

GOVERNMENT OF BIHAR
EDUCATION DEPARTMENT

Bihar Private Universities Rules, 2013

In exercise of powers conferred under sub-section (1) read with sub-section (2) of section 47 of the Bihar Private Universities Act, 2013 (Bihar Act No. 20 of 2013) the Governor of Bihar is hereby pleased to make the following rules for carrying out of the purposes of the said Act, namely :-

1. Short title, extent and commencement . These rules may be called the Bihar Private Universities Rules, 2013

- (2) It shall extend to the whole state of Bihar,
- (3) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions (i) In these rules, unless otherwise requires in the context :-

- (a) "Act" means the Bihar Private Universities Act, 2013 (Bihar Act No. 20 of 2013)
- (b) "Application fee" means the amount to be deposited by the sponsoring body along with the proposal and project report to establish a university in private sector;
- (c) "Committee" means a committee constituted under sub-section (3) of section 4 of the Act;
- (d) "Land" means land to be used for the establishment of the main campus of the University but shall not include land on which "off-campus centre" and "study centre" are located or which is not used for the exclusive purpose of running of the University,
- (e) "Section" means section of the Act; and
- (2) words and expressions used in these rules and not defined but defined in Act, shall have the same meaning respectively as is assigned to them in the Act.

3. Application for establishment of University (1) Application in prescribed form for establishment of the University shall be submitted to the Government in the Education (Higher) Department by the Sponsoring Body at least 365 days earlier than the proposed date to

establish the University. At the time of submitting the application the Sponsoring Body must have the ownership or under an agreement of owing of the minimum area of land as per provisions contained in section 9 of the Act and shall furnish a "No objection Certificate" issued from the appropriate authority regarding legality of use of land for educational purposes.

- (2) Application shall be duly acknowledged by the Education (Higher) Department.
- (3) Application shall be signed by the person authorized to authenticate instruments on behalf of Sponsoring Body.
- (4) Application fee (non-refundable) of Rs. 10,00,000/- (Ten lacs) shall be sent along with the application through a crossed account payee bank draft in favour of Director, Higher Education, Bihar payable at Patna. The money received on account of application fee shall be deposited by the Director, Higher Education in current account in a nationalized bank to be operated jointly by the Director, Higher Education and Under Secretary-cum-Drawing and Disbursing officer of the Higher Education. Office expenses and other related expenses for this purpose shall be met out of this account after obtaining approval from the Principal Secretary, Education Department.
- (5) Application for the establishment of the University shall be accompanied by at least ten copies of the detailed project report (including ten soft copies) in the format appended as Annexure-I.
- (6) The project shall contain particulars as mentioned in sub-section (2) of section 4. Application rejected under sub-section (3) of section 5 or sub-rule (2) of rule 4 of these rules shall not be reconsidered. The sponsoring body may, however, apply afresh for a new or a modified project under section 4 along with application fee, not earlier than 6 months from the date of rejection of previous proposal.

4. Letter of Intent . (1) After the receipt of report of the committee constituted under sub-section (3) of section 4 of the Act, if the government is satisfied that it is advisable to establish a university, a letter of intent may be issued under sub-section (1) of section 5 of the Act of the

Sponsoring Body to fulfill the conditions mentioned in clauses (i) to (ix) of sub-section (1) of section 5.

- (2) If the Government is not so satisfied, it shall inform the sponsoring body preferably within three months, that their proposal, has been rejected.

5. Endowment fund (1) The endowment fund shall be pledged in the name of Director, Higher Education Bihar, who shall also be the custodian for all documents and instruments related to the endowment fund and its investment in accordance with the provisions of the Act.

- (2) In case the University or the sponsoring body contravenes any of the provisions of the Act, Statutes, ordinance, regulations or rules made there under, a part or whole of the endowment fund may be forfeited by the Government but before such forfeiture, a show cause notice shall be served by the Government on the sponsoring body or the university, as the case may be.
- (3) The Government shall, among other things, duly consider the reply submitted by the sponsoring body/university.
- (4) In case the reply to show cause notice issued under sub rule (2) is not submitted by the sponsoring body or the university within 45 days of the notice, the Government may decide the case without waiting for such reply.
- (5) The forfeited amount of endowment fund shall vest in the Government and it shall be used in the manner to be specified by the Government at the time of forfeiture.

A handwritten signature in black ink, followed by a date '20/11/2013' written below it.

ANNEXURE -1

[See rule 3 (5)]

Application form for the Establishment of Private University in Bihar

Details of Sponsoring Body:-

(i) Name

(ii) Address with e-mail, Phone number:

(iii) Whether a Society registered under the Societies Registration Act, 1860 or a Trust Constituted under the Indian Trust Act, 1882.

(a) Registration Number :- _____

(b) Date of Registration :- _____

(c) Place of Registration :- _____

(Attach Copy of Registration of Society/Trust along with details of Registration/constitution of memorandum of association of the Society/Trust).

(iv) Legal Status in Bihar and India

(v) Name and year (s) of establishment of the institutions, if already established by the Sponsoring Body:

(vi) Original Information (Enclose Catalogue/Brochure):-

(vii) Year of commencement of Programme (s):

(viii) Details of relationship with the bodies in charge of Education, Technical /Professional Education, Medical Education etc. i.e. All India Council for Technical Education, Bar Council of India, Council of Science and Industrial Research, Indian Council of Agriculture Research, Medical Council of India, National Council of Teacher Education, Pharmaceutical Council of India, University Grants Commission, etc. :

(ix) Details of application fee i.e. name of the Bank, amount, demand draft number and date:

(x) Details of land available with the sponsoring body along with the certificate issued by the competent authority regarding the classification of land.

(Attach copy of letter from competent authority for classification of land, if claimed to be within the limits of Municipal Authority)

Area:

Whether owned by the applicant society/Trust: yes No

If yes, then

Area /Acres

/Bigha

(Attach copy of land documents)

If owned, whether the land is registered through a

Sale Deed :

Gift Deed :

Leased by Government in the name of the applicant Society/Trust/ Proposed Institution

If yes then -

Registration Number :- _____

Date of Registration :- _____

Place of Registration :- _____

If the land is on lease from Government bodies then the purpose for which it was leased and period of lease granted.

(Land, if leased from private bodies/persons is not acceptable)

Yes No

Whether the land has been exclusively earmarked for the institution by any resolution:

Yes No

If land is agricultural, then conversion certificate from local Government/ Competent Authority:

Yes No

(Attach copy of land use Certificate)

(xi) Project Report as detailed in sub-section (2) of section 4 of the Act.

(xii) Details of Financial Resources.

Availability of funds in the name of Applicant Society/Trust.

[Please note that Bank Guarantees against mortgage of land, building and assurance are not acceptable]

Fixed Deposits (Fixed Deposit Receipts/other deposits in the name of the Applicant Trust/Society) [Attach Xerox copy of FD Receipt Front and Back Side]

Fixed Deposits Receipts Amount: Rs. _____ [in lakhs]

Other Deposits: Rs. _____ [in lakhs]

Whether the Accounts of the Applicant Society/Trust are audited.

Yes No

(Attach Xerox copy of last three years]

(Attach details of fund available with applicant for the proposed university programme along with Xerox copies as above)

(xiii) Information about the proposed programme with respect to the following:-

Si. No.	Parameter	In parent state	Proposed in Bihar
1	Nomenclature/Discipline		
2	Entry level Qualification		
3	Examination Pattern		
4	Evaluation system		
5	Duration of Course		
6	Type Dip/under Graduate/ Post Graduate/Doctor of Philosophy		
7	Intake		
8	Course Curriculum (Provide Semester wise details)		
9	Fee		

(xiv) Any other relevant information.

A copy of the certificate indicating that the applicant has been registered as a society registered under the Societies Registration Act. 1860 (Central Act 21 of 1860)/a company registered under section 25 of the Companies Act, 1956 (Central Act 1 of 1956) and is approved and accredited by the Government

or an agency authorized by the Government in India of its origin.

A copy of certificate indicating details of relationship with the bodies in-charge of Education. Technical/Professional Education, Medical Education etc. (i.e. All India Council for Technical Education, Bar Council of India, Council of Science and Industrial Research, Indian Council of Agriculture Research, Medical Council of India, national Council of Teacher Education, Pharmaceutical Council of India, University Grant Commission, etc.)

Name and Signature of the Authorized
Signed of the sponsoring body

Date

Place
