



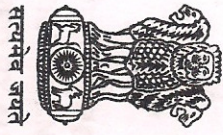
The Arunachal Pradesh Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY



The Arunachal Pradesh Colleges and other Institutions
of Higher Education
(Establishment and Regulations) Act: 2010

Itanagar
Arunachal Pradesh



THE ARUNACHAL PRADESH GAZETTE

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GOVERNMENT OF ARUNACHAL PRADESH
LAW AND JUDICIAL DEPARTMENT
ARUNACHAL PRADESH CIVIL SECRETARIAT

ITANAGAR

NOTIFICATION,

The 7th May, 2010

No.LAW/LEGN-9/2010. - The following Act of the Arunachal Pradesh Legislative Assembly which received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 20-04-2010)

**The Arunachal Pradesh Colleges and other Institutions of
Higher Education
(Establishment and Regulations) Act, 2010
(ACT NO. 6 OF 2010)**

**AN
ACT**

to provide for regulation of the establishment and working of the Colleges and Other Institutions of Higher Education in the State of Arunachal Pradesh.

BE it enacted by the Legislature of the State of Arunachal Pradesh in the Sixty-first Year of the Republic of India as follows:

Chapter - I Preliminary

1. (1) This Act may be called the Arunachal Pradesh Colleges and Institutions of Higher Education (Establishment and Regulations) Act, 2010.

Short title, extent and commencement.

 - (2) It shall extend to the whole of the State of Arunachal Pradesh and applicable to all the colleges and /or the institutions of Higher Education be it Government College, or non-Government College and situated in the territorial jurisdiction of the State of Arunachal Pradesh imparting general education within the concept of University Grants Commission or technical education within the concept of any council created by Government of India to regulate a particular technical education and recognized by the Department of Higher and Technical Education of the State.
 - (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
2. In this Act, unless the context otherwise requires,
- Definitions.
- (1) **"General Higher Education"**-means every branch of education including special education but other than technical education which leads to award of a degree in an educational discipline by a University/deemed University or an Institute duly established by law i.e., post secondary;
 - (2) **"Technical Education"**- means

- special branch of education, training and research in the field of engineering/technology/ professional education imparted by various Institutions, which leads to award of a diploma (2 to 3 years duration) or degree or post graduate degree (3 years to 4 years duration) in any technical discipline of engineering/ technology/profession viz. Civil, Mechanical, Electrical, Chemical, Electronic, Telecommunication, Instrumentation, information Technology, Architecture, Textile, Pharmacy, interior Design, Travel and Tourism Management, Hotel Management, Office Management and Secretarial Practice, Management, Town Planning and other diversified related professional/technical courses approved by the AICTE and recognised by a University/deemed University or an Institute duly established by law and approved by the Arunachal Pradesh State Council for Technical Education
- (3) **"Council"** - means the Arunachal Pradesh State Council for Technical Education
 - (4) **"College Code"** means code as may be prescribed by Rules under this Act;
 - (5) **"College/Institution of higher learning"**-means a Government college and non-Government College/Institution by whatever name called means college Institution engaged in imparting instructions leading to the award of academic/ professional degree in general or technical education and affiliated with a University/Council/ deemed University for the purpose of award of certificates ;
 - (6) **"Secretary"**- means Secretary (or by whatever name or Designation called) of Education under the State Government or any other Officer to whom power has been delegated to function as such, by the State Government on this behalf ;
 - (7) **"Competent Authority"** - means any authority

- specified as Competent Authority by the Government by notification to perform the function of the Competent Authority under this Act for such area or for such purposes as may be specified in the notification;
- (8) **“Educational Agency”** means and includes the Directorate of Higher & Technical Education in respect of Government college and in respect of non-Governmental educational Institutions, a committee, society, trust, or an association sponsoring, managing, administering, controlling, and running an Institution of Higher Education;
- (9) **“Employee”** - means member of teaching or non-teaching staff employed by a College/Institution whether Government or non-Government;
- (10) **“Foundation Society”**:-means a body of persons incorporated by law, which funds and maintains an educational Institution affiliated with a University and where the society is registered under the Societies Registration [Extension to Arunachal Pradesh Act, 1978 (No.6 of 1978)] or Arunachal Pradesh Co-operative Societies Act, 1978 (No. 3 of 1979) or under any other law for the time being in force or the person(s) appointed by the State Government to manage the affairs of the Society;
- (11) **“Governing Body”**:-means the governing body constituted under the relevant provision of this Act;
- (12) **“State”**- means the State of Arunachal Pradesh;
- (13) **“State Government”**- means the State Government of Arunachal Pradesh;

- (14) **“Directorate of Higher & Technical Education”** - means Directorate of the Higher & Technical Education working under the State Government;
- (15) **“Supervision and Inspection”** - means regular or surprise visit to the College/Institution for the purpose of appraisal of physical infrastructure like class rooms, playground, library, laboratories and other related matters as well as functionaries (academic and administrative), required to maintain quality standard of higher education and examination and scrutiny of records (academic and administrative), accounts and other book maintained by the college/Institution mandated by regulator/law or otherwise;
- (16) **“Management”** -means the governing body of a College/Institution as defined by this Act under which it is registered for the purpose and the expression management of the Institution shall be construed accordingly;
- (17) **“Government College”**- means a College, which is under the direct administrative control of the State Government ;
- (18) **“Non-Government College”** means other than a Government college, in other words, a College/Institution which is not under the direct administrative control of the Government and is managed by a Society, Trust, Association of persons, and similar organization.
- (19) **“President of the Foundation Society”** -- means a person duly elected president (by whatever name called) by foundation society and exclusively head there of and in case of the society registered under the provisions Societies Act, a person appointed by the State Government to look after the management of the affairs of the society;

- (20) **"Teacher"** - means any person appointed to impart educational instruction/training in the College/Institution;
- (21) **"Non-teacher"** - means any person appointed to perform ministerial or menial works in the College/Institution;
- (22) **"University"** - means a University established or incorporated by a Central or State Act or any other institution established in consultation with the University concerned and duly recognised by the University Grants Commission under the provisions of UGC Act, 1956 and working in the jurisdiction of the State of Arunachal Pradesh.
- (23) **"National Regulator"** - means any regulatory body created by Central Legislation for regulating the activities and to maintain the quality norms in any field of higher education in the country, such as University Grants Commission (UGC), All India Council for Technical Education (AICTE), Bar Council for India (BCI), Medical Council of India (MCI), Pharmacy Council of India (PCI), Indian Nursing Council (INC), Dental Council of India (DCI), Central Council of Homeopathy (CCH), National Council of Teacher's Education (NCTE), Indian Council for Agricultural Research (ICAR) etc.
- (24) **"Regulation of Higher and Technical Education"** - means the regulations on General and Technical Education and other diversified technical/professional education and all other related activities of higher education within the territory of the State, by rules as may be prescribed under this Act;

- (25) **"Prescribed"** - means prescribed by the rules and regulations made under this Act.

Chapter-II

Establishment of Non Government College and Other Institutions of Higher Learning

3. No educational institution of higher learning shall be established except in accordance with the provisions of this Act and any person who contravenes the provision under this Act or whose Institutions permission has been withdrawn/cancelled continues to run such institution shall liable to be punished with a simple imprisonment for a term of not less than fifteen days or with a fine of maximum of Rupees Three thousand or with both.
4. The institutions already functional in imparting higher education which were established and recognised in accordance of existing institutions. With the existing rules and regulations issued in this regard by the Government from time to time before coming into force of this Act, shall automatically deem to be higher educational institutions within the provisions of this Act. However, all such institutions have to comply with the provisions of this Act and the rules and procedures established there under within the time stipulated:
- Provided that any non-Government institution imparting education, which is existing at the commencement of this Act, but which has not been granted recognition as per the rules and

regulation for the time being in force, may apply afresh under the provisions of this Act, and rules, regulations and procedures established there under and such application shall be disposed off within a period of ninety days of their receipt by the Competent authority.

5. The Competent Authority shall, from time to time, conduct survey to assess the needs and requirements of higher education of the society / locality under its territorial jurisdiction, and bring to the notice of public in the prescribed manner through public media (local newspaper television and radio) inviting application on prescribed format for seeking permission to:

- (a) establish new institution of higher learning;
 - or
 - (b) opening higher classes in the existing institution; or
 - (c) starting new and innovative courses in the existing institution (Certificate Diploma, Degree, Post Graduate Degree etc);
- Any society registered under the provisions of the Societies Registration Act 1860, or for grant of under the Arunachal Pradesh Societies Registration Act, 1978 [Extension to Arunachal Pradesh Act, 1978 (6 of 1978)] or Arunachal Pradesh Co-operative Societies Registration Act, 1978 (3 of 1979) and willing to establish an institution of higher learning, may submit an application on the prescribed format for the purpose that can be obtained from the office

of the Director Higher and Technical Education Government of Arunachal Pradesh, Itanagar on tendering an amount to be notified separately, latest by 31st October of the year preceding the academic year in which the proposed institution is going to be functional along with following documents:-

- (a) The proof of the registration of the society including the copy of the constitution, in case of the incorporate-body the copy of incorporation along with memorandum of association and articles of association;
- (b) The details of the management and management body along with the name of the office bearers with address and their acceptance to act such capacity;
- (c) The copy of the rule, regulations, procedures, for the internal administration and financial position of the intended institution;
- (d) Powers, functions, responsibility and accountability of the key position holders in the society in clear terms;
- (e) The details of the funds available with the society with respective proofs;
- (f) The details of the land, if any, and the ownership proof thereof or the registered lease deed;
- (g) The permission of the Competent Authority for acquiring the land for proposed institution;
- (h) The copy of the approved plan of construction from civic authority;
- (i) The details of building space with area classification for classrooms, laboratories (in case of practical subjects), library student activities, canteen, teachers' common rooms, toilets, Computer laboratory, parking space for staff and

- (j) students, internal garden space, facilities for wastage and garbage handling, potable water supply, electricity facilities with ownership proof or a registered rental/lease agreement there of, for a minimum period of 5 years with documentary evidence;
- (j) The details of movable properties with proper classification such as office furniture, class-room furniture, laboratory equipments for each subject, computers for student learning, office equipments, teaching aids, canteen furniture, teachers common-room furniture, reprographic equipment in library, internet and e-Learning facilities, etc.;
- (k) The details of the area for outdoor playground, indoor play facility, mentioning the proximity with the main building of the institution;
- (l) The copy of the intended budgets for at least three years with clears and detailed classification, head-wise (capital and revenue) of receipts and payments;
- (m) The proposed intake of the students diploma, degree, PG degree, faculty-wise etc, and expansion programme;
- (n) The details of the teaching and non teaching positions in the existing institution or for a newly proposed to be set up, recruited.
- (o) The details of the Higher Education Institutions available within an area of 20 kilometres, Where the proposed institution is to be established ;
- (p) The feasibility report with full justification in order to cater to the needs for providing the higher education facility to the local community; adequacy of financial resources for the successful and efficient running and

- (2) (q) maintenance of the institution as prescribed by the Competent Authority; and finally healthy environment of the proposed location, suitable for an institution of higher learning;
- (q) An undertaking from the Educational Agency or Governing Body of the institution that all the requirements of all the Regulators (Central and State) as applicable on the institutions of higher learning have, been complied with and copy of approval if already received is to be enclosed;
- 7. (1) The Corpus/Endowment Fund as may be Corpus/ prescribed shall be deposited by, Endowment Educational Agency of a Non Fund. Governmental (or Private) Institution only [not applicable to the Government College], according to the procedure prescribed, before the Secretary (Education) grants the approval for the establishment of the institution of Higher Learning.
- (2) The Corpus Fund (Endowment) of the Non Government (or Private) Institution shall be deposited in a separate joint account of the management of the institution and the Secretary (Education), in a nationalized bank. In no circumstance the Corpus Fund shall be allowed to be withdrawn; however, the Government reserves the right to permit the Educational Agency to withdraw the interest component earned on the deposits every after five years for running and maintenance of the institution at its discretion. In extra ordinary

circumstances the Educational Agency may withdraw the interest component after a lapse of three years with the special permission of the Secretary (Education), with certain laid down conditions for the purpose. But in no case this period can be reduced to less than three years,

8. The extent of land and accommodation to be provided by the institution of higher Land and learning shall be as prescribed by the State Government. Further, the Educational Agency shall provide suitable building for establishing the proposed institution as per the specification laid down by the State Government.

9. It shall be mandatory for Educational Agency to have its own permanent structure on its own land. However, if it is possible then the Educational Agency, may request the Secretary (Education) who may permit after recording the reasons in writing:

(a) If the institution is propose to be located within the premises of an institution belonging to an Urban or Rural Local Body, the Educational Agency shall get the prior permission of the local body as the case may be, to locate the proposed institution and to utilize the infrastructure facilities like accommodation, furniture, library, laboratory, playground etc. belonging to the already existing institution until separate infrastructural facilities are created for the proposed institution. The Educational agency shall enclose the permission letter along with the application for the establishment of institution of higher learning. The Educational Agency shall take all

necessary steps to create and provide required infrastructures facilities exclusively for the institution as early as possible.

Further, it shall be mandatory on the part of Educational Agency to create and provide separate infrastructure in all respects within a period of five years from the date, permission is granted to establish the institution of higher learning. In case, the Educational Agency fails to conform to this mandatory provision, the permission so granted shall stand forfeited automatically.

Also further, it will be the sole discretion of the Educational Agency to decide the type of institution of higher learning to be set-up the venue.

(b) If the Non-Government institution is proposed to be located in a private building or accommodation, prior permission from the Secretary (Education) has to be obtained. In such a case, Education Agency has to submit a certified copy of the lease-deed of not less than five years with an undertaking that the building/accommodation is sufficient to cater to the needs of the proposed institution of higher learning. In addition to this, a documentary evidence is to be furnished that the Educational Agency has sufficient land in its ownership and funds to construct a separate building, that is to come-up within a period of five years along with the details of building plan, as approved by the concerned authority, if any, for the area.

(c) If the private institution of higher learning proposed to be located within the premises of already existing institution, the Education Agency shall provide all movable infrastructures like furniture, laboratory, library etc. and other improvements to make it suitable for the purpose of higher learning.

(d) If the institution is proposed to be set-up in an accommodation/ building donated by the Donor,

- in such cases the legal documentary evidence shall be produced to support the gift deed.
- (e) In case the institution of higher learning is not covered by the aforesaid clauses, in such cases the decision of the Secretary shall be final and binding.
- (f) Priority shall be given to the Educational Agency which wants to start institution of higher learning in the following areas:
- (1) Districts, Sub-divisions, and circles where there are no facilities of higher learning.
 - (2) Remote areas where accessibility is a major hindrance.
 - (3) Where the physical distance is more than 50 km from the existing institution of higher learning. However, in deserving cases it may be reduced to 20 km at the discretion of the Secretary (Education).
 - (4) In urban area where institution of higher learning does not exist at present owing to non-fulfillment of prescribed numbers of student attributed by low population growth with low density.
 - (5) Where literacy rate is poor with particular reference to the higher education rate among the women.
 - (6) Where the private Educational Agency wish to start institution of higher learning in Public-Private Partnership Mode (PPP Mode).
 - (7) When the Educational Agency plans to start the institution of higher learning with residential facility.
10. The Competent Authority on his satisfaction that the procedural requirements of before the application, as laid down in this Act, have been complied with shall nominate a

- committee of experts in the manner prescribed, to inspect the proposed institution within in a period of ninety days of the receipt of the application to ascertain the extent, conditions are full-filled, on a date convenient to both the parties. The committee after the visit of the institution shall furnish a written report within a month's time mentioning findings and remarks so as to grant permission or not as the case may be. Further, the report has to elaborate on the aspects of courses of studies, subjects, intake capacity and the conditions of admission, and other relevant points which have to be stipulated at the time of granting permission.
11. (1) On receipt of inspection report with Grant of satisfactory recommendations therein from permission the Expert Committee for the grant of permission the Competent Authority may grant permission. However, if the Competent Authority differs with the recommendation of the Expert Committee due to valid reason(s) may refuse the grant of permission, after giving a reasonable opportunity to be heard to the Educational Agency and recording the reasons thereof in writing.
- (2) In case the Competent Authority decides to grant permission, it shall initially accord a letter of intent, subject to fulfillments of such condition (s), as may be prescribed in the stipulated time. However it shall not go beyond the 31st May of the concerned year of the start of the academic session. The concerned Educational Agency shall intimate the Competent Authority that the

short coming listed in the intent letter has been fully met and shall make a written request to the Competent Authority for ordering a final inspection, to grant final permission to start the institution of higher learning from the forth coming academic session. Thereafter, on securing the permission from the Competent Authority, the Educational Agency shall approach the University having jurisdiction over the territory for affiliation of the institution and courses of studies.

(3) However, after the initial process of inspection for grant of permission, the Competent Authority shall ensure regular supervision and monitoring of the institution by appointing person/persons to submit every year's progress report of the institution. In case the progress not found satisfactory for consecutive three years, the permission shall stand withdrawn forthwith, after serving a due notice to the Educational Agency.

(4) The permission once granted shall remain valid for a period of one year and shall terminate automatically and for applying afresh, the entire process has to be followed.

12. No permission shall be granted to up-
grade a higher secondary school into an
institution of higher learning. However,
with the prior approval of the Secretary
(Education), within the same premises an
institution of higher learning may be
started, if the Education Agency ensures
all infrastructure facilities exclusively to
start an institution of higher learning, as
required under this Act.

13. No application for introducing the new
faculties, courses, subjects, and classes will
be entertained for an initial period of three
years from the start of the institution.
However, the Competent Authority at his
discretion, after considering the
infrastructures facilities and funds position
for introducing the additional-ties and the
yearly progress report of the earlier
permitted courses etc. of the institution after
recording the reasons and justifications in
writing, may accord permission, after three
years to the Educational Agency to do so.

14. The Educational Agencies granted
permission to start institution of higher
learning shall not commence their academic
programme without obtaining affiliation of
the Concerned University or the national
regulatory body.

15. Not withstanding anything contained to the
contrary in any law for the time being in
force, the university shall not affiliate any
institution without the permission or
approval of the Directorate of Higher and
Technical Education. On grant of affiliation,
the university shall send a copy of the letter
of affiliation to the Directorate of Higher and
Technical Education for necessary action.

16. (1) No institution to whom the permission to
establish an institution of higher learning on
transfer has been granted to cater the needs of a
local area shall be allowed to shift or transfer
institution. However, the location of the
institution so shifted to a feasible area for
betterment of education and building space
or other facility should be within the said
local area with prior permission of the
Competent Authority.

- (2) Any violation of sub-section (1) above shall amount to withdrawal of permission automatically and shall need no notice from the Government.
- (3) In no circumstances an Educational Agency to whom permission has been granted to start an institution of higher learning, shall transfer or alienate such permission or institution to another Educational Agency or Institution.
17. (1) Where the management of any educational institution contravenes any of the provisions of this Act and the rules framed thereunder, the competent Authority, for reasons to be recorded in writing, withdraw the recognition of the institution or institution such other action as deemed fit, after giving a due opportunity of being heard, to the management of the institution before such withdrawal or action as the case may be.
- (2) Where in the opinion of the Government that the permission granted to an institution of higher learning in public interest, need to be withdrawn, it may, after serving one month's notice to the management of such institution to make representation in writing, withdraw the permission by notification.
- (3) The Competent Authority shall withdraw permission accorded to a non-Government institution either permanently or for any specific period as deemed fit in the circumstances, including a permanently or temporarily, recognised/affiliated institution, which has failed to meet the provisions of this Act, in the opinion of the Competent Authority.

18. The examination system, be it internal or external assessment or partially internal and partially external or both, shall be governed by the rules, regulations and procedures formulated in the best interest of the quality of higher education, its reliability, and effectiveness for the students.
19. Under no circumstances a women's institution shall be permitted to be converted into a co-educational or boys' institution or a rural institution to an urban institution or vice versa, without the permission of the Government.
20. (1) The prospectus and application form for admission of students and any advertisement, by whatever name called, shall contain the full disclosure of the permission so granted by the Government.
- (2) The admission shall be regulated strictly in accordance with the admission rules, regulations and procedures prescribed from time to time by the affiliating University for various courses.
- (3) In no circumstances the intake of students shall be allowed to exceed the approved strength. The Chairman of the Management Body including the Administrator/Principal of the institution shall be personally liable for the violation under this Act.
21. The State Government shall constitute a Standing Committee as per the norms of the National Regulators for the purpose of regulating the fees structure of the Non-Governmental institutions.
22. Any income from the fund raised for a specific purpose, shall be used for that purpose.

specific purpose only, and no part of it should be diverted for other purpose or should not be used for other commercial purposes.

However, any surplus earned, may be used to meet the deficit of salary payments in non-Governmental institution, with the specific approval of the State Government. For this purpose, institution shall make an application to the State Government. On the receipt of application and after due inspection and scrutiny of accounts and records permission may be granted by the State Government.

23. Two permanent cells shall be established at the office of the Directorate of Higher and Technical Education, each headed by an officer:-

1. one for handling the affairs of private institutions of general higher education; and
2. another for handling the affairs of technical education;

Recruitment to academic posts shall be made as per the norms, conditions and procedures stipulated by the national academic regulators constituted under the Central Legislations, to name a few, UGC in the matters of general institutions and for other technical institutions such as AICTE, NCTE, BCI, MCI, AYUSH etc .. Where no such regulator exists, the norms notified by the State Government from time to time shall be followed.

Chapter-III

Some Special Provisions for Government

Institutions of Higher Learning

25. It shall be mandatory for the Government to follow the following procedures for establishment of a new Government institution of higher learning:

- (1) The Government shall constitute a permanent standing committee of seven members of which the Secretary (Education) shall be the chairperson, Director Higher and Technical Education as Member-Secretary, one member of the finance department not below the rank of Deputy Secretary, one Principal of Government institution of higher learning, one Principal of non-Government College, one Eminent Educationist to be nominated by the Government and one public representative of the area where the institution is proposed to be established, for considering the feasibility of establishing a new college. While considering the proposal the committee shall take into account the following:

- (a) The total number of students that may be available for admission in the area on the basis of the 10+2 institutions and an estimated enrolment for coming five years of establishment;

- (b) availability of road communication, health care facility, educational institution in the area for the wards of the academic and non academic staff at the proposed area where institution is to be established and availability of residential buildings on rental basis, in the adjoining area ;

- (c) The courses that are going to be offered;
- (d) Total financial implication on infrastructure and for running and maintenance of the proposed institution
- (e) proposal before the Government for considering the establishment of non-Government college in the area;
- (f) The distance of the nearest institution of higher learning of similar nature;
- (2) On receiving favourable recommendation as stated in sub-section (1) above, another committee of five members of which the Director Higher and Technical Education shall be the Chairperson, Joint/Deputy Director- Higher and Technical Education as member-secretary, one Principal of Government institution of higher learning, Deputy Commissioner of the district where the institution is proposed to be established and one Eminent Educationist to be nominated by the Government for considering and recommending the suitable site for establishing a new college. While selecting the site, the committee shall take into account the following :-
- (a) if the institution is proposed to be established within the premises of an institution belonging to a Government department, the prior permission of the department, the existing infrastructure facilities like accommodation until new infrastructures facilities are created for the proposed institution, availability of land for playground and the scope for future expansion of the institution etc;

However, Government shall create and provide full-fledged infrastructure as far as possible in all respects within a period of five years from the date of establishment of the institution of higher learning;

- (b) in case of new site, the distance from the town, availability of road communication, health care facility, educational institution for the wards of the academic and non-academic staff of the proposed institution and the residential buildings on the rental basis, in the adjoining area; source of water, local transport system, electricity facilities etc ;
 - (c) If the institution is proposed to be set-up in an accommodation/building or land donated by the Donor, in such cases the legal documentary evidence to support the gift deed shall be produced.
26. Priority shall be given by the Government to Priority. the following areas in the matters of starting institutions of higher learning:
- (a) where literacy rate is poor with particular reference to the higher education rate among the women
 - (b) establishment of institutions of science and technology, vocation and profession, higher learning to cater the need of growing economy of both the state and nation;
 - (c) In District, Sub-divisions and Circles where there are no facilities of higher learning;
 - (d) in remote areas where accessibility is a major hindrance;
 - (e) where the physical distance is more than 50 km from the existing institution of higher learning. However in deserving cases it may be reduced to 20 km at the discretion of the Government;
 - (f) in urban area where institutions of higher learning does not exist at present owing to non fulfillment of the prescribed numbers of student

due to low population growth and low density ;

- (g) where the private Educational Agencies are not willing to start institutions of higher learning independently or in Public-Private Partnership Mode (PPP Mode) ;

27. The qualifications, recruitment process and other service conditions of academic posts shall be strictly as per the norms recommended by the national regulators of higher education in the country from time to time, such as UGC, AICTE, BOI, MCI, PCI, INC, DCI CCH, CCIM, NCTE, ICAR etc., as applicable. The recruitment of faculties shall be through the Arunachal Pradesh Public Service Commission. For non-academic posts, qualifications, recruitment process and other service conditions shall be strictly as per the norms as notified by the State Government from time to time.

28. The transfer and posting of the academic and other employees working in the Government institutions of higher learning shall be such, as may be employees prescribed.

29. The allotment of college pool of quarters wherever available shall be regulated as per existing norms or any other such rules as may be prescribed.

30. All Government institutions of higher learning shall maintain the fee collection in the institution as per existing norms or any other such rules as may be prescribed.

Maintenance of Accounts in respect of institutional fees and other collections.

Chapter-IV Miscellaneous Provisions

31. Separate code of ethics one each for Teachers and students of the institution of higher learning shall be brought through regulations.

32. (1) Subject to the provisions of this Act, the Government may, by make rules and notification, to carry out all or any of the provisions of this Act.

(2) In particular and with out prejudice to the generality of foregoing sub-section such rules may provide for:-

- (i) the manner in which any enquiry under this Act shall be held;
- (ii) the registers statements, reports, returns, budgets, and other information to be maintained or furnished by the approved institutions higher learning for the purpose of this Act;
- (iii) the establishment of administration and maintenance of the institution of higher learning;
- (iv) the recognition to the institutions of higher learning and the condition thereof;
- (v) the inspection of the institution of higher learning and the officer by whom it shall be made;
- (vi) standard of education and courses of studies in the institutions of higher learning;

- (vii) preparation and submission of development plans/ projects/schemes for institutions of higher learning and their contents;
- (viii) the power and functions of the officers and other subordinate staff working in the Directorate of Higher and Technical Education;
- (ix) the regulation of the use of library maps, plans, instruments other laboratory and sports, equipments in the institutions of higher learning;
- (x) the regulation for admission into the institutions of higher learning for academic courses private study and other special courses and attendance thereof;
- (xi) the qualification required and other conditions to be fulfilled for appearing at the examination conducted by the authorities under this Act and the method of evaluation and revaluation of answer scripts;
- (xii) the manner of conducting class test and examination within the institutions of higher learning;
- (xiii) regulation on seeking information by any person relating to administrative procedures or any other information and fees to be charged for such information;
- (xiv) the conditions and regulation of the co-education in the institution of higher learning and regulation thereof;
- (xv) the regulation on the issue of certificates and documents and the fee to be charged for such issues;
- (xvi) the regulation on all other matters, that are necessary and expedient to implement the provisions of this Act, or where the provisions are deficient or not available at all in this Act, in the

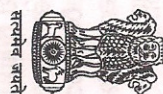
- 33. (xvii) opinion of the Government ;
 Rules for regulating transfer and posting and allotment of pool quarters etc.
- 34. (1) The Government or the Competent Authority, may by order authorise any officer as inspection officer for inspection of an institution of higher learning; however, the officer so appointed may not be below the rank of inspecting officer under the Government, for the inspection of an institution of higher learning.
- (2) The officer as authorised under the sub-section (1) shall enjoy the powers of inspection on all the working aspects of the institution of higher learning.
- (3) The management and the employees of the institution of higher learning shall be bound to extend all reasonable and necessary

facilities and helps to such inspector as are required for the conduct of inspection.

- (4) The management shall be bound to follow all the directions and suggestions given by the inspector. However, the aggrieved management by such directions and suggestions may prefer an appeal within a period of thirty days from the receipt of such instructions to the Authority, whose decision shall be final and binding on such appeal.
35. No suit, prosecution or other legal proceedings shall lie against the State Government or any officer of the Government for anything which is in good faith done or intended to be done under this Act or the rules made thereunder. Protection of action taken in good faith
36. In case if theories any contradictory provisions in this Act, the State Government may by order published in the official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removal of the difficulty. Power to exempt an institution
37. If any difficulty arises in giving effect to the provisions of this Act, the State Government may by order published in the official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removal of the difficulty. Powers to exempt an institution
38. Notwithstanding anything contained in this Act, rules, regulations, instructions, guidelines, office memoranda, circulars orders, appointment or any Savings.

other order made or issued or anything done or action taken in regard to establishment, management etc. before coming into force of this Act, shall continue to be in force as if they were made under the corresponding provisions of this Act, until and unless superseded under the provisions of this Act.

39. Every rule made by the Government of Arunachal Pradesh under this Act shall be laid before the Legislative Assembly of Arunachal Pradesh while it is in session for a total period of ten days which may be comprised of in one session or in two or more successive sessions and if before expiry of the session in which it is so laid or the session immediately following the session or the successive sessions aforesaid, the Legislative Assembly makes any modification in the rule or resolves that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. Laying of rules before the Assembly
40. Notwithstanding anything contained in this Act, all rules, orders, notifications, Grant-in-aid Codes, appointments, schemes, by-laws, regulations, official memoranda, circulars or any other order made or issued before the commencement of this Act and in force on the date of such commencement providing for or relating to any of the matter for the furtherance of which this Act is enacted shall continue to be in force and effectives as if they are made under the correspondence provisions of this Act unless and until superseded by anything done or any action taken or any notification, Grant-in-aid Code, rule, order, appointment, scheme, by-law, regulation, official memorandum, circular or any other order made or issued under this Act. Savings



GOVERNMENT OF ARUNACHAL PRADESH

DEPARTMENT OF HIGHER & TECHNICAL EDUCATION

ITANAGAR

No.ED/HE-26 (Aca)0/2010

Dated Itanagar the _____ 2011

NOTIFICATION

NO.ED/HE-26 (ACA)/2010 : In exercise of the powers conferred by section 32 (2) (XVII) of the Arunachal Pradesh Colleges and Institutions of Higher Education (Establishment and Regulations) Act, 2010 (NO.6 of 2010), the Government of Arunachal Pradesh hereby makes the following rules to regulate transfer and posting of faculty members of the Government Colleges in the State of Arunachal Pradesh namely:-

Short Title and Commencement 1.

- (1) These Rules may be called the Arunachal Pradesh Government Colleges (Transfer and Posting of faculty members) Rules, 2011.
- (2) They shall come into force on the date of their publication in the Official Gazette
- (3) **Schedule of Transfer and Posting:** As far as possible transfer and posting is to be done seasonally i.e. before the commencement of the academic session.
- (4) **Tenure of Transfer:** A teaching faculty member is to be transferred only after the completion of the following tenure in a college;

- (a) For a tenure of 5 years for colleges (i) J. N College, Pasighat (ii) D. N. Govt. College, Itanagar (iii) I G.G. College, Tezu (iv) Govt. College, Bomdila (v) Govt. College, Yachuli

- (b) For a tenure of 3 years for Colleges (i) Donyi-Polo Govt. College, Kamki (ii) Rang Frah Govt. College, Changlang (iii) Wangcha Rajkumar Govt. College, Deomali (iv) Govt. College, Seppa (v) Govt. College, Nyapin

This transfer is to be effected on the basis of seniority of the incumbents who fall under the zone of consideration.

- (5) **Joint posting of husband & Wife:** If the spouse of a teaching faculty member is a Govt. servant posted at a location of the college in the case only combined transfer may be considered.

- (6) **Transfer on Child Education:** If the child (children) of a teaching faculty member is studying in Class XI - XII in science stream in a school of Arunachal, transfer is to be done only to such college where school with science stream exists.

- (7) **Superannuation:** If a teaching faculty member is at the verge of retirement (within 3 years), transfer may be considered as per his / her willingness.

- (8) **Transfer on medical ground:** If a teaching faculty member has a genuinely serious medical problem and the controlling authority is fully satisfied with the case he/she may be transferred to any such college located in a place where the minimum medical facilities exist.

- (9) **Transfer on other grounds:**

- (a) **On grounds of discipline:** If a complaint is made by the Principal or by any other authority and the controlling authority is fully satisfied that the continuance of the teacher in the college is detrimental to the interest of the college, he/she may be transferred instantly.

- (b) **On the basis of academic performance of the students:** If the performance of the students in the University/external examinations if found to be not satisfactory for a period of 3 (three) years a faculty member of that particular subject, could be transferred from that particular college to any other college.

In the case at 9 (a) and (b) above, provisions under rule 1 to 8 above shall not be applicable

Sd/-

Commissioner/Secretary (Education)
To the Government of Arunachal Pradesh

Memo No. ED/HE-26(Aca)/2010

Dated Itanagar the 15/03/2011

Copy to:

1. PPS to the Hon'ble Chief Minister, Arunachal Pradesh, Itanagar for information please.
2. P. S to All Hon'ble Minister's/Parliamentary Secretaries/MLA's Arunachal Pradesh, Itanagar for information please.
3. The Chief Secretary, Govt. of Arunachal Pradesh, Itanagar for information please.
4. All Commissioners/Secretaries, Govt. of Arunachal Pradesh, Itanagar for information please.
5. All Deputy Commissioners Govt. of Arunachal Pradesh for information please.
6. All Head of Departments/Directors Govt. of Arunachal Pradesh, Itanagar for information, please.
7. The Director, Printing, Govt. of Arunachal Pradesh, Naharlagun for information and requested to publish it in next issue of the official gazettee.
8. Office copy.

Sd/-

Commissioner/Secretary (Education)
To the Government of Arunachal Pradesh



The Arunachal Pradesh Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 121, Vol. XVIII, Naharlagun, Friday, July 8, 2011 Asadha 17, 1933 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH

DEPARTMENT OF HIGHER AND TECHNICAL EDUCATION

ITANAGAR

NOTIFICATION

The 15th March, 2011

NO.ED/HE-26/(Aca)/2010. - In terms of section 6 of the Arunachal Pradesh Colleges and Institutions of Higher Education (Establishment and Regulations) Act, 2010 (No.6 of 2010), the Government of Arunachal Pradesh hereby prescribes Rupees five hundred being the cost of forms and Rupees fifteen thousand being the tendering amount for establishment of institution of higher learning in the State of Arunachal Pradesh by any registered Society under the relevant Society Registration Acts as applicable in the State of Arunachal Pradesh.

Sd/-

Commissioner/Secretary (Education),
to the Government of Arunachal Pradesh,
Itanagar.



The Arunachal Pradesh Gazette

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF HIGHER AND TECHNICAL EDUCATION

ITANAGAR

ORDER

The 15th March, 2011

No. ED/HE-26(Aca)/2010.-In terms of section 6 of the Arunachal Pradesh Colleges and Institutions of Higher Education (Establishment and Regulations) Act, 2010 (No.6 of 2010), the Governor of Arunachal Pradesh hereby prescribes the following format (Annexed herewith as ANNEXURE-D) for establishment of institution of higher learning in the State of Arunachal Pradesh by any registered Society under the relevant Society Registration Acts as applicable in the State of Arunachal Pradesh.

Sd/-
Commissioner/Secretary (Education),
to the Government of Arunachal Pradesh,
Itanagar.

(ANNEXURE-D)

A. General Information of the Institution:

1. Name of the proposed Institution :
2. Proposed location of the Institution
(indicating the distance from the
nearest village/town/city) :
3. Name of the nearest (indicating
the distance) :
- Railway Station..... Km.....
- Airport/Helipad..... Km.....
4. Postal Address in full :
- P.O..... P.S.....
- District..... Pin Code.....
5. Contact details :
- STD Code..... Phone.....
- Fax..... Mobile No.....
- e-mail address.....
- Web address.....
6. Type of institution (please tick) : Boys/Girls/Co-educational
7. Details of the Programmes/courses to be introduced:

Sl. No.	Name of the Programmes/ Courses	Annual Intake	Additional Intake (if any)	Academic year in which programme is proposed to be started
1.				
2.				
3.				
4.				

8. Name and address of the affiliating body :

B. Particulars of the Management:

1. Name and address of the Society/Trust/Board:

Name:

Village/Town.....

P.O/P.S.....

STD Code Phone No

Fax No

E-mail address

2. Details of the Society/Trust/Board (Copy of the Certificate of Registration/Memorandum of Association/Bye Laws to be attached):

Registration No.....

Date of Registration

Place of Registration

Registration valid upto

3. Name and addresses of the members of the Trust/Society along with contact Nos. (to be enclosed in a separate sheet of paper along with the application form):

C. Details of Infrastructural facilities:

1. The details of the land and its ownership (Proof there of or the registered lease deed) :

2. Does the Institution has its own building or is proposed to be housed in a rented building? (If rented building, ownership proof or a registered rental/lease agreement there for minimum period of 5 years with documentary evidence) :

3. The Copy of approval for construction plan from civic authority supported with Institution master plan :

4. The total area of the Institution and the total build-up area (PI. also specify the norms stipulated by the national regulators)

5. Infrastructure available in the Institution (dimensions to be indicated):

Sl. No.	Particulars	Quantity	Dimensions (Area in square meters)
(i)	Administrative Block		
(ii)	Classrooms		
(iii)	College Library		
(iv)	Laboratories		
(v)	Hall		
(vi)	Teachers' Common Room		
(vii)	Boys' Common Room		
(viii)	Girls' Common Room		
(ix)	Boys' Toilet Room		
(x)	Girls' Toilet Room		
(xi)	Boys' Hostel		
(xii)	Girls' Hostel		
(xiii)	Canteen		
(xiv)	Residential quarters		
6. Other facilities:			
Sl. No.	Parameters	Availability (Yes/No)	
(i)	All weather approach road		
(ii)	Potable water supply system		
(iii)	Electricity including Standby Generator		
(iv)	Guest House		
(v)	Play Ground		

Sl. No.	Parameters	Availability (Yes/No)
---------	------------	-----------------------

- | | | |
|--------|--|--|
| (vi) | Parking Area | |
| (vii) | Transport facilities | |
| (viii) | Reprographic (Xeroxing) facilities | |
| (ix) | Barrier free environment for physically Challenged | |
| (x) | Computer Centre | |
| (xi) | Medical facilities | |

D. Details of the full time Teaching and Non Teaching Staff :

(If no appointments are made at the time of application, the details may be submitted separately before the start of the academic session as per the format giving below):

Name	Designation	Qualification	Total Experience (in Years)	Date of joining the institution	Gross total salary/scale of pay
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E. Finance:

- Indicate the sources of finance and fund available for running the institution:
- The copy of the intended budgets for at least three years with clear and detailed classification head-wise (Capital and revenue) of receipts and payments :
- The details of fund available with the society with evidence.
- Financial position of the Society/Trust/Board
 - Reserve Fund
 - Monthly income from

- Fees
- Other Sources (source to be specified)

- Total yearly income
- Monthly expenditure (details to be given)
- Yearly expenditure

F. Other Information :

- Details of other institutions, If any, being run by the Society/Trust/Board and the details of the courses being run in them.
- Details of fees of Rupees five hundred, only in cash being the cost of application fees and Rupees fifteen thousand only for issue of NOC to be paid by through Treasury Challan under Head of Account in favour of the Director, Higher and Technical Education, Government of Arunachal Pradesh as notified vide notification No. ED/HE-26(Aca)/2010 dated 15-03-2011 terms of section 6 of the Arunachal Pradesh Colleges and institution of Higher Education (Establishment and Regulations) Act, 2010

Sl. No.	Draft No./with date Challan No.	Name of the Drawee	SBI Branch	Amount

Place :

Date :

Chairman/Managing
Committee of College

**APPLICATION FOR GRANT OF NO OBJECTION
CERTIFICATE**

To

The Director,
Higher and Technical Education,
Government of Arunachal Pradesh,
Itanagar.

Sir,

I am submitting herewith an application in the prescribed Proforma along with the necessary documents for the grant of No Objection Certificate for opening of an institution of.....

..... in the name and style of (Name of College)

..... to be run under..... society.

Enclosure :

	Yours faithfully, Chairman of Managing Committee.
--	---

Place:

Dated:

