

THE GOA PRIVATE UNIVERSITIES (AMENDMENT) BILL, 2023

(Bill No. 6 of 2023)

A

BILL

to amend the Goa Private Universities Act, 2020 (Goa Act 4 of 2020).

BE it enacted by the Legislative Assembly of Goa in the Seventy-third Year of the Republic of India as follows: -

1. Short title and commencement. - (1) This Act may be called the Goa Private Universities (Amendment) Act, 2023.

(2) It shall come into force on such date, as the Government may, by Notification in the Official Gazette, appoint.

2. Amendment of section 3. - In section 3 of the Goa Private Universities Act, 2020 (Goa Act 4 of 2020) (hereinafter referred to as the “principal Act”),-

(i) in clause (b), for the expression “own a land, buildings”, the expression “own or possess on long term lease basis a land, buildings” shall be substituted;

(ii) in clause (e), for the words “rupees two crores” and “rupees ten crores”, the words “rupees fifty thousand” and “up to rupees five crores” shall be respectively substituted.

3. Amendment of section 6. - In section 6 of the principal Act, -

(i) in sub-section (1), in clause (ii), for the word “own”, the words “own or possess on long term lease basis” shall be substituted;

(ii) in sub-section (2), for the words “two years”, the words “five years” shall be substituted;

(iii) in sub-section (2), the following proviso shall be inserted, namely: -

“Provided that the Government may, if it is satisfied that the sponsoring body could not comply with the provisions of section 3 within the said period of five years for reasons stated in writing, extend the said period by further period of two years, on the request made by the sponsoring body for such extension”.

4. Amendment of section 11. - In section 11 of the principal Act, in sub-section (2) for the expression “receipt of an affidavit along with documents from the sponsoring body to the effect that all conditions referred to in section 3 have been fulfilled”, the expression, “after fulfillment of all the conditions under this Act” shall be substituted.

5. Amendment of section 40. - In section 40 of the principal Act, for sub-section (4), the following sub-section shall be substituted, namely: -

“(4) The records of the students admitted to the different courses of the University and that their results shall be provided to the Regulatory Authority as and when required.”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to provide for effective and smooth implementation of the Goa Private Universities Act, 2020 within the State of Goa.

This Bill seeks to achieve the aforesaid object.

FINANCIAL MEMORANDUM

No financial implications involved in Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1(2) of the Bill empowers the Government to appoint, by notification in the Official Gazette, the date on which the Act shall come into force.

This delegation is of normal character.

Porvorim Goa
January, 2023

Dr. Pramod Sawant
Hon'ble Minister for
Education

Assembly Hall,
Porvorim, Goa
January, 2023

Namrata Ulman
Secretary (Legislative
Assembly of Goa)

A N N E X U R E

Extract of Sections 3, 6, 11 and 40 of the The Goa Private Universities Act, 2020 (Goa Act 4 of 2020)

Section 3

3. Conditions for the establishment of the University. - The sponsoring body shall, for the purposes of establishing the University under this Act fulfil the following conditions, namely: -

- (a) create a permanent endowment fund of at least rupees five crores;
- (b) own a land, buildings and infrastructure facilities required for establishing University;
- (c) install equipments, computers, furniture, assets, infrastructural facilities (other than building mentioned in clause (b) and other consumables and non-consumables of atleast rupees two *crores* in offices and laboratories in the building referred to in clause (b); and undertake to procure the computers, furniture, assets, infrastructural facilities (other than building mentioned in clause (b) and other consumables and non-consumables of atleast rupees four crores in the next five years after establishing University;
- (d) appoint at least one Professor, two Associate Professors and sufficient number of Assistant Professors and supporting staff members in every department or discipline.
- (e) purchase books and periodicals worth rupees two crores in the library and also undertake to invest rupees ten crores for the books, periodicals, computer library networking and other library facilities in the first three years after establishing the University;
- (f) undertake to arrange the co-curricular activities, extracurricular activities, debate, competitions, quiz programmes, sports, National Service Scheme and National Cadet Corps for the students as per the standards of regulatory bodies;

- (g) undertake to adhere standards, conditions and regulations set by University Grants Commission, All India Council for Technical Education, National Council for Teachers Education, Bar Council of India, Medical Council of India and other regulatory bodies established by the Government or Central Government;
- (h) undertake to establish the provident fund for the employees of the University and to introduce other welfare schemes;
- (i) make the Statutes and the Ordinances for the administration and functioning of the University;
- (j) any arrangements made by the University shall not differ from the provisions of the Act and regulations of the University Grants Commission and other regulatory bodies;
- (k) ensure transparent functioning of the University and put the clearances obtained from the Regulatory Bodies in the public domain;
- (l) furnish such information to the Government in such manner as may be prescribed;
- (m) comply with such other conditions as may be notified by the Government to be fulfilled before the establishment of the University.

Section 6

- 6. Issuance of letter of intent and submission of compliance report by sponsoring body.** - (1) After the receipt of the report of the committee constituted under section 5, if the Government is satisfied that it is proper to establish the University, it may issue a 'Letter of Intent' and required sponsoring body to;
- (i) establish an endowment fund in accordance with the provisions of this Act;

- (ii) own as much land and constructions thereon as may be required by the Government in its notification issued from time to time;
- (iii) own library, computers and other equipment and the required infrastructure facilities for running academic and research activities as may be required by the regulatory bodies and the Government from time to time.
- (iv) give an undertaking to appoint at least one Professor, two Associate Professors and adequate number of Assistant Professors and Research Associates along with necessary supporting staff in each department or discipline to be started by the University and as required by the Regulatory Authority.
- (v) give an undertaking to take up co-curricular activities like seminars, debates, quiz programs and extracurricular activities like games, sports, National Service Scheme, National Cadet Corps, Rovers and Rangers etc., for the benefit of students as per the instructions of the Regulatory Authority.
- (vi) give an undertaking for establishment of provident fund/National Pension Schemes and to take up welfare programs for the officers, teachers and employees of the University; and
- (vii) fulfil such other conditions and provide such other information as may be required by the Regulatory Authority and the central regulatory bodies constituted by the Government of India/Government of Goa as the case may be.

(2) The sponsoring body shall after complying with the provisions of section 3, report the compliance to the Government within a maximum period of two years from the date of issue of the letter of intent.

(3) If the sponsoring body fails to comply with the provisions of section 3, the Government shall have power to withdraw the letter of intent issued to the sponsoring body under sub-section (1).

Section 11

11. Starting of operations by the University. - (1) The University shall start its operations only after the Government issues a letter of authorization for the commencement of the functioning of the University.

(2) The Government shall issue the letter of authorization receipt of an affidavit along with documents from the sponsoring body to the effect that all conditions referred to in section 3 have been fulfilled.

Section 40

40. Powers of the Regulatory Authority. - (1) For the purposes of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the Regulatory Authority may cause an assessment to be made in such manner as it deems proper.

(2) The Regulatory Authority shall communicate to the University its recommendations in regard to the result of such assessment and issue directives to the University for corrective action. The University shall adopt such corrective measures and ensure compliance of the recommendations.

(3) If the University fails to comply with the recommendations made under sub-section (2) within a reasonable time, the Regulatory Authority may give such directions as it may deem fit for such compliance.

(4) The records of the students admitted to the different courses of the University and their results shall be provided to the Regulatory Authority. Final degree shall be conferred to the students with approval of the Regulatory Authority as per the provisions of the rules framed under this Act.