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GOVERNMENT OF ORISSA

**THE ORISSA EDUCATION (ESTABLISHMENT,
RECOGNITION AND MANAGEMENT OF PRIVATE
COLLEGES) RULES, 1991**

EDUCATION DEPARTMENT, BHUBANESWAR

The Orissa



Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1524 CUTTACK, WEDNESDAY, DECEMBER 18, 1991/MARGASIRA 26, 1903

EDUCATION DEPARTMENT

NOTIFICATION

The 18th December, 1991

S. R. O. No. 1273/91—Whereas the draft of the Orissa Education (Establishment, Recognition and Management of Private Colleges) Rules, 1991 was published as required by sub-section (1) of section 27 read with sub-section (1) of section 7 of the Orissa Education Act, 1969 (Orissa Act 15 of 1969), in the extraordinary issue No. 812 of the *Orissa Gazette* dated the 10th July, 1991, under the Notification of the Government of Orissa in the Education Department No. 30610, dated the 4th July, 1991 as S.R. O. No. 459/91 inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of thirty days from the date of publication of the said notification in the *Orissa Gazette* ;

And whereas objections and suggestions received, were duly considered by the State Government ;

Now, therefore, in exercise of the powers conferred by section 27 of the said Act, the State Government do hereby make the following rules, namely :—

CHAPTER I

Preliminary

1. (1) These rules may be called the Orissa Education (Establishment, Recognition and Management of Private Colleges) Rules, 1991.

(2) They shall come into force on the date of their publication in the Official Gazettee.

Short title
and
Commencement.

Definitions

2. (1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Orissa Education Act, 1969 (Orissa Act 15 of 1969);

(b) "Department" means the Education Department;

(c) "Private College" means any college which is not established and managed by the Government of Orissa or the Union Government or the Government of any other State;

- (d) "Director" means the Director, Higher Education, Orissa and includes any other officer not below the rank of a Deputy Director who may be authorised by the State Government, from time to time by general or special order to perform all or any of the functions and exercise all or any of the powers of the Director under these rules;
- (e) "Donor" means a person who has donated to the College at least a sum of rupees fifty thousand in cash or an equivalent value of property movable or immovable property of an equivalent value ;
- (f) "Educational Agency" means any person or body of persons who have made an application under sub-section (1) of section 5 of the Act for approval or permission for establishment of a private College;
- (g) "Faculty" means a department of College imparting teaching on any particular subject;
- (h) "Form" means a Form appended to these rules;
- (i) "Member" means a member of the Governing Body and includes its Secretary and President;
- (j) "University" means a University incorporated under the provisions of the Orissa Universities Act, 1989 (Act 5 of 1989); and
- (k) "Year" means an academic year beginning with the 1st day of June and ending with the 31st day of May of the immediately following calendar year.

(2) All words and expressions used but not defined in these rules; unless the context otherwise requires, shall have the same meaning as respectively assigned to them in the Act.

CHAPTER II

Establishment of new Colleges

Preparation
of Master
Plan.

3. (1) The Director shall prepare for the State a Master Plan each year by the end of September listing out the Blocks in which there is no college and the Municipalities and Notified Areas where establishment of College is justified in conformity with the provision of clause (iii) of sub-section (5) of section 5 of the Act. The Master Plan shall also project the requirement of additional seats or new streams or subjects in the existing Colleges within a Block, Notified Area or Municipality. The Master Plan so prepared shall be placed before the Government for approval.

(2) The grant of permission for starting a new college in the State or for introducing new streams or subjects in existing colleges during the next academic session shall be in conformity with the Master Plan prepared under sub-rule (1) and approved by the Government.

Application
for
permission.

4. (1) Any Educational Agency desirous of establishing a new College in the State in a particular year shall make an application to the Director between 1st day of October and 30th day of November of the year immediately preceding that particular year :

Provided that the State Government may by an order and for good and sufficient reason extend the last date for receiving application in any particular year.

(2) Applications for permission shall be made in Form No. I. The application and its enclosures shall be submitted in duplicate.

(3) An application fee of Rs. 500 (Rupees five hundred) only shall be paid (in the shape of Treasury Challan deposited under the appropriate Head of Account) along with each application.

(4) Applications received by the Director within the period specified under sub-rule (1) shall be entered in an Index Register to be maintained for the purpose and receipt of such applications shall be duly acknowledged.

5. Every application shall be accompanied by—

- (a) The challan receipt of the fee paid.
- (b) A sketch map of the Block or the Municipality or the Notified Area, as the case may be, showing the location of the proposed College along with other existing Colleges, if any and the Higher Secondary institutions located within the Block/Notified Area/Municipality.
- (c) A sketch plan of the site of the proposed College.

Documents to accompany the application.

6. The application in respect of a proposed College shall *inter alia* contain the following details, namely:—

- (a) Number of students expected to be enrolled in each faculty *viz.*, Arts, Science or Commerce in which teaching is proposed to be imparted in the College.
- (b) The names of the subjects, both compulsory and optional, proposed to be taught in each faculty with the anticipated number of students who may be offered such optional subjects.
- (c) The anticipated annual income of the institution from different sources.

Content of the application.

Grant of permission.

7. (1) The Director shall scrutinise each individual application and may make such enquires as may be deemed necessary.

(2) After necessary enquiry if the Director is satisfied that there is need for opening of a private College in any particular (Block/Municipality/Notified Area) he shall after obtaining prior concurrence of the Government make an order under sub-section (4) of section 5 of the Act granting permission in favour of any one of the applicants, who in his opinion is likely to best serve the educational needs of that Block/Municipality/Notified area.

Content of the order of permission.

8. The order issued under rule 7 shall specify the following, namely :—

- (a) The name of the Educational Agency in whose favour the permission is granted ;
- (b) The exact location of the College;
- (c) The date from which the College is to start functioning;
- (d) The details of faculties and optional subjects under each faculty in which teaching may be imparted along with the permitted strength of students under each faculty and subject;
- (e) The conditions to be fulfilled by the Educational Agency in respect of the following, namely :—
 - (i) Site ;
 - (ii) Building and accommodation ;
 - (iii) Laboratory, equipments and teaching aid ;
 - (iv) Staff ;
 - (v) Fixed deposit to be made and pledged in favour of the Registrar of the concerned University; and
 - (f) Such other matters as the Director may specify.

Date of functioning of a College.

9. (1) When permission is accorded for establishing a new College it shall start functioning from the date specified under clause (c) of rule 8.

(2) Subject to the proviso to sub-section (9) of section 5 of the Act on an application made by an Educational Agency in whose favour permission has been granted, the Director may extend this date.

Report by the Educational Agency after establishment of a college.

10. The Educational Agency, immediately after the establishment of a College, shall report the fact to the Director, stating the following details, namely:—

- (a) The place of location of the College.
- (b) The classes opened and the subjects offered in each faculty and the number of students actually admitted in each faculty and subject.
- (c) The date on which the College started functioning.

Opening of new faculty or subject in an existing college or increase of seats thereto.

11. The provisions contained in rules 4 to 10 regarding establishment of a new College shall, *ipso facto*, apply the cases of addition of any new faculty or new optional subjects in any existing college or the cases of increase in the permitted student strength in existing faculties or subjects.

CHAPTER III

Recognition

Application for recognition.

12. (1) The application for recognition under sub-section (1) of section 6 of the Act shall be made in duplicate to the Director in Form No. II within three months from the date of functioning of the College.

(2) A fee of Rs. 1,200 (Rupees one thousand two hundred) only shall be paid (in shape of Treasury Challan deposited under the appropriate Head of Account) along with every application for recognition.

(3) Every application for recognition shall indicate the particulars of the Governing Body constituted for the management of the institution in accordance with the provisions of the Act and these rules and be accompanied by the following documents, namely :—

- (a) A copy of the letter of the Director according permission to establish the College ;
- (b) A site plan of the College drawn to scale ;
- (c) Copies of the documents proving the title of the college over the site ;
- (d) The ground plan drawn to scale of the buildings of the College showing the classes accommodated in each room, Laboratory, Library, Office, toilet/urinals and common room etc;
- (e) A sketch plan of the Block or the Urban area with location of the College ;
- (f) Document proving that a fixed deposit of the required amount has been made and pledged to the Registrar of the concerned University;
- (g) A list of the teaching and non-teaching staffs appointed by the College with full particulars ;
- (h) Approval regarding constitution of the Governing Body of the College in Form No. III.

(4) The application be accompanied by a statement showing the extent of fulfilment of the conditions stipulated in the order granting permission under section 5 of the Act.

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PUBLISHED BY AUTHORITY

No. 718 CUTTACK, MONDAY, MAY 8, 2000/BAISAKHA 18, 1922

DEPARTMENT OF HIGHER EDUCATION

NOTIFICATION

The 6th May, 2000

S. R. O. No. 370/2000—Whereas the draft of certain rules further to amend the Orissa Education (Establishment, Recognition and Management of Private Colleges) Rules, 1991 was published as required by sub-section (1) of Section 27 of the Orissa Education Act, 1969 (Orissa Act 15 of 1969), in the extraordinary issue No. 1135 of the *Orissa Gazette*, dated the 6th August, 1999 under the notification of the Government of Orissa in the Higher Education Department No. 36018/HE, dated the 4th August, 1999 as S. R. O. No. 632/99, inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of fifteen days from the date of publication of the said notification in the *Orissa Gazette*;

And whereas no objection or suggestion has been received in respect of the said draft during the period so specified;

Now, therefore, in exercise of the powers conferred by Section 27 of the said Act, the State Government do hereby make the following rules further to amend the Orissa Education (Establishment, Recognition and Management of Private Colleges) Rules, 1991, namely :—

1. (i) These rules may be called the Orissa Education (Establishment, Recognition and Management of Private Colleges) Amendment Rules, 2000.

(ii) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. In sub-rule (2) of rule 27 of the Orissa Education (Establishment, Recognition and Management of Private Colleges) Rules, 1991, after the word "membership of a member" the words "other than the President and the Secretary" shall be inserted.

[No. 25099—VI-HE-GB-14/97/H.E]

By order of the Governor

R. L. JAMUDA

Commissioner-cum-Secretary to Government

Inspection
for recogni-
tion.

13. (1) The Director shall on receiving an application for recognition of a new college shall depute an officer under his administrative control for inspection of the college.

(2) The Officer inspecting the college shall submit a report to the Director which shall among other things, state —

- (a) the correctness of the information furnished by the institution;
- (b) the extent of fulfilment of the conditions stipulated in the letter granting permission; and
- (c) any other matter as he would like to bring to the notice of the Director and shall make specific recommendation about the justifiability of according recognition to the College so inspected.

(3) If the Director is satisfied on the basis of the report of the Inspecting Officer that the institution has fulfilled all or some of the conditions necessary for recognition he shall after obtaining prior concurrence of the Government make an order granting recognition to the College under sub-section (4) of section, 6 of the Act.

Provided that this procedure shall be applicable for opening of new faculty/new subject/increase of seats/opening of honours courses in any particular subject.

Eligibility for
recognition.

14. A College in order to be eligible for recognition shall :—

- (a) make provision for accommodation and other facilities in accordance with the norms laid down in the Schedule appended to these rules ;
- (b) employ teachers in different subjects, as prescribed under the Act, possessing the qualification prescribed by the University Grants Commission for College teachers and as per the yardstick laid down by Government from time to time;
- (c) make provision for Laboratory, equipments and teaching aids as per the norms laid down by the concerned University; and
- (d) fulfil all other conditions stipulated in the letter granting permission for establishment of the College.

Temporary
recognition.

15. (1) if one or more of the conditions necessary for recognition of college have not been fulfilled by the institution, permanent recognition shall not be accorded to it.

(2) Temporary recognition for a period not exceeding one year may be granted under sub-section (6) of section 6 of the Act in case the college has employed less than the required number of teachers or has provided the accommodation or facilities which is less than the minimum requirement of a fullfledged college.

(3) Extension to the temporary recognition may be accorded from time to time for a maximum period of five years if the prescribed authority is satisfied for doing so.

(4) Unless the college provides for the required facilities, or appoints the strength of teachers as required for a fullfledged college at the time of granting extension, the temporary recognition shall be restricted only to the higher classes into which the students have been admitted and the college shall not be permitted to enroll students in the first year classes.

Recognition
not to be
granted in
certain cases.

16. (1) The Director shall not accord recognition to any college which has not been permitted to be established in accordance with the provision contained in sub-section (4) of section 5 of the Act or does not have the minimum student strength as required under sub-section (2) of section 11 of the Act.

(2) Any new faculty introduced in the existing colleges or any addition to the permitted student strength in the existing faculties or subjects shall also not be recognised unless the same has been introduced on the strength increased with the prior permission of the Director under the rule 11.

Condition of the order of recognition.

17. (1) The order of the Director granting recognition to a College shall specify among other things:—

- (i) the name of the College ;
- (ii) the Governing Body approved for the College with the name of the President and the Secretary thereof in whose favour the order of recognition is granted ;
- (iii) the location of the college ;
- (iv) the date from which the recognition shall take effect and the period for which the recognition is valid ;
- (v) the faculties under which students may be enrolled along with the permitted student strength in respect of each faculty ; and
- (vi) the optional subjects permitted under each faculty along with the permitted number of students in respect of each subject.

(2) When the Director makes an order according recognition on a permanent basis or for a temporary period to a College under the foregoing provisions he shall communicate the concurrence of the Government to the University having jurisdiction for the affiliation of the said College to that University for the same period and in respect of the same faculties, subjects and student strength for which recognition is accorded.

Approval of Teachers.

18. (1) While granting recognition to a College the Director shall communicate his approval of the Teachers appointed by the College :

Provided that the appointment of any teacher shall not be approved unless:—

- (i) he possesses the qualification prescribed by the University Grants Commission for College teachers ; and
- (ii) his name finds place in the panel of persons prepared by the Selection Board prescribed under Sub-section (2) of section 7-B of the Act for appointment as teachers in private colleges of the State.

(2) Any qualified teacher duly appointed by the college against any vacancy within the prescribed yardstick shall be reported immediately to the Director for his approval.

CHAPTER IV

Transitory Provisions

Approval of a College which has already been established.

19. (1) Any private College established before the commencement of these rules desirous of receiving approval under sub-section (2) of section 5 of the Act shall make an application to the Director in Form I.

(2) The application under sub-rule (1) shall be accompanied by a sketch map of the area of the Block/Notified Area/Municipality, as the case may be, showing the location of the College, the location of other Colleges within the area and their distance from the applicant College.

(3) If the Director is satisfied after verifying the correctness of the facts stated in the application that the College fulfils the conditions imposed under sub-section (5) of section 5 of the Act, he may make an order under sub-section (4) of section 5 of the Act granting approval to the College:

Provided that if there are more than one College seeking approval within a local area, approval may be granted to the College which in the opinion of the Director is likely to best serve the educational needs of the area.

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(4) The order granting approval to a College under this rule shall among other things specify the following, namely :—

- (a) Name of the College;
- (b) The specific location of the College i.e. the name of the village of such local limit which may appropriately be specified in case of an Urban Area;
- (c) The name of the Block/Notified Area/ Municipality where it is located; and
- (d) Conditions to be fulfilled by the College for being recognised by Government in respect of all the matters stated in clause (e) of rule 8.

Application for recognition of a College which has already received the approval.

20. (1) Any College which has received the approval under sub-section (4) of section 5 of the Act shall make an application to the Director in Form II praying for recognition under sub-section (4) of section 6 of the Act.

(2) The application shall be accompanied by all the documents specified in sub-rule (3) of rule 12 and an attested copy of the order granting approval to the College.

(3) The Director shall dispose of the applications received under sub-rule (1) in the manner provided in Chapter-III of these rules and the orders granting recognition shall specify all the particulars as provided in sub-rule (1) of rule 17.

(4) Applications for recognition pending before the Director in respect of Colleges eligible for recognition under sub-section (8) of section 6 of the Act shall be considered and disposed of by him.

(5) In case of colleges granted recognition by the Director under sub-rule (4) the order granting recognition shall specify that recognition is granted under sub-section (8) of section 6 of the Act and the College shall not be eligible to receive grant-in-aid admissible to aided Colleges under the Act, unless it has received the approval as provided under sub-section (4) of section 5 of the Act.

CHAPTER V

Management

Constitution of the Governing Body.

21. (1) Soon after a college is established in accordance with these rules the Educational Agency which has been permitted to establish the college shall constitute a Governing Body for managing the affairs of the college as required under section 7 of the Act.

(2) The Governing Body shall consist of a minimum of 9 and a maximum of 13 members as follows :—

- (a) The Principal of the College or the teacher in-charge of Principal for the time being in his *Ex-Officio* capacity;
- (b) Two representatives of the teachers to be duly elected by the teachers of the College;
- (c) Not less than five and not more than seven members to be nominated by the concerned Educational Agency from among its members or from among the persons in the local area interested in the field of education;

Provided that out of the members so nominated at least one member shall belong to the Schedule Castes or Scheduled Tribes Community and one member shall be a woman:

Provided further that a teacher serving in any other College shall not be nominated as a member :

Provided also that a Government servant shall not be nominated as a member without prior permission of the Government.

- (d) One person from the locality interested in the field of education, to be nominated by the Vice-Chancellor of the University concerned at the time of grant of affiliation; and
 - (e) Not exceeding two persons may be nominated by the Director at the time of according approval to the Governing Body under rule 22.
- (3) The Governing Body so constituted shall elect a President and a Secretary from among themselves except from the members specified in clauses (a) and (b) of sub-rule (2) :

Provided that a person who is Secretary of the Governing Body of any other college shall not be eligible to be elected as President or Secretary.

Approval of
Governing
Body.

22. (1) The Educational Agency having established the College in accordance with the permission of the Director or the institution having obtained the approval of the Director shall along with the application praying for recognition of the College, furnish the details of the Governing Body constituted in accordance with the provisions of these rules in Form III for approval of the Director.

(2) The Director shall be competent to approve the Governing Body of the College after making any change in its constitution if deemed necessary :

Provided that if any substitution of members nominated under clause (c) of sub-rule (2) of rule 21 is contemplated, he shall consult the Educational Agency in the matter before making such substitution.

(3) The order of approval shall clearly mention :—

- (a) the name of the President of the Governing Body ;
- (b) the names of offices of the other members;
- (c) the name of the Secretary of the Governing Body; and
- (d) the date of approval.

(4) The member to be nominated under clause (d) of sub-rule (2) of rule 21 by the Vice-Chancellor of the concerned University shall be added to the Governing Body at the time of affiliation of the institution with the University.

Reconstitu-
tion of the
Governing
Body.

23. (1) Not less than ninety days prior to the date of expiry of the term of a Governing Body, a resolution shall be passed in a meeting of the Governing Body nominating five to seven members in accordance with clause (c) of sub-rule (2) of rule 21 from among themselves or other persons in the local area interested in the field of education to be members of the Governing Body to succeed it on the expiry of its term and to be its President and Secretary :

Provided that where a charitable trust had established the college, the Trust shall nominate the above persons to be members, President and Secretary of the Governing Body :

Provided further that if the outgoing Governing Body or the Charitable Trust does not pass a resolution nominating members, the Director shall be competent to reconstitute the Governing Body :

Provided also that—

- (i) no persons shall be the Secretary for more than two terms; and
- (ii) no person shall be a member of the Governing Body for more than two consecutive terms except for *ex-officio* members, donors and those nominated by a Charitable Trust in case of such a Trust established the College.

(2) The outgoing President shall furnish the Director for his approval the names and the details regarding the proposed reconstitution of the Governing Body including the name of the representative to be elected by the teachers and the name of the Principal of the College along with the name of the persons to be the President and the Secretary of the Governing Body.

(3) The Director shall be competent to substitute any name in the proposed Governing Body to bring it in conformity with the provision of these rules or with a view to improve the efficiency of the management of the College :

Provided that the Director shall consult the outgoing Governing Body in the matter before making such substitutions.

24. (1) The Director shall thereupon communicate his approval of the reconstituted Governing Body indicating the date from which its term shall begin and direct the Secretary of the outgoing Governing Body, if he is not re-elected as a Secretary of the reconstituted Governing Body, to hand over charge to the Secretary of the reconstituted Governing Body on expiry of the term of the outgoing Governing Body.

(2) As soon as may be after the Secretary of the reconstituted Governing Body takes charge from the outgoing Secretary he shall inform this fact to the Director.

25. (1) Notwithstanding anything contained in these rules as soon as the College becomes an aided College, the Governing Body of the College shall be reconstituted in the following manner:—

- (i) The Collector/Additional District Magistrate/Sub-Collector of the Sub-division in which the College is situated shall be *ex-officio* President of the Governing Body and the Principal of the college or the teacher in-charge of the Principal shall be its *ex-officio* Secretary :

Provided that Government may nominate any eminent educationist to be the President who shall continue as such during the pleasure of the Government. In such cases the Collector/Additional District Magistrate/Sub-Collector shall be a member :

Provided further that in case of a college established and managed by a Trust, Government shall appoint a nominee of the Trust as President of the Governing Body and in such cases the Collector/Additional District Magistrate/Sub-Collector shall be a member of the Governing Body.

- (ii) Two senior most teachers of the college shall be *ex-officio* members of the Governing Body.
- (iii) The Member of Legislative Assembly representing the constituency in which the college is situated and the Chairman of the Panchayat Samiti/ Municipality/Notified Area as the case may be, in which the College is situated shall be *ex-officio* member of the Governing Body.
- (iv) The Vice-Chancellor of the University, the Director and the Member of Parliament representing the Parliamentary Constituency in which the College is situated shall nominate one member each who shall hold office during their pleasure.
- (v) Four persons of the locality interested in the field of education which may include a donor, one person from Scheduled Tribes or Scheduled Castes community and one woman shall be nominated by the President of the Governing Body to be members of the Governing Body.

(2) The Constitution of the Governing Body and any change in the membership shall be intimated by the Secretary of the Governing Body to the Director.

(3) The Director, on receipt of the intimation from the Secretary may either approve the list or suggest changes with reasons within thirty days from the date of its receipt.

Approval of
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Body of
Aided
College.

Provided that if no communication is received from the Director in this regard within a period of thirty days, it shall be deemed to have been approved:

Provided further that change, if any, suggested by the Director shall be considered by the President of the Governing Body who shall resubmit the list either accepting the change or not, to the Director, within fifteen days from the date of receipt of the communication, after which the Director, shall approve the same :

Provided also that no meeting of the Governing Body convened during the intervening period (from the date of intimation till the date of ratification by the Director) shall be invalid for the reason of any vacancy in the membership or any defect in the Constitution of the Governing Body.

Duty of the outgoing Secretary of a Governing Body.

26. Until the Governing Body of an aided College, has been reconstituted by the Director in accordance with these rules, the existing Governing Body of the College shall continue to function :

Provided however, that as soon as the college becomes an aided College, the Secretary of the existing Governing Body shall cease to hold the office as such and the Principal of the College in his *ex-officio* capacity shall become the Secretary of the Governing Body and shall discharge all the functions of the Secretary:

Provided further that the outgoing Secretary shall continue to be a member of the Governing Body until its reconstitution.

Cessation of membership.

27. (1) Any member as specified in clause (v) of sub-rule (1) of rule 25 may resign from the Governing Body by sending a letter of resignation to the President and the resignation shall be effective from the date it is accepted by the Governing Body.

(2) In case of casual vacancy arising out of death or resignation or cessation of membership of a member, the Governing Body may by a resolution in that behalf nominate a new member and seek the approval of the Director thereto.

(3) Any member nominated against a casual vacancy shall hold office only for the remaining period of the term of the person in whose place he has been nominated.

Disqualification of member of Governing Body.

28. A person shall be disqualified to become a member of the Governing Body or to continue as such if he—

(a) is of unsound mind ; or

(b) is an applicant to be adjudicated as an insolvent or an undischarged insolvent ; or

(c) is convicted of an offence involving moral turpitude under any law for the time being in force ; or

(d) has been dismissed from the service of the State or the Central Government or of any public undertaking ; or

(e) has been found guilty and a major penalty is imposed in a Departmental proceedings against him either by the State or the Central Government ;
or

(f) is not a citizen of India.

Powers & functions of the Governing Body.

29. Subject to the provisions of the Act and these rules the Governing Body shall exercise the powers and discharge the functions, as follows, namely :—

(a) to ensure proper management, maintenance and custody of the private College relating to land, buildings, equipments, funds of the College including loans and grants sanctioned by Government or any other authority ;

- (b) to ensure sanitary conditions of the buildings and premises of the private college;
- (c) to ensure that instructions are imparted according to the standards prescribed by the University;
- (d) to ensure the appointments of teaching and non-teaching staffs are made in accordance with the provisions contained in the Act and these rules and instructions of the Department;
- (e) to ensure proper implementation of the provisions of the Act, these rules, instructions issued by the Department or the Director in the matter of regulating conditions of service of staff including their appointment, salary, leave salary, pension, provident fund, age of retirement and disciplinary action ;
- (f) to ensure observance and compliance of instructions issued by Government, the University and other concerned authorities regarding smooth management of the private College in all respects from time to time ;
- (g) to maintain discipline in the private College ;
- (h) to make proper arrangement regarding collection of fees and fines from the students and arrange for deposit of fees and fines in the Treasury/Bank whenever required ;
- (i) to award free studentship, scholarship, stipends, prizes, rewards and punishments to students and staff in accordance with rules and instructions of the Department or the University ;
- (j) to observe holidays and vacations according to instructions of the Department ;
- (k) to ensure that the buildings, premises, furnitures and equipments of the college are not used for any non-educational purpose nor for holding any meeting of political character or any special or other character for which the feelings of the community is likely to be divided or excited ;
- (l) to ensure continued fulfilment of the conditions of recognition ;
- (m) to submit report and returns required by the Government, the Director and the University from time to time ; and
- (n) to provide reasonable facilities to the authorities appointed by the Government for inspection.

Meeting of
the Govern-
ing Body.

30. (1) The Governing Body shall meet as often as considered necessary for the efficient management of the affairs of the private College subject to a minimum of four general meetings in a year. The date of such meetings shall be fixed by the Secretary in consultation with the President of the Governing Body.

A special meeting may be convened at any time by the Secretary on receipt of a requisition in writing from not less than five members of the Governing Body. At least seven clear days notice shall be given to the members of the Governing Body both in case of general and special meetings. An emergent meeting may however, be convened by the Secretary by giving a shorter notice, when so required by the President of the Governing Body or by the Director, as the case may be. No member of the Governing Body shall take part in a meeting if such member or any of his near relations is interested in the matter under discussion in such meeting.

(2) Any urgent resolution may be approved by the Governing Body by circulation and such a resolution shall be deemed to have been approved by the Governing Body if it is approved by at least five members thereof. A resolution so approved by circulation shall be placed before the Governing Body in its next meeting for confirmation.

(3) The quorum for the meeting of the Governing Body shall be seven. Mere existence of any casual vacancy in membership shall not invalidate the proceeding of the Governing Body.

(4) The President shall preside over all meetings of the Governing Body. In the absence of the President one of the members other than Secretary shall be elected to preside. The President shall in addition to his vote as a member have a casting vote in case of a tie.

(5) The Secretary of the Governing Body shall record the proceedings of the meeting and shall obtain the approval of the President thereon. The proceedings shall be placed for confirmation in the next meeting of the Governing Body. Minutes of the proceedings of every meeting shall be recorded serially for each academic session in a register containing pages continually machine-numbered and certified to that effect by the Secretary of the Governing Body.

President
of the
Governing
Body.

31. (1) The President shall ensure that the decisions taken in the Governing Body are implemented by the Secretary and the Governing Body functions properly and holds its meetings regularly.

(2) In case the Secretary defaults in calling a meeting of the Governing Body as directed by the President, the President shall have power to make such arrangements as he deems appropriate to that the meeting may take place.

Secretary
of the
Governing
Body.

32. The Secretary of the Governing Body of a private college shall be the principal executive and shall be competent to—

- (a) make correspondence on behalf of the Governing Body;
- (b) convene meeting of the Governing Body with the approval of the President and draw up the proceedings of each meeting and forward a copy of the same to the Director after confirmation;
- (c) give effect to the decision of the Governing Body and subject to its control do all things incidental thereto;
- (d) remain in charge of the properties, title deeds, documents and papers related to the needs of the College;
- (e) make all payments and sign receipts other than receipts from fees and fines on behalf of the Governing Body;
- (f) operate the accounts of the College in any Bank or Post Office;
- (g) receive donations if so authorised by the Governing Body; and
- (h) exercise such other powers and perform such other functions as may, from time to time be assigned on him by orders of Government.

Repeal and
Savings.

33. The Orissa Education (Management of Private Colleges) Rules, 1979 are hereby repealed.

Notwithstanding such repeal any order made, any action taken or anything done under the rules so repealed shall be deemed to have been made, taken or done under these rules.

Relaxation

34. Where the State Government are of opinion that it is necessary or expedient so to do in the public interest, they may, by order relax any of the provisions of these rules.

Interpreta-
tion.

35. If any question arises relating to the interpretation of these rules, it shall be referred to the Government for decision.

FORM I

Form of application for permission to open Degree College

[See rules 4(2) and 19(1)]

PART I

1. Name of the College
2. (i) Whether Governing Body formed (Yes/No)
(ii) If so, name of the President and the Secretary
3. (i) Whether Governing Body has been registered (Yes/No) under the Society Registration Act, 1860
(ii) If so, the Registration No. and the date of Registration
4. Postal address at which correspondence may be made

PART II

5. Name of the Block/Notified Area/Municipality in which the College is proposed to be located.
6. (i) Whether there is any Government College and/or any other recognised private College offering Degree courses existing in the Block/Notified Area/Municipality (Yes/No).
(ii) If yes, name(s) of the existing College(s)
7. Specific location of the College, Name of the village (with G. P.)/Ward No. in case of Notified Area/Municipality.
8. Name of the feeder Higher Secondary Institution (+2) College
9. (i) Which faculty is proposed to be opened (Arts/Science/Commerce)
(ii) Proposed roll strength, (Classwise and Facultywise)

Arts

Science

Commerce

10. (i) Whether the college has its own :—
(a) Land (Yes/No)
(b) Building (Yes/No)
(ii) What is the area of the site on which the College building has been constructed/is proposed to be constructed.
(iii) Particulars of class rooms and other rooms if building has been constructed.
11. Any special claim.

Signature of sponsor(s)
with full name's and address(es)

FORM II

Form of application for recognition of Colleges

[See rules 12 (1) and 20 (1)]

1. Name of the College applying for recognition
2. Location of the College
3. Session from which recognition is sought for
4. The classes opened and subjects under each faculty in which instructions have been started and the roll strength of students actually admitted under each faculty and subject.
5. The date on which the institution was started
6. Whether documents as required under sub-rule (2) and (3) of rule 12 of the Rules have been furnished and if so details be stated.
 - (a) Treasury Challan No. and date (in token of depositing Rs. 1,200 a xerox copy of the challan to be enclosed).
 - (b) Copy of permission letter
 - (c) Site Plan
 - (d) Land particulars
(xerox copies to be enclosed)
 - (e) Building Plan
 - (f) Sketch plan of the Block/Urban area
 - (g) Fixed deposit certificate
(xerox copy to be enclosed)
7. Equipment for teaching (The details of equipment are to be furnished)
8. Teachers appointed for the College (Detailed information in respect of all teachers of the College is to be furnished as per *pro forma* below.

Sl. No. (1)	Designation (2)	Name of the teachers (3)	Date of birth (4)	Detailed qualification with % of marks (5)
				Matric/Intermediate/B.A./ B. Sc./B. Com. Degree/ M. A./M. Sc./M. Com/ M. Phil./Ph. D./D. Litt./ D. Sc.
Salary drawn with Scale of pay (6)		Nature of appointment (7)	Whether selected by Selection Board (8)	REMARKS (9)

9. (a) Has the College made adequate provision for residence of its students not residing with parents or recognised guardians ?
- (b) If provided, the number of hostels managed by the College.
- (c) The specification of the hostel buildings with number of students accommodated in each hostel.
- (d) Are there any approved lodgings for the students.
- (e) If yes, specifications of the buildings or the approved lodgings with number of students accommodated in each lodging.

10. (a) Has the College got its play fields?
(b) If yes, specification of each field is to be given
11. Residence allotted to the teaching staff and non-teaching staff.
(a) For the Principal
(b) For other teaching staff
(c) For non-teaching staff
12. Financial provision made for efficient maintenance of the College.
(a) Details of permanent endowment or fixed deposits, if any?
(b) Details of undertaking given by a person or persons or body providing for adequate and continuous finance of the College.
(c) Details of current monthly or annual financial provision along with fees proposed to be collected.
(d) The annual statement of proposed expenditure on the following heads:—
(i) Capital expenditure on building
(ii) On equipment
(iii) On continued maintenance of the College
13. The working hours of the College
14. Whether proposal for constitution of Governing Body as per Form-III enclosed ?
15. (a) Is the College providing Co-education ?
(b) If so, has the College provided separate reading room, common room and other necessary convenience for the women students ?
(c) The details of above rooms are to be furnished
16. (a) Has the College got a library ?
(b) If so, the total number of books available and the number of books in each subject of permission.
(c) The total number and titles of journals and periodicals subscribed annually and the stock position.
(d) Annual financial provision for purchase of books, journals and periodicals.

I/We the undersigned after establishing a College hereby make this application for recognition of the institution described above and undertake to abide by the provisions of the Act and Rules made thereunder, the orders and instructions issued by the State Government/Director, from time to time and such conditions as may be imposed by the authority granting recognition.

Signature of the person
representing the educational agency with address

FORM III

(See rule 22)

Composition of the Governing Body of the College

1. The teacher in-charge of Principal of the College
2. Name of two teachers representatives elected under rule 21 (2) (b).
3. Names with full particulars like educational qualification, profession, address etc. of the members nominated under rule 21 (2) (c).
4. Name and address of the person nominated by the Vice-Chancellor of the concerned University under rule 21 (2) (d).
5. Nomination of Director under rule 21 (2) (e)
6. Name and address of the President and Secretary elected under rule 21 (3).

Signature of the Sponsor (s)
with full name (s) and address (es)

SCHEDULE

Accommodation and other facilities required for establishment of a College

[See rule 14 (a)]

PART I

Requirement of Class Rooms

A. College having only Arts faculty with 128 students with six optional subjects and provision for Honours teaching facilities in three subjects.

- (1) Three Halls, each 45ft. \times 22 ft.
- (2) Three class rooms each 30 ft. \times 22 ft.
- (3) Six tutorial class rooms 20 ft. \times 22 ft.

B. College having area with 128 seats and six optional subjects and Honours in three subjects and Commerce with 128 seats with two optional groups and Honours.

- (4) Two more class rooms each 30 ft. \times 22 ft.

Note—Commerce classes may be held in the morning shift. Time table for Commerce students should be so framed that the classes of compulsory papers classes are over before beginning of the general classes of Arts students

C. College having Science faculty with 128 seats having maximum of two combinations (e. g. MPC and CBZ or MPC and MPG and so on) in addition to faculties as at B above.

- (5) Two Lecture Theatres 50 ft. \times 22 ft. each.

Note—In case the College has either Science and Arts or Science and Commerce these three class rooms can be avoided.

Requirement of Laboratories

- (1) Each subject (Arts or Science) having practical classes shall have a laboratory of the size of 50' \times 22' (for 32 students doing practical at a time)
- (2) One Store Room of the size 20' \times 22'
- (3) One Room of the size 20' \times 22' with toilet facility for teachers and demonstrators

Note—Each Laboratory should be properly furnished and should have the requisite apparatus/chemicals.

Requirement of Library and Reading Room

- A. (1) For a College having students strength upto 750-Library Hall of the size of 45' \times 20'
- (2) For a College having students strength upto 1150-Library Hall of the size of 60' \times 20'
- (3) For each additional strength of 400 students-additional floor space of 45' \times 20'
- B. One Office Room for the Librarian and Assistant Librarian 25' \times 20'
- C. One Reading Room for the teaching staff 30' \times 20' with attached toilet
- D. Reading room for the students One Hall—60' \times 30'

Note—The Reading room should be kept open from 8 A.M. to 8 P.M. since the College is expected to work in shift system for Commerce and Arts or Science and Arts or Science and Commerce the same reading room can be used by all students on different hours.

PART-II

Requirement of Common Rooms

1. For teachers—50' \times 22' with attached toilet
2. For women students—50' \times 22' with attached toilet
3. For men students—50' \times 22' (toilet for men students to be provided in two different places so that they can also be utilised by the office staff and the guardians).

Requirement of Administrative Rooms

1. Principal's room-30'X22' with attached toilet
2. (a) Office room (Academic Section)-50'X22' with counters
(b) Office room (Accounts Section)-40'X22' with counters
(c) Office room (Establishment Section)-50'X22'
3. Vice-Principal/Bursar's Room-30'X22' with attached toilet
4. Record Room—40'X22'

In addition to these it is desirable that the Governing Body of the College should provide—

- (a) Principal's quarter
- (b) Watchman and Sweeper's quarter
- (c) Two hostels-One for Boys and one for Girls (50 seaters each)
- (d) Quarters or hostel for 25% of the teachers
- (e) Quarters or hostel for 50% of the non-teaching staff

[No.58910—XE/Codes-9/91-E.]

By order of the Governor

B. B. MOHANTY

Deputy Secretary to Government

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