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PART--IV-- Bills introduced in the Tripura Legislative Assembly : Report of Selection Committees presented or to be presented to the Assembly; and Bills published before introduction in that Assembly.

TRIPURA LEGISLATIVE ASSEMBLY SECRETARIAT

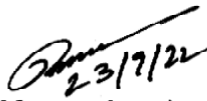
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No.F.7(12-15)-LA/2022/2638

Dated, Agartala the 23rd September, 2022.

NOTIFICATION

“ As required under Rule 117 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly, “The Dhamma Dipa International Buddhist University Bill, 2022 (The Tripura Bill No. 15 of 2022)” as introduced in the Assembly on the 23rd September, 2022 to be published in the Tripura Gazette.”


(B.P. Karmakar)
Secretary
Tripura Legislative Assembly

THE TRIPURA BILL No. 15 of 2022.

THE DHAMMA DIPA INTERNATIONAL BUDDHIST UNIVERSITY BILL, 2022.

A Bill

to provide for the establishment and incorporation of THE DHAMMA DIPA INTERNATIONAL BUDDHIST UNIVERSITY in the State of TRIPURA and matters connected therewith and incidental thereto;

WHEREAS, there are universities at all levels operating in Tripura and these are institutions of reputation, having a tradition of scholarship and research, there continues to be a necessity for setting up new private Universities of excellence for higher education and research in the State of Tripura for improving the quality of education in the State. The students of entire the North-East, India and other parts of the country, as also from South east Asian countries will be benefitting from the establishment of this Dhamma Dipa International Buddhist University in Tripura, a first of its kind. This is to provide a universal ethical base to function more efficiently with humane concern in teaching and learning, training and research in various branches of knowledge and courses of study, especially in Buddhist Studies, Indic Studies, Humanities, Social Sciences, Commerce, Physical and Natural Sciences, Management, Law, Rural Development, Medical Sciences, Engineering Technology. Promoting advancement and dissemination of knowledge and learning based on meditation and mind training to further the need of value-based quality education in higher education and research for ecological equilibrium and sustainable development in order to create a peaceful society and to serve the nation. In furtherance to this object, it has become imperative to enact a new legislation, to establish the University for the purpose hereinafter appearing;

BE it enacted by the Legislative Assembly of Tripura in the 74th (Seventy-fourth) year of the Republic of India as follows:-

1. Short Title and Commencement:

- (a) This Act may be called “The Dhamma Dipa International Buddhist University Act (DDIBU), 2022”
- (b) It shall come into force on such date as the State Government by Notification in The Tripura Gazette appoints.

2. Definition:

In this Act and in the Statutes, Ordinances and Regulations made hereunder, unless the context otherwise requires:-

- (i) “Act” means The Dhamma Dipa International Buddhist University Act, 2022.

- (ii) "Academic Council" means the Academic Council of the University.
- (iii) "AICTE" means All India Council for Technical Education established under Section 3 of the all India Council for Technical Education Act, 1987.
- (iv) "Board" means the Board of Faculties, Board of Studies and the Planning Board, or any other Board of the University.
- (v) "CSIR" means the Council of Scientific and Industrial Research, New Delhi, a funding agency of the Central Government.
- (vi) "DSIR" means the Department of Scientific and Industrial Research, New Delhi, a funding agency of the Central Government.
- (vii) "Department" means a Department of Studies which would be under a Centre of Studies and Research.
- (viii) "Centre."
- (ix) "Director" means the Head of an "Institute", "Centre" or "School", or the person appointed for the purpose to act as such in his absence.
- (x) "DST" means the Department of Science and Technology of the Central Government.
- (xi) "Employee" will include teaching and non-teaching staff of the University.
- (xii) "Executive Council" means the Executive Council of the University.
- (xiii) "School/Faculty" means a School/Faculty of the University.
- (xiv) "Governing Body" means a committee constituted by the sponsoring body.
- (xv) "Hostel" means "Scholars/Students" Hostel of the University.
- (xvi) "ICAR" means the Indian Council of Agricultural Research.
- (xvii) "Institute/School" means an Institute or School established by the University in accordance with this Act and the Statutes.
- (xviii) "NMC" means The National Medical Commission (NMC) has been constituted by an act of Parliament known as the National Medical Commission Act, 2019.
- (xix) "Minority Private University" means a Private University established by a religious or linguistic minority of the State of Tripura.
- (xx) "NAAC" means the National Assessment and Accreditation Council.
- (xxi) "NCC" means National Cadet Corps.
- (xxii) "NCTE" means the National Council for Teacher Education under the National Council for Teacher Education Act, 1993.
- (xxiii) "NSS" means National Service Scheme.
- (xxiv) "PCI" means Pharmacy Council of India constituted under Section 4 of the Pharmacy Act, 1948.
- (xxv) "Records and Publications" means the Records and Publications of the University.
- (xxvi) "Regulatory Body" means the statutory bodies established by the Central Government from time to time such as the University Grants Commission and includes the All India Council for Technical Education, the Bar Council of India, the Distance Education Council, the Dental Council of India, the Indian Nursing Council, the National Medical

Commission, the National Council for Teacher Education, Central Council for Indian Medicine and the Pharmacy Council of India.

- (xxvii) "Schedule" means schedule appended to this Act.
- (xxviii) "Statutes", "Ordinances" and "Regulations" means respectively, the Statutes, Ordinances and Regulations of the University for the time being in force.
- (xxix) "Student" means a student enrolled with the University.
- (xxx) "Teacher of the University" means Professors, Associate Professors, Assistant Professors, and other such persons as may be appointed for imparting educational instructions, or conducting research in the University and are designated as Teachers by the Ordinances.
- (xxxi) "Treasurer", "Registrar", "Finance Officer", "Controller of Examinations", "Librarian" or, "Proctor" means respectively the Treasurer, the Registrar, the Finance Officer, the Controller of Examinations, the Librarian or the Proctor of the University.
- (xxxii) "UGC" means University Grants Commission established under Section 4 of the University Grants Commission Act, 1956.
- (xxxiii) "Affiliated College" means a college or an institution which is affiliated to Dhamma Dipa International Buddhist University under this Act.
- (xxxiv) "DDIBU" means Dhamma Dipa International Buddhist University.
- (xxxv) "Prescribed" means prescribed by statutes.
- (xxxvi) "Distance Education System" means and includes the system of imparting education through any means of communication, such as broadcasting, telecasting, correspondence courses, seminars, contact programme or the combination of any two or more.
- (xxxvii) "Off-Campus" means a campus of the University established by it outside the main campus (within the state) operated and maintained as its constituent unit, having the University's complement facilities, faculties and staff.
- (xxxviii) "State Government" means the State Government of Tripura.
- (xxxix) "College Development Council" means College Development Council of the University.
- (xl) "Chancellor" "Vice-Chancellor" and "Pro-Vice-Chancellor" means respectively the Chancellor, the Vice-Chancellor and the Pro-Vice-Chancellor of the University.
- (xli) "Court" means the Court of the University.
- (xlii) "Director/ Principal" means the head of an institution, college, school, polytechnic and Industrial Training Institute, Teachers' Training Institute or the person appointed for the purpose to act as such in his / her absence.
- (xliii) "Employee" means any person appointed by the University, and includes a teacher (academic) or any other member of the non-academic staff of the University.

- (xlv) “Trust” means Bahujana Hitaya Education Trust established on June 15, 2000 and registered under the Indian Trusts Act 1882 on June 18, 2001 with sub-Registrar’s Office, Sadar, Agartala, Tripura, India with registration No. I-4510/2001.
- (xlv) “Dhamma Council”, means a learned group of nine members of monastic or laity to bring about Buddha Dhamma practices in the University both in academic and non-academic pursuits.

3. Establishment of the University:

- (i) There shall be established a University by the Trust in the name of Dhamma Dipa International Buddhist University, Tripura.
- (ii) The Headquarters of the University will be in Sabroom Sub-Division of South Tripura District and it may also establish Campus/ Study Centre/Off-Campus/Off-Shore Campus Study Centers at such places anywhere in the State.
- (iii) The University shall be an Autonomous Body.
- (iv) The University shall have perpetual succession and a common seal, and shall sue and be sued by the name of Dhamma Dipa International Buddhist University.

4. Condition for the Establishment of the University:

The University will comply with the direction and guidelines issued by the state government of Tripura in this regard for the time being in force, and it shall start academic activities after creation of minimum infrastructure facilities required.

5. Starting of the University:

The University will start operation only after the State Government issues a Notification for the commencement of the functioning of the University and subject to such terms and conditions as may be stipulated by the State Government by the notification published in the official Gazette under this section.

i. Objectives of the University:

The objectives for which the University is established are as follows:

- (i) To foster and promote the ancient knowledge of India with special reference to Buddhism and other sources of Indian wisdom to build a value-based knowledgeable society for harmonious and sustained peaceful living.
- (ii) Innovations in education, leading to restructuring of courses, new methods of teaching, training and learning including online learning, blended learning, continuing education and such other modes and integrated and wholesome development of personality.
- (iii) To disseminate and advance knowledge by providing instruction, research and extension of facilities in such branches of learning as it may deem fit and the University

will endeavour to provide students and teachers, the necessary atmosphere and facilities for the promotion of studies in various disciplines.

- (iv) To grant, subject to such conditions as the University may determine, diplomas or certificates, and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons, and to withdraw any such diplomas, certificates, degrees or such other academic distinctions for good and sufficient cause.
- (v) To confer honorary degrees or other distinctions in the manner prescribed.
- (vi) To conduct training and research on inter-disciplinary and inter-religious studies.
- (vii) To provide instructions and courses for national integration, secularism, social equity and engineering of international understanding and ethics.
- (viii) To organise and to undertake extra-mural studies and extension services.
- (ix) To make provisions for integrated courses in humanities, natural and physical sciences, social sciences, agricultural science, forestry and other allied disciplines in the educational programme of the University.
- (x) To take appropriate measures for promoting innovations in the teaching-learning process, inter-disciplinary studies and research.
- (xi) To educate and train manpower for the development of the state and the nation.
- (xii) To pay special attention to the improvement of the social and economic conditions and welfare of the people of that state, their intellectual, academic and cultural development.
- (xiii) Studies in various disciplines.
- (xiv) Interdisciplinary studies.
- (xv) National integration, patriotism, secularism, social equity and inculcation of international understanding and ethics.

ii. Powers of the University:

The University will have the following powers:-

- (1) To provide for instruction in such branches of learning as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge and skills.
- (2) To provide for instruction in such branches of learning as the university may think fit and to make provisions for research and for the advancement and dissemination of knowledge.
- (3) To impart and promote the study of Buddhism, Indology, science, technology, medicine, dentistry, management, law and other professional courses and also history, culture, philosophy, art, etc. through in campus centers or by conducting distant educational programme etc.

- (4) To honour educational stalwarts and persons of academic eminence with the appellation/ title decoration of Professor Emeritus.
- (5) To grant, subject to such conditions as the University may determine, diplomas or certificates to and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause.
- (6) To confer honorary degrees of other distinctions in the manner prescribed.
- (7) To provide education including correspondence and such other courses to such persons, who are not members of the University.
- (8) To institute Directorships, Principalships, Professorships, Associate Professorships/ Readerships, Assistant Professorships / Lectureships and other teaching or academic posts required by the University and to make appointments for the same.
- (9) To create administrative, ministerial and other posts and to make appointments thereto.
- (10) To appoint/engage persons working in any other university or organization having specific knowledge permanently or for a specified period.
- (11) To cooperate, collaborate or associate with any other university or authority of institution in such a manner and for such a purpose as the University may determine.
- (12) To establish and maintain schools, centers, specialised laboratories or other units for research and instructions as are in the opinion of the University, necessary for the furtherance of its objects.
- (13) To institute and award fellowships, scholarships, studentships, medals and prizes.
- (14) To establish, maintain and supervise residences, hostels for students of the University and promote their health and general welfare activities.
- (15) To make provisions for research and consultancy, and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary.
- (16) To declare a centre, and institution, a department, or school, as the case may be, in accordance with the statutes.
- (17) To determine standards for admission into the University, which may include examination, evaluation or any other method of testing.
- (18) To demand and receive payment of fees and other charges.
- (19) To make special arrangements in respect of women students as the University may consider desirable.
- (20) To regulate and enforce discipline amongst the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary by the University.
- (21) To make arrangements for promoting the health and general welfare of the employees to the university.

- (22) To receive donations and to acquire, hold, manage and dispose of any property, movable or immovable for the welfare of the University.
- (23) To borrow by way of hypothecation or mortgage against the property of the University with prior approval of the Trust.
- (24) To appoint, either on contract or otherwise, visiting professors, emeritus professors, consultants, fellows, scholars, artists, course writers and other such persons who may contribute to the advancement of the objectives of the University.
- (25) To organise and to undertake extramural studies and extension service; and
- (26) To do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objectives of the University and which may be permitted by the Executive Council of the University.
- (27) To organise and conduct refresher courses, orientation courses and workshops, seminars and other programmes for teachers, professors, evaluators, academic and other staff.

8. Admission and Standards:

- (i) Admission to the different academic programme shall be made in accordance with the laws for the time being in force and UGC Guidelines.
- (ii) 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 / MCI/DCI/AICTE/NCI, etc. as the case may be.
- (iii) The teacher-student ratio should be in accordance with the guidelines of the University Grants Commission or specific council.

9. University Open to All Classes, Castes, Creeds, Faith, Regions, Languages, Gender and Nationalities:

- (i) The University will be open to all irrespective of class, caste, creed, faith, region, language, gender and nationality. 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 and persons belonging to Scheduled Castes/ Schedule Tribes, Other Backward Classes of citizens will be regulated by the order of the state government from time to time.
- (ii) No content in this section shall be considered to prevent the University from making special provisions for admissions to students of the state for socially and economically weaker sections of society, especially for the state of Tripura.

10. Officers of the University:

The following will be the officers of the University: -

- a) Chancellor

- b) Pro-chancellor
- c) Vice- Chancellor
- d) Pro-Vice-Chancellor
- e) Registrar
- f) Dean of Faculty
- g) Dean of Students' Welfare
- h) Controller of Examination
- i) Chief Proctor
- j) Finance Officer and
- k) Such other officers as may be declared by the statutes to be officers of the University.

All officers of the university shall be appointed or engaged, permanently or temporarily, as described below, however with final approval or consent from the Trust. In any case of dispute or disarray, the Trust shall constitute a special committee/body for further decision on the matter. The officers of the University may be categorized as follows: -

Research	Academic	Administrative
Pro-chancellor	Chancellor	Pro-vice-chancellor
Dean Research and Academics	Vice-chancellor	Deans
Research Professors/ Scientists D, E, F/ Research Chairs	Controller of Examinations	HOD/Professors
Scientists B, C	Registrar/ Chief Warden/ Chief Librarian/ Chief Proctor	Associate Professors
Research Associate	Additional Registrar/Wardens/Finance Officer	Assistant Professors
Research Assistant/JRF/SRF	Assistant Registrar	

11. The Chancellor:

- (i) A person of eminence will be appointed by the Board of Trustees of the Trust as Chancellor for a period of three years.
- (ii) The Chancellor may in writing under his hand addressed to the Trust, resign his office.
- (iii) The Chancellor shall, by virtue of his office, be the Head of the University and shall constitute the interim Executive Council.

- (iv) The Chancellor shall, if present, preside at the convocation of the University held for conferring degrees.

12. The Pro-Chancellor:

- (i) A person of eminence will be appointed by the Executive Council and the Dhamma Council, with approval of the Trust, as Pro-Chancellor for a period of three years.
- (ii) In the absence of the Chancellor, the Pro-Chancellor, if present, shall preside at a meeting of the Court.
- (iii) The Pro-Chancellor shall, by virtue of his office, be from research background.

13. The Vice-Chancellor:

- (i) The Vice-Chancellor shall be appointed by the Chancellor, with approval of the Trust, in such a manner as may be prescribed, for a period of three years.
- (ii) The Vice-Chancellor shall be the Principal Executive and academic officer of the University and shall be the Chairman of the Executive Council and the Academic Council of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University.
- (iii) The Vice-Chancellor may, if he /she is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall convey to such an authority the action taken by him on such matters. Provided that any authority or any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this subsection, may prefer an appeal to the Chancellor within one month from the date of communication of the order. The Chancellor may confirm, modify or reverse action taken by the Vice-Chancellor.
- (iv) The Vice-Chancellor shall exercise such powers and perform such other functions as may be prescribed.

14. The Pro-Vice-Chancellor:

- (i) The Pro-Vice-Chancellor will be appointed by the Vice-Chancellor and shall exercise such powers and performs such functions as may be described below:
 - a. The Pro Vice-Chancellor shall be appointed by the Vice-Chancellor from amongst the senior Professors of the University and who will discharge his / her duties in addition to his duties as a Professor.
 - b. Provided that the Vice-Chancellor may, with the prior approval of the Chancellor, appoint any person, who is or has been principal of a Post graduate college, and is not over 70 years of age, as Pro Vice-Chancellor on emoluments and terms and

conditions as may be determined by the Trust. The age of retirement of Pro Vice-Chancellor will be 70 years.

- c. The Pro Vice-Chancellor shall assist the Vice-Chancellor in discharging day to day duties as and when required by the Vice-Chancellor. He shall preside over represent the Vice-Chancellor in the meetings of the University authorities in absence of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned or delegated to him / her by the Vice-Chancellor.
- (ii) The Pro-Vice-Chancellor appointed under sub-section (1) shall discharge his duties in addition to his duties as a Professor.
- (iii) The Pro-Vice Chancellor shall assist the Vice-Chancellor in discharging day-to-day duties as and when required by the Vice-Chancellor.

15. Registrar:

- (i) The Registrar shall be appointed in such a manner as may be described below:
 - a. The Registrar shall be a full-time officer of the University. The Registrar shall be appointed by the Vice-Chancellor in consultation with the Chairman of the Trust. The Registrar will be accountable to the Vice-Chancellor.
 - b. The Registrar will retire on attaining age of 65 years.
 - c. The term of office of the Registrar shall be of three years.
 - d. The Vice-Chancellor can suspend the Registrar, institute inquiry and take appropriate action against him / her in cases of misconduct against him / her. The Vice-Chancellor can remove the Registrar without assigning any reason after giving him / her notice of three months or salary in lieu of the notice period.
 - e. The Registrar may resign his / her office after giving three months notice in advance to the Vice-Chancellor and shall cease to hold his / her office on the acceptance by the Vice-Chancellor of such resignation or on expiry of the notice period, whichever is earlier.
 - f. The Registrar shall have the power to authenticate records on behalf of the University.
 - g. The Registrar shall be responsible for due custody of the records and the common seal of the University. He shall be ex-officio Secretary of the Executive Council, the Court, the Academic Council, the Admission Committee and of every Selection Committee for the appointment of the principals of Colleges/Institutions of the University and shall be bound to place before these authorities all such information

as may be necessary for the transaction of their business. He / she shall perform such other duties as may be prescribed by the Statutes and Ordinances as required, from time to time, by the Executive Council or the Vice-Chancellor. He / she shall not, by virtue of this sub-clause, be entitled to vote.

- h. Subject to the provisions of the Act, it shall be the duty of the Registrar:
- i. To issue all notices convening meetings of various authorities with the approval of the competent authority concerned and to keep the minutes of all such meetings
 - ii. To conduct the official correspondence of the Court, the Executive Council and the Academic Council
 - iii. To exercise all such powers as may be necessary or expedient for carrying out the orders of the Chancellor, Vice-Chancellor or various authorities of the University of which he acts as Secretary
 - iv. To represent the University in suits or proceedings by or against the University, sign powers of attorney and verify the pleadings
- i. The Registrar in his / her work would be assisted by a number of other officers including Additional, Deputy and Assistant Registrars as prescribed and appointed by the Vice-Chancellor. Their work and conduct shall be supervised by the Registrar and they will continue in their offices at the pleasure of the Vice-Chancellor.
- (ii) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other functions as may be prescribed.
- (iii) The Registrar shall be the Ex-Officio Secretary of the Executive Council and the Academic Council.

16. Deans of Faculties:

Deans of Faculties shall be appointed by the Vice-Chancellor in such a manner and shall exercise powers and perform such duties as may be prescribed by the statutes.

17. Finance Officer:

- (i) The Finance Officer shall be appointed in such a manner and shall exercise such powers and perform such functions as may be described below:
- a) The Finance Officer will be appointed by the Chancellor.

- b) He / She shall be a full-time salaried officer of the University and shall be directly responsible to the Vice-Chancellor.
 - c) The Chancellor can suspend the Finance Officer, institute inquiry and take appropriate action against him / her in cases of misconduct on his own or on the recommendation of the Vice-Chancellor. The Chancellor can remove the Finance Officer without assigning any reason after giving him / her notice of three months or salary in lieu of the notice period.
 - d) The Finance Officer may resign after giving three months' notice to the Chancellor through the Vice-Chancellor and shall cease to hold his / her office on the acceptance by the Chancellor of such resignation or on' expiry of the notice period, whichever is earlier.
 - e) The Finance Officer shall be the Member Secretary of the Finance Committee and may be invited to a meeting of the Executive Council, as and when considered necessary.
- (ii) The Finance Officer shall be the ex-officio Secretary of the Finance Committee.

18. Other Officers:

The manner of appointment and powers and duties of the other officers of the University will be such as may be prescribed:

19. Authorities of the University:

The following will be the authorities of the University:-

- (i) Court
- (ii) Executive Council
- (iii) Academic Council
- (iv) Finance Committee
- (v) Board of Studies
- (vi) Boards of Faculties
- (vii) Admissions Committee
- (viii) Examinations Committee and
- (ix) Such other authorities as may be established under the statutes

20. The Court:

- (i) The constitution of the Court and the term of office of its members shall be such as may be as follows:
 - a. The Chancellor
 - b. The Vice-Chancellor
 - c. Pro Vice-Chancellor
 - d. All the Principals
 - e. All the Deans of the Faculties
 - f. Two wardens of hostels to be selected in the manner prescribed

- g. Three teachers to be selected in the manner prescribed
- h. One student from each course and each discipline/ department studying in Post-Graduation course and has secured highest marks in the proceeding degree examination of this University.
- i. Five members nominated by the Board of Trustees
- j. Registrar as Secretary

The term of the members selected under (e), (f) & (h) above shall be three years.
The term of members selected/nominated under (g) above shall be one year.

(ii) Subject to the provisions of this Act the Court shall have the following powers and functions, namely: -

- a) To review periodically, the broad policies and programme of the University and to suggest measures for the improvement and development of the University.
- b) To consider and pass resolutions on the Annual Report and the Annual Accounts of the University and Audit Report of such Accounts thereon.
- c) To nominate members for various councils or government, semi-government or private bodies, where such a member is required to be sent and represent the University for the specific period as may be prescribed.
- d) To perform such other functions as may be discussed and agreed upon situation-based by the relevant authority.

21. The Executive Council:

- (i) The Executive Council shall be the Principal Executive Body of the University.
- (ii) The Constitution of the Executive Council, the term of office of its members and its powers and duties shall be reviewed periodically and could comprise the following:
 - a. The Vice-Chancellor, who shall be the chairman thereof,
 - b. The Pro- Vice-Chancellor,
 - c. Three Principals by rotation in order of seniority,
 - d. Two Deans of Faculties, by rotation to be selected in the manner prescribed,
 - e. One Professor, one Associate Professor/Reader, and one Assistant Professor/ Lecturer of the University to be selected in the manner prescribed,
 - f. Five persons nominated by the Board of Trustees.
- (iii) Other than the Vice-Chancellor and the Pro Vice-Chancellor, the term of all other members selected/nominated under (c), (d), (e) & (f) above shall be two years.
- (iv) The Registrar shall be the Secretary of the Executive Council.
- (v) The Controller of Examinations and the Finance Officer may be invited to a meeting of the Executive Council as and when considered necessary.

- (vi)** The Executive Council shall have the following powers:
- a. To hold and control the property and funds of the University;
 - b. To acquire or transfer any movable or immovable property on behalf of the university;
 - c. To make, amend or repeal Statutes and Ordinances;
 - d. To consider approval of the courses of studies as recommended by the Academic Council;
 - e. To administer any funds placed at the disposal of the University for specific purpose;
 - f. To approve the budget of the University;
 - g. To institute scholarships, fellowships, bursaries etc.;
 - h. To define the duties and the conditions of the service of officers, teachers and other employees of the University.
 - i. To fix the fees, emoluments and traveling and other allowances of the examiners;
 - j. To direct the form and use of the common seal of the University;
 - k. To manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose, to appoint such agents as it may think fit;
 - l. To invest any money belonging to the University (including any income from trust and endowed property) in such stock, funds, shares or securities as it shall from time to time think fit or the purchase of immovable property with the power of varying such investment from time to time;
 - m. To regulate and determine all other matters concerning the University as well as Institutes and Colleges in accordance with the Act, the Statutes and the Ordinances.
- (vii)** The Executive Council may, by a resolution passed by a majority of its total membership, delegate such of its powers as it deems fit to an officer or authority of the University or to a committee appointed by it subject to such conditions as may be specified in the resolution.
- (viii)** The meetings of Executive Council shall be called by the Registrar under the directions of the Vice-Chancellor.
- (ix)** No immovable property of the University shall, except with the prior sanction of Trust, be transferred by the Executive Council by way of mortgage, sale, exchange, gift or otherwise nor shall any money be borrowed, or advance taken on the security thereof.
- (x)** No expenditure in respect of which approval of the Trust is required by the Act or the Statutes or Ordinances shall be incurred except with such approval previously obtained.
- (xi)** No post shall be created either in the University or in any Institute or College except with the prior approval of the Trust.
- (xii)** The Executive Council may with the prior approval of the Trust create supernumerary post of teacher of the University with a view to enabling a teacher who

is for the time being holding a responsible position of national importance in India or abroad in educational administration or other similar assignments, to retain his lien and seniority as such teacher and also to continue to earn increments in his pay scale during the period of his assignment and to contribute towards provident fund and earn retirement benefits, if any, in accordance with the Statutes.

- (xiii) A post of Professor Emeritus can be created by the Executive Council with prior approval of the Trust on the terms and conditions which may be specified in order.
- (xiv) The Executive Council shall take action with regard to the number and qualifications of teachers,
- (xv) The Executive Council shall give due consideration to every resolution of the Court, and take appropriate action thereon as it shall deem fit and report to the Court.

22. The Academic Council:

- (i) The Academic Council shall be the Principal Academic Body of the University and shall be subject to the provisions of the statutes and the ordinances, coordinate and exercise general supervision over the academic policies of the University.
- (ii) The Constitution of the Academic Council, the term of the office of its members and its powers and duties shall be such as may be prescribed in the Statutes.

23. The Finance Committee:

- (i) The Finance Committee will be the Principal Financial Body of the University to take care of financial matters.
- (ii) The constitution, powers and functions of the Finance Committee shall be such as may be prescribed in the Statutes.

24. The Board of Studies:

- (i) The Planning Board shall be the Principal Planning Body of the University. The Board shall ensure that the infrastructure and academic support system meets the norms of the University Grants Commission or the respective councils.
- (ii) The constitution of the Planning Board, term of office of its members and its other powers and duties shall be such as may be described as follows:
 - a. To ensure compliance of the norms laid down by the U.G.C. (University Grant Commission) and other statutory bodies in respect of infrastructure and supportive teaching aids;
 - b. To assess the need and plan the utilization of the infrastructure as per the guidelines of the U.G.C. and other statutory bodies;
 - c. To provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

- d. To devise ways and means to augment the financial resources of the University;
- e. To plan the development of the University campus and ensure its implementation; and
- f. Any other work that might be in the interest of the University.

(iii) The Board shall consist of:

- a) The President of the Trust-Chairman
- b) The Chancellor
- c) The Vice-Chancellor
- d) All Principals of the Colleges/Institutions
- e) The Finance Officer
- f) An architect and an engineer to be nominated by the Chairman
- g) A secretary to be appointed by the Chairman

25. The Faculties and Courses:

(A) The University shall confer Certificates, Diplomas, Bachelors, Masters, M. Phil, Ph. D and other higher research degrees such as D. Litt, D.Sc, LLD, etc. on the following courses and faculties:

- (i) Buddhism
- (ii) Indology
- (iii) Alternate and Sustainable Development Studies
- (iv) Environmental Studies
- (v) Comparative Religious Studies
- (vi) Arts and Social Sciences
- (vii) Asian and International Studies
- (viii) Dental Sciences
- (ix) Education
- (x) Engineering and Technology
- (xi) Journalism and Mass Communication
- (xii) Law
- (vii) Management, Commerce and Tourism Studies
- (viii) Medical Sciences
- (ix) Bio-Technology, Pharmacy and Para-Medical Sciences
- (x) Computing and Information Technology
- (xi) Physical and Natural Sciences
- (xii) Environmental Sciences
- (xiii) Nursing
- (xiv) Oriental Medicine
- (xv) Agriculture and Veterinary Sciences
- (xiii) Fine Arts and Performing Arts

- (B) The faculties shall have departments as may be decided by the Vice-Chancellor periodically keeping in mind the regulations and norms of statutory bodies and UGC.

26. Teachers of the University:

- (i) Professor, Associate Professor, Assistant Professor /Lecturer, or any other post/person specified by the Executive Council will be teachers at the University.
- (ii) Qualifications of teachers of different categories shall be as per norms of the University or as prescribed by UGC/MCI/DCI/AICTE/BCI/INC/PCI or any other statutory body as the case may be and where not so specified by any statutory body, as may be approved by the Executive Council.
- (iii) The pay and service conditions of the teachers will be recommended by the Executive Council to the Chancellor, as per norms, who in turn, will refer those to the Board of Trustees for approval.

27. Faculty and Other Authorities of the University:

The constitution, powers and functions of the Boards of Faculties, the Admission Committee, the Examination Committee and of such other authorities of the University which may be declared by the statutes to be the authorities of the University, will be such as may be prescribed.

28. Power to Make Statutes:

- (i) The Executive Council with the approval of the Chancellor shall make the statutes for carrying out the purposes of this Act.
- (ii) Subject to the provisions of this Act the statutes 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 periodically.
 - b) The appointment and continuance in office of the members of the said authorities filling of vacancies of members and all other matters relating to those authorities for which it may be necessary to provide.
 - c) The appointment, powers and duties of the officers of the University and their emoluments.
 - d) The appointment of teachers of the University and other academic and administrative staff, and their emoluments.

- e) The appointment of teachers and other academic and administrative staff working in any other university or institution for a specific period for undertaking a joint project.
 - f) The conditions of service of employees including provisions for retirement benefits, insurance and provident fund, the manner of termination of service and disciplinary action.
 - g) The principles governing seniority of service of employees.
 - h) The procedure for settlement of disputes between employees or students and the University.
 - i) The procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University.
 - j) The conferment of honorary degrees.
 - k) The withdrawal of degrees, diplomas, certificates and other academic distinctions.
 - l) The institution of fellowships, scholarships, studentships, medals and prizes.
 - m) The maintenance of discipline among the students.
 - n) The establishment and abolition of departments, centres and other constituted institutions / colleges etc.
 - o) The delegation of powers vested in the authorities or officers of the University and
 - p) All other matters which may by this Act are to be, or may be prescribed.
- (iii) The Executive Council shall not make, amend or repeal any statute affecting the powers or constitution of any authority of the University till such authority has been given an opportunity of expressing will be considered by the Executive Council.
- (iv) Notwithstanding anything contained in the foregoing sub-sections the Chancellor may direct the University to make provisions in the statutes, in respect of any matter specified by him and if the Executive Council is unable to implement such a direction within ninety days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such a direction, make or amend the statutes accordingly as he / she may deem fit.

29. Power to Make Ordinances:

- (i) Subject to the provision of this Act and the Statutes, the Ordinances shall be made by the Executive Council with the prior approval of the Chancellor which may provide for all or any of the following matters, namely:-
 - a) The admission of students to the University, Institution, College and their enrolment as such.
 - b) The courses of study to be laid down for all degrees, diplomas and certificates of the University.
 - c) The medium of instruction and examination.

- d) The award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same.
- e) The fees to be charged for courses of study in the University and for admission to the examinations, degrees, diplomas and certificates of the University.
- f) The conditions for the award of fellowships, scholarships, studentships, medals and prizes.
- g) The conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators.
- h) The conditions of residence of the students of the University.
- i) The special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing of special courses of studies for them within the University.
- j) The appointment and emoluments of employees other than those for whom provision has been made in the statutes.
- k) The establishment of Centre of Studies, Boards of Studies, Inter-Disciplinary Studies, Special Centres, Specialised Laboratories and other Committees.
- l) The manner of cooperation and collaboration with other Universities and authorities including learned bodies or associations.
- m) The creation, composition and functions of any other body which are considered necessary, for improving the academic mileage of the university.
- n) The remuneration to be paid to the examiners, moderators, invigilators and tabulators.
- o) Such other terms and conditions of service of teachers and other academic staff as are not prescribed by the statutes.

30. Annual Report:

- (i) The Annual Report of the University will be prepared under the direction of the Executive Council and shall be submitted to the Court on or after such date as may be prescribed and the Court shall consider the report in its Annual Meeting.
- (ii) The Court shall submit the Annual Report to the Chancellor along with its comments, if any.

31. Annual Accounts:

- (i) The Annual Accounts and Balance Sheet of the University shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by an experienced and qualified firm of Chartered Accountants of repute.

- (ii) A copy of the Annual Accounts, together with the audit report thereon, shall be submitted to the Court and the Chancellor along with the observations of the Executive Council.
- (iii) Any observations made by the Chancellor on the Annual Accounts will be brought to the notice of the Executive Council and the observations, if any, shall after being reviewed by the Executive Council, be submitted to the Chancellor.

32. Conditions of Service of Employees:

- (i) Every employee of the University shall be appointed / engaged as per provisions of the statutes.
- (ii) Any dispute arising between the University and any of the employees appointed substantively, shall be referred to the Executive Council who shall decide the dispute after affording an opportunity of the employee within three months from the date of its reference.
- (iii) The aggrieved employee may file an appeal against the order of the Executive Council to the Chancellor.
- (iv) Any dispute in respect of any employee engaged temporarily or on an ad-hoc or part-time or casual basis will be heard and decided by the Vice- Chancellor.
- (v) Any person aggrieved by the order of the Vice Chancellor may prefer an appeal to the Chancellor. The decision of the Chancellor in such an appeal will be final and shall remain a non-judicial subject thereafter.

33. Right to Appeal:

- (i) Any student or candidate for an examination, whose name has been removed from the rolls of the University by the orders of resolution of the Academic Council, Proctorial Board or Controller of Examinations as the case may be and who has been debarred from appearing at the examinations as the case may be and who has been debarred from appearing at the examinations of the University for more than one year, may within ten days of the date of receipt of such an order by him in writing appeal to the Vice-Chancellor who may confirm, modify or reverse the decision to the aforesaid authorities or the concerned committee, as the case may be.
- (ii) Any decision taken by the Vice-Chancellor will be final.

34. Employees' Provident Fund and Welfare Schemes

The University may constitute for the benefit of its employees such welfare schemes of Provident Fund or provide such insurance schemes as it may deem fit in such a manner and subject to such conditions as may be decided by the Executive Council.

35. Disputes as to the Constitution of Authorities and Bodies:

If any question arises as to whether any person has been duly nominated or appointed as or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

38. Constitution of Committees:

Where any authority of the University is given power under this Act or the Statutes to appoint Committees, such Committees have as otherwise provided, consist of the members of the authority concerned and of such other persons as the authority in each case may think fit.

38. Filling of the Vacancies:

All vacancies among the members (other than ex-officio) of any authority or other body of the University shall be filled, as soon as may be convenient by the person or the body, who appointed, nominated or co-opted the member whose place has become of such authority or body for the remaining term for which he or she has been appointed or co-opted.

39. Invalidity of Proceedings:

No Act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

40. Mode of Proof of University Records:

A copy of any receipt, application, notice, proceeding, resolution of any authority or Committee or the University or other documents in possession of the University, if certified by the Registrar, will be received as prima- facie evidence of such receipt, application, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein where the original, if produced have been admissible in evidence.

41. Publication of Statutes and Ordinances:

- (i) Every Statute or Ordinances made under this Act will be made available in writing.
- (ii) Each new statute or ordinances made under this Act shall be enforced as soon as they are made by the competent authority.

42. Permanent Endowment Fund:

- (i) The Trust shall establish a **Permanent Endowment Fund**
- (ii) The University shall have the power to invest the permanent endowment fund in such a manner as may be prescribed.
- (iii) The University may transfer any amount from the general fund or the development fund to the Permanent Endowment Fund.

- (iv) Any amount exceeding the minimum amount specified in sub-section(1) may be withdrawn from the Permanent Endowment Fund by the University for the purposes of development of the University.

43. General Fund:

- (i) The University shall establish a General Fund to which the following amount shall be credited, namely: -
- a) All fees which may be charged by the University.
 - b) All sums received from any other source.
 - c) All contributions made by the Trust; and
 - d) All contributions made on this behalf by any other person or body which are not prohibited by any law for the time being in force.
- (ii) The moneys credited to the General Fund will be applied to meet all the recurring expenditures of the University.

44. Development Fund:

- (i) The University will also establish a Development Fund to which the following amount shall be credited, namely: -
- a) Development fees, which may be charged from students.
 - b) All sums received from other sources for the purposes of the development of the University.
 - c) All contributions made by the Trust.
 - d) All contributions made on this behalf by any other person or body which are not prohibited by any law for the time being in force; and
 - e) All incomes received from the Permanent Endowment Fund.
- (ii) The amount/fund credited to the development fund will periodically be utilized for the development of the University.

45. Maintenance of Fund:

The funds established under Sections 39, 40 and 41 will be subject to general supervision and control of the Court and be regulated and maintained in such a manner as may be prescribed in the Statutes.

46. Financial Condition:

The University will not be eligible for any grant-in-aid from the State Government.

47. Fees:

The fees charged for different academic programme shall be in accordance with laws for the time being in force.

48. Power of the State Government to Call for Information and Records:

- (i) It will be the duty of the University or any authority or officer of the University to furnish such information or records relating to the administration or finance and other affairs of the University as the state government may call for.
- (ii) The state government, if it is of the view that there is a violation of the provisions of this Act or the Statutes or Ordinances, made there under, may issue such directions to the University under Section 49 as it may deem necessary.

49. Dissolution of University:

- (i) If the University proposes its dissolution in accordance with the law governing its constitution or incorporation, it should give at least six months written notice to the state government.
- (ii) On receipt of information referred to in sub-section (1) the state government should make such arrangements for administration of the University from the date of dissolution of the University till the last batch of students in regular courses of studies of the University complete their courses of studies in such a manner as may be prescribed.

50. Expenditure of the University during Dissolution:

- (i) The expenditure for administration of the University during the taking over the liabilities of the University under Section 46 will be met out of the Permanent Endowment Fund, the General Fund and the Development Fund.
- (ii) If the funds referred to in sub-section (1) are not sufficient to meet the expenditure of the University during the taking over of liabilities of the University, such expenditure may be met by disposing of the properties or assets of the University by the state government.

51. De-recognition:

- (i) Where the State Government receives a complaint that the University is not functioning in accordance with the provisions of this Act, it shall require the University to show cause, within such time, which shall not be less than six months, referring a copy of the complaint, as to why the university should not be de recognized.
- (ii) If, upon receipt of the reply of the university to the notice given under sub-section (1), the state government is satisfied that a *prima facie* case of violation of the provisions or this Act in the functioning of the University, is made out it shall order such an enquiry as it deems necessary.

- (iii) For the purposes of an inquiry under sub-section (2) the state government shall, by notification, appoint an officer or authority as the enquiring authority to enquire into the allegation of violation of the provisions of this Act.
- (iv) Every Enquiring Authority appointed under sub-section (3) shall while performing its functions under this Act, have all the powers of the Civil Court under the code of Civil Procedure, 1908 trying a suit and in particular in respect of the following matters, namely:-
 - a) Summoning and enforcing the attendance of any witness and examining him on oath.
 - b) Requiring the discovery and production of any document.
 - c) Requisitioning any public record or copy thereof from any office.
 - d) Receiving evidence on affidavits.
 - e) Any other matter which may be prescribed.
- (v) If, upon receipt of the inquiry report, the state government is satisfied that the University has violated any provision of this Act, the state government should direct the University to make necessary improvements and suggest proper implementation of the provisions of this Act.
- (vi) If it is observed that the University is violating the Act continuously three times, the State Government may de-recognise the University with prior approval of the University Grants Commission.
- (vii) During the period of the management of the University under sub- section (6) the state government may use the Permanent Endowment Fund, the general fund or the development fund for the purposes of the management of the affairs of the University. If the funds of the University are not sufficient to meet the requisite expenditure of the University, the state government may dispose of the assets or the properties of the University to meet the said expenses.
- (viii) Every notification under sub-section (vi) will be laid before both houses of the state government before implementation.

52. Power of the State Government on policy matters:

The State Government may issue such directions from time to time to the University on policy matters not inconsistent with the provisions of this Act, as it may deem necessary, such directions shall be complied with by the University.

53. Status of assets / Liabilities on dissolution / De-Recognition:

All assets and properties including the Permanent Endowment Fund, General Fund or any other fund and also the liabilities of the University will belong to the proposed Trust in case of dissolution of the University under any clause mentioned herein above in the Act.

54. Power to remove difficulties:

- (i) If any difficulty arises in giving effect to the provisions to this Act, the state government may, by a notification or order, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty.
- (ii) Provided that no notifications, order under sub-section (i) shall be made after the expiration of period of three years from the commencement of this Act.
- (iii) Every order made under sub-section(i) shall be laid, as soon as may be after it is made, before the state legislature.
- (iv) No order made under sub-section (i) shall be called in question in any Court on the ground that no difficulty as referred to in that sub-section existed or was required to be removed.

By order of the Governor

Secretary to the
Government of Tripura.

STATEMENT OF OBJECTS AND REASONS.

The Dhamma Dipa International Buddhist University Bill, 2022 aims at framing legislation for setting up of a private university in Tripura. The State has only one Private University (ICFAI University, Tripura) at present, though it has made significant strides in the field of education during the last two decades. There has been phenomenal expansion of Primary, Secondary and Higher Secondary Education, particularly after Tripura attained Statehood in 1972.

2. In 1987, with the approval of the University Grants Commission a University was started in Tripura. For extension of better facilities to the students of Tripura, the University has been converted into a Central University in 2007. Thereafter one Private University (ICFAI University, Tripura) was established in 2004 followed by setting up of a State University (MBB University) in 2016. Now to further widen the opportunities of higher education in Tripura with better effective monitoring system, there is a strong demand of the people of Tripura to set up more Private Universities in addition to the Central University and one State University.

3. Setting up of the Dhamma Dipa International Buddhist University will provide a universal ethical base to function more efficiently with humane concern in teaching and learning, training and research in various branches of knowledge and courses of study, especially in Buddhist Studies, Indic Studies, Humanities, Social Sciences, Commerce, Physical and Natural Sciences, Management, Law, Rural Development, Medical Sciences, Engineering Technology. Promoting advancement and dissemination of knowledge and learning based on meditation and mind training to further the need of value-based quality education in higher education and research for ecological equilibrium and sustainable development in order to create a peaceful society and to serve the nation. Hence, the Dhamma Dipa International Buddhist University Bill, 2022 is placed before the house.

4. The Bill will seek to achieve the aforesaid objectives.

(Ratan Lal Nath)
Minister
Higher Education Department
Government of Tripura

TECHNICAL REPORT

The subject matter of the Bill is relatable to Entry 25 of the Concurrent List (List III) of the Seventh Schedule to the Constitution of India. Therefore, the State Legislative is competent to make a law on this subject. The provisions of the Bill are not repugnant to any provision of the Constitution or any existing Central law. The Bill does not attract the proviso to clause (b) of article 304 of the Constitution and therefore, previous sanction of the President shall not be necessary for introduction of the Bill. It is not a money Bill within the meaning of Article 199(1) of the Constitution of India, but if the Bill is enacted and brought into operation it would not involve an additional expenditure from the consolidated fund to the State. Therefore, prior recommendation of the Governor shall not be necessary for consideration of the Bill by the State Legislature under clause (3) of article 207 of the Constitution.

(Biswajit Palit)
LR and Secretary, Law
Government of Tripura.

FINANCIAL MEMORANDUM

As this will be a purely privately managed University, there shall not be any requirement of fund for the maintenance of the proposed University from the Consolidated Fund of the State. The expenditure to built up and run the University will be met from the fund of the Trust sponsoring the University.

(Saradindu Cahudhuri)
Secretary
Higher Education Department
Government of Tripura.