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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
(Separate paging is given to this Part in order that it may be filed as a separate compilation)

भाग III—खण्ड 4

[PART III—SECTION 4]

[सांविधिक निकायों द्वारा जारी की गई विविध अधिसूचनाएं जिसमें कि आदेश, विज्ञापन और सूचनाएं सम्मिलित हैं]
[Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by
Statutory Bodies]

भारतीय रिज़र्व बैंक

(गैर-बैंकिंग पर्यवेक्षण विभाग)

मुंबई-400005, दिनांक 6 दिसम्बर 2012

सं. गैरबैंकिंग(नीप्र)252/सीजीएम(यूएस)-2012--भारतीय रिज़र्व बैंक, जनता के हित में यह आवश्यक समझकर और इस बात से संतुष्ट होकर कि देश के हित में ऋण प्रणाली को विनियमित करने के लिए, बैंक को समर्थ बनाने के प्रयोजन से, सभी कोर निवेश कंपनियों (सीआईसी) को निम्नलिखित निदेश देना आवश्यक है। भारतीय रिज़र्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 45अक, 45ट तथा 45ठ द्वारा प्रदत्त शक्तियों और इस संबंध में प्राप्त शक्तियों का प्रयोग करते हुए निम्नलिखित निदेश देता है :-

निदेशों का संक्षिप्त शीर्षक (नाम) तथा उसे प्रयोग में लाना

- इन निदेशों को कोर निवेश कंपनी-विदेशी निवेश (रिज़र्व बैंक) निदेश, 2012 कहा जाएगा।
- यह निदेश तत्काल प्रभाव से लागू होंगे।

iii. यह निदेश विदेशी मुद्रा विभाग द्वारा विदेशी निवेश के लिए निर्धारित निदेशों के अतिरिक्त होगा।

2. सीआईसी द्वारा विदेशी निवेश के मामले में भारतीय रिज़र्व बैंक से पूर्व अनुमति

i. यह निदेश सभी सीआईसी (भारतीय रिज़र्व बैंक से पंजीकृत अथवा पंजीकरण से छूट प्राप्त किसी भी स्थिति में) पर लागू होंगे, जो विदेशी निवेश की इच्छा रखती हैं।

ii. विदेशी वित्तीय क्षेत्र में निवेश :

वित्तीय क्षेत्र में विदेशी निवेश की इच्छा रखने वाली सीआईसी को भारतीय रिज़र्व बैंक से पंजीकरण प्रमाण पत्र (सीओआर) धारण तथा पंजीकृत सीआईसी पर लागू सभी विनियमों का पालन करना होगा। अतः सीआईसी जिन्हें बैंक के विनियमन संरचना से छूट प्राप्त है (छूट प्राप्त सीआईसी) वित्तीय क्षेत्र में विदेशी निवेश के लिए उन्हें बैंक से पंजीकरण प्रमाण पत्र प्राप्त करने की आवश्यकता है तथा वे सीआईसी-एनडी-एसआई की तरह विनियमित होंगी।

iii. गैर वित्तीय क्षेत्र में निवेश :

सीआईसी, 05 जनवरी 2011 के परिपत्र गैरबैंकिंग(नीप्र)कंपरि सं. 206/03.10.001/2010.11 के पैरा 2(बी) परिभाषित के अनुसार जिसका शीर्षक है कोर निवेश कंपनियों के लिए विनियामक संरचना।

इस उद्देश्य के लिए वित्तीय क्षेत्र अर्थात् वह क्षेत्र/सेवाएं जो वित्तीय क्षेत्र विनियामक द्वारा विनियमित हैं।

No. 14-42/2011(CPP-II)—In exercise of the powers conferred by clauses (f) and (g) of sub-section (1) of Section 26 of the University Grants Commission Act, 1956, the University Grants Commission hereby makes the following Regulations' namely :—

1. Short Title, Application and Commencement:

- 1.1 These Regulations shall be called the University Grants Commission (Mandatory Assessment and Accreditation of higher Educational Institutions), Regulations, 2012.
- 1.2 These regulations shall apply to:
- (a) all universities established and / or incorporated by or under a Central Act, a Provincial Act or a State Act;
 - (b) all institutions, other than technical institutions, declared by notification under Section 3 of the University Grants Commission Act to be deemed to be universities;
 - (c) all colleges, other than technical institutions, including autonomous colleges.
- 1.3 These Regulations shall come into force from the date of notification in the Official Gazette.

2. Definitions:

- a) 'Accreditation', with its grammatical variations, means the process of quality control in higher education, whereby, as a result of evaluation or assessment or by any other scientific method followed by Accreditation Agencies, a Higher Educational Institution or any programme conducted therein recognized as conforming to parameters of academic quality and benchmarking of such academic quality determined by the University Grants Commission.
- b) 'Act' means the University Grants Commission Act, 1956

- c) 'Assessment' means the process involved in ascertaining or verifying the capabilities of a Higher Educational Institution in terms of its physical infrastructure and human resources prior to the commencement of its academic programmes.
- d) 'Assessment and Accreditation Agency' means an agency such as National Assessment and Accreditation Council already recognized by University Grants Commission, National Board of Accreditation and National Accreditation Board, or an Agency established by or under an Act of Parliament to carry out accreditation.
- e) 'College' means a college as defined under section 12 A (1) (b) of the University Grants Commission Act, 1956.
- f) 'Commission' means the University Grants Commission as defined in the Act.
- g) 'Higher Educational Institution' means a university as defined in sub-section (f) of Section 2 of the Act, and includes, an institution declared by notification under the Act as an institution deemed to be university under Section 3 of the Act and colleges as defined above in clause (e), other than a Technical institution.
- h) "Technical Institution" means an institution as defined under clause (h) of section 2 of the All India Council for Technical Education Act, 1987 but excluding Technical Universities and Universities offering technical programmes;

3. **Objectives:**

The process of assessment and accreditation shall have the following objectives:

- a) to accord recognition to the quality and excellence of education imparted by Higher Educational Institutions, and thereby to advance academic quality;
- b) to enable students and other stakeholders to make informed choices with regard to Higher Educational Institutions;
- c) To enable students, teachers and other stakeholders to provide inputs concerning the quality of education imparted by the Higher Educational Institutions;

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- d) to facilitate Higher Educational Institutions to augment quality, by benchmarking uniform reference points pertaining to academic standards;
 - e) to facilitate Higher Educational Institutions to secure additional funding and other incentives, if found eligible, from appropriate regulatory and or funding agencies;
 - f) to facilitate Higher Educational Institutions to acquire international recognition, cross-border and trans-national collaborations;
 - g) to facilitate students achieve learning outcomes appropriate to their course and relevant to their context, as shall be declared by Higher Educational Institutions;
 - h) to facilitate students entitlements, as prescribed by the Commission or declared by the Higher Educational Institution, as the case may be, to be met by Higher Educational Institutions.
 - i) to facilitate teachers achieve and maintain teaching and research standards as shall be declared by Higher Educational Institutions;
 - j) to facilitate effective teaching-learning and access to quality teaching-learning material in all the languages permitted by the Higher Educational Institution as medium of instruction or examination; and
 - k) to facilitate Higher Educational Institution achieve effective governance mechanisms in their management and administration.

4. **Mandatory Assessment and Accreditation**

- 4.1 It shall be mandatory for each Higher Educational Institution to get accredited by the Accreditation Agency after passing out of two batches or six years, whichever is earlier, in accordance with the norms and methodology prescribed by such agency or the Commission, as the case may be.
- 4.2 Every Higher Educational Institution, which has completed six years of existence or two batches having passed out, whichever is earlier, shall apply within six months from the date of coming into force of these regulations, to the Accreditation Agency, for accreditation.
- 4.3 The Higher Educational Institutions, which have not completed six years of existence or two batches having passed out, whichever is earlier, shall, within a period of six months from date of such completion, apply to the Accreditation Agency for accreditation.

- 4.4 Every Higher Educational Institution, intending to commence academic operations after coming into force of these regulations, shall apply for assessment and accreditation to the Assessment and Accreditation Agency, as per Clause 4.1 above.

5 Period of Validity and Reaccreditation

- 5.1 The accreditation will be valid for a period of five years
- 5.2 It shall be mandatory for each accredited Higher Educational Institution to apply for Reaccreditation six months before the expiry of the five year period in accordance with the norms and procedures prescribed by the relevant Accreditation Agency.

6. Duties and Obligations of Assessment and Accreditation Agency

The Assessment and Accrediting Agency shall:

- 6.1 ensure complete transparency in its operations and strictly abide by a code of ethics.
- 6.2 provide an opportunity to all stakeholders in the Higher Educational Institution including students, teachers and non-teaching employees, to submit their views on matters of academic quality.
- 6.3 provide an opportunity to all stakeholders in the Higher Educational Institution including students, and non-teaching employees, to file suggestions or objections, if any, on the Self Study Report (SSR) prepared by the Higher Educational Institution for submission to the Accreditation Agency, which shall be taken note of by the Assessment and Accreditation Agency while finalizing the accreditation.
- 6.4 publish on its website the final accreditation together with all documents based on which such accreditation was given to the Higher Educational Institution.
- 6.5 complete the accreditation process / take a final decision on the accreditation application within six months of receipt of application form the Higher Educational institution.
- 6.6 take a decision on application, submitted within 90 days of grant of accreditation, for withdrawal/ modification of accreditation, against which any person or body is aggrieved, within 90 days of receiving the application:

7. Assessment and Accreditation as Pre-requisites.

- 7.1 No Higher Educational Institution or its Faculties, Schools, Departments, Centres or any other units therein, by whatever name called, shall be eligible for applying or receiving financial assistance from Commission under any of its schemes without having undergone assessment and accreditation within stipulated period as defined in Clause 4.1 above.
- 7.2 No institution, other than those under *de novo* category, shall be eligible to apply or be considered for being declared as an institution deemed to be university under section 3 of the Act, without having undergone assessment and accreditation as laid down by the Commission.
- 7.3 No university shall be notified or recognized under Section 12B of the UGC Act, if not duly accredited as per Clause 4.1 above, after coming into force of these regulations.
- 7.4 No college shall be notified or recognized under Section 2 (f) of UGC Act, if not duly accredited as per Clause 4.1 above, after coming into force of these regulations.

8. Incentives

The Commission shall allocate any higher level of funding, as it may deem fit, to such higher education institution as are accredited in the highest grade.

9. Penalties

- 9.1 Where a Higher Educational Institution fails to comply with the provisions of any of the preceding clauses, notwithstanding any other action that may be taken against the Higher Educational Institution by the appropriate Assessment and Accreditation Agency, the Commission may, after providing reasonable opportunity to such Higher Educational Institution to be heard, impose any of the following penalties or any combination of such penalties on Higher Educational Institution, namely:
- a) Repeal of the notification in respect of such Higher Educational Institution from the list of Higher Educational Institutions recognized under Section 12 B of the UGC Act;
 - b) Recommending to the Central Government, where it is an institution deemed to be university, that the notification declaring such institution as an institution, as an institution deemed to be university under section 3 of the Act may be revoked;

- c) Proceed to take action against the Higher Educational, where such Higher Educational Institution is a private university under the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 as amended/modified from time to time.
- d) Withholding of all grants, where applicable, allocated to such Higher Educational Institution;
- e) Declaring such higher Educational Institution to be ineligible for consideration for any assistance under any of the general or special assistance programmes of the Commission;
- f) Declaring, for the purpose of general information of the public, that the Higher Educational Institution is not an accredited institution, and cautioning potential candidates seeking admission to such Higher Educational Institution of the same, through various forms of the media including the website of the Commission.

10. Dispute Redressal Mechanism

- 10.1 Any dispute arising out of the implementation of these regulations will be discussed and resolved by the Commission (or University as the case may be) whose decision shall be final and binding.
- 10.2 The Commission reserves the right to amend these regulations from time to time and same will be binding *mutatis mutandis* on the Higher Educational Institutions.

AKHILESH GUPTA
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