


অসম ৰাজপত্ৰ
सत्यमेव जयते
THE ASSAM GAZETTE

অসাধাৰণ
EXTRAORDINARY
প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত
PUBLISHED BY THE AUTHORITY

নং 339 দিশপুৰ, সোমবাৰ, 22 নবেম্বৰ, 2010, 1 আঘোপ, 1932 (শক)
No. 339 Dispur, Monday, 22nd November, 2010, 1st Agrahayana, 1932 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
EDUCATION (HIGHER) DEPARTMENT, DISPUR

NOTIFICATION

The 15th November, 2010

No. B(2)H.12/2003/Pt-II/113 :- In exercise of Powers conferred under sub-section (I) of Section 12 of the Assam College Employees (Provincialisation) Act, 2005 (Assam Act, No. XLVI of 2005), the Governor of Assam is hereby pleased to make the following Rules for carrying out the purposes of the said Act, namely :-

- | | |
|--|---|
| Short title, extent and commencement. | 1. (1) These Rules may be called the "Assam College Employees (Provincialisation) Rules 2010".
(2) They shall come into force on the date of their publication in the Official Gazette.
(3) They shall extend to the areas to which the Act applies. |
| Definitions | 2. In these Rules unless the context otherwise requires.
(a) "Constitution" means the "Constitution of India";
(b) "Governor" means the "Governor of Assam";
(c) "Act" means the "The Assam College Employees (Provincialisation), Act, 2005 (Assam Act, XLVI of 2005);
(d) "Board" means the "State Selection Board";
(e) "Selection Committee" means the Selection Committee Constituted under these Rules.
(f) "Departmental Promotion Committee" means a Departmental Promotion Committee constituted under these rules.
(g) "Director" means the Director of Higher Education, Assam";
(h) "UGC" means the "University Grants Commission", established under the UGC Act, 1956 (Central Act. No. 3 of 1956). |
| Class and Cadre. | 3. Each College shall be a separate entry for the purpose of cadres of employees. All Cadres and their class in the Assam Provincialised Colleges will be the same as in Government Colleges. |

- Strength of Service.** 4. The Strength of each cadre in respect of each of the post for each of the colleges shall be as sanctioned by the Government from time to time.
- Method of Recruitment.** 5. Recruitment shall be made in the manner prescribed hereinafter;
- (1) Appointment to the post of Principal shall be by direct selection. For this the Governing Body shall constitute a Selection Committee, which shall select a person on the basis of an interview from amongst eligible candidates who apply in response to an open advertisement in newspapers. The Governing Body shall recommend this candidate to the Director, who shall issue orders of appointment.
 - (2) For the post of Lecturer/Librarian appointment shall be made by direct recruitment with prescribed qualifications through open advertisement in two leading dailies atleast in two consecutive issues. In respect of Grade III and Grade IV posts the list of candidates shall be collected from the local employment exchange/Advertisement in newspaper.
 - (3) Appointment to Head Assistant shall be made by promotion from the cadre of Upper Division Assistants on the basis of seniority cum merit.
 - (4) Appointment to the post of Upper Division Assistant shall be made on promotion from Lower Division Assistants/Laboratory Assistants/Library Assistants on the basis of Seniority cum merit.
 - (5) The Post of Lower Division Assistant, Laboratory Assistant, Library Assistant shall be filled up by direct recruitment and from Laboratory Bearers/Library Bearers/Grade IV having qualification as prescribed in the ratio of 75:25.
 - (6) Placement of Lecturers/Librarians in Selection Grade/Senior Grade Scale of pay shall be done by the Governing Body as per Rules prescribed by the UGC and the State Government from time to time on the recommendations of the Departmental Promotion Committee.
 - (7) In all these cases, the Governing Body shall conduct the selection process and recommend to the Director, who shall issue orders of appointment.
- Assessment of Vacancies.** 6. Before the end of every year the Governing Body shall make an assessment of the likely number of vacancies to be filled up by promotion/direct recruitment in the next year in each cadre and determine which of these vacancies would go for reserved categories ;
- Direct Recruitment.** 7. (a) All appointment either by direct recruitment or by promotion shall be made by the Director on the basis of recommendations of the Governing Body based on the recommendations of the Selection Committee/Departmental Promotion Committee duly constituted;
- (b) The Director shall communicate his orders within thirty days;
- (c) The Selection Committee may hold such test of interview for all posts as may be considered necessary. For posts for which UGC has prescribed norms, no candidate shall be recruited without having the required norms;
- (d) All fresh appointments shall be made on receipt of police verification report.
- Age Limit and Qualification.** 8. The minimum and maximum age, academic qualification, physical fitness etc. for direct recruitment shall be the same as in Government Colleges in the corresponding Grades.
- General Procedure for Promotion.** 9. (i) The Governing Body shall furnish to Departmental Promotion Committee the following documents and information in respect of the persons to be considered for promotion. The number of persons to be considered for promotion shall be four times of the number of vacancies as assessed for filling up by promotion in that cadre. This shall be in order of seniority in the Gradation List;
- (a) The number of vacancies with reservations;

- (b) List of employees in order of seniority eligible for promotion (separate list for promotion to the different cadres shall be furnished) indicating the cadre to which the case of promotion has to be considered;
- (c) Character Rolls and other records of the persons listed;
- (d) Any other documents and information as may be required by the Selection Committee;
- (ii) The Governing Body shall request the Departmental Promotion Committee to recommend the list of employees found suitable for promotion in order of preference within one month in respect of promotion to each of the cadre in which appointment is to be made by promotion;
- (iii) The Selection shall be made on the basis of seniority cum merit in each case of promotion;
- (iv) The Departmental Promotion Committee after examination of the documents and information furnished by the Governing Body shall recommend a select list of candidates equal to the probable vacancies in order of preference/merit found suitable for promotion;
- (v) The Select list shall remain valid for 12 months;
- (vi) The promotion shall be in according with the list prepared by the Departmental Promotion Committee;

Selection Committee/ Departmental Promotion Committee.

10. (A) Committee for selection of candidates for appointment on direct recruitment of lecturers and librarians shall consists of the following :-
- (i) President of the Governing Body - Chairman
 - (ii) Head of Department (Concerned) - Member
 - (iii) Two nominees of the Vice-Chancellor of the affiliating University (out of whom one should be subject expert) - Members
 - (iv) Secretary of the Governing Body - Member Secretary.
 - (v) Two subject experts not connected with the college to be nominated by the President of the Governing Body out of a panel of names approved by the Vice-Chancellor of the affiliating University;
- Two third majority will constitute the quorum with mandatory presence of University expert nominee;
- (B) Committee for selection of candidate for appointment of direct recruitment of all other posts shall consist of the following :-
- (i) President of the Governing Body - Chairman
 - (ii) Secretary of the Governing Body - Member Secretary
 - (iii) Two heads of Department to be nominated by the President, Governing Body. - Member
- (C) Departmental Promotion Committee for all posts shall consists of the following :-
- (i) President of the Governing Body - Chairman
 - (ii) Principal of the College - Member Secretary
 - (iii) One senior most Head of the Department of the College. - Member

Disqualification

11. No person shall be eligible for appointment :-
- (a) Unless he is a citizen of India, and ;
 - (b) If he/she is practicing bigamy Provided that Government may, if it is satisfied that there are special grounds for doing so exempt any person from the operation of this Rule ;
 - (c) No person who attempts to enlist support for his/her candidature directly or indirectly by any recommendation either written or oral or by other means shall be appointed.

- Reservation** 12. In all cases of appointment by direct recruitment as well as by promotion there shall be reservations for candidates belonging to the members of the SC, ST as per provision of the SC, ST (Reservation of Vacancies in Services and Posts) Act, 1978 and Rule framed thereunder. There shall also be reservations for candidates belonging to OBC as per Government instructions. General order in respect of reservation in favour of other categories of candidates like physically handicapped as may be in force shall also be followed. Since an individual college is a separate entity for the purposes of cadres, reservations would be applicable college-wise for each individual cadre separately for which a proper register of roster shall be maintained. As Principal is a single post cadre no reservation would be applicable to it. The Governing Body shall be responsible to ensure that reservations are made as per Rules.
- Probation & Confirmation.** 13. Subject to availability of a permanent vacancy in the respective cadre a person appointed on direct recruitment shall be placed according to seniority on probation against the permanent vacancy for a period of 2 years before he is confirmed.
- Training** 14. A person appointed on direct recruitment shall be required to undergo such training and pass such departmental examinations as Government may prescribe.
- Discipline & Appeal** 15. All employees of the Assam Provincialised Colleges shall be governed under the provisions of "Assam Services (Discipline & Appeal) Rules 1964, Assam Civil Services Conduct Rules 1965" and guidelines made thereunder.
- Scale of Pay** 16. All appointment shall be made in the time scale of pay as may be prescribed by the Government from time to time.
- Seniority** 17. (a) Inter-se-seniority of employees belonging to each of the cadres shall be in the order in which their names appear in the select list prepared by the Selection Committee provided he/she joins in the post within 15 (fifteen) days from the date of receipt of the appointment order or within the extended period not exceeding three months;
- Provided that if a candidate is prevented from joining within this period by circumstances of public nature or for reasons beyond his control, the appointing authority may extend it for a further period of 15 days. If the period is not so extended the seniority shall be determined according to the date of joining;
- (b) If two persons are appointed on the recommendation of the selection committee in different batches, than the person who was recommended in the earlier batch shall be senior to the person who was recommended in the later batch;
- (c) If two or more persons are bracketed in the merit list by the selection committee, the inter-se-seniority of these persons shall be determined according to the date of birth;
- (d) A person appointed by promotion against a vacancy occurring in a year shall be senior to a person appointed by direct recruitment of the year.
- Gradation List** 18. The College shall publish a gradation list every year cadre wise, indicating the relative seniority and date of birth, date of appointment etc. of each employee.
- Transfer** 19. There shall not be any transfer of employees from one college to another, except in a situation wherein a stream of study or a subject is closed down in a college by the Government on a proposal from the Governing Body and some teachers have become surplus. Only in such a situation the Government may transfer these teachers and adjust them elsewhere. In such a situation of seniority of the transferred teachers would be fixed in the new college on the basis of their date of joining in the original college.
- Maintenance of Registers and Records.** 20. The College authorities shall maintain such Registers and records in suitable form as may be prescribed by the Government from time to time with a view to recording the service particulars of the employees. In particular the College shall maintain the service books other service records and the leave accounts of all employees.
- GPF and Pension.** 21. (i) Notwithstanding anything contained in these Rules, the existing Rules and orders applicable to State Government employees on pension, GPF, Leave, TA etc. will be applicable in case of Provincialised College Employees.

- (ii) The existing employees shall be governed by the existing pension Rules of the Government ;
- Provided that the employees who joined on or after 1st day of February, 2005 shall not be covered by the existing Pension Rules of the Government. They shall be governed by such Pension Rules or Scheme as the case may be framed by the Government in respect of other similarly situated employees of the Government;
- (iii) The Director, Higher Education, Assam shall forward a college wise list of employees already retired or due to retire within the next calender year in the format as prescribed for government Degree College, so as to reach the Accountant General by 30th September every year;
- (iv) The College shall process all Pension cases and submit to the Director who shall sanction and authorize provisional Pension/Gratuity on the basis of these rules and the "Assam Service (Pension) Rules, 1969" as applicable;
- (v) The employees who have opted for pension scheme under the provision of Clause 8 of the Act will discontinue their C.P.F. contribution, open G.P.F. account with the Accountant General. Such employees will compulsorily subscribe to the Fund at the prescribed minimum rate of 6.25% of basic pay per mensem;
- (vi) The Pension shall be authorized from the date of coming into force of the Act i.e. 1st day of December, 2005;
- Leave** 22. The Governing Body of the College shall be authority to sanction all leaves excluding study leave for all its employees.
- Lien/deputation and Study Leave.** 23. Lien, deputation and study leave to the employees of the Assam Provincialised Colleges shall be granted by the Government for which proposals shall be routed through the Director. The norms applicable to Government Colleges would be applicable in their case.
- No Objection Certificate for Higher Studies and applying for jobs.** 24. The Governing Body shall issue No Objection Certificate to the college employees for applying for admission to course of higher studies and for other jobs.
- Authority for acceptance of Resignation/ Voluntary Retirement.** 25. The Director, on the recommendations of the Governing Body shall be the authority for accepting or rejecting requests for resignations and voluntary retirement.
- A.C.R.** 26. The Principal of the College shall be the recording officers and the Governing Body, will be the Reviewing and Accepting Authority for the Annual Confidential Report of all employees excepting Principal. In case of the Principal the President of the Governing Body shall be the recording authority and the Director of Higher Education, Assam shall be the Reviewing and Accepting Authority.
- Residual power of Appointing Authority** 27. The Governing Body of the College shall exercise all other powers of the Appointing Authority as per usual norms.

H. M. CAIRAE,

Additional Chief Secretary to the Government of Assam,
Education (Higher) Department, Dispur, Guwahati-6.



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 408 দিশপুৰ, শুক্ৰবাৰ, 23 ডিচেম্বৰ, 2005, 2 পুহ, 1927 (শক)
No. 408 Dispur, Friday, 23rd December, 2005, 2nd Pausha, 1927 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 22nd December, 2005

No.LGL. 112/2005/158 :- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XLVI OF 2005

(Received the assent of the Governor on 19th December, 2005)

THE ASSAM COLLEGE EMPLOYEES (PROVINCIALISATION) ACT, 2005

AN
ACT

to provide for provincialisation of the services of employees of the Non-Government Colleges in receipt of deficit grants-in-aid in the State of Assam.

Preamble.

Whereas it is expedient to provincialise the services of employees of the Non-Government Colleges in receipt of deficit grants-in-aid from the Government of Assam.

It is hereby enacted in the Fiftysixth Year of the Republic of India as follows :-

Short title,
extent and
commencement.

- 1.(1) This Act may be called the Assam College Employees (Provincialisation) Act, 2005.
- (2) It extends to the whole of Assam except the Autonomous Council areas under the Sixth Schedule to the Constitution of India :
Provided that the State Government may, in consultation with the said Autonomous Councils, extend this Act to the Autonomous Council areas by notification published in the Official Gazette.
- (3) It shall be deemed to have come into force on and from the 1st day of December, 2005.

- Definitions.** 2. In this Act, unless the context otherwise requires, -
- (a) "College" means any Non-Government College in Assam in receipt of deficit grants-in-aid from the Government and imparting general education in Arts, Commerce or Science stream in Graduate level ;
 - (b) "employee" means an employee of a College both teaching or non-teaching appointed substantively against a sanctioned post ;
 - (c) "existing employee" means an employee of a College both teaching and non-teaching appointed substantively against a sanctioned post and who is or has been in service on or after the 1st day of January, 2005 ;
 - (d) "Governing Body" means the body constituted by the Government in accordance with the provisions of the Assam Non-Government College Management Rules, 2001 ;
 - (e) "Government" means the Government of Assam;
 - (f) "provincialisation" means taking the liabilities for payment of salaries including dearness allowance, medical allowance and such other allowances as admissible to the government employees of similar category and gratuity, pension, leave encashment, etc. as admissible, under the existing rules, to the employees of the State Government serving under the Government of Assam;
 - (g) "prescribed" means prescribed by rules made under this Act;
 - (h) "retired employee" means an employee who has retired on attaining the age of superannuation or otherwise.
- Employees to be provincialised.** 3. Subject to the provisions of Article 30 and 309 of the Constitution of India, all employees of the Colleges, save and except the employees who exercise option to continue in the existing terms and conditions of service under clause (d) below, shall be deemed to have become the employees of the Government on and from the date on which the Colleges have been brought under the deficit system of grants-in-aid, on the following terms and conditions, namely :-
- (a) all rules including the rules of conduct and discipline, which are applicable to the Government servants of corresponding grade similarly situated shall be applicable;
 - (b) the existing employees will continue to receive their respective existing scales of pay and other allowances etc. as admissible to them under relevant rules and orders of the Government;
 - (c) the posts in each provincialised College shall constitute an independent cadre for each category of employees. No intercadre transfer from one college to another including mutual transfer shall be allowed;
 - (d) the existing employees who want to continue in the existing terms and conditions of service shall give an option in writing to the Director, Higher Education, Assam within a period of three months from the date of coming into force of this Act;

Provided that the option once exercised by an existing employee is final and cannot be changed afterwards ;

- (e) any existing employee who does not exercise option under clause(d) shall be deemed to have opted for provincialisation under the provisions of this Act;
- (f) the employees of the Colleges provincialised after coming into force of this Act shall have no right of option under clause (d); and
- (g) all existing employees who do not exercise option under clause (d) shall have to refund the State Government's share of the Contributory Provident Fund with interest within six months from the date of coming into force of this Act :

Provided that if any existing employee who fails to refund the State Government's share of Contributory Provident Fund with interest within the said stipulated period such employee shall be deemed to have been opted to remain under the existing terms and conditions of service applicable to them before provincialisation.

Colleges to be known as Assam Provincialised Colleges.

4. After coming into force of this Act the Colleges provincialised under this Act shall be known as the Assam Provincialised Colleges as distinct from the Government Colleges in Assam.

Government to take over the services of employees.

5. The services of all the employees, who do not exercise the option within the stipulated period under clause (d) of section 3, shall vest with the Government with effect from the respective date of provincialisation of the Colleges.

Selection and appointment of employees.

6. Appointments of both teaching and non-teaching posts in the Colleges shall be made by the Director of Higher Education, Assam on the basis of selection and recommendation of the Governing Body of the respective College in accordance with the Rules and Procedure of the Government in force.

Rules to be followed for settlement of pension.

7. (1) The existing employees shall be governed by the existing pension Rules of the Government for the time being in force:

Provided that the employees who join on or after the 1st day of February, 2005 shall not be covered by the existing pension Rules of the Government. They shall be governed by such pension Rules or Scheme, as the case may be, as may be framed by the Government from time to time.

- (2) The Director of Higher Education, Assam shall process all pension cases and send them to the Accountant General, Assam as per laid down procedure.

Mode of pension to employees who retired/died prior to 1st January, 2005.

8. Employees who retire/died, as the case may be, prior to 1st January, 2005 shall be given only superannuation pension or the family pension, as may be applicable under the existing pension Rules of the Government. They shall not be entitled to any other pensionary benefits: . . .

Provided that the payment of such superannuation or family pension, as the case may be, are subject to refund of the Government's share of their Contributory Provident Fund within six months from the date of coming into force of this Act:

Provided further that if the Government's share of Contributory Provident Fund is not refunded in respect of a retired/deceased employee within the aforesaid stipulated period no superannuation pension or family pension shall be admissible in respect of such employee.

Age of superannuation.

9. The provincialised employees shall go on superannuation on attaining such age at which a Government servant similarly situated superannuates.

Suits and Proceeding.

10. No suit, prosecution and other legal proceedings shall lie for anything done in good faith under this Act, except with the previous sanction of the Government.

Power of Interpretation and removal of difficulties.

11. (1) If any difficulty arises as to the interpretation of any provision of this Act, the interpretation of the Government shall be final;
(2) If any difficulty arises in giving effect to the provisions of this Act, the Governor may, by order do anything, not inconsistent with the provisions of this Act, which appear to him to be necessary for the purpose of removing the difficulty.

Power of the Government to make Rules.

12. (1) Except for the purpose of payment of pension which will be governed by the Assam Services Pension Rules 1969, the State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
(2) All rules made by the State Government under this Act shall, as soon as may be after they are made, be laid before the State Legislature, while it is in session, for a total period of not less than fourteen days which may be comprised in one session or in two or more successive sessions, and shall, unless some later date is appointed, take effect from the date of their publication in the Official Gazette subject to such modifications or annulments as the Legislature may, during the said period agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

M. K. DEKA,
Commissioner and Secretary to the Govt. of Assam,
Legislative Department, Dispur.

THE ASSAM NON-GOVERNMENT COLLEGE MANAGEMENT RULES
now called
**The Assam Provincialised Colleges and Assam Non-Government
College Management Rules, 2001**
(as amended up-to-date)

To read along with the following Rules/OM/Letters: -

Govt. OM regarding constituting the structure of the Governing Body of the Colleges *vide* Govt. OM No. AHE.371/2017/22; dated **18/08/2017**

Govt. OM regarding the terms and condition that are added and modified regarding constituting the structure of the Governing Body of the Colleges *vide* Govt. OM No. AHE.331/2008/52; dated **05/11/2014**

Representative of non-teaching staff in GB: Govt. Order No. AHE 452/2013/6; dated **19/09/2013**

Public Representative as Special Invitee in GB: Govt. Order No. AHE 331/2008/51; dated **30/08/2013**

Changed structure of GB: OM No. AHE 331/2008/33; dated **09/07/2009**

Assam Non-Government College Management (Amendment) Rules, 2009; dated **18/06/2009**

Assam Non-Government College Management (Amendment) Rules, 2001; dated **16/10/2001**

Assam Non-Government College Management Rules, 2001; dated **15/06/2001**

Financial Transaction of Provincialised Colleges of Assam

DHE's Letter No. G(B)AC/95/2015/13, dated August 30, 2016

DHE's Letter No. G(B)AC/95/2015/6, dated September 17, 2015

DHE's Letter No. G(B)AC/95/2015/3, dated April 27, 2015

Compiled on: -

The 22nd August 2017

THE ASSAM NON-GOVERNMENT COLLEGE MANAGEMENT RULES
now called
**The Assam Provincialised Colleges and Assam Non-Government
College Management Rules, 2001**
(as amended up-to-date)

To read along with the following Rules/OM/Letters: -

Govt. OM regarding constituting the structure of the Governing Body of the Colleges *vide* Govt. OM No. AHE.371/2017/22; dated **18/08/2017**

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Financial Transaction of Provincialised Colleges of Assam

DHE's Letter No. G(B)AC/95/2015/13, dated August 30, 2016

DHE's Letter No. G(B)AC/95/2015/6, dated September 17, 2015

DHE's Letter No. G(B)AC/95/2015/3, dated April 27, 2015

In suppression of the Assam Aided College Management Rules 1976, except in respect of things done or omitted to be done before such suppression, the Governor of Assam is hereby pleased to make the following rules regulating the management of Non-Government Colleges in Assam, namely: -

1. Short title, application and commencement. —

- (1) These rules may be called the Assam Provincialised Colleges and¹ Assam Non-Government College Management Rules, 2001.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) They should be applicable to Assam Provincialised Colleges and² Non-Government Colleges in Assam affiliated by any Central or State University of Assam and in receipt of defines Grants-in-Aid or ad-hoc Grants-in-Aid, from the State Government.

2. Definitions. —

In these rules, unless there is anything repugnant³ in the subject or context;

¹ In Rule 1(1) in the title, after the words "be called the" the words "Assam Provincialised Colleges and" be added. [Amended vide Rule 2(1) of the Assam Non-Government College Management (Amendment) Rules, **2009**]

² In Rule 1(3) after the words "be applicable to" the words "Assam Provincialised Colleges and" be added. [Amended vide Rule 2(2) of the Assam Non-Government College Management (Amendment) Rules, **2009**]

³ In the first line, for the word "repugrant", word "repugnant" shall be substituted;

- (a) “College” means a Provincialised Colleges and⁴ Non-Government College;
- (b) “Constitution” means the Constitution of India;
- (c) “Director” means the Director of Higher Education, Assam;
- (d) “Governing Body” means the body constituted under Rule 3;
- (e) “Governor” means the Governor of Assam;
- (f) “Management” means the body or group of persons administering the affairs of a ⁵ College including academic affairs as well as the affairs relating to the assets and liabilities of the ⁶ College in fair manner within the framework of established financial and administrative principles of the State Government from time to time;
- (g) “⁷ Colleges” means colleges for imparting⁸ Higher education in the post senior Secondary⁹ courses, established and situated in Assam affiliated by any Central or State University of Assam and receive the concurrence of the State Government;
- (h) “President” means the President of the Governing Body;
- (i) “State Government” means the Government of Assam;
- (j) “Secretary” means the Secretary to the Governing Body;

3. Constitution of the Governing Body¹⁰. —

- (1)¹¹ Every ¹² College affiliated to any Central or State University of Assam and duly concurred by the State Government, shall be governed by Governing Body ¹³.
- (2)¹⁴ ¹⁵Composition of the Governing Body: -
 - (i) The Governing Body shall consist of: -
 - (a) One President - who shall be an eminent person from the field of

[Amended vide Rule 2 i) of the Assam Non-Government College Management (Amendment) Rules, **2001**]

⁴ In Rule 2(a) after the words “means a” the words “Provincialised Colleges and” be added.

[Amended vide Rule 3(1) of the Assam Non-Government College Management (Amendment) Rules, **2009**]

⁵ In Rule 2(f) and Rule 2(g) the words “Non-Government” be deleted.

[Amended vide Rule **3(2)** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

⁶ In Rule 2(f) and Rule **2(g)** the words “Non-Government” be deleted.

[Amended vide Rule **3(2)** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

⁷ In Rule 2(f) and Rule **2(g)** the words “Non-Government” be deleted.

[Amended vide Rule **3(2)** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

⁸ In clause (g) for the word “importing”, the word “imparting” shall be substituted. [Rule: 2(ii)]

[Amended vide Rule **2(ii)** of the Assam Non-Government College Management (Amendment) Rules, **2001**]

⁹ In Rule 2(g) the words “Post secondary” be substituted by the words “post senior Secondary”.

[Amended vide Rule **3(3)** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

¹⁰ In the Principal Rules, in rule 3, in the heading for the word “Boy”, the word “Body” shall be substituted.

[Amended vide Rule **3** of the Assam Non-Government College Management (Amendment) Rules, **2001**]

¹¹ Rule 3 be numbered as 3(1).

[Amended vide Rule **4** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

¹² In Rule 3, the words “Non-Government” and the words “to be constituted by the Director” be deleted,

[Amended vide Rule **4** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

¹³ In Rule 3, the words “Non-Government” and the words “to be constituted by the Director” be deleted,

[Amended vide Rule **4** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

¹⁴ Rule 4 be amalgamated with Rule 3 and numbered as Rule 3(2). The number of all subsequent Rules be changed accordingly.

[Amended vide Rule **5(1)** of the Assam Non-Government College Management (Amendment) Rules, **2009**]

¹⁵ “Composition of the Governing Body :- (1) The Governing Body shall consist of :-

(a) One President; Governing Body”.

[Amended vide Rule **4** of the Assam Non-Government College Management (Amendment) Rules, **2001**]

Education. He shall be appointed by the Director of Higher Education and shall have a term of five years. He shall however continue beyond this period till his successor is appointed. The Director may however remove him before five years for reasons to be recorded in writing.¹⁶

- (b) One Secretary - the Principal of the college shall be the ex-officio Secretary of the Governing Body.

Provided that if circumstance so demands, the Director may nominate Vice-Principal or the senior most member from the teaching staff of the College to act as the Secretary in lieu of the Principal of the College, for a period of six months, and beyond that period with the State Government's prior approval;

- (c) The Vice-Principal - Member Ex-officio;
- (d) Two Members to be nominated by the affiliating University concerned - they shall have a term of 3 years. They shall however continue beyond this period till new persons are nominated by the University;¹⁷
- (e) Three guardians of students studying in the college as members. They shall be nominated by the Director, Higher Education. One of them shall be a lady. Their term shall be for three years or till their ward is a student of the college whichever is earlier;¹⁸
- (f) Two teachers to be elected annually by the teachers from amongst themselves for a period of one year from the date of constitution of the Governing Body:

Provided that the teachers so elected shall not be eligible for being re-elected for the third successive term.

- (g) One member from the non-teaching staff ~~to be nominated by the Principal~~ **to be elected by the non-teaching employees of the College**¹⁹ annually from the date of constitution of the Governing Body;
- (h) Except in cases where is a life member in Governing Body in pursuant to any agreement to the context, the donors providing Rs. 50,000/- or more shall elect one member among themselves to the Governing Body for a period of one year.
- (i) **Local MLA as a permanent special invitee**²⁰.

¹⁶ In Rule 4(i)(a), after the words, "one President" to be recorded in writing".
[Amended vide Rule 5(2)(a) of the Assam Non-Government College Management (Amendment) Rules, 2009]

¹⁷ In Rule 4 (i) (d), after the words "the affiliating University concerned" the following words be added "they shall have a term of 3 years. They shall however continue beyond this period till new persons are nominated by the University".
[Amended vide Rule 5(2)(b) of the Assam Non-Government College Management (Amendment) Rules, 2009]

¹⁸ Rule 4(i)(e) and 4(i)(f) be deleted. They may be substituted with the following rule, numbered as Rule 4(i)(e) with changes in the numbers of the subsequent clauses. "Three guardians of students studying in the college as members. They shall be nominated by the Director, Higher Education. One of them shall be a lady. Their term shall be for three years or till their ward is a student of the college whichever is earlier".
[Amended vide Rule 5(2)(c) of the Assam Non-Government College Management (Amendment) Rules, 2009]

¹⁹ As per the existing rules in Provincialised colleges, the Principals have been empowered to nominate member of non-teaching employees to the Governing Bodies. In order to make the above process more democratic the state Govt, has decided to allow the non-teaching Employees of a particular college to elect their representative to the respective G.Bs. doing away with the existing provision of nomination by the Principal.
[Govt. letter No. AHE. 452/2013/6, dated 19/09/2013]

²⁰ State Govt. has decided that the Director of Higher Education should request all the president of the Governing Bodies of the Provincialised Colleges to invite the local MLA to participate in the Governing Body meetings as a permanent special invitee.
[Govt. letter No. AHE. 331/2000/51, dated 30/08/2013]

- (2) The minimum number of members of the Governing Body shall be ten and shall not exceed ~~twelve~~ thirteen²¹.
- ~~(3) deleted~~²².
- (3) The President of Governing Bodies of Colleges shall be an eminent person from the field of Education. He shall be a non-political person. He should not have contested any election including panchayat /municipality/local bodies election or should not be an office bearer of any political party or should not have any affiliation /membership to any political party.²³
- (4) He shall be appointed by the Director of Higher Education and shall have a term of five years. He shall however continue beyond this period till his successor is appointed. The Director may however remove him any time during the term of five years for reasons to be recorded in writing.²⁴

4.²⁵ **Tenure of the Governing Body. —**

The Governing Body shall be a permanent authority. Its members would have tenures as provided. This would, however, not affect the permanent nature of the said body:²⁶

Provided that if the Director is satisfied at any time that a particular Governing Body is not functioning in the best public interest, the Director may suspend a Governing Body and appoint an Administrator, who shall exercise the powers of the Governing Body during the period. The Director shall record²⁷ his views with reason thereof through a speaking order for the purpose.

5. **Taking over the management of a**²⁸ **College. —**

In the event of *miss management** of the affairs of a²⁹ College, the State Government may take over the control and management of the College for a period not exceeding six months, and make arrangement for the management of the college in such manner as may be considered necessary and the arrangement so made may be extended for such further period by the State Government as may be deemed necessary.

*[*to read as mismanagement*]

²¹ With the inclusion of Local MLA as a permanent special invitee the maximum number of members becomes 13.
[Govt. letter No. AHE. 331/2000/51, dated 30/08/2013]

²² Rule 4(3) be deleted.

[Amended vide Rule 5(2)(d) of the Assam Non-Government College Management (Amendment) Rules, 2009]

²³ In partial modification of this Deptt.'s earlier OM vide No.AHE.331/2008/33 dated 09-07-2009 and No.AHE.331/2008/52 dated 05-11-2014 the following terms and condition i.e. (3) and (4) are added with the approval of State Cabinet regarding constituting the structure of the Governing Bodies of Colleges.

[Govt. letter No. AHE. 371/2017/22, dated 18/08/2017]

²⁴ In partial modification of this Deptt.'s earlier OM vide No.AHE.331/2008/33 dated 09-07-2009 and No.AHE.331/2008/52 dated 05-11-2014 the following terms and condition i.e. (3) and (4) are added with the approval of State Cabinet regarding constituting the structure of the Governing Bodies of Colleges.

[Govt. letter No. AHE. 371/2017/22, dated 18/08/2017]

²⁵ Rule 4 be amalgamated with Rule 3 and numbered as Rule 3(2). The number of all subsequent Rules be changed accordingly.

[Amended vide Rule 5(1) of the Assam Non-Government College Management (Amendment) Rules, 2009]

²⁶ In Rule 5 the words "The term of the Governing Body shall be for a period of three years from the date of its constitution. The term may, however, be extended for another period of two years by the Director with prior approval of the State Government" be deleted. They be substituted by the words "The Governing Body shall be a permanent authority. Its members would have tenures as provided. This would, however, not affect the permanent nature of the said body".

[Amended vide Rule 6 (1) of the Assam Non-Government College Management (Amendment) Rules, 2009]

²⁷ In Rule 5 the words "dissolve the Governing Body and constitute a fresh Governing Body thereafter recording" be deleted. They be substituted by the words "suspend a Governing Body and appoint an Administrator, who shall exercise the powers of the Governing Body during the period. The Director shall record".

[Amended vide Rule 6(2) of the Assam Non-Government College Management (Amendment) Rules, 2009]

²⁸ In Rules 6 & Rule 7 the words "non Government" be deleted.

[Amended vide Rule 7 of the Assam Non-Government College Management (Amendment) Rules, 2009]

²⁹ In Rules 6 & Rule 7 the words "non Government" be deleted.

[Amended vide Rule 7 of the Assam Non-Government College Management (Amendment) Rules, 2009]

6. Accountability of the Governing Body. —

The Governing Body, constituted under Rule 3 shall be responsible for the proper financial management, including the *upkeepment** of the assets of the³⁰ College and management of its academic affairs. The Governing Body shall see that the teachers perform their duties in classes and examination and attend the college as per norms of the University Grants Commission. A self-appraisal report regarding performance from every teacher shall be obtained annually by the Governing Body and forward the same to the Director, Higher Education for perusal.³¹ *[to read as upkeep]

7. Secretary of the Governing Body or report to the Director. —

The Secretary of the Governing Body shall be responsible to report to the Director about any deviation of financial norms and procedures or any loss of assets of the College immediately whenever it comes to his notice.

8. Restriction of some members to attend the Governing Body. —

No member of the Governing Body, being an employee of the College, shall attend any meeting of the Governing Body at which any matter relating to his pay, promotion or conduct is under discussion. But it shall be open to the President to call him for making any statement or representation on the subject but shall have to leave the meeting after doing so, when decision is to be taken.

09. Restriction of some members to enter into contract for works of the College. —

No member of a Governing Body shall enter into any contract for work, supply of materials or for any sale or purchase with the Governing Body.

10. Disqualifications. —

Any member, who absents himself for more than 4(four) consecutive meeting of the Governing Body, without informing the President, shall cease to be a member of the Governing Body and the Secretary shall report the fact to the Director for record. Further, the nomination of member of the Governing Body shall be void owing to any of the following grounds: -

- (i) if he becomes insolvent;
- (ii) if by reasons of physical or moral turpitude he *becomes** incapable of acting as such; *[to read as becomes]
- (iii) on death or resignation;
- (iv) on his being convicted of a criminal offence involving moral turpitude.

11. Vacancy in the Governing Body. —

- (i) Any occurrence of vacancy in the Governing Body shall be reported by the

³⁰ In Rules 6 & Rule 7 the words "non Government" be deleted.

[Amended vide Rule 7 of the Assam Non-Government College Management (Amendment) Rules, 2009]

³¹ In the Principal Rules, in rule 7, after the existing provisions, the following shall be inserted, namely:-

"The Governing Body shall see that the teachers perform their duties in classes and examination and attend the college as per norms of the University Grants Commission. A self-appraisal report regarding performance from every teacher shall be obtained annually by the Governing Body and forward the same to the Director, Higher Education for perusal".

[Amended vide Rule 5 of the Assam Non-Government College Management (Amendment) Rules, 2001]

Secretary forthwith to the appropriate authority as stated in Rule 3³² who shall thereupon take steps to fill up such vacancy in the manner in which it was originally filled up.

- (ii) No act or proceedings of the Governing Body shall be invalid merely because of any vacancy of its members.

12. Meeting of the Governing Body. —

- (1) The Governing Body shall meet at least once in every four³³ months, but it may meet at shorter interval also, if circumstance so demands and the President of the Governing Body is satisfied that such meeting is necessary.
- (2) A meeting of the Governing Body shall be called by the Secretary with prior³⁴ consent of the President, if it is not a requisitioned meeting by the 2/3 (two-third) members of the Governing Body, with not less than 7 (seven) days' notice.
- (3) The notice of a meeting shall set forth the business to be transacted at the meeting and no business other than so stated shall be transacted, except with the consent of *three-fourth*** of the members present. *[to read as three-fourth]
- (4) Except any emergency meeting, which shall be so notified, all meetings of Governing Body shall be held in the College premises.

13. Proceedings of the meeting of the Governing Body. —

- (1) The minutes of the proceedings of the meeting shall be recorded in the 'Proceedings Book' by the Secretary and signed by all the members present.
- (2) If any note of dissent is given by any member it shall be recorded in the Proceedings-Book.
- (3) All records of the Governing Body shall be kept in the College Office and the Head of the College shall be responsible to preserve all such records properly and safely.

14. Presiding over the meeting. —

The meeting of the Governing Body shall be presided over by the President and in the absence of the President, the other members present may select or elect one of them to *presided*** over the meeting.³⁵ **[to read as preside]

³² In Rule 12(i) the word "Director" be deleted. It shall be substituted by the following words "appropriate authority as stated in Rule 3".

[Amended vide Rule 8 of the Assam Non-Government College Management (Amendment) Rules, 2009]

³³ In the Principal Rules, in rule 13, in sub - rule (1), in the first line, for the word "Six", the word "four" shall be substituted; [Amended vide Rule 6(i) of the Assam Non-Government College Management (Amendment) Rules, 2001]

³⁴ In the Principal Rules, in rule 13, in sub-rule (2), in the second line, for the word "the" occurs between the word "with" and "consent", the word "Prior" shall be substituted.

[Amended vide Rule 6(ii) of the Assam Non-Government College Management (Amendment) Rules, 2001]

³⁵ In the Principal Rules, in rule 15, for the existing provision, the following shall be substituted, namely: -

"15. Presiding over the meeting - The meeting of the Governing Body shall be presided over by the President and in the absence of the President, the other members present may select or elect one of them to presided over the meeting".

[Amended vide Rule 7(ii) of the Assam Non-Government College Management (Amendment) Rules, 2001]

15. Quorum. —

At least seven members of the Governing Body shall form a quorum of the meeting.³⁶

16. Secretary to make correspondence. —

Under the direction of the Governing Body, the Secretary shall make all correspondence with the appropriate authority on behalf of the Governing Body:

Provided that no correspondence shall be made direct to the State Government, but it, however, can be addressed through the Director.

17. Governing Body to obtain prior approval of the Director in certain matters. —

The minutes of the proceeding of the Governing Body meeting shall be sent to the Director and the concerned affiliating University. Government shall be the Appellate Authority/Forum in case of grievances^{37 38}.

Provided that so far as Non-Government Colleges are concerned, who are not brought under deficit system of grants-in-aid,³⁹ the Governing Bodies are not required to send the proceeding of the meeting to the Director but it will be open for the Director to call for the proceedings if any complaint is received against the Governing Body and any direction given by the Director on it shall be final and binding on the Governing Body of the College.

18. Duties of the Governing Body. —

In general, the following are earmarked as duties of a Governing Body in respect of Colleges: -⁴⁰

- (i) to undertake financial management of the College, to utilise the Grants-in-Aid received from the State Government, University Grants Commission and any fund collected as authorised subscriptions and fund received as fees from the students for the academic purpose of the Colleges, including payment of salary etc. to the Teaching and non-teaching staff of the College;
- (ii) to arrange for the maintenance of the College building, furniture and equipment as required, including playground, auditorium, libraries etc.;
- (iii) to grant leave to the teaching and non-teaching staff subject to the existing leave rules to grant leave, other than casual leave and arrangement made to fill up the vacancies, should be reported to Director and to concerned affiliating University;
- (iv) to appoint persons in connection with the affairs of the College against the post

³⁶ In the Principal Rules, in rule 16, for the existing provisions, the following shall be substituted, namely:-
"16. Quorum. - At least seven members of the Governing Body shall form a quorum of the meeting."

[Amended vide Rule 8 of the Assam Non-Government College Management (Amendment) Rules, 2001]

³⁷ In the Principal Rules, in rule 18- In the first paragraph, for the letters, words, figure and brackets "Rs. 50,000/- (Fifty thousand)", the following letters, words, figure and brackets shall be substituted, namely:-"Rs. 1, 00000/- (One lakh)".
[Amended vide Rule 9(i) of the Assam Non-Government College Management (Amendment) Rules, 2001]

³⁸ In Rule 18 the words "No final decision regarding appointment, promotion, suspension, termination, removal or dismissal of teaching & non-teaching staff including that of the Principal or any construction works involving Rs. 1,00,000/- (Rupees One Lakh) or more shall be undertaken by the Governing Body without prior approval of the Director:" be deleted and "Government shall be the Appellate Authority/Forum in case of grievances." be added.
[Amended vide Rule 9 of the Assam Non-Government College Management (Amendment) Rules, 2009]

³⁹ In the Principal Rules, in rule 18- In the Provision, in the first line, after the word "Concerned" and before the words "the Governing Bodies", the following shall be instead, namely:- "Who are not brought under deficit system of grants-in-aid".
[Amended vide Rule 9(ii) of the Assam Non-Government College Management (Amendment) Rules, 2001]

⁴⁰ In the first line of Rule 19 the words "Non Governing" and the words "receiving deficit Grants-in-aid" be deleted.
[Amended vide Rule 10(1) of the Assam Non-Government College Management (Amendment) Rules, 2009]

or posts so sanctioned by the State Govt, with scrupulous compliance of the University Grants Commission guidelines and State Government instructions and policies;⁴¹

- (v) to arrange for half-yearly internal audit for all College funds and verification of stocks, furniture and other assets;
- (vi) to submit annual audited accounts preferably audited by a Chartered Accountant latest by thirtieth June of every year, in respect of the proceeding financial year;
- (vii) to reply to audit objections or inspection notes on the Accounts of the College audited or inspected by the Inspector / Auditor of the Education Department / Director of Local Audit, Assam and the Accountant General, Assam;
- (viii) to submit annual report with statistics in respect of the enrolment of students stream-wise, subject-wise, result, teaching days held, performance of Lecturers in an academic session, to the Director and to the affiliating University concerned;
- (ix) to oversee the functioning of the disbursing officer in disbursing the stipend / scholarship sanctioned to the students in time, as well as to strive for preservation of an excellent academic standard of the College;
- (x) except scholarship money and students* union fund all other funds of the College shall be jointly operated by the Secretary and the President, where the President is not willing to operate the funds jointly, the Governing Body may appoint one Treasurer from amongst the members for the purpose of joint operation of the College funds.⁴² *[to read as student's]
- (xi) with the approval of the Governing Body, the Secretary shall utilise the grants for the purpose for which it is sanctioned and submit the Utilisation Certificate to the concerned sanctioning authority in time, with intimation to the Director;
- (xii) the Secretary shall disburse the deficit Grants-in-Aid sanctioned by the Director towards the salary of teaching and non-teaching sanctioned staff of the College within a week from the date of the receipt of the grants;
- (xiii) if any excess amount of Grants-in-Aid sanctioned towards the salary the excess amount shall be refunded to the Director by the Secretary immediately.
- (xiv) To decide on the quantum of tuition fee and any other fund to be charged from the students.⁴³

19. Grounds of suspension of Grants-in-Aid. —

Failure of submission of annual accounts, report duly signed by the President and the Secretary of Governing Body in respect of preceding financial year, may attract

⁴¹ In the Principal rules, in rule 19, in clause (iv), for the existing provisions, the following shall be substituted, namely:-
“(iv) to appoint persons in connection with the affairs of the College against the post or posts so sanctioned by the State Govt, with scrupulous compliance of the University Grants Commission guidelines and State Government instructions and policies.”
[Amended vide Rule 10(i) of the Assam Non-Government College Management (Amendment) Rules, 2001]

⁴² In the Principal rules, in rule 19, for clause (x), the following shall be substituted, namely: -“(x) except scholarship money and students union fund all other funds of the College shall be jointly operated by the Secretary and the President, where the President is not willing to operate the funds jointly, the Governing Body may appoint one Treasurer from amongst the members for the purpose of joint operation of the College funds.”
[Amended vide Rule 10(ii) of the Assam Non-Government College Management (Amendment) Rules, 2001]

⁴³ The following new clause in Rule 19 be inserted as Rule 19 (xiv) :-
“(xiv). To decide on the quantum of tuition fee and any other fund to be charged from the students.”
[Amended vide Rule 10(2) of the Assam Non-Government College Management (Amendment) Rules, 2009]

stoppage of Grants-in-Aid by Director *suo-moto*, after the expiry of 30th June, every year:

Provided that on failure in respect of maintenance of a consistent academic achievement by a particular Non-Government College as a whole of a failure to abide by the Government guidelines issued from time to time, the State Government may instruct the Director to suspend Grants-in-Aid with 30 days prior notice.

20. Other functions of the Governing Body. —

The Governing Body is authorised: -

- (i) to determine the general scheme of the studies of the College, subject to approval of the affiliating University concerned provided that there is no financial liability for Government;⁴⁴
- (ii) to consider and initiate projects for improvement of the College, including prohibitions of taking private tuition by the teaching staff;
- (iii) to deal with the discipline and conduct of the teaching and non-teaching staff of the College;
- (iv) to grant fee remission under rules;⁴⁵
- (v) to deal with the academic calendar within the norms of University Grants Commission and to compel scrupulous compliance of the guidelines in respect of working days and holding of Classes, Examination⁴⁶ etc. and
- (vi) to ensure that all the duties regarding teaching and examination, co-curricular and extra - curricular activities are duly performed by the teachers of the college.⁴⁷

21. Submission of Annual Account: -

The Secretary of the Government Body shall ensure submission of Audited Annual Accounts and Annual Administration Report to the Director.

22. Interpretation: -

If any question arises relating to the interpretation of these Rules the decision of the State Government shall be final.

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⁴⁴ In rule 21 (i) the words "as well as the State Government to be obtained through the Director with regards to the inclusion of additional subjects, introduction of major course and any existing subject or opening of new faculty and creation of additional post" be deleted and the following words be added after the words "affiliating University concerned" "provided that there is no financial liability for Government".

[Amended vide Rule 11(1) of the Assam Non-Government College Management (Amendment) Rules, 2009]

⁴⁵ In Rule (iv) the words "Prescribed by the State Government or with the approval of Director" be deleted.

[Amended vide Rule 11(2) of the Assam Non-Government College Management (Amendment) Rules, 2009]

⁴⁶ In the principal Rules, in rule 21, in clause (v) in the last line, after the words "Classes" the word "Examination" shall be inserted.

[Amended vide Rule 11(i) of the Assam Non-Government College Management (Amendment) Rules, 2001]

⁴⁷ In the principal Rules, in rule 21, after clause (v) the following new clause (vi) Shall be inserted, namely – "(iv) to ensure that all the duties regarding teaching and examination, co-curricular and extra - curricular activities are duly performed by the teachers of the college".

[Amended vide Rule 11(ii) of the Assam Non-Government College Management (Amendment) Rules, 2001]

অসম



ৰাজপত্ৰ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

নং 118 দিশপুৰ, শনিবাৰ, 16 জুন, 2001, 26 জেঠ 1923 (শক)
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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

EDUCATION (HIGHER) DEPARTMENT

NOTIFICATION

The 15th June, 2001

No.B(2)H-94/2001/4.--In suppression of the Assam Aided College Management Rules 1976, except in respect of things done or omitted to be done before such suppression, the Governor of Assam is hereby pleased to make the following rules regulating the management of Non-Government Colleges in Assam, namely :-

1. Short title, application and commencement :-

- (1) These rules may be called the Assam Non-Government College Management Rules, 2001.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- (3) They shall be applicable to Non-Government Colleges in Assam affiliated by any Central or State University of Assam and in receipt of defines Grants-in-Aid or ad-hoc Grants-in- Aid, from the State Government.

2. Definitions.— In these rules, unless there is anything repugnant in the subject or context :

- (a) "College" means a Non-Government College ;
- (b) "Constitution" means the Constitution of India ;
- (c) "Director" means the Director of Higher Education, Assam ;
- (d) "Governing Body" means the body constituted under rule 3 ;
- (e) "Governor" means the Governor of Assam ;
- (f) "Management" means the body or group of persons administering the affairs of a Non-Government College including academic affairs as well as the affairs relating to the assets and liabilities of the Non-Government College in fair manner within the framework of established financial and administrative principles of the State Government from time to time ;
- (g) "Non-Government Colleges" means colleges for importing Higher education in the Post-secondary courses, established and situated in Assam affiliated by any Central or State University of Assam and receive the concurrence of the State Government ;
- (h) "President" means the President of the Governing Body ;
- (i) "State Government" means the Government of Assam ;
- (j) "Secretary" means the Secretary to the Governing Body ;

3. Constitution of the Governing Body :-

Every Non-Government College affiliated to any Central or State University of Assam and duly concurred by the State Government, shall be governed by Governing Body to be constituted by the Director.

4. Composition of the Governing Body :-

(1) The Governing Body shall consist of :-

(a) One President ;

(b) One Secretary, the Principal of the College shall be the ex-officio Secretary of the Governing Body ;

Provided that if circumstance so demands, the Director may nominate any person from the teaching staff of the college to act as the Secretary in lieu of the Principal of the College, for a period of six months and beyond that period with the State Government's prior approval.

(c) The Vice-Principal-Member-Ex-Officio ;

(d) Two members to be nominated by the affiliating University concerned ;

(e) One member to be nominated by the Director from the field of Education ;

(f) One woman member to be nominated by the Director ;

(g) One member to be nominated by the Director from the Backward Classes ;

(h) Local Deputy Commissioner or his representative may be included as a member ;

(i) Other members as may be nominated by the Director in which the local member of the Legislative Assembly and the Chairman, Zila Parishad may be included ;

(j) The Governing Body shall co-opt one member from amongst the Teaching and Non-Teaching Staff of the College on the submission of three persons panel by the Principal. However, they shall have no voting right during discussion of service matters which concern them.

(2) The minimum number of members of the Governing Body shall be ten and shall not exceed twelve.

(3) Whenever the Governing Body is constituted, the Director of Higher Education shall nominate one member to be the President of the Governing Body.

5. Tenure of the Governing Body :-

The tenure of the Governing Body shall be for a period of three years

from the date of its constitution. The term may, however, be extended for another period of two years by the Director with the prior approval of the State Government :

Provided that if the Director is satisfied at any time that a particular Governing Body is not functioning in the best public interest, the Director may dissolve the Governing Body and constitute a fresh Governing Body thereafter recording his views with reason thereof through a speaking order for the purpose.

6. Taking over the management of a Non-Government College.--In the event of mismanagement of the affairs of a Non-Government College, the State Government may take over the control and management of the College for a period not exceeding six months, and make arrangements for the management of the college in such manner as may be considered necessary and the arrangement so made may be extended for such further period by the State Government as may be deemed necessary.

7. Accountability of the Governing Body .-- The Governing Body, constituted under Rule 3 shall be responsible for the proper financial management, including the upkeepment of the assets of the Non-Government College and management of its academic affairs.

8. Secretary of the Governing Body or report to the Director .-- The Secretary of the Governing Body shall be responsible to report to the Director about any deviation of financial norms and procedures or any loss of assets of the College immediately whenever it comes to his notice.

9. Restriction of some members to attend the Governing Body .-- No member of the Governing Body, being an employee of the College, shall attend any meeting of the Governing Body at which any matter relating to his pay, promotion or conduct is under discussion. But it shall be open to the President to call him for making any statement or representation on the subject but shall have to leave the meeting after doing so, when decision is to be taken.

10. Restriction of some members to enter into contract for works of the College .-- No member of a Governing Body shall enter into any contract for work, supply of materials or for any sale or purchase with the Governing Body.

11. Disqualifications .-- Any member, who absents himself for more than 4(four) consecutive meetings of the Governing Body, without informing the President, shall cease to be a member of the Governing Body and the Secretary shall report the fact to the Director for record. Further, the nomination of a member of the Governing Body shall be void owing to any of the following grounds :-

- (i) if he becomes insolvent;
- (ii) if by reasons of physical or moral turpitude he becomes incapable of acting as such;
- (iii) on death or resignation;
- (iv) on his being convicted of a criminal offence involving moral turpitude.

12. Vacancy in the Governing Body :-

- (1) Any occurrence of vacancy in the Governing Body shall be reported by the Secretary forthwith to the Director who shall thereupon take steps to fill up such vacancy in the manner in which it was originally filled up.
- (2) No act or proceedings of the Governing Body shall be invalid merely because of any vacancy of its members.

13. Meeting of the Governing Body :-

- (1) The Governing Body shall meet at least once in every six months, but it may meet at shorter interval also, if circumstance so demands and the President of the Governing Body is satisfied that such meeting is necessary.
- (2) A meeting of the Governing Body shall be called by the Secretary with the consent of the President, if it is not a requisitioned meeting by the 2/3 (two-third) members of the Governing Body, with not less than 7 (seven) days' notice.
- (3) The notice of a meeting shall set forth the business to be transacted at the meeting and no business other than so stated shall be transacted, except with the consent of three-fourth of the members present.
- (4) Except any emergency meeting, which shall be so notified, all meetings of Governing Body shall be held in the College premises.

14. Proceedings of the meeting of the Governing Body :-

- (1) The minutes of the proceedings of the meeting shall be recorded in the 'Proceedings Book' by the Secretary and signed by all the members present.
- (2) If any note of dissent is given by any member it shall be recorded in the Proceedings-Book.
- (3) All records of the Governing Body shall be kept in the College Office and the Head of the College shall be responsible to preserve all such records properly and safely.

15. Presiding over the meeting.-- All the meeting of the Governing Body shall be presided over by the President and in the absence of the President, the other members present may select or elect one of them to preside over the meeting already notified and approved before-hand by the President.

16. Quorum.-- At least six members of the Governing Body, excluding the Co-opted member, shall form a quorum of the meeting.

17. Secretary to make correspondence.-- Under the direction of the Governing Body, the Secretary shall make all correspondence with the appropriate authority on behalf of the Governing Body :

Provided that no correspondence shall be made direct to the State Government, but it, however, can be addressed through the Director.

18. Governing Body to obtain prior approval of the Director in certain matters.-- The minutes of the proceeding of the Governing Body meeting shall be sent to the Director and the concerned affiliating University. No final decision regarding appointment, promotion, suspension, termination, removal or dismissal of teaching or non- teaching staff including that of the Principal of any construction works involving Rs.50,000/- (Fifty thousand) or more shall be undertaken by the Governing Body without the prior approved of the Director :

Provided that so far as Non-Government Colleges are concerned, the Governing Bodies are not required to send the proceedings of the meeting to the Director but it will be open for the Director to call for the proceedings if any complaint is received against the Governing Body and any direction given by the Director on it shall be final and binding on the Governing Body of the College.

19. Duties of the Governing Body :-

In general the following are earmarked as duties of a Governing Body in respect of Non-Governing Colleges receiving deficit Grants-in-Aid :-

- (i) to undertake financial management of the College, to utilise the Grants-in-Aid received from the State Government, University Grants Commission and any fund collected as authorised subscriptions and fund received as fees from the students for the academic purpose of the Colleges, including payment of salary etc.

to the Teaching and non-teaching staff of the College ;

- (ii) to arrange for the maintenance of the College building, furniture and equipment as required, including playground, auditorium, libraries etc. ;
- (iii) to grant leave to the teaching and non-teaching staff subject to the existing leave rules to grant leave, other than casual leave and arrangement made to fill up the vacancies, should be reported to Director and to concerned affiliating University ;
- (iv) to appoint persons in connection with the affairs of the College against the post or posts so sanctioned by the State Government with scrupulous compliance of the Reservation Policy under 20 points Roster of the State Government ;
- (v) to arrange for half-yearly internal audit for all college funds and verification of stocks, furniture and other assets ;
- (vi) to submit annual audited accounts preferably audited by a Chartered Accountant latest by thirtieth June of every year, in respect of the proceeding financial year ;
- (vii) to reply to audit objections or inspection notes on the Accounts of the College audited or inspected by the Inspector/Auditor of the Education Department/Director of Local Audit, Assam and the Accountant General, Assam ;
- (viii) to submit annual report with statistics in respect of the enrolment of students stream-wise, subject-wise, result, teaching days held, performance of Lecturers in an academic session, to the Director and to the affiliating University concerned ;
- (ix) to oversee the functioning of the disbursing officer in disbursing the stipend/scholarship sanctioned to the students in time, as well as to strive for preservation of an excellent academic standard of the College ;
- (x) on behalf of the Governing Body the Secretary shall receive and grow the grants sanctioned by the State Government and by the Government of India and University Grants Commission from

time to time ;

- (xi) with the approval of the Governing Body, the Secretary shall utilise the grants for the purpose for which it is sanctioned and submit the Utilisation Certificate to the concerned sanctioning authority in time, with intimation to the Director ;
- (xii) the Secretary shall disburse the deficit Grants-in-Aid sanctioned by the Director towards the salary of teaching and non-teaching sanctioned staff of the College within a week from the date of the receipt of the grants;
- (xiii) if any excess amount of Grants-in-Aid sanctioned towards the salary the excess amount shall be refunded to the Director by the Secretary immediately.

20. Grounds of suspension of Grants-in-Aid.-- Failure of submission of annual accounts, report duly signed by the President and the secretary of Governing Body in respect of preceeding financial year, may attract stoppage of Grants-in-Aid by Director suomoto, after the expiry of 30th June, every year :

Provided that on failure in respect of maintenance of a consistent academic achievements by a particular Non-Government College as a whole or a failure to abide by the Government guidelines issued from time to time, the State Government may instruct the Director to suspend Grants-in-Aid with 30 days prior notice.

21. Other functions of the Governing Body.-- The Governing Body is authorised :-

- (i) to determine the general scheme of the studies of the College, subject to approval of the affiliating University concerned as well as the State Government, to be obtained through the Director with regards to the inclusion of additional subjects, introduction of Major Course in any existing subject or opening of new faculty and creation of additional posts ;
- (ii) to consider and initiate projects for improvement of the College, including prohibitions of taking private tuition by the teaching staff ;

- (iii) to deal with the discipline and conduct of the teaching and non-teaching staff of the College;
- (iv) to grant fee remission under rules prescribed by the State Government or with the approval of the Director; and
- (v) to deal with the academic calendar within the norms of University Grants Commission and to compel scrupulous compliance of the guidelines in respect of working days and holding of Classes etc.

22. Submission of Annual Account.-- The Secretary of the Government Body shall ensure submission of Audited Annual Accounts and Annual Administration Report to the Director.

23. Interpretation.-- If any question arises relating to the interpretation of these Rules, the decision of the State Government shall be final.

ANURAG BHATNAGAR,
Commissioner & Secretary to the Govt. of Assam,
Education (Higher) Department.

GOVT. OF ASSAM
EDUCATION(HIGHER) DEPARTMENT:DISPUR

ORDERS BY THE GOVERNOR OR ASSAM
NOTIFICATION

Dated Dispur, the 16th Oct/2001.

NO. B(2)H 294/2000/39 The Governor of Assam is hereby
pleased to make the following rules to amend the Assam
Non-Government College Management Rules, 2001, hereinafter
referred to as the Principal Rules, namely :-

- | | |
|--|---|
| Short
title
extent and
Commencement | 1.(1) These rules may be called the Assam Non-
Government College Management (Amendment)
Rules, 2001.

(2) It shall have the like extent as the Principal
Rules.

(3) They shall come into force on the date of
their publication in the official Gazette. |
| Amendment
of Rule 2 | 2. In the Principal Rules, in Rule 2
1) In the first line, for the word "repugnant",
word " repugnant" shall be substituted;
ii) In clause (g) for the word " importing" , the
word " imparting" shall be substituted. |
| Amendment
of Rule 3 | 3. In the Principal Rules, in rule 3, in the
heading for the word "Boy" , the word "Body"
shall be substituted. |
| Substitution
of rule 4 | 4. In the Principal Rules, in rule 4, for the
existing provisions, the following shall be
substituted, namely :-

" 4. Composition of the Governing Body :-
(1) The Governing Body shall consist of :-
a) One President ;
b) One Secretary, the Principal of the College
shall be the ex- officio Secretary of the
Governing Body.

Provided that if circumstance so demands, the
Director may nominate Vice-Principal or the
senior most member from the teaching staff of
the College to act as the Secretary in lieu of
the Principal of the College, for a period of
six months, and beyond that period with the State
Government's prior approval ; |

contd. 2/-

- c) The Vice- Principal - Member- Ex-officio;
- d) Two members to be nominated by the affiliating University concerned ;
- e) Two members to be nominated by the Director from the field of education, out of which one should be from the guardians;
- f) One woman member to be nominated by the Director, provided that there is no woman member in the Governing Body;
- g) Two teachers to be elected annually by the teachers from amongst themselves for a period of one year from the date of constitution of the Governing Body :

Provided that the teachers so elected shall not be eligible for being re- elected for the third successive ~~the~~ term.

- h) One member from the non-teaching staff to be nominated by the Principal annually from the date of constitution of the Governing Body ;
 - i) Except in cases where there is a life member in Governing Body in pursuant to any agreement to the context, the donors providing Rs. 50,000/- or more shall elect one member among themselves to the Governing Body for a period of one year.
- 2) The minimum number of members of the Governing Body shall be ten and shall not exceed twelve.
- 3) Whenever the Governing Body is constituted the Director of Higher Education shall nominate one member to be the President of the Governing Body" .

Insertion in rule 7 5. In the Principal Rules, in rule 7 ,after the existing provisions, the following shall be inserted, namely :-

" The Governing Body shall see that the teachers perform their duties in classes and examination and attend the college as per norms of the University Grants Commission. A self appraisal report regarding performance from every teacher shall be obtained annually by the Governing Body and forward the same to the Director, Higher Education for perusal ".

Amendment of Rule 13

6. In the Principal Rules, in rule 13,
i) in sub- rule (1), in the first line, for the word "six" ,the word " four" shall be substituted;
ii) In sub-rule (2), in the second line, for the word "the" occurs between the word "With" and "consent" ,the word " prior" shall be substituted.

Substitution
of Rule 15

7. In the principal Rules, in rule 15, for the existing provision, the following shall be substituted, namely :-

" 15. Presiding over the meeting - The ~~max~~ meeting of the Governing Body shall be presided over by the President and in the absence of the President, the other members present may select or elect one of them to preside over the meeting".

Substitution
of Rule 16

3. In the principal Rules, in rule 16, for the existing provisions, the following shall be substituted, namely :-

"16. Quorum. - At least seven members of the Governing Body shall form a quorum of the meeting."

Amendment
of rule 18

9. In the principal Rules, in rule 18,-

i) in the first paragraph, for the letters, words, figure and brackets " Rs. 50,000/- (Fifty thousand)", the following letters, words, figure and brackets shall be substituted, namely :-

" Rs. 1,00000/- (one lakh)";

ii) In the proviso, in the first line, after the word " concerned" and before the words " the Governing Bodies", the following shall be inserted, namely :-

" who are not brought under deficit system of grants-in-aid".

Amendment
of Rule 19

10. In the principal rules, in rule 19, -

i) in clause (iv), for the ~~then~~ existing provisions, the following shall be substituted, namely :-

"(iv) to appoint persons in connection with the affairs of the College against the post or posts so sanctioned by the State Govt. with scrupulous compliance of the University Grants Commission guidelines and State Government instructions and policies;"

ii) For clause (x), the following shall be substituted, namely :-

x) except scholarship money and students ' union fund all other funds of the College shall be jointly operated by the Secretary and the President, where the President is not willing to operate the funds jointly, the

Governing Body may appoint one Treasurer from amongst the members for the purpose of joint operation of the College funds".

Amendment
of Rule 21

11. In the Principal Rules, in rule 21,
i) In clause (v) In the last line, after the words " classes " the word " Examination " shall be inserted ;
ii) After clause (V) the following new clause
vi) Shall ^{be} inserted, namely -
"(iv) to ensure that all the duties regarding teaching and examination, co-curricular and extra-curricular activities are duly performed by the teachers of the College".

Sd/-(P.C.Sharma),

Commissioner & Secy. to the Govt.
of Assam, Education Department-

Memo NO. B(2)H 294/2000/39 A: Dated ~~Kahilipara~~ Dispur, the
16th Oct/2001.

Copy to :-

1. The Director, Assam, Govt. Press, Bamunimaidam, Guwahati -21. He is requested to publish the above notification in the next issue of Assam Gazette and to send 500 (five hundred) copies to this Deptt. after publication.
2. The Director, Higher Education, Assam, Kahilipara, Guwahati -19.
for necessary action.

By order etc.

Sd/- illegible.

Dy. Secretary to the Govt. of Assam,
Education (H) Deptt.



THE ASSAM GAZETTE

অসাধাৰণ
EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 179 দিশপুৰ, বৃহস্পতিবাৰ, 18 জুন, 2009, 28 জ্যৈষ্ঠ, 1931 (শক)

No.179 Dispur, Thursday, 18th June, 2009, 28th Jyaishta, 1931 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
EDUCATION (HIGHER) DEPARTMENT

NOTIFICATION

The 18th June, 2009

No.AHE.331/2008/26.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is hereby pleased to make the following rules further to amend the "Assam Non-Government College Management Rule, 2001" hereinafter referred to as the Principal Rules, namely:

- | | |
|--|---|
| 1. Short title, extent and Commencement. | 1. (1) These Rules may be called the Assam Non-Government College Management (Amendment) Rules, 2009.
(2) They shall come into force on the date of their publication in the Official Gazette.
(3) They shall have extent as the Principal Rules. |
| 2. Amendment of Rule 1. | 1. In Rule 1(i) in the title, after the words "be called the" the words "Assam Provincialised Colleges and" be added.
2. In Rule 1(3) after the words "be applicable to" the words "Assam Provincialised Colleges and" be added. |
| 3. Amendment of Rule 2. | 1. In Rule 2(a) after the words "means a" the words "Provincialised College and" be added.
2. In Rule 2(f) and Rule 2(g) the words "Non-Government" be deleted.
3. In Rule 2(g) the words "Post secondary" be substituted by the words "post senior Secondary". |

4. Amendment of Rule 3. In Rule 3, the words "Non-Government" and the words "to be constituted by the Director" be deleted, Rule 3 be numbered as 3 (1).
5. Amendment of Rule 4.
1. Rule 4 be amalgamated with Rule 3 and numbered as Rule 3 (2). The number of all subsequent Rules be changed accordingly.
 2. (a) In Rule 4(i) (a), after the words "one President" the following words be added "who shall be an eminent person from the field of Education. He shall be appointed by the Director of Higher Education and shall have a term of five years. He shall however continue beyond this period till his successor is appointed. The Director may however remove him before five years for reasons to be recorded in writing".
 - (b) In Rule 4 (i) (d), after the words "the affiliating University concerned" the following words be added "they shall have a term of 3 years. They shall however continue beyond this period till new persons are nominated by the University".
 - (c) Rule 4 (i) (e) and 4 (i) (f) be deleted. They may be substituted with the following rule, numbered as Rule 4 (i) (e) with changes in the numbers of the subsequent clauses "Three guardians of students studying in the college as members. They shall be nominated by the Director, Higher Education. One of them shall be a lady. Their term shall be for three years or till their ward is a student of the college whichever is earlier".
 - (d) Rule 4(3) be deleted.
6. Amendment of Rule 5.
1. In Rule 5 the words "The term of the Governing Body shall be for a period of three years from the date of its constitution. The term may, however, be extended for another period of two years by the Director with prior approval of the State Government" be deleted. They be substituted by the words "The Governing Body shall be a permanent authority. Its members would have tenures as provided. This would, however, not affect the permanent nature of the said body".
 2. In Rule 5 the words "dissolve the Governing Body and constitute a fresh Governing Body thereafter recording" be deleted. They be substituted by the words "suspend a Governing Body and appoint an Administrator, who shall exercise the powers of the Governing Body during the period. The Director shall record".
7. Amendment of Rule 6 & 7. In Rules 6 & Rule 7 the words "non Government" be deleted.
8. Amendment of Rule 12. In Rule 12 (i) the word "Director" be deleted. It shall be substituted by the following words " appropriate authority as stated in Rule 3".
9. Amendment of Rule 18. In Rule 18 the words "No final decision regarding appointment, promotion, suspension, termination, removal or dismissal of teaching & non-teaching staff including that of the Principal or any construction works involving Rs. 1,00,000/- (Rupees One Lakh) or more shall be undertaken by the Governing Body without the prior approval of the Director" be deleted and "Government shall be the Appellate Authority/Forum in case of grievances" be added

10. Amendment of Rule 19.
1. In the first line of Rule 19 the words "Non Governing" and the words "receiving deficit Grants-in-aid" be deleted.
 2. The following new clause in Rule 19 be inserted as Rule 19 (xiv) :-
" (xiv). To decide on the quantum of tuition fee and any other fund to be charged from the students".
11. Amendment of Rule 21.
1. In rule 21 (i) the words "as well as the State Government to be obtained through the Director with regards to the inclusion of additional subjects, introduction of major course and any existing subject or opening of new faculty and creation of additional post" be deleted and the following words be added after the words "affiliating University concerned" "provided that there is no financial liability for Government."
 2. In Rule 21 (iv) the words "Prescribed by the State Government or with the approval of Director" be deleted.

H. M. CAIRAE,
Principal Secretary to the Government of Assam,
Education (Higher) Department.

GOVT. OF ASSAM
HIGHER EDUCATION DEPARTMENT

No. AHE 331/2008/33

Dated 9th July, 2009

OFFICE MEMORANDUM

The Assam Non-Government College Management Rules, 2001 have been amended by the Assam Non-Government College Management (Amendment) Rules 2009 which have been notified by the Notification No. AHE 331/2008/26 dated 18.06.2009. Apart from other things, this amendment has changed the structure of the Governing Body of Colleges. The Governing Body will no longer have a tenure but would be a permanent body, only its members would have a tenure as laid down. The composition of the Governing Body has also been changed. The Governing Body will now consists of the following:

- (a) One President - who shall be a eminent person from the field of Education, to be appointed by the Director, Higher Education for a term of 5 (five) years.
- (b) One Secretary, the Principal of the College shall be the ex-officio Secretary of the Governing Body; provided that if circumstances so demand, the Director may nominate the Vice-Principal or the senior most members from the teaching staff of the college to act as the Secretary in lieu of the Principal of the College, for a period of six months, and beyond that period with the State Government's prior approval.
- (c) Vice-Principal – Ex-Officio Members.
- (d) Two Members to be nominated by the affiliating University concerned who shall have a tenure of 3 (three) years but would continue beyond this period till new persons are nominated by the University.
- (e) Three Members who are the guardians of the students studying in the College, one of whom shall be a lady. They shall be nominated by the Director, Higher Education and shall have a term of three years or till their wards is a student of the College, whichever is earlier.
- (f) Two teachers to be elected annually by the teachers from amongst themselves for a period of one year. Provided that the teachers so elected shall not be eligible for being re-elected for the third successive term.
- (g) One member from the non-teaching staff to be nominated by the Principal annually from the date of constitution of the Governing Body.
- (h) Except in cases where there is a life member in Governing Body in pursuant to any agreement to the context, the donors providing Rs. 50,000/- or more shall elect one member among themselves to the Governing Body for a period of one year.

In view of these amendments the Governing Body of all Provincialised and Non-Government Colleges to which these Rules apply, are dissolved with immediate effect. They shall, however, continue to discharge their functions till a new President of the Governing Body is appointed or for three months, whichever is earlier.

The members nominated by the University, elected by the teachers and non-teaching staff nominated, would continue to remain in the new Governing Body till their term is over as per these Rules.

This order will not be applicable to Colleges where there is a judicial order or contrary.

Sd./- Illegible

(H. M. Cairae)
Principal Secretary, Higher Education
Department.

No. AHE 331/2008/33 – A

Date 9th July, 2009.

Copy to :

1. Principal Secretary to Hon'ble Chief Minister, Assam
2. P.S. to Minister, Higher Education.
3. S.O. to Chief Secretary, Assam.
4. The Director, Higher Education Assam Kahilipara 200 copies of Gazette Notification are enclosed for immediate circulation amongst the Principals of Provincialised Colleges of Assam.
5. P. S. to Parliamentary Secretary, Education Deptt.

By orders etc.,

Sd./- Illegible

Deputy Secretary to the Govt. of Assam
Higher Education Department

GOVERNMENT OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR GUWAHATI-6

No.AHE.331/2008/51

Dated Dispur the 30th August, 2013.

From : Shri R. Hazarika, ACS,
Deputy Secretary to the Govt. of Assam,
Higher Education Department

To : ✓ The Director of Higher Education, Assam,
Kahilipara, Guwahati-19.

Sub : Strengthening of Governing Body of Provincialised College by inclusion of Public
representative as special invitee.

Sir,

You are aware that infrastructure in the Provincialised Colleges of the State have to be strengthened and augmented. You are also aware that academic environment and general administration of a College including maintenance of proper social responsibilities is a mandatory requirement of the College.

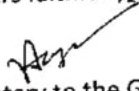
With a view to achieve these objectives, it is felt that public representatives that is the MLAs can play a very important role in this regard. The MLAs can also provide lot of financial and other assistance to the College authority from many other available and untapped sources.


In view of the above, the State Govt. has decided that the Director of Higher Education should request all the president of the Governing Bodies of the Provincialised Colleges to invite the local MLA to participate in the Governing Body meetings as a permanent special invitee.

The Governing Bodies' presidents may also be requested to seek all possible assistance including financial aids wherever necessary from untapped sources and other resources within the discretion of the MLAs.

Further, a proposal to be sent at the earliest for amendment of the relevant rules (Assam Non-Govt. College Management Rules, 2009) for effecting the modifications in the formation of the Governing Bodies with induction of public representatives as full time member.

Yours faithfully,


Deputy Secretary to the Govt. of Assam,
Higher Education Department



**GOVERNMENT OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR::GUWAHATI-6**

NO.AHE 452/2013/6

Dated Dispur the 19th Sept. 2013.

From : Shri R. Hazarika, ACS,
Deputy Secretary to the Govt. of Assam,
Higher Education Department

To : The Director of Higher Education, Assam,
Kahilipara, Guwahati-19.

Sub : Representation of Non teaching staffs in Governing Bodies.

Sir,

You are aware that proper representation of all stake holders in college G.Bs are highly essential . You are also aware that academic environment and general/administration of a college including maintenance of proper social responsibilities are mandatory requirements of the college.

With a view to achieve these objectives, there is a provision for nomination of Non teaching employee's representative in the college G.B.

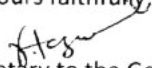
As per the existing rules in Provincialised colleges, the Principals have been empowered to nominate member of non teaching employees to the Governing Bodies.

In order to make the above process more democratic the state Govt. has decided to allow the non teaching Employees of a particular college to elect their representative to the respective G.Bs doing away with the existing provision of nomination by the principal.

You are, therefore, requested to take necessary action for an administrative order accordingly.

Further, a proposal to be sent at the earliest for amendment of the relevant rules (Assam Non- Govt. College Management Rules, 2009) for effecting the modifications in the formation of the Governing Bodies as per the above process.

Yours faithfully,


Deputy Secretary to the Govt. of Assam,
Higher Education Department

GOVERNMENT OF ASSAM
OFFICE OF THE DIRECTOR OF HIGHER EDUCATION, ASSAM
KAHILIPARA:.....GUWAHATI-781 019

Dated Kahilipara, the 29-11-2014

No.G(B) Misc.147/2014/18

From:- Sri P. Jidung, *M.A.,M.Phil.,LL.B.,AES.*
Director, Higher Education, Assam
Kahilipara, Guwahati-19.

To:- ✓ The Principal (all)
..College/ Mahavidyalaya
P.O.---District---

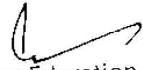
Sub:- Office Memorandum.

Ref.:- Govt. O.M. No.AHE.331/2008/52, dated 05-11-2014.

Sir,

In inviting a reference to the subject cited above, I would like to forward herewith a Govt. O.M. No.AHE.311/2008/52, dated 05-11-2014 regarding constituting the structure of the Governing Bodies of colleges for taking necessary action from your end.


Yours faithfully


Director, Higher Education, Assam
Kahilipara, Guwahati-19.

Dated Kahilipara, the 29-11-2014

Memo No.G(B) Misc.147/2014/18-A
Copy to :

- 1) The Commissioner and Secretary to the Govt. of Assam, Education (Higher) Department, Dispur, Guwahati-6 for favour of kind information.
- 2) Guard file.


Director, Higher Education, Assam
Kahilipara, Guwahati-19.

GOVERNMENT OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR : GUWAHATI-6

No.AHE.331/2008/52

Dated Dispur the 5th November 2014.

OFFICE MEMORANDUM

In partial modification of the earlier O.M. No.AHE.331/2008/33 dated 09-07-2009, the following terms and condition are added and modified regarding constituting the structure of the Governing Bodies of Colleges.

Henceforth, (1) (i) Retired Principal from a College shall not be considered for appointment as a President of Governing Body in the same College, unless a minimum of 5 (five) years have elapsed since his/her date of retirement.

(ii) No faculty member either retired or in service shall be considered for appointment as a President of Governing Body in the same College, unless a minimum of 5 (five) years have elapsed from the date of retirement.

(2) President of Governing Body of a College who have completed a term of 5 years shall not be considered to be nominated as President of Governing Body for the second continuous term.

However, for any valid reason or if, circumstances demand otherwise, the Director of Higher Education, Assam shall submit a proposal for relaxation of above conditions with the details to the State Govt. i.e. the Higher Education Department may consider such cases on special ground if considered necessary in interest of the College.

All other terms and conditions as laid down in the earlier Govt. O.M. No.AHE.331/2008/33 dated 09-07-2009 will remain same.

Sd/-(H. K. Sharma, IAS)
Commissioner & Secretary to the Govt. of Assam,
Higher Education Department

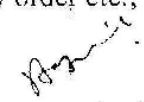
Memo No.AHE.331/2008/52-A

Dated Dispur the 5th November 2014.

Copy to :

1. Principal Secretary to Hon'ble Chief Minister, Assam, Dispur, Guwahati-6.
2. P.S. To the Hon'ble Education Minister, Assam, Dispur, Guwahati-6.
3. Addl. Chief Secretary to the Govt. of Assam, Education Department, Dispur, Guwahati-6.
4. The Director of Higher Education, Assam, Kahilipara, Guwahati-19. He is directed to circulate amongst the Principal of Provincialised Colleges of Assam immediately.

By order etc.;


Deputy Secretary to the Govt. of Assam,
Higher Education Department

GOVERNMENT OF ASSAM
OFFICE OF THE DIRECTOR OF HIGHER EDUCATION, ASSAM
KAHILIPARA, GUWAHATI-19.

No. G(B)AC/95/2015/13

Dated Kahilipara, the 30-08-2016

From:- Sri P. Jidung, M.A., M.Phil, L.L.B., AES
Director of Higher Education, Assam
Kahilipara, Guwahati-19.

To,
The Principal (All),
..... College.

Sub: Regarding financial transaction of Provincialized Colleges of Assam.

Ref: This office letter No. G(B)AC/95/2015/6, dated 17-09-2015.

Sir,

In partial modification of this office letter cited under reference, I would like to state that the Presidents of the Governing Body of Colleges are respected and leading citizens for which it would be unfair to give them signing of the Checkbook etc.

Therefore, all the Presidents of the Governing Body of Provincialized Colleges are hereby relieved from the burden of financial transaction of Colleges.

Henceforth, the matter of financial transaction would be solely operated by the Principals of all Colleges in the capacity as D.D.O.

In case of newly provincialized Colleges wherein the post of Principal is not yet to be sanctioned/ provincialized but the senior most Assistant Professor is allowed to act as D.D.O., they are allowed to act as single signatory for all proposes relating to their College.

The matter may be treated as "Most Urgent".

Yours faithfully



Director of Higher Education, Assam
Kahilipara, Guwahati-19.

Memo No. G(B)AC/95/2015/13 -A

Dated Kahilipara, the 30-08-2016

Copy to:

- 1) The Secretary to the Govt. of Assam, Education (Higher) Department, Dispur, Guwahati-6.
- 2) The P.S. to the Hon'ble Minister Education, Assam, Dispur, Guwahati-6, for kind appraisal of the Hon'ble Minister Education, Assam.
- 3) The Treasury officer (all).
- 4) The President, Governing Body (all) Provincialized Colleges.
- 5) The ACB Branch of this Directorate.
- 6) Guard file.



Director of Higher Education, Assam
Kahilipara, Guwahati-19

GOVERNMENT OF ASSAM
OFFICE OF THE DIRECTOR OF HIGHER EDUCATION, ASSAM,
KAHILIPARA, GUWAHATI-19.

No.G(B)AC/95/2015/6

Dated Kahilipara, the 17th September,2015

From:- Sri P. Jidung, M.A., M.Phil, L.L.B., AES.
Director of Higher Education, Assam
Kahilipara, Guwahati-19.

To,

- ✓ 1) The President of Governing Body..... College.
2) The Principal , Assam
P.O.:..... District

Sub: Financial Transaction of Provincialized Colleges of Assam.

Ref.:- This office Letter No.G(B)AC/95/2015/3, dated 27-04-2015,
Govt. Letter No.AHE.185/2015/2, dated 23-04-2015 and
Govt. letter No.AHE.185/2015/5, dated 11-08-2015.

Sir/Madam,

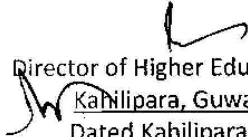
With reference to the subject cited above and in continuation to this office letter G(B)AC/95/2015/3, dated 27-04-2015 and Govt. letters No. AHE.185/2015/2, dated 23-04-2015, it is clarified that in respect of those provincialized Colleges where the post of Principal is lying vacant and the Senior most Faculty member is acting as the D.D.O., financial transaction on behalf of the Principal may be carried on by the said authorized D.D.O.

It is further clarified that where the Principal of the College and Governing Body President are co-signatories in the financial matters both the President and the Principal (the DDO, where the Principal is not there) will be jointly and severally responsible and accountable for all cases of financial dealings so conducted.

You are, therefore, directed to follow the aforesaid instructions strictly with immediate effect. Otherwise, strict disciplinary actions will be initiated.

This issues on the strength of the Govt. instruction vide letter No.AHE.185/2015/5, dated 11-08-2015.

Yours faithfully



Director of Higher Education, Assam
Kahilipara, Guwahati-19.

Memo No.G(B)AC/95/2015/6-A

Dated Kahilipara, the 17th September,2015

Copy to:-

1. The Commissioner and Secretary to the Govt. of Assam, Higher Education Department, Dispur, Guwahati-06.
2. P.S. to the Hon'ble Minister, Education, Assam, for the kind appraisal of the Hon'ble Minister, Education, Assam.
3. The Sr. F.A.O., O/O the Director, Higher Education, Assam, Kahilipara, Guwahati-19 for information.
4. All officers of this Directorate.
5. The Registrar of this Directorate.
6. All Branch Superintendents of this Directorate.
7. The Guard file.


Inspector of Colleges, Assam
O/O the Director of Higher Education, Assam
Kahilipara, Guwahati-781019.

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**GOVERNMENT OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR :::: GUWAHATI-6**

No. AHE.185/2015/5

Dated August 11, 2015

From : Shri P.K. Borthakur, IAS
Principal Secretary, Higher Education
Govt. of Assam, Dispur.

To : ✓ Shri P. Jidung
Director of Higher Education, Assam
Kahilipapra, Guwahati-19

Sub : **Financial transactions of the provincialized colleges of Assam**

Ref : 1) Your letter No. G(B)AC/95/2015/4, dated 29th April, 2015
2) Petition submitted by Assam College Principals' Council to
Hon'ble Minister, Education - dated 9-5-2015.

Sir,

In inviting a reference to the above, it is clarified that in respect of those provincialized colleges where the post of Principal is lying vacant and the senior most qualified faculty member is acting as the DDO, financial transactions on behalf of the Principal may be carried on by the said authorised DDO.

It is further clarified that where the Principal of the college and GB President are co-signatories in the financial matters of the colleges, both the President and the Principal (The DDO, where the Principal is not there) will be jointly and severally responsible and accountable for all cases of financial dealings so conducted. You may take further necessary actions on the matter accordingly.

Yours faithfully,

Principal Secretary,
Higher Education Department
Govt. of Assam

Memo No. AHE.185/2015/5-A

Dated August 11, 2015

Copy to :

- 1) PS to Hon'ble Minister, Education for kind information of Hon'ble Minister
- 2) Dr. Balendra Kr. Das, President, Assam College Principals' Council, Paschim Guwahati Mahavidyalaya, Dharapur, Guwahati - 781017

Principal Secretary,
Higher Education Department
Govt. of Assam

GOVERNMENT OF ASSAM
OFFICE OF THE DIRECTOR OF HIGHER EDUCATION, ASSAM,
KAHILPARA, GUWAHATI-19.

No. G(B)AC/95/2015/3

Dated Kahilipara, the 27th Apr./2015

From :- Shri P. Jidung , M.A. M. Phil., LL B., A.E.S.
Director of Higher Education, Assam,
Kahilipara, Guwahati-19.

To,

1. President of Governing Body.....College.

2. The Principal.....College, Assam
P.ODist:.....

Sub :- Financial Transaction of Provincialised colleges of Assam.

Ref :- Govt. letter No. AHE.185/2015/2 Dtd:- 23rd April/2015.


Sir/Madam,

With reference to the subject cited above, I would like to say that all Financial Transactions of Provincialised colleges will jointly be operated by the President of Governing Body and the Principal of respected colleges.

You are therefore directed to follow the aforesaid instruction strictly with immediate effect.

This issues on the strength of the Govt. instruction vide letter No. AHE.185/2015/2 Dtd:- 23rd April/2015 under reference.


Yours Faithfully


Director, Higher Education, Assam,
Kahilipara, Guwahati-19.

Memo No. G(B)AC/95/2015-A
Copy to :-

Dated Kahilipara, the 27th April/2015.

1. The P.S to Hon'ble Minister, Education, Assam for kind appraisal of the Hon'ble Minister.
2. The Commisioner & Secretary to the Govt. of Assam, Education (Higher) Department, Dispur, Guwahati-6 for information with reference to Govt. letter No. AHE.185/2015/2 Dtd:- 23/4/2015.
3. The Sr. FAO, O/o the D.H.E., Assam.
4. The Registrar, O/o the D.H.E., Assam.
5. The Asstt. Director I/C of Planning Branch, O/o the D.H.E., Assam


Director, Higher Education, Assam,
Kahilipara, Guwahati-19.

GOVERNMENT OF ASSAM
HIGHER EDUCATION DEPARTMENT
DISPUR : GUWAHATI-6

No.AHE.371/2017/22

Dated Dispur, the 18th August, 2017.

OFFICE MEMORANDUM

In partial modification of this Deptt.'s earlier OM vide No.AHE.331/2008/33 dated 09-07-2009 and No.AHE.331/2008/52 dated 05-11-2014 the following terms and condition i.e. (3) and (4) are added with the approval of State Cabinet regarding constituting the structure of the Governing Bodies of Colleges.

- (3) the President of Governing Bodies of Colleges shall be an eminent person from the field of Education. He shall be a non-political person. He should not have contested any election including panchayat/municipality/local bodies election or should not be an office bearer of any political party or should not have any affiliation /membership to any political party.
- (4) He shall be appointed by the Director of Higher Education and shall have a term of five years. He shall however continue beyond this period till his successor is appointed. The Director may however remove him anytime during the term of five years for reasons to be recorded in writing.

All other terms and condition as laid down in the OM vide No.AHE.331/2008/33 dated 09-07-2007 & No.AHE.331/2008/52 dated 05-11-2014 will remain same.

Sd/- (Ajay Tewari)
Principal Secretary to the Govt. of Assam
Higher Education Department.

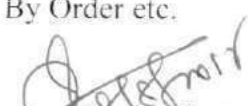
Memo No.AHE.371/2017/22-A

Dated Dispur, the 18th August, 2017.

Copy to :-

1. P. S. to Hon'ble Minister Education, Assam, Dispur, Guwahati-6.
2. P. S. to Principal Secretary, Higher Education Department, Dispur, Guwahati-6.
3. P.S. to Secretary, Higher Education Department, Dispur, Guwahati-6.
4. The Director of Higher Education, Assam, Kahilipara, Guwahati-19. He is directed to circulate amongst the Principal of Provincialised Colleges of Assam immediately.

By Order etc.


Deputy Secretary to the Govt. of Assam
Higher Education Department


18/8/17

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