately stop all kind of admission process in any course pursued in the University.
- (3) No new employment shall be permitted during dissolution procedure. However, auditor or some other experts necessary in furtherance of closure of the University may be engaged by the Administrator.
- (4) The administrator, shall wherever necessary, apply to the relevant regulatory authority for closure of courses from the immediately next academic session and shall strive to obtain No Objection Certificate from relevant regulatory authority.
- (5) The Administrator shall arrange all examinations for the remaining students and publish results and award degree to the eligible students in regular manner until the last student of the University is passed out.
- (6) After closure of all academic activities, the Administrator shall submit a report to the State Government regarding the assets and liabilities of the University.

17. Annual report of the University:—

- (1) The University shall within 30th August every year submit to the State Government an Annual Report regarding the working of the University.
- (2) The annual report shall interalia contain the academic and administrative detail of the University.
- (3) No Annual report shall be accepted unless the same is accompanied with the resolution of the Governing Board to the effect that the annual report is placed in the Governing Board and passed unanimously.

By order of the Governor,

DR. R. S. SHUKLA

Additional Chief Secretary to the Government of West Bengal

SCHEDULE**FORM-A
ENDOWMENT AGREEMENT
(See rule 13)**

I, Sri/ Smt. _____, the Chancellor of the JIS University, being empowered by the sponsoring trust namely _____, vide its resolution dated _____ (copy being part of this instrument) do, hereby, make a fixed deposit of Rs. Ten Crores in _____ Bank, vide No _____ (description) out of the trust's funds, specifically for the purpose of establishment of an endowment for the use and benefit of the University.

I. Schedule and Form of Contributions:—

The trust sponsored the University in its meeting dated _____ resolves that a sum of Rs. Ten Crores will be placed in a nationalized bank namely _____ in the form of a long term fixed deposits in the name of the University out of its own fund accumulated from its income as reflected in the last years balance sheet of the trust furnished to the Income Tax Department along with its Annual Return and Audit Report. The Fund will be known as the JIS University Endowment Fund and will be kept invested until dissolution/ winding up of the University. The Trust further resolved that the Fund will never be removed from the above mentioned bank unless the bank is going into liquidation or otherwise closed. It is also resolved that the interest proceeds of the fund shall only be used for the development of the University.

II. Purpose:—

The JIS University Endowment Fund shall be a permanent endowment and shall be used for the benefit of the University. The purpose of the fund is actually to secure the smooth functioning of the University during winding up procedure. The fund guarantees the student of the University that there should not be sudden closure of the University for which the future of the student may be jeopardized.

III. Administration:—

The Endowment Fund shall be administered by the Sponsoring trust. The Endowment Fund shall never become the part of the University fund. These funds and all future earning to the endowment, including those made by the sponsoring trust in future, shall be subject to the provisions of this agreement and shall be classified as permanent endowment funds.

IV. Investment:—

The Chancellor acknowledges and agrees that in connection with administration and management of the endowment funds, the sponsoring trust may charge certain expenses against the endowment funds for administration, management, and similar charges.

V. Declaration:—

I do hereby further declare that I shall remain bound and accountable to place the whole endowment fund to the Administrator as may be appointed by the State Government during the dissolution of the University

Given under my hand, sealed and delivered

Witness:

- 1.
- 2.

FORM-B**PROFORMA DEED OF PLEDGE OF SECURITY DEPOSIT**

(See rule 14)

I, Sri/ Smt. _____, the Chancellor of the _____ JIS University, being empowered by the sponsoring trust namely _____, vide its resolution dated _____ (copy being part of this instrument) do, hereby, make a fixed deposit of Rs. One Crore in _____ Bank, vide No _____ (description) out of the trust funds, and the same is hereby pledged along with the Bank Guarantee (being part of this instrument) in the name of the State Government in the Department of Higher Education, on this _____ day of _____, 2018 on the following terms and conditions:-

1. That I, being the Chancellor of the JIS University, hereby, undertake that the University shall abide by the provisions of the JIS University Act, 2014, in its true spirit and objectives;
2. That I, being the Chancellor of the JIS University, hereby, undertake that the University shall abide by the Government instructions issued from time to time not inconsistent with the provisions of the JIS University Act, 2014;
3. That I, being the Chancellor of the JIS University, hereby, pledge the Bank Guarantee (Description) of Rs. 1.00 Crore which is fixed as a long term deposit in _____ Bank at _____ Branch vide (Description) in favor of the State Government in the Department of Higher Education, and hereby undertake that in the event of any breach or violation of any provisions of the JIS University Act, 2014 the State Government may forfeit the said sum of Rs. 1.00 Crore at one time or in installments on the strength of the above mentioned Bank Guarantee.

Given under my hand, sealed and delivered

Witness:

- 1.
- 2.