

THE GOA PRIVATE UNIVERSITIES (AMENDMENT) BILL, 2025

(Bill No. 16 of 2025)

A

BILL

further to amend the Goa Private Universities Act, 2020 (Goa Act 4 of 2020).

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of the Republic of India as follows: -

1. Short title and commencement. - (1) This Act may be called the Goa Private Universities (Amendment) Act, 2025.

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

2. Amendment of section 2. - In section 2 of the Goa Private Universities Act, 2020 (Goa Act 4 of 2020) (hereinafter referred to as the “principal Act”), in clause (xvi), -

(i) in sub-clause (ii), for the expression “the Indian Trusts Act, 1882 (Central Act No. 2 of 1882);”, the expression “the Charitable and Religious Trusts Act, 1920 (Central Act No. 14 of 1920) or the Registration Act, 1908 (Central Act No. 16 of 1908) or under an Act passed by the legislature of any other state for registration of public trust;” shall be substituted;

(ii) for sub-clause (iii), the following sub-clause shall be substituted, namely:-

“(iii) a company registered under section 25 of the Companies Act, 1956 (Central Act No.1 of 1956) or under section 8 of the Companies Act, 2013 (Central Act 18 of 2013)”.

3. Amendment of section 3. - In section 3 of the principal Act, in clause (e), for the words “rupees fifty thousand”, the words “rupees fifty lakhs” shall be substituted.

4. Amendment of section 6. - In section 6 of the principal Act, in sub-section (1), for clause (ii), the following clause shall be substituted, namely:-

“(ii) own or possess on a lease atleast for a period of 30 years, a land not less than 50,0000 (fifty thousand) square meters or such land as per the requirement of the regulatory body, whichever is higher.”.

5. Amendment of section 8. - In section 8 of the principal Act, -

(i) the existing provision shall be numbered as sub-section (1);

(ii) after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:-

“(2) The land and other movable and immovable properties acquired, created, arranged or built by the sponsoring body for the University within the State of Goa shall vest in the University and shall not be used for any purpose other than the academic and research.”.

6. Amendment of section 14. - In section 14 of the principal Act, in sub-section (1), for the words “Regulatory Authority”, the words “Regulatory body” shall be substituted.

7. Amendment of section 15. - In section 15 of the principal Act, after the existing proviso, the following proviso shall be inserted, namely:-

“Provided further that if the adequate number of eligible candidates belonging to the reserved categories have not applied for admission to any programme offered by the University, such reserved seats shall be filled by the candidates from the unreserved category.”.

8. Amendment of section 16. - In section 16 of the principal Act,-

(i) the existing provision shall be numbered as sub-section (1);

(ii) after sub-section (1) as so numbered, the following sub-sections shall be inserted, namely:-

“(2) The sponsoring body shall have the power to nominate the first President, the first Vice-Chancellor, the first Pro-Vice-Chancellor, the first Registrar and the first Finance Officer.

(3) The officers of the University nominated under sub-section (2) shall cease to hold their respective offices on the appointment of the President, the Vice Chancellor, the Pro-Vice-Chancellor, the Registrar and the Finance Officer under sections 17, 18, 19, 20 and 22, respectively or on expiry of a period of two years from the date of notification issued under section 7, whichever is earlier.

(4) All decisions and actions taken by the officers nominated under sub-section (2) shall be deemed to be the decisions of the respective officers appointed under sections 17, 18, 19, 20 and 22.”.

9. Amendment of section 24. - In section 24 of the principal Act,-

(i) the existing provision shall be numbered as sub-section (1);

(ii) in sub-section (1) as so numbered, the following proviso shall be inserted, namely:-

“Provided that the sponsoring body shall have power to constitute the first Governing Body, first Executive Council, first Academic Council, and first Planning Board.”;

(iii) after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:-

“(2) The authorities constituted under sub-section (1) shall cease to exist on the constitution of the Governing Body, the Executive Council, the Academic Council, the Finance Committee and the Planning Board under sections 25, 26, 27, 28 and 29 respectively or after two years from the date of notification issued under section 7, whichever is earlier.

(3) All decisions and actions taken by the authorities constituted under sub-section (1) shall be deemed to be the decisions of the respective authorities appointed under sections 25, 26, 27, 28 and 29”.

10. Amendment of section 62. - In section 62 of the principal Act, in sub-section (5), for the expression, “section 195 and Chapter 26 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974)”, the expression, “section 215 and Chapter 28 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023)” shall be substituted.

11. Amendment of section 63. - In section 63 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:-

“(1A) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(i) manner of furnishing information to the Government under clause (l) of section 3;

(ii) fees payable under sub-section (1) of section 4;

(iii) the manner of conferring honorary degrees or other distinctions under clause (iv) of section 13;

(iv) emoluments, allowances and facilities to be provided to the Chairperson, members and staff of the Regulatory Authority under sub-section (9) of section 39;

(v) manner of investment in instruments for permanent endowment fund under clause (iv) of section 50;

(vi) measures for non-compliance with directions issued by the Government under sub-section (1) of section 60”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend clause (xvi) of section 2 of the Goa Private Universities Act, 2020 (Goa Act 4 of 2020) (hereinafter referred to as the “said Act”) as the Indian Trusts Act does not govern public trusts, and also to consider only non-profit making companies to be the sponsoring body of a Private University.

The Bill seeks to amend clause (e) of section 3 of the said Act to enhance the investment in the library.

The Bill seeks to amend sections 6 and 8 of the said Act to specify the land requirements for the private university and to vest the purchase of such land with the Private University.

The Bill seeks to amend sub-section (1) of section 14 of the said Act to regulate admissions in Private Universities as per the rules of Regulatory bodies.

The Bill seeks to insert a second proviso to section 15 of the said Act so as to make a provision for filling the seats by the candidates from unreserved category if an adequate number of candidates are not available from the reserved category.

The Bill seeks to amend sections 16 and 24 of the said Act so as to include transitional provisions after the establishment and incorporation of the Private University.

The Bill seeks to amend sub-section (5) of section 62 of the said Act to incorporate the consequential changes as a result of the enactment of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023).

The Bill seeks to amend section 63 of the said Act to specify the rule-making powers of the Government.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1 (2) of the Bill empowers the Government to issue notification for appointing the date to bring into force the Act.

Porvorim-Goa
21st March, 2025

(Dr. Pramod Sawant)
Hon'ble Minister for Education

Assembly Hall,
Porvorim-Goa
21st March, 2025

(Smt. Namrata Ulman)
Secretary (Legislative Assembly of Goa)

A N N E X U R E

Extract of Sections 2, 3, 6, 8, 14, 15, 16, 24, 62 and 63 of the The Goa Private Universities Act, 2020 (Goa Act 4 of 2020)

Section 2

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

(xvi). “sponsoring body”, in relation to a University to be established under this Act, means:

(i) a Society registered under the Societies Registration Act, 1860 (Central Act No. 21 of 1860); or

(ii) a public trust registered under the Indian Trusts Act, 1882 (Central Act No. 2 of 1882); or

(iii) a company registered under the Companies Act, 1956 (Central Act No. 1 of 1956) or the Companies Act, 2013 (Central Act 18 of 2013);

Section 3

3. Conditions for the establishment of the University. - The sponsoring body shall, for the purposes of establishing the University under this Act fulfil the following conditions, namely: -

- a) create a permanent endowment fund of at least rupees five crores;
- b) own or possess on long term lease basis a land, buildings and infrastructure facilities required for establishing University;
- c) install equipments, computers, furniture, assets, infrastructural facilities (other than building mentioned in clause (b) and other consumables and non-consumables of atleast rupees two crores in offices and laboratories in the building referred to in clause (b); and undertake to procure the computers, furniture, assets, infrastructural facilities (other than building mentioned in clause (b) and other consumables and non-consumables of atleast rupees four crores in the next five years after establishing University;

- d) appoint at least one Professor, two Associate Professors and sufficient number of Assistant Professors and supporting staff members in every department or discipline.
- e) purchase books and periodicals worth rupees fifty thousand in the library and also undertake to invest rupees five crores for the books, periodicals, computer library networking and other library facilities in the first three years after establishing the University;
- f) undertake to arrange the co-curricular activities, extracurricular activities, debate, competitions, quiz programmes, sports, National Service Scheme and National Cadet Corps for the students as per the standards of regulatory bodies;
- g) undertake to adhere standards, conditions and regulations set by University Grants Commission, All India Council for Technical Education, National Council for Teachers Education, Bar Council of India, Medical Council of India and other regulatory bodies established by the Government or Central Government;
- h) undertake to establish the provident fund for the employees of the University and to introduce other welfare schemes;
- i) make the Statutes and the Ordinances for the administration and functioning of the University;
- j) any arrangements made by the University shall not differ from the provisions of the Act and regulations of the University Grants Commission and other regulatory bodies;
- k) ensure transparent functioning of the University and put the clearances obtained from the Regulatory Bodies in the public domain;
- l) furnish such information to the Government in such manner as may be prescribed;
- m) comply with such other conditions as may be notified by the Government to be fulfilled before the establishment of the University.

Section 6.

6. Issuance of letter of intent and submission of compliance report by sponsoring body.— (1) After the receipt of the report of the committee constituted under section 5,

if the Government is satisfied that it is proper to establish the University, it may issue a 'Letter of Intent' and required sponsoring body to;-

- (i) establish an endowment fund in accordance with the provisions of this Act;
- (ii) own or possess on long term lease basis as much land and constructions thereon as may be required by the Government in its notification issued from time to time;
- (iii) own library, computers and other equipment and the required infrastructure facilities for running academic and research activities as may be required by the regulatory bodies and the Government from time to time.
- (iv) give an undertaking to appoint at least one Professor, two Associate Professors and adequate number of Assistant Professors and Research Associates along with necessary supporting staff in each department or discipline to be started by the University and as required by the Regulatory Authority.
- (v) give an undertaking to take up cocurricular activities like seminars, debates, quiz programs and extracurricular activities like games, sports, National Service Scheme, National Cadet Corps, Rovers and Rangers etc., for the benefit of students as per the instructions of the Regulatory Authority.
- (vi) give an undertaking for establishment of provident fund/National Pension Schemes and to take up welfare programs for the officers, teachers and employees of the University; and
- (vii) fulfil such other conditions and provide such other information as may be required by the Regulatory Authority and the central regulatory bodies constituted by the Government of India/Government of Goa as the case may be.

(2) The sponsoring body shall after complying with the provisions of section 3, report the compliance to the Government within a maximum period of five years from the date of issue of the letter of intent;

Provided that the Government may, if it is satisfied that the sponsoring body could not comply with the provisions of section 3 within the said period of five years

for reasons stated in writing, extend the said period by further period of two years, on the request made by the sponsoring body for such extension.

(3) If the sponsoring body fails to comply with the provisions of section 3, the Government shall have power to withdraw the letter of intent issued to the sponsoring body under sub-section (1).

Section 8

8. Incorporation of the University.— Every University established under section 7 shall be a body corporate by the name and shall have perpetual succession and a common seal. It shall have the power to acquire and hold property both movable and immovable and to make contract, and may sue and be sued by the said name.

Section 14

14. Admission and Standards.— (1) Admission to the different academic programmes shall be made in accordance with the Rules of Regulatory Authority of concerned discipline of study and University Grants Commission norms for the time being in force.

(2) The University shall ensure that the academic standards of the courses offered by the University are in accordance with the guidelines of the University Grants Commission and other statutory bodies, as the case may be.

(3) The teacher-student ratio shall be in accordance with the guidelines of the University Grants Commission.

(4) Academic performance of the University with respect to standards set by the University Grants Commission/Government/other Regulatory Bodies shall be periodically reviewed by a Committee of Academic Experts constituted by the President consisting of one Chairman and four members including two members as nominees of the Government.

(5) The Chairman and other four expert members shall be from academic field not below the rank of Professor and from one of the specialization run by the University. A copy of the report along with the action taken by the University shall be sent to the

University Grants Commission and Government and also displayed in the public domain.

Section 15

15. University open to all classes and creeds.— The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt to impose on any person any test whatsoever of his religious belief or profession in order to entitle him to be admitted therein as an officer, a teacher, staff member, student, or to hold any office therein or to graduate threat:

Provided that reservation in the posts and recruitment of the employees and reservation of seats for admission in any course of study in the University for the students belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes of citizens shall be regulated by the Order of the Government issued from time to time.

Section 16

16. Officers of the University. — The following shall be the officers of the University,—

- (i) the President;
- (ii) the Vice-Chancellor;
- (iii) the Pro-Vice-Chancellor;
- (iv) the Registrar;
- (v) the Dean of Faculty;
- (vi) the Controller of Examinations;
- (vii) the Finance Officer; and
- (viii) such other officers as may be declared by the Statutes to be officers of the

University.

Section 24

24. Authorities of the University.— The following shall be authorities of the University:—

- (1) the Governing Body;
- (2) the Executive Council;
- (3) the Academic Council;
- (4) the Finance Committee;
- (5) the Planning Board;
- (6) the Board of Faculties;
- (7) the Examinations Committee; and
- (8) such other body, council and committee as may be declared by the Statutes to be the authority of the University.

Section 62

62. Special powers of the Regulatory Authority and the Government in certain circumstances.— (1) If, it appears to the Regulatory Authority that the University has contravened any of the provisions of this Act or Statutes or Ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out any of the undertakings given under sub-section (1) of section 6 or a situation of financial mismanagement or maladministration has arisen in the University, it shall issue notice requiring the University to show cause within forty-five days as to why an order of its dissolution should not be made.

(2) If the Regulatory Authority, 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 contravention of any of the provisions of this Act or the Statutes or Ordinances or Regulations made thereunder or of violation of directions issued by it under this Act or of ceasing to carry

out any of the undertakings given or of financial mismanagement or maladministration, it shall make an order of such enquiry as it may consider necessary.

(3) The Regulatory Authority shall, for the purposes of any enquiry under sub-section (2), appoint an inquiry officer or enquiry committee to inquire into any of the allegations and to make report thereon.

(4) The inquiry officer or the enquiry committee appointed under sub-section (3) shall have the same powers as are vested in a Civil Court under the Civil Procedure Code, 1908 (Act of 1908) while trying a suit in respect of the following matters, namely:— (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 necessary in evidence; (c) requisitioning any public record from any office; and (d) any other matter which may be prescribed by the Government from time to time.

(5) The inquiry officer or enquiry committee inquiring under this Act shall be deemed to be a Civil Court for the purposes of section 195 and Chapter 26 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974).

(6) On receipt of the enquiry report from the enquiry officer or the enquiry Committee appointed under sub-section (3), if the Regulatory Authority is satisfied that the University has contravened all or any of the provisions of this Act or the Statutes or Ordinances or Regulations made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the undertakings given by it or a situation of financial mismanagement and maladministration has arisen in the University which threatens the academic standard of the University, it shall make recommendations to the Government for liquidation of the University and shall 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 Executive Council and the Governing Body under this Act and shall administer the affairs of the University until the last batch of the 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 Regulatory Authority and the Government. (9) On receipt of the report under sub--section (8), the Government shall, by a notification in the Official Gazette, issue an order dissolving the University and from the date of publication of such notification in the Official Gazette, the University shall stand dissolved and all the assets and liabilities of the University shall vest in the sponsoring body from such date.

Section 63

63. Power to make rules.— (1) The Government may, by notification, make rules for carrying out the provisions of this Act.

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