

The University Grants Commission (Inspection of Universities) Rules, 2009

UNION OF INDIA

India

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Rule

THE-UNIVERSITY-GRANTS-COMMISSION-INSPECTION-OF-UNIVERSITIES-RULES-2009

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The University Grants Commission (Inspection of Universities) Rules, 2009 Published vide Notification New Delhi, the 6th April, 2009 Ministry of Human Resource Development (Department of Higher Education) G.S.R 240(E). - In exercise of the powers conferred by clause (g) of sub-section (2) of Section 25 of the University Grants Commission Act, 1956 (3 of 1956) and in supersession of the University Grants Commission (Inspection of Universities) Rules, 2004, except in respect of things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely :-

1. Short title and commencement.

(1) These rules may be called the University Grants Commission (inspection of Universities) Rules, 2009. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1) In these rules unless the context otherwise requires, (a) "Act" means the University Grants Commission Act, 1956 (3 of 1956); (b) "Central University" means a University established by or under an Act of Parliament; (c) "Committee" means the Inspection Committee constituted under rule 3; (d) "Council" means a regulatory body established by or under an Act of Parliament for maintenance of standards in a particular field of education and includes, (i) All India Council for Technical Education; (ii) University Grants Commission; (iii) Medical Council of India; (iv) Indian Council for Agricultural Research; (v) National Council for Teacher Education; (vi) Dental Council of

India;(vii)Pharmacy Council of India;(ix)Bar Council of India;(x)Central Council of Homeopathy;(xi)Central Council for Indian Medicine;(xii)Council of Architecture;(xiii)Distance Education Council;(e)"Financial Year" means the year commencing on the 1st day of April and ending on the 31st day of March of the following calendar year;(f)"NAAC" means the National Academic and Accreditation Council;(g)"section" means section of the Act;(h)"State University" means a university established by or under an Act of a State Legislature but does not include a Private University established under a State legislation;(i)"University" means an academic institution defined under clause (1) of Section 2 of the University Grants Commission Act, 1956.(2)Words and expressions used and not defined herein but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Inspection Committee.

(1)The Commission shall appoint an Inspection Committee, as provided under Section 13 of the Act, for the purpose of ascertaining the financial needs of a University or its standards of teaching, examination and research, or for both.(2)The Committee shall consist of the following members, namely :-(i)two Vice-Chancellors, either serving or retired, from any Central or State University.(ii)not less than three and not more than five members, out of which one member shall be a woman, from amongst professors in any University, having special knowledge of the courses being conducted in the University to be inspected :Provided that none of the members of the Committee under clauses (i) and (ii) shall be employee, whether past or present, of the University to be inspected.(iii)one member from each of the Councils exercising jurisdiction over the courses being conducted in the University to be inspected.(iv)one member from National Academic and Accreditation Council or an equivalent authorised accreditation agency.(3)The Commission shall nominate one of the members appointed under clause (i) of sub-rule (2) to act as the Chairman of the Committee.(4)The Commission shall nominate one of the members appointed under clause (ii) of sub-rule (2) to act as the Member-Secretary of the Committee.

4. Periodicity of Inspections.

- The periodicity of inspections of a University shall be as under:(1)A University which has been accredited by National Academic and Accreditation Council or an equivalent authorised accreditation agency and which has been rated as Class "B" or above or its equivalent, need not be inspected by the Commission till the date of validity of such accreditation.(2)A University which has been in existence for a period not exceeding five years and not covered under sub-rule (1) shall be inspected annually.(3)A University which has been in existence for a period exceeding five years and not covered under sub-rule (1) shall be inspected once in every two years:Provided that a University may be inspected before the expiry of the period specified in this rule on account of any exigency, to be, specifically recorded by the Commission, which, in the opinion of the Commission, warrants such inspection.

5. Scheme of Inspection of University.

(1)The Commission shall notify a scheme for inspection of all the Universities in the month of January every year.(2)The scheme of inspection prepared under sub-rule (1) shall also be made available on the website of the Commission for general information.(3)The Commission shall communicate to the University in the Form annexed to these rules, the period during which the inspection shall be carried out by the Committee.

6. Consultations with the University.

(1)The Committee shall hold consultations with the University to be inspected so as to facilitate the University to provide its views on the subject-matter of such inspection.(2)For the purpose of such consultations, the University shall nominate not more than three representatives who may include the Vice-Chancellor or the Registrar or such other officers or teachers as may be nominated by the Vice-Chancellor of the University, and who shall represent the views of the University, and their names shall be communicated to the Commission.(3)If the Committee proposes to physically inspect any faculty or department or any part or parts of the University, the nominees of the University shall be associated in such inspection but the nominees of the University shall not be considered as members of the Committee.(4)Nothing in this rule shall preclude the Committee from having discussions with such other employee(s) or visiting faculty of the University as may be considered necessary by the Committee for arriving at the facts.Explanation: For the purpose of this rule, the words "consultations" or "association" shall mean the holding of discussions or seeking information or obtaining clarifications to queries that may arise during the course of the inspection process but shall not provide a right to the nominees of the University to be part of the internal deliberations of the Committee for the purpose of arriving at any conclusion or providing any recommendation to the Commission.

7. Time frame for the Inspection Process.

(1)The Committee shall submit its detailed report along with recommendations within one month from the date the Commission has fixed for inspection under sub-rule (3) of rule 5 and in case any grave financial irregularity is noticed during the inspection process, the Committee shall specifically draw attention to such irregularity in its report.(2)The report of the Committee shall include the observations or comments or clarifications, if any, provided by the nominees of the University associated with the inspection under rule 6.(3)The Commission shall forthwith, but not later than fifteen days from the date of receipt of the report of the Committee, communicate the report along with the recommendations to the University concerned for submitting a plan of action for acting upon the recommendations or such other comments or opinions as the University may like to provide.(4)The University shall submit its plan of action or such other comments or opinions within a period of one month from the date of receipt of communication from the Commission under sub-rule (3), failing which the Commission shall proceed further on the assumption that the University has no comment or opinion to offer on the report and its recommendations.(5)The Commission shall consider the response, if any, received from the University and recommend to the University, the action to be taken as a result of such inspection process, within one month from the

date of receipt of response.(6)The time provided to the University for acting upon the recommendations should not exceed six months from the date of decision of the commission.Provided that in case the Commission decides to provide a time period exceeding six months for acting upon any recommendation or set of recommendations, it shall specifically record the time period so provided and the reasons thereof.

8. Failure to comply with directions.

- The failure on the part of the University to implement the recommendations of the Commission or to rectify the shortcomings pointed out by the Commission under sub-rule (5) of rule 7 within the time period specified under sub-rule (6) of rule 7, or regarding any financial irregularities committed by the University and reported by the Committee under sub-rule (1) of rule 7, shall render the University liable for action under Section 14 of the Act besides the action under Section 12B of the Act.

9. Power of the Central Government to issue directions.

- Notwithstanding anythings contained in these rules, the Central Government may direct the University Grants Commission to conduct the inspection of a University as and when deemed necessary to safeguard the standard of teaching examination and research or to inquire into cases of financial irregularity brought to the notice of the Central Government. Annexure Form (See Rule 5)

| Name/ particulars of the University proposed to be inspected | Date of proposed Inspection | Records/papers required for inspection | Name (s) of Members of the Committee conducting the inspection | Name and particulars of the authorities of the University who may be associated in the inspection | Any other additional informations which may be required | Remarks |
|---|-----------------------------------|--|---|---|---|---------|
| From | To | | | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | | | | | | (8) |

Form (See Rule 5)

| Sl.No | Name and particulars of University proposed to be inspected | Period of proposed Inspection | Details of record/papers required for Inspection | Name of the Members of the Inspection Committee constituted under Rule 3 | Names and particulars of the authorities, officers, teachers of the University to be consulted/associated under Rule 6 | Any other additional information that may be required | Remarks |
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