

AZIM PREMJI UNIVERSITY BILL, 2025

A
BILL

to provide for the establishment and constitution of a philanthropic funded non-for-profit University in the State of Assam.

Preamble

Whereas it is expedient to establish and constitute in the State of Assam a university focusing on teaching, training, research and development in the fields of elementary education, secondary education, besides education management, education in finance, technology in education, particularly in the fields of science, social science, humanities and management and the matters connected therewith and incidental thereto.

It is hereby enacted in the Seventy-sixth year of the Republic of India as follows:-

Short title,
extent and
commencement

1. (1) This Act may be called the Azim Premji University, Assam Act, 2025.
(2) It extends to the whole of Assam.
(3) It shall come into force at once.
(4) Notwithstanding anything contained in the Assam Private Universities Act, 2007 the provisions of that Act shall not apply to this philanthropic funded non-for-profit University.

Definitions

2. In this Act, unless the context otherwise requires,
 - (a) "AICTE" means All India Council of Technical Education established under All India Council of Technical Education Act 1987; (Central Act No. 52 of 1987)
 - (b) "CSIR" means the Council of Scientific and Industrial Research, New Delhi, a funding agency of the Central Government;
 - (c) "DEC" means the Distance Education Council established under section 28 of Indira Gandhi National Open University Act, 1985 (Central Act No. 50 of 1985)
 - (d) "distance education" means education imparted by combination of any two or more means of communication, viz. broadcasting, telecasting, correspondence courses, seminars, contact programmes and any other such methodology;
 - (e) "DST" means the Department of Science and Technology of the Central Government;
 - (f) "employee" means a person appointed by the university to work in the university, colleges, institutions or study centers and includes teachers, officers (other than the Visitor) and other employees of the university;
 - (g) "fee" means collection made by the university from the students by whatever name it may be called, which is not refundable;
 - (h) "Government" means the State Government of Assam;
 - (i) "higher education" means study of a curriculum or course for the pursuit of knowledge beyond 10+2 level;
 - (j) "hostel" means a place of residence for the students of the university, or its colleges, institutions or centers, maintained or recognized to be such by the university;
 - (k) "ICAR" means the Indian Council of Agriculture Research, a society registered under the Societies Registration Act, 1860; (Central Act No. 21 of 1860)

- (l) "MCI" means the Medical Council of India, Delhi;
- (m) "NAAC" means the National Council of Assessment and Accreditation, Bangalore, an autonomous institution of the UGC;
- (n) "NCTE" means the National Council of Teacher Education, Delhi
- (o) "off campus center" means a center of the university established by it outside the main campus operated and maintained as its constituent unit, having the university's complement of facilities, faculty and staff;
- (p) "PCI" means the Pharmaceutical Council of India, Delhi;
- (q) "philanthropic funded" means the fund that is used for raising and distributing resources for public good and social cause;
- (r) "prescribed" means prescribed by rules made under this Act;
- (s) "regulating body" means a body established by the Central Government for laying down norms and conditions for ensuring academic standards of higher education, such as UGC, AICTE, NCTE, MCI, PCI, NAAC, ICAR, DEC, CSIR etc. and includes the State Government;
- (t) "Rules" means the rules made under this Act;
- (u) "Schedule" means the Schedule to this Act;
- (v) "sponsoring body" in relation to a university established under this Act means-
 - (i) a society registered under the Societies Registration Act, 1860 (Central Act No. 21 of 1860)
or
 - (ii) any public trust registered under the Indian Trusts Act, 1882 or (Central Act No. 2 of 1882)
 - (iii) a company registered under section 25 of the Companies Act, 1956 (Central Act No. 1 of 1956)
- (w) "Statutes", "Ordinances" and "Regulations" mean respectively, the Statutes, Ordinances and Regulations made under this Act;
- (x) "student of the university" means a person enrolled in the university for taking a course of study for a degree, diploma or other academic distinction duly instituted by the university, including a research degree;
- (y) "study center" 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 students in the context of distance education;
- (z) "teacher" means a Professor, Reader, Lecturer 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 of the university;
- (za) "UGC" means the University Grants Commission, established under the University Grants Commission Act, 1956;
- (zb) "university" means Azim Premji University established and incorporated under section 6.


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Objects of the
University

3. Following shall be the objects of the university, namely:-

- (1) to provide instructions, teaching, training, consultancy in Higher Education that includes disciplines in areas such as Science, Arts, Social Sciences, Humanities and Management, Computer Applications, Medicine, Nursing, Pharmacy, Allied Health Sciences and make provisions for research, advancement and dissemination of knowledge;
- (2) to establish, endow, run, control, manage and maintain medical institutions including medical college, teaching hospital, nursing college, college of Pharmacy and other allied health institutions.
- (3) to establish, endow, run, control, manage and maintain K-12 (Kindergarten to Grade 12) schools and to provide students with relevant pre-school, primary, secondary, higher secondary and vocational education of the highest standard with an objective to bring education within the reach of poor and underprivileged children and also to serve as an University School for the teacher education programmes run by the university.
- (4) to create higher levels of intellectual things;
- (5) to establish state of the art facilities for education and training;
- (6) to carry out teaching and research and offer continuing education programmes;
- (7) to create centres of excellence for research and development and for sharing knowledge and its application;
- (8) to establish campus in Assam and to have study centres at different places within its jurisdiction;
- (9) to establish examination centres;
- (10) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination, or any such method;
- (11) to ensure that the standards of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by AICTE, NCTE, UGC, MCI, Pharmacy Council and other similar agency/agencies established by the Central Government for regulation of education;
- (12) to open study centres within its jurisdiction;
- (13) to set up off campus centre within and out of the State, subject to the permission of the regulatory bodies under any law made by the Parliament and any regulations, rules etc. made by the regulating bodies;
- (14) to pursue any other objective as may be approved by the Government.

Submission of
proposal for
establishment of
Azim Premji
University and its
evaluation

4. (1) An application containing the proposal and the project report to establish a non-for-profit University shall be made by the sponsoring body to the State Government, along with such fees as may be prescribed.

(2) The project report shall contain the following particulars, namely:-

- (a) the details of the sponsoring body alongwith the copies of its registration certificate, constitution and bye-laws;
- (b) the information regarding financial resources of the sponsoring body alongwith audited accounts for the


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past five years;

- (c) the name, location and headquarters of the proposed university;
- (d) the objectives of the university;
- (e) the availability of land and details of buildings and infrastructure facilities, if already exist and details of land, building and other infrastructure proposed to be owned or created as required under the provision of this Act;
- (f) availability of academic facilities including teaching and non-teaching staff, if any, at the disposal of the sponsoring body;
- (g) the details of plans for campus development such as construction of buildings, development of structural amenities and infrastructure facilities and procurement of equipment etc. to be undertaken before the university starts functioning and phased programme for first five years;
- (h) the phased outlays of capital expenditure proposed for the next five years and its sources of finance;
- (i) the nature and the type of programmes of study and research proposed to be undertaken by the university and their relevance to the development goals and employment needs of the State and phasing of such programmes over the first five years with course-wise enrolment targets;
- (j) the experience and expertise in the concerned disciplines at the command of the sponsoring body;
- (k) the nature of facilities, courses of study and research proposed to be started;
- (l) the estimated recurring expenditure course-wise or activity-wise, sources of finance and estimated expenditure per student;
- (m) the scheme for mobilizing resources and the cost of capital thereto and the manner of repayment of such sources;
- (n) the scheme for the generation of funds internally through the recovery of fee from students, revenues anticipated from consultancy services and other activities relating to objects of the university, and other anticipated incomes;
- (o) the proposed fee structure with reference to the details of expenditure on unit cost and the extent of concessions or rebates in fee or free-ships and scholarship to the poor students from economically poor or socially backward families;
- (p) the system proposed to be followed for selecting students for admission to the courses of study at the university;
- (q) the system proposed to be followed for appointment of teachers and other employees in the university;
- (r) whether the university is desirous of taking up distance education programme. If so, details of study centres proposed to be started;
- (s) whether the university proposes to undertake some programmes related to local needs. If so, the nature of specialized teaching, training or research

activities to be undertaken by the university so as to fill this objective;

- (t) whether the university proposes to start some programmes for the benefit of farmers, women and industries. If so, details thereof may be given;
- (u) details of play grounds and other facilities available or proposed to be created for games and sports and extra curricular activities like National Cadet Corps, National Service Scheme, Scouts and Guides etc.;
- (v) the arrangements proposed to be made for academic auditing;
- (w) justification regarding the necessity of establishment of the proposed university;
- (x) commitment to follow the norms of the regulating bodies;
- (y) such other details as the sponsoring body would like to give;
- (z) such other details as may be prescribed.

(3) The State Government, on receipt of the proposal and the project report for establishment of Azim Premji University, shall constitute a committee consisting of such members as may be specified by it, out of whom at least one shall be an expert, to examine the proposal and the project report.

Explanation:- In this sub-section, the expression “expert” means an academician of prominence in the respective field of higher education.

(4) The committee shall consider the proposal and the project report on the following grounds, namely:-

- (a) financial soundness and assets of the sponsoring body and its ability to set up the infrastructure of the proposed university;
- (b) background of the sponsoring body, that is to say, its expertise and experience in the field of education, its general reputation etc. and its commitment to follow the norms of the regulating bodies;
- (c) potentiality of the courses proposed to be offered, that is to say, the courses are able to develop the human resources as per the requirements of contemporary demands, the courses have new features and include emerging branches of learning;
- (d) security clearance report in respect of the antecedents or precedents of the Sponsoring Body from Home and Political Department, Government of Assam.

(5) The committee, while considering the proposal and the project report under subsection (4), may call for such information from the sponsoring body as it thinks proper for the purpose.

(6) The committee shall submit its report to the State Government within a period of one month from the date of its constitution.

Provided that while computing the period of one month, the period commencing from the date on which requisition of any information under sub-section (5) is issued and ending on the date on which requisite information is submitted to the committee shall be excluded.

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Issuance of the
letter of intent and
compliance report

5. (1) After the receipt of the report of the committee constituted under section 4, if the State Government is satisfied that it is advisable to establish the university, it may issue a letter of intent and ask the sponsoring body to-

- (i) establish an endowment fund in accordance with the provisions of Section 11 of this Act;
- (ii) own a minimum of 20 acres of land outside the municipal area or 10 acres within the municipal area, of not already available;
- (iii) construct a minimum of 10,000 square meters of covered space for administrative purposes and for conducting academic programmes, if not already available;
- (iv) purchase books and journals of at least rupees 10 lacs or as per the norms of regulating bodies, whichever is higher, and give undertaking to invest within the first three years not less than rupees 50 lacs or as per the norms of the regulating bodies, whichever is higher, on books, journals, computers, library networking and other facilities so as to make the library facilities adequate for contemporary teaching and research.
- (v) purchase equipments, computers, furniture, other mobile and immobile assets and infrastructure facilities (other than buildings referred to in clause (iii) above) worth rupees 20 lacs or as per the norms of the regulating bodies, whichever is higher, and give undertaking to procure within the first five years equipments, computers, furniture, other mobile and immobile assets and infrastructure facilities (other than buildings referred to in clause (iii) above) worth not less than rupees one crore or as per the norms of the regulating bodies, whichever is higher;
- (vi) give undertaking to appoint at least 1 Professor, 2 Readers and adequate number of Lecturers along with necessary supporting staff in each department of discipline to be started by the university;
- (vii) give undertaking to take up co-curricular activities like seminars, debates, quiz, programmes and extracurricular activities like games, sports, National Service Scheme, National Cadet Corps, Scouts and Guides etc. for the benefit of students as per the normal laid down by the regulating bodies;
- (viii) give undertaking for establishment of provident fund and to take up welfare programmes for the employees of the university; and
- (ix) fulfil such other conditions and provide such other information as may be prescribed by the University Grants Commission, All India Council for Technical Education or any other statutory body established by the law of the Union or State Government.

(2) The sponsoring body shall fulfil the requirements and conditions specified in subsection (1) and shall report the compliance to the State Government with a maximum period of two years from the date of issue of the letter of intent. On receiving the compliance report, the State Government shall appoint a committee consisting of such members, including the representative of the regulating

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bodies, as may be specified, to verify the compliance report. The committee shall submit its report to the State Government within one month from the date of its constitution specifying whether the sponsoring body has fulfilled the requirements and conditions laid down in sub-section (1).

(3) If the sponsoring body has failed to comply with the provisions of sub-section (2), its proposal submitted under section 4 shall stand rejected and the letter of intent issued under sub-section (1) shall be deemed to have been withdrawn.

Establishment of the University 6. The Government, if satisfied, after considering the report submitted under sub-section (2) of section 5 that the sponsoring body has complied with the provisions of subsection (1) of section 5, may allow to establish a philanthropic funded non-for-profit university with such infrastructure as specified in the report.

Incorporation of the University 7. The university established by State Legislature under section 6 shall be a body corporate by the name specified in the Act and shall have perpetual succession and a common seal. It shall have the power to acquire and hold property, both movable and immovable, and enter into contract, and may sue and be sued by its name.

University to be self-financed 8. The university shall be self-financed and shall not be entitled to receive any grant from the Government.

Requirement of land 9. The university shall be established when the sponsoring body is in possession of-

- (i) a minimum of twenty acres, i.e. 60.50 Bighas of land outside the municipal limits; or
- (ii) a minimum of ten acres, i.e. 30.25 Bighas of land within the municipal limits.

Restrictions on the University 10. (1) The University shall not involve in any activity relating to conversion of any students, faculties or other staff. The University shall maintain a secular character;

Endowment Fund 11. (1) The sponsoring body shall establish an Endowment Fund for the university with an amount of-

- (i) one crore rupees in case the university is situated in Scheduled Tribes area;
- (ii) in other case, two crore rupees

(2) The Endowment Fund shall be used as security deposit to ensure that the university complies with the provisions of this Act and functions as per the provisions of this Act, Statutes and Ordinances.

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

(4) The amount of Endowment Fund shall be invested and kept invested until the dissolution of the university.

(5) The University shall have power to invest the Endowment Fund in such manner as may be prescribed.

General Fund 12. The university shall establish a fund, which shall be called the General Fund to which the following shall be credited, namely:-

- (a) fees and other charges received by the university;
- (b) any contributions made by the sponsoring body;
- (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

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grants; and

(c) all other sums received by the university.

13. The General Fund shall be utilized for the following objects, namely:-

- (a) for the repayment of debts including interest charges thereto incurred by the university for the purposes of this Act and the Statutes, Ordinances, Regulations and rules made thereunder;
- (b) to upkeep of the assets of the university;
- (c) for the payment of cost of audit of the funds created under sections 11 and 12;
- (d) for meeting the expenses of any suits or proceedings to which university is a party;
- (e) for the payment of salaries and allowances of the officers and employees of the university and members of the teaching and research staff, and for payment of any Provident Fund contributions, gratuity and other benefits to any such officers and employees, and members of the teaching and research staff;
- (f) for the payment of travelling and other allowances of the members of the Governing Body, the Board of Management, the Academic Council, and other authorities so declared under the Statutes of the university and of the members of any committee appointed by any of the authorities or by the Chairperson of the sponsoring body or the Vice-Chancellor, as the case may be, of the university in pursuance of any provision of this Act, or the Statutes, Ordinances, Regulations or rules made thereunder;
- (g) for the payment of fellowships, free ships, scholarships, assistantships, and other awards to students belonging to socially backward families / 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, Ordinances, Regulations or rules made there under;
- (h) for the payment of any expenses incurred by the university in carrying out the provisions of this Act or the Statutes, Ordinances, Regulations or rules made there under;
- (i) for the payment of cost of capital, not exceeding the prevailing bank rates of interest, incurred by the sponsoring body for setting up the university and the investments made thereof;
- (j) for the payment of charges and expenditure relating to the consultancy work undertaken by the university in pursuance of the provisions of this Act and the rules, Statutes or Ordinances made thereunder;
- (k) for the payment of any other expenses including service fee payable to any organization charged with the responsibility of providing any specific service, including the managerial services to the university, on behalf of the sponsoring body, as approved by the Board of Management to be an expense for the purposes of the university:

Provided that no expenditure shall be incurred by the university in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year, as may be fixed by the Board of Management, without the prior approval of the Board of

Management:

Provided further that the General Fund shall, for the objects specified under subclause (a), be applied with the prior approval of the Governing Body of the university.

Officers of the University 14. The following shall be the officers of the university, namely:-

- (1) the Visitor;
- (2) the Chancellor;
- (3) the Vice-Chancellor;
- (4) the Registrar;
- (5) the Chief Finance and Accounts Officer;
- (6) such other officers as may be declared by the Statutes to be the officers of the University.

Powers of Visitors 15. (1) The Governor of Assam shall be the Visitor of the University.

(2) The Visitor shall, when present, preside at the convocation of the university for conferring degrees and diplomas. The Visitor shall have the following powers, namely:-

- (a) to call for any paper or information relating to the affairs of the university;
- (b) on the basis of information received by the Visitor, if he is satisfied that any order, proceeding or decision taken by any authority of the university is not in conformity with the provisions of this Act or Statutes, Ordinances, Regulations or rules made thereunder, he may issue such directions as he may deem fit in the interest of the university and the directions so issued shall be complied with by the university.

The Chancellor 16. (1) The Chancellor shall be appointed by the sponsoring body with the approval of the visitor by following such procedure and on such terms and conditions as may be prescribed by the Statutes.

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

(3) The Chancellor shall preside at the meetings of the Governing Body and shall, when the Visitor is not present, preside at the convocation of the university for conferring degrees, diplomas or other academic distinctions.

(4) The Chancellor shall have the following powers, namely:-

- (a) to call for any information or record;
- (b) to appoint the Vice-Chancellor;
- (c) to remove the Vice-Chancellor in accordance with the provisions of sub-section (7) of section 17;
- (d) such other powers as may be prescribed by the Statutes.

The Vice-Chancellor 17. (1) The Vice-Chancellor shall be appointed by the Chancellor, on such terms and conditions as may be laid down by the Statutes from among a panel of three persons recommended by the Nomination Committee constituted in accordance with the provisions of sub-section (2).

(2) The Nomination Committee referred to in sub-section (1) shall consist of the following persons, namely:-

- (i) One person nominated by the Chancellor;
- (ii) Two nominees of the sponsoring body, one of whom shall be nominated as the Convener of the Committee by the sponsoring body

(3) The Nomination Committee shall, on the basis of merit, recommend three persons suitable to hold the office of the Vice-Chancellor and forward the same to the Chancellor along with a concise statement showing the academic qualifications and other distinctions of each person

(4) The Vice-Chancellor shall be the principal executive and academic officer of the university and shall exercise general superintendence and control over the affairs of the university and shall execute the decision of various authorities of the university.

(5) The Vice-Chancellor shall preside at the convocation of the university in absence of both, the Visitor and the Chancellor.

(6) If in the opinion of the Vice-Chancellor it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Act, he may take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer or authority as would have in the ordinary course dealt with the matter:

Provided that if in the opinion of the concerned officer or authority such action should not have been taken by the Vice-Chancellor then such case shall be referred to the Chancellor, whose decision thereon shall be final:

Provided further that where any such action taken by the Vice-Chancellor affects any person in the services of the university, such person shall be entitled to prefer, within three months from the date on which such action is communicated to him, an appeal to the Board of Management and the Board of Management may confirm or modify or reverse the action taken by the Vice-Chancellor.

(7) If, in the opinion of the Vice-Chancellor, any decision of any authority of the university is outside the powers conferred by this Act or Statutes, Ordinances, Regulations or rules made thereunder or is likely to be prejudicial to the interests of the university, he shall request the concerned authority to reverse the decision within fifteen days from the date of its decision and in case the authority refuses to revise such decision wholly or partly or fails to take any decision within fifteen days, then such matter shall be referred to the Chancellor and his decision thereon shall be final.

(8) The Vice-Chancellor shall exercise such powers and perform such duties as may be prescribed by the Statutes or the Ordinances.

(9) 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, as the Vice-Chancellor to relinquish his office from such date as may be specified in the order:

Provided that before taking an action under this sub-section, the Vice-Chancellor shall be given an


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The Registrar 18. (1) opportunity of being heard.

The appointment of the Registrar shall be made by the Vice Chancellor with the written approval of the Chancellor, in such manner, as may be prescribed 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 Body, the Board of Management and the Academic Council but he shall not have a right to vote.

(4) The Registrar shall exercise such powers and perform such other duties as may be prescribed by the Statutes.

The Chief Finance and Accounts Officer 19. (1) The appointment of the Chief Finance and Accounts Officer shall be made by the Chancellor in such manner as may be prescribed by the Statutes.

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

Other Officers 20. (1) The university may appoint such other officers as may be necessary for its functioning.

(2) The manner of appointment of other officers of the university and their powers and functions shall be such as may be prescribed by the Statutes.

Authorities of the University 21. The following shall be the authorities of the university, namely:-

(1) the Governing Body;

(2) the Board of Management;

(3) the Academic Council;

(4) such other authorities as may be declared by the Statutes to be the authorities of the university.

The Governing Body 22. (1) The Governing Body of the university shall consist of the following, namely:-

(a) the Chancellor;

(b) the Vice-Chancellor;

(c) five persons nominated by the sponsoring body out of whom two shall be eminent educationists;

(d) one expert of management or information technology from outside the university, including any person from the sponsoring body, nominated by the Chancellor; and

(e) one expert of finance, nominated by the Chancellor

(2) The Governing Body shall be the supreme authority of the university. All the movable and immovable property of the university shall vest in the Governing Body. It shall have the following powers, namely:-

(a) to provide general superintendence and directions and to control functioning of the university by using all such powers as are provided by this Act or the Statutes, Ordinances, Regulations or rules made thereunder;

(b) to review the decisions of other authorities of the university in case they are not in conformity with the provision of this Act or the Statutes, Ordinances, Regulations or rules made thereunder;

(c) to approve the budget and annual report of the

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university;

- (d) to lay down the extensive policies to be followed by the university;
- (e) to recommend to the sponsoring body about the voluntary liquidation of the university if a situation arises when smooth functioning of the university does not remain possible, inspite of all efforts;
- (f) such other powers as may be prescribed by the Statutes.

(3) The Governing Body shall meet at least once in a calendar year.

(4) The quorum for meetings of the Governing Body shall be three .

The Board of Management 23. (1) The Board of Management shall consist of the following members, namely:-

- (a) the Vice-Chancellor;
- (b) the Registrar;
- (c) three persons to be nominated by the sponsoring body;
- (d) Two teachers, nominated by the Vice-Chancellor.

(2) The Vice-Chancellor shall be the Chairperson of the Board of Management.

(3) The powers and functions of the Board of Management shall be such as may be prescribed by the Statues.

(4) The Board of Management shall meet at least once in a calendar year.

(5) The quorum for meetings of the Board of Management shall be three.

The Academic Council 24. (1) The Academic Council shall consist of the Vice-Chancellor and such other members as may be prescribed 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 or the rules, Statutes or Ordinances made there under, co-ordinate and exercise supervision over the academic policies of the university.

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

Other Authorities 25. The composition, constitution, powers and functions of other authorities of the university shall be such as may be prescribed by the Statutes.

Disqualification for membership of an authority or body 26. A person shall be disqualified for being a member of any of the authorities or bodies of the university, if he/she-

- (a) is of unsound mind and stands so declared by a competent court;
- (b) is an undischarged solvent;
- (c) has been convicted of any offence involving moral turpitude;
- (d) is conducting or engaging himself in private coaching classes; or
- (e) has been punished for indulging in or promoting unfair practice in the conduct of any examination, if any form, anywhere.

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Vacancies not to invalidate the proceedings of any authority or body of the University

Filling up of emergent vacancies

Committee

The First Statutes

27. No act or proceeding of any authority or body of the university shall be invalid merely by way of any vacancy or defect in the constitution thereof.

28. Any vacancies occurred in the membership of any authority or body of the university due to death, resignation or removal of a member or due to change of capacity in which he was appointed or nominated, shall be filled up as early as possible by the person or the body who had appointed or nominated such a member:

Provided that the person appointed or nominated as a member of an authority or body of the university on an emergent vacancy, shall remain member of such authority or body for only the remaining period of the member, in whose place he is appointed or nominated.

29. The authorities or officers of the university may constitute such committees with such terms of reference as may be necessary for specific tasks to be performed by such committees. The constitution of such committees and their duties shall be such as may be prescribed by the Statutes.

30. (1) Subject to provisions of this Act, and the rules made there under, the First Statutes of the university may 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 from time to time;
- (b) the terms and conditions of the appointment of the Vice-Chancellor and his powers and functions;
- (c) the manner and terms and conditions of appointment of the Registrar, and Chief Finance and Accounts Officer and their powers and functions;
- (d) the manner and terms and conditions of appointment of other officers and teachers and their powers and functions;
- (e) the terms and conditions of service of 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 provision regarding exemptions of students from payment of tuition fee and for awarding to them scholarships and fellowships;
- (i) provisions regarding the policy of admissions;;
- (j) provision regarding fees to be charged from students; and
- (k) provisions regarding number of seats in different courses.

(2) The First Statutes of the university shall be made by the Board of Management and shall be submitted to the Governing Body for its approval.

(3) The Governing Body shall consider the First Statutes, submitted by the Board of Management and shall give its approval thereon within two months from the date of its receipt and with modifications if any, as it may deem necessary.

(4) The Board of Management shall communicate its agreement to the First Statutes as approved by the Governing Body, and if it desires not to give effect to any

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		or all of the modifications made by the Governing Body under sub-section (3), it may give reasons therefore and after considering such reason, the Governing Body may or may not accept the suggestions made by the university.
	(5)	The university shall publish the First Statutes, as finally approved by the Governing Body, in the University Notification , and thereafter, the First Statutes shall come into force from the date of such publication.
Subsequent Statutes	31. (1)	(Subject to the provisions of this Act and the Rules made there under, the subsequent Statutes of the university may provide for all or any of the following matters, namely:- <ul style="list-style-type: none"> (a) creation of new authorities of the university; (b) accounting policy and financial procedure; (c) representation of teachers in the authorities of the university; (d) creation of new departments and abolition or restructuring of existing department; (e) institution of medals and prizes; (f) creation of posts and procedure for abolition of posts; (g) revision of fees (h) alteration of the number of seats in different syllabi; and (i) all other matters which under the provisions of this Act are to be prescribed by the Statutes.)
	(2)	The Subsequent Statutes of the university shall be made by the Board of Management with the approval of the Governing Body.
The First Ordinances	32. (1)	Subject to the provisions of this Act or the rules or Statutes made there under, the First Ordinances may provide for all or any other following matters, namely:- <ul style="list-style-type: none"> (a) the admission of students to the university and their enrolment as such; (b) the courses of study to be laid down for all the degrees, diplomas and certifications of the university; (c) the award of the degrees, diplomas, certificates and other academic distinctions, the minimum qualifications for the same and the means to be taken relating to granting and obtaining of the same; (d) the conditions for award of fellowships, scholarships, stipends, medals and prizes; (e) the conduct of examinations, including the terms of office and manner of appointment and duties of the examining bodies, examiners and moderators; (f) fees to be charges for the various courses examinations, degrees and diplomas of the university; (g) the conditions of residence of the students of the university; (h) provision regarding disciplinary action against the students;)


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(i) the creation, composition and functions of any other body which is considered necessary for improving academic life of the university;

(j) the manner of co-operation and collaboration with other universities and institutions of higher education;

(k) all other matters which by this Act or Statutes made there under are required to be provided by the Ordinances.

(2) The First Ordinances of the university shall be made by the Academic Council and approved by the Board of Management.

(3) The Board of Management shall consider the First Ordinances submitted by the Academic Council under sub-section (2) within two months from the date of receipt and shall either approve them or give suggestions for modifications therein.

(4) The Academic Council shall either modify the Ordinances incorporating the suggestions of the Board of Management or give reasons for not incorporating any of the suggestions made by the Board of Management and shall return the First Ordinances alongwith such reasons, if any, to the Board of Management and on receipt of the same, the Board of Management shall consider the comments of the Academic Council and shall approve the First Ordinances of the university with or without such modifications and then the First Statutes, as approved by the Board of Management shall be published by the university in the University Notification and upon such publication the Ordinances shall come into force.

Subsequent Ordinances

32. (1) Subject to the provisions of this Act or the rules or Statutes made there under, the First Ordinances may provide for all or any other following matters, namely:-

- (a) the admission of students to the university and their enrolment as such;
- (b) the courses of study to be laid down for all the degrees, diplomas and certifications of the university;
- (c) the award of the degrees, diplomas, certificates and other academic distinctions, the minimum qualifications for the same and the means to be taken relating to granting and obtaining of the same;
- (d) the conditions for award of fellowships, scholarships, stipends, medals and prizes;
- (e) the conduct of examinations, including the terms of office and manner of appointment and duties of the examining bodies, examiners and moderators;
- (f) fees to be charges for the various courses examinations, degrees and diplomas of the university;
- (g) the conditions of residence of the students of the university;
- (h) provision regarding disciplinary action against the students;
- (i) the creation, composition and functions of any other body which is considered necessary for improving academic life of the university;


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(j) the manner of co-operation and collaboration with other universities and institutions of higher education;

(k) all other matters which by this Act or Statutes made there under are required to be provided by the Ordinances.

(2) The First Ordinances of the university shall be made by the Academic Council and approved by the Board of Management.

(3) The Board of Management shall consider the First Ordinances submitted by the Academic Council under sub-section (2) within two months from the date of receipt and shall either approve them or give suggestions for modifications therein.

(4) The Academic Council shall either modify the Ordinances incorporating the suggestions of the Board of Management or give reasons for not incorporating any of the suggestions made by the Board of Management and shall return the First Ordinances alongwith such reasons, if any, to the Board of Management and on receipt of the same, the Board of Management shall consider the comments of the Academic Council and shall approve the First Ordinances of the university with or without such modifications and then the First Statutes, as approved by the Board of Management shall be published by the university in the University Notification and upon such publication the Ordinances shall come into force.

Subsequent Ordinances 33. (1) All Subsequent Ordinances shall be made by the Academic Council and approved by the Board of Management.

Regulations 34. The authorities of the university may, subject to the prior approval of the Board of Management, make regulations, consistent with this Act and the rules, Statutes and the Ordinances made hereunder, for the conduct of their own business and that of the committees appointed by them.

Admissions 35. (1) Admissions in the university shall be strictly on the basis of merit-cum-means, the criteria for which shall be decided by the university.

(2) Admission in the university may be determined either on the basis of marks or grades obtained in the qualifying examination or socio-economic parameters or a combination thereof and achievement in co-curricular and extra-curricular activities or on the basis of marks or grade obtained in the entrance test conducted at the state level either by an association of universities conducting similar courses or by an agency of the State. Provided that admission in professional and technical courses shall be made only through the entrance test.

(3) The University shall have an explicit objective to reach the most disadvantaged students of Assam and outside, and also to promote diversity as it has a direct impact on learning. The admission process shall be cognizant of these requirements. The written test shall be structured to the test basic abilities of students to enter higher education. The test shall be framed in a way that it does not prevent students from disadvantaged socio-economic backgrounds to obtain admission into the university.

Fee Structure 36. (1) The university may, from time to time, prepare its fee structure and send it for approval of the Committee constituted for the purpose under section 29 or any

other law for the time being in force.

(2) The Committee shall consider the fee structure prepared by the university and if it is satisfied the proposed fees is-

(a) sufficient for-

(i) generating resources for meeting the recurring expenditure of the university; and

(ii) the savings required for the further development of the university; and

(3) The fee structure approved by the Committee under sub-section (2) shall remain in force for three years and the university shall be entitled to charge fees in accordance with such fee structure.

(4) The university shall not charge any fee, by whatever name called, other than that for which it is entitled under sub section 3).

Assessment 37. At the beginning of each academic session, the university shall prepare and publish a semester-wise or annual, as the case may be, schedule of assessments for each course conducted by it and shall adhere to the schedule.

Declaration of results 38. (1) The university shall strive to declare the results of every assessment conducted by it within thirty days from the last date of the assessment for that particular course and shall in any case declare the results within forty-five days of such date.

(2) No assessment or the results of an assessment shall be held invalid only for the reasons that the university has not followed the schedule as stipulated in section 37 or, as the case may be, in section 38.

Convocation 39. The convocation of the university shall be held in every academic year in the manner as may be prescribed by the Statutes for conferring degrees, diplomas or any other purpose.

Accreditation of the University 40. The university shall obtain accreditation from the National Council of Assessment and Accreditation (NAAC), Bangalore as soon as practicable but not earlier than 5 years from the date of establishment of the university and inform the Government and such other regulating bodies which are connected with the courses taken up by the university about the grade provided by NAAC to the university. The university shall get renewed such accreditation at an interval of every five years thereafter.

University to follow rules, regulations, norms etc. of the regulating bodies 41. Notwithstanding anything contained in this Act, the university shall be bound to comply with all the rules, regulations, norms etc. of the regulating bodies and provide all such facilities and assistance to such bodies as are required by them to discharge their duties and carry out their functions.

Annual Report 42. (1) The annual report of the university shall be prepared by the Board of Management which shall include among other matters, the steps taken by the university towards fulfillment of its objects and shall be approved by the Governing Body and copy of the same shall be submitted to the sponsoring body.

(2) Copies of the annual report prepared under sub-section (1) shall also be presented to the Visitor and the Government.

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Annual Accounts 43. (1) and Audit

The annual accounts including balance sheet of the university shall be prepared under the directions of the Board of Management and the annual accounts shall be at least once every year by auditors appointed by the university for this purpose.

(2) A copy of the annual accounts together with the audit report shall be submitted to the Governing Body.

(3) A copy of annual accounts and audit report along with the observations of the Governing Body shall be submitted to the sponsoring body.

(4) Copies of annual accounts and balance sheet prepared under sub-section (1) shall also be presented to the Visitor and the State Government. The advice of the Government or the Visitor, if any, arising out of the accounts and audit report of the university shall be placed before the Governing Body. The Governing Body shall issue such directions, as it may deem fit and compliance shall be reported to the Visitor or the Government, as the case may be.

Powers of the State Government to inspect the university 44. (1)

For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the university, the Government may, after consultation with the Vice-Chancellor, cause an assessment to be made in such manner as may be prescribed, by such person or persons as it may deem fit.

(2) The Government shall communicate to the university its recommendations in regard to the result of such assessment for corrective action. The university shall adopt such corrective measures and make efforts so as to ensure the compliance of the recommendations.

(3) If the university has failed to comply with the recommendation made under subsection (2) within a reasonable time, the State Government may give such directions as it may deem fit for such compliance.

(4) There shall be an inspection of the University by the State Government once in every three years to verify whether the conditions imposed during the establishment of the University have been complied to and any deviation in compliance of the conditions by the concerned University may lead to dissolution of the University.

Dissolution of the university by the Sponsoring Body 45. (1)

The Sponsoring Body may dissolve the university by giving a notice to the effect in the prescribed manner to the Government and the employees and the students of university at least one year in advance:

Provided that dissolution of the university shall have effect only after the last batches of students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(2) On the dissolution of the university, all the assets and liabilities of the university shall vest in the sponsoring body.

Special powers of the State Government in certain circumstances 46. (1)

If it appears to the Government that the university has contravened any of the provisions of this Act or the Rules, Statutes or Ordinances made there under or has violated any of the directions issued by it under this Act or has ceased to carry out any of the undertaking given under sub-section (1) of section 5 or a situation of financial mismanagement or mal-administration has arisen in the university, it shall


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issue notice to the university to show cause within forty five days as to why an order of its liquidation should not be made.

(2) If the Government, on receipt of reply of the university on the notice issued under sub-section (1), is satisfied that there is a *prima facie* case of contravening all or any of the provisions of this Act or the Rules, Statutes or Ordinances made there under or of violating directions issued by it under this Act or of ceasing to carry out the undertaking given under sub-section of section 5 or of financial mismanagement or mal-administration, it shall make an order of such enquiry as it may consider necessary.

(3) The State Government shall, for the purpose of any enquiry under sub-section (2), appoint an inquiry officer or officers to inquire into any of the allegations and to make report thereon.

(4) The inquiry officer or officers appointed under sub-section (3) shall have the same powers as are vested in a civil court made under the Code of Civil Procedure, 1908 while trying a suit in respect of the following matters, namely:-

(Central Act
No. 5 of 1908)

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any such document or any other material as may be producible in evidence;

(c) requisitioning any public record from any court or office; and

(d) any other matter which may be prescribed.

(5) The inquiry officer or officers inquiring under this Act shall be deemed to be a civil court for the purposes of section 215, chapter xv, Bharatiya Nagarik Suraksha Sanhita, 2023

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(6) On receipt of the enquiry report from the officer or officers appointed under subsection (3), if the State Government is satisfied that the university has contravened all or any of the provisions of this Act or the Rules, Statutes or Ordinances made there under or has violated any of the directions issued by it under this Act or has ceased to carry out the undertakings given by it under sub-section (1) of section 5 or a situation of financial mismanagement or mal-administration has arisen in the university which threatens the academic standard of the university, it shall make orders for liquidation of the university and appoint an administrator.

(7) The administrator appointed under sub-section (6) shall have all the powers and be subjected to all the duties of the Governing Body and the Board of Management under this Act and shall administer the


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affairs of the university until the last batch of students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards as the case may be.

(8) After having been awarded the degrees, diplomas or awards, as the case may be, to the last batches of the students of the regular courses, the administrator shall make a report to the effect to the State Government.

(9) On receipt of the report under sub-section (8), the State Government shall, by a notification in the Official Gazette, issue an order dissolving the university and from the date of publication of such notification the university shall stand dissolved and all the assets and liabilities of the university shall vest in the sponsoring body from such date.

Power to make rules 47. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the manner of making proposal in the Project Report under sub-section (2) of section 54;
- (b) other particular to be contained in the Project Report under sub-section (2) of section 4;
- (c) matter to be prescribed under clause (d) of sub-section (4) of section 46;
- (d) other matters which are required to be, or may be, prescribed by rules under this Act.

(3) All the rules made under this Act shall be laid, as soon as may be after they are so made, before the House of the State Legislature, while it is in session, for a period of not less than fourteen days which may be comprised in one session or in two successive sessions and if before expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modifications in any of such rules or resolves that any such rules should not be made, such rules 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 done hereunder.

Power to remove difficulties 8. (1) 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 provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.

(2) Every order made under this section shall, (2) as soon as may be after it is made, shall be laid before the House of the State Legislature.

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The Act to have overriding effect

49. The provisions of this Act and the Rules, Statutes, Ordinances made there under shall have effect notwithstanding anything to the contrary contained in any law, for the time being in force, made by the State Legislature relating to universities.

Disputes to be settled in a court in Assam

50. All disputes arising as a result of the provisions made in the Act shall be settled by a court of law in the State of Assam.

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