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NOTIFICATIONS BY GOVERNMENT

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HIGHER EDUCATION DEPARTMENT
(U.E)

AMENDMENT TO THE ANDHRA PRADESH PRIVATE UNIVERSITIES
(ESTABLISHMENT) RULES, 2017.

[G.O.Ms.No.51, Higher Education (U.E), 23rd September, 2021.]

NOTIFICATION

In exercise of the powers conferred by Section 45 of the Andhra Pradesh Private Universities (Establishment and Regulation) Act, 2016 (Act No.3 of 2016), the Government hereby makes the following amendments to the Andhra Pradesh Private Universities (Establishment) Rules issued vide G.O.Ms.No.22, Higher Education (U.E) Department, Dated:18.5.2017, namely: -

AMENDMENTS

In the said rules:-

1. In sub-rule (1) of rule 2, after clause (f), the following clauses shall be added, namely:-

'(g) "Brown Field University" means an existing College(s)/Institution (s) of Higher Education that is ;-

- (i) located in a geographically contiguous area in an extent of land not less than 50 acres,

- (ii) engaged in teaching and research at Under Graduate and Post Graduate or Higher Levels in the State of Andhra Pradesh;
 - (iii) Possessing NAAC Accreditation of 3.2 and above for two cycles and/or NBA Accreditation of two cycles;
 - (iv) Willingness to invest in the existing college a minimum of 250 crores furthermore in the course of three years;
 - (v) Possesses tie-up with top 100 Universities in the Global ranking for joint certification of degrees as pre-requisite; and
 - (vi) Willingness to allot 35% of the seats under Government Quota at subsidized rates to benefit the poor children of the state as directed by the State Government;
Colleges/institutions shall submit a proposal duly satisfying the above requisite conditions to be converted into Private Brown field university;
- (h) "Green Field" means starting of a University fresh for the first time from scratch without any consideration to any existing educational institution (s) or anything related to such institution (s) that is ;
- (i) located in a geographically contiguous area in an extent of land not less than 50 acres;
 - (ii) Willingness to invest a minimum of 250 crores for establishing a university and furthermore in the course of three years; and
 - (iii) Willingness to allot 35% of the seats under Government Quota at subsidized rates to benefit the poor children of the state as directed by the State Government in all courses offered;
- (i) "Regulatory Authority" means the Andhra Pradesh Higher Education Regulatory and Monitoring Commission established under Section 3 of the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 (Act No.20 of 2019).'

2. After rule 8, the following rules shall be added, namely: -

9. Allocation of Seats under Government Quota:

Seats under the Government Quota shall be specified not exceeding 35% of the total seats in all courses offered by the Universities;

10. Admission of 35% Seats under Government Quota :

- (1) The admission in respect the seats under of Government Quota Seats of 35% in all courses to be filled up by the candidates belonging to the State of Andhra Pradesh duly following the Presidential Order and rule of reservations prescribed by the Government from time to time based on-

1. the merit among the qualified candidates through the concerned Common Entrance Tests (CETs) conducted by the Government or its agency.
 2. the merit among the qualified candidates through the concerned entrance test conducted by the Universities for the courses which are not covered under a Common Entrance Test conducted by the Government or its agency
- (2) The Regulatory Authority shall supervise and regulate the aspect of conduct of admissions done through the method as specified in rule 10 (1) (b) and ensure that the admissions are done in a fair, transparent and non-exploitative manner. If the Regulatory Authority comes to the conclusion, after giving an opportunity of representation, that the admissions were not conducted in a fair, transparent and non-exploitative manner or were not conducted in accordance with relevant admission rules, it shall have the power to cancel such admissions and issue such orders as it may deem fit;
- (3) The original certificate shall be returned to the student admitted in the respective Universities after verification by retaining the copies of the certificates attested by a Gazetted Officer. During the course of study, if the University wants to verify the original certificates, the University shall in writing direct the concerned student to produce the original certificates which shall be returned within a period of one week from the date of deposit.

11. Fee Regulation for 35% of seats under the Government Quota:

- (1) The Regulatory Authority shall call for, from all Universities, its proposed subsidized/concessional fee structure well in advance before the date of issue of notification for admission for the academic year along with all the relevant documents and books of accounts for scrutiny;
- (2) The Regulatory Authority shall decide whether the subsidized/concessional fees proposed by the Universities are justified and does not burdensome the students;
- (3) The Regulatory Authority shall be at liberty to review, approve or alter the proposed fee for each course to be charged by the Universities, duly giving an opportunity of being heard before determining any fee or fees;
- (4) The Regulatory Authority shall communicate the fee structure, as determined by it, to the Government for notification.
- (5) The fee so determined shall be applicable to a candidate who is admitted to Universities in that academic year and shall not be altered till the completion of his/her course in the Universities in which he/she was originally admitted. The Universities shall not club and/or collect a fee which is more than the amount prescribed and notified by the Government for the duration of the course in any of the Academic year;

12. Guidelines to comply for determining the subsidized/concessional fee structure for 35% of seats under the Government Quota in the Universities:

- (1) The Regulatory Authority shall have the power to request the Universities to furnish information as deemed necessary for enabling it to regulate the conduct of admission(s) and/or fix the concessional fee in respect of each course in the universities
- (2) The Universities shall maintain GEO based Biometric attendance with CC Cameras, of the students and teaching staff and link it to the Government and the Regulatory Authority.
- (3) The Universities shall maintain harmonious and serene atmosphere, as per UGC guidelines for the safety and security of students. If any ragging or any untoward incident takes place in the campus of the Universities/hostels etc., the Regulatory Authority shall initiate appropriate action against the Universities.
- (4) For furnishing the fee proposal by the Universities, the Universities shall submit audited statements of income and expenditure, balance sheets and particulars of expenditure including salaries, infrastructure, hostel & mess facilities and such other information as the Regulatory Authority may prescribe along with the necessary supporting documents, ledgers and Bank statements in PDF files.
- (5) The fee proposals furnished by the Universities have to be evaluated based on the income and expenditure of the Universities as well as the societies/trusts under whose umbrella the said Universities are established.
- (6) The Universities shall submit all the required financial information as per the mercantile (accrual) system of accounting only.
- (7) The Universities shall submit the required information such as the details of the fee collections, income and expenditure statements, teaching and non-teaching staff salaries of all kinds, administrative and other expenses, statement of revenue grants received, utilization of amounts collected from all heads.
- (8) If no Permanent Account Number (PAN) / wrong Permanent Account Number (PAN) data of any employee is given, the expenditure to that extent will not be considered.
- (9) AADHAAR number has to be indicated in pay slips both for the teaching faculty and non-teaching staff.
- (10) payment of salaries through account payee cheque/ electronic transfer shall only be considered for expenditure purpose in respect of teaching faculty and non-teaching staff. Cash payments shall not be considered.

- (11) The Audit report shall contain the signature of the auditor, his name, Institute of Chartered Accountants of India (ICAI) membership number along with the information of Permanent Account Number (PAN) of the auditor, online Unique Document Identification Number (UDIN) generated from Institute of Chartered Accountants of India (ICAI), email id of the auditor, cell number of the auditor and if the auditor is a partner of the firm, the firm Institute of Chartered Accountants of India (ICAI) registration number, Permanent Account Number (PAN) of the firm, email id of the firm and the contact number. The Universities shall submit IT return along with Form-10B/9A.
- (12) The Universities are required to maintain and submit programme wise statement of income and expenditure along with schedules.
- (13) All particulars should be uploaded online. The Universities shall provide a hard copy of the uploaded information duly signed by the auditor and the Head of the Universities /their authorized person, by remitting prescribed processing charges. The charges shall be credited to the Account of the Regulatory Authority as notified on the website of the Regulatory Authority.
- (14) If a society/ trust runs more than one University, the data/ information shall be furnished University wise.
- (15) Tax Deducted at Sources (TDS) returns filed in Form 24 Q and 26Q under Income Tax Act shall be submitted along with the proposal.
- (16) Expenditure shown, without corresponding income, shall be disallowed.

13. Penalties:

- (1) The Regulatory Authority may for contravention of the provisions of the Private Universities Act, rules made hereunder or directions issued by the government or regulatory authorities, impose an appropriate penalty not exceeding 15 lakhs. Provided that no penalty shall be imposed on the University concerned without giving an opportunity of being heard.
- (2) If the Universities violates any of the conditions stipulated by the regulatory bodies or causes injustice to the students of the Universities, the University is liable for appropriate action after giving a reasonable opportunity of being heard.'

SATISH CHANDRA,
Special Chief Secretary to Government.