



RASHTRASANT TUKADOJI MAHARAJ NAGPUR UNIVERSITY

Established by Government of Central Provinces Education Department by Notification No. 513 dated the 1st of August, 1923
& presently a State University governed by Maharashtra Public Universities Act, 2016 (Mah. Act No. VI of 2017)

Direction No. 16 of 2024.

NORMS FOR CLOSURE, CHANGE OF SITE/LOCATION, CHANGE OF NAME, CHANGE OF MANAGEMENT, AND MERGING OF THE COLLEGE / COURSE OR RECOGNIZED INSTITUTE, DIRECTION, 2024.

(Issued under provision of section 12(8) of the Maharashtra Public Universities Act, 2006)

WHEREAS, the Maharashtra Public Universities Act, 2016 (VI of 2017) (hereinafter "the Act") has come into force from 1st March 2017 and the same has been made applicable to the Rashtrasant Tukadoji Maharaj Nagpur University (hereinafter "the University");

AND

Whereas, Section 119 of the abovesaid Act provides that the Management Council shall consider the proposal for transfer of management of colleges and institutions subject to the permission of the state Government;

AND

Whereas; sub-section (1) of section 121 of the above said Act provides that the college or institution shall not be closed without prior permission of the State Government;

AND

Whereas; sub-section (4) of section 121 of the abovesaid Act provides that in the event of recommendation of closure of the college or institution the Academic council shall prepare and submit a report on the extent damages or compensation to be recovered from the Management for the assets of the college or institution which have been created utilizing the funds provided by the university grants commission, the state Government or other public funding agencies;

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AND

Whereas; sub-sections (6) of section 121 of the Act provides that the university may transfer a college or recognized institution to the another management with prior approval of the State Government and after following the procedure prescribed in that behalf;

AND

Whereas; sub-section (43) of section 2 of the Act provided the definition of the word 'prescribed' which means prescribed by statutes or Ordinances or Regulations, as the case may be, made by or under the Act;

AND

Whereas; the matter is required to be regulated by the statute and statute no. 1 of 2015 and Direction no. 55/2016 are in place, but they are made in accordance with the provisions of Act of the 1994, which is now repealed by the Act of 2016;

AND

Whereas, to provide for the procedure to regulate the matter as per the Act of 2016 a committee was constituted vide item no. 80 by the Academic council in its meeting dated 21.4.2023;

AND

Whereas, the committee so constituted has submitted its report which was placed before the Academic Council in its meeting dated 7.12.23 vide item no. 62, and has been accepted by the Academic Council;

AND

Whereas, as per the report so accepted either amendments are to be made in the statute no. 1 of 2015 or all together a new statute is to be issued repealing the earlier one;

AND

Whereas, statute making is a time consuming process and the matter is required to be regulated urgently, thus there is an exigency to amend the statute no. 1 of 2015;


Now, therefore, I, Dr. Subhash R. Chaudhari, Vice Chancellor, Rashtrasant Tukdoji Maharaj Nagpur University, Nagpur in exercise of the powers vested in me under provision of sub-section (8) of section 12 of the Maharashtra Public Universities Act, 2016, do hereby issue following Directions :-

1. This Direction, may be called "Norms for closure, change of Site/Location, change of name, change of management and merging of the college/course or recognized institution Direction, 2024."
2. This Direction shall come into force with effect from the date of its issuance.
3. In this Direction unless the context otherwise requires; :-
 - (a) "Act" means the Maharashtra Public Universities Act, 2016,
 - (b) "Academic Council" means the Academic Council constituted as per section 32 of the Act;
 - (c) "Administrative Staff" means the staff engaged purely in discharging administrative functions;
 - (d) "Affiliated College" means a college which has been granted affiliation by the university;
 - (e) "Department" means a department teaching a particular subject or a group of subjects in a college as prescribed in the statutes.
 - (f) "Management Council" means the Management Council constituted as per section 30 of the Act;
 - (g) "Management" means the trustees or the managing or governing body; by whatever name called; of any trust recognized under the Bombay Public Trust Act, 1950 or any society registered under the Societies Registration Act, 1860 under the management of which one or more colleges or recognized institutions or other institutions are conducted and admitted to the privileges of the university;
 - (h) "Non Vacational Academic Staff" means such staff as the Government may classify to be non-vacational academic staff and includes all such staff which is complimentary to academic staff but, shall not include the staff engaged purely in discharging administrative functions;
 - (i) "Principal" means a head of a college; specialized educational institution, Post Graduate Centre or other recognized institution duly approved by the university;
 - (j) "Recognised Institution" means an institution of higher learning; research or specialized studies, other than a college, and recognized to be so by the university;

- (k) "Schedule" means the schedule to the Act;
- (l) "State Government" means the Government of Maharashtra;
- (m) "Teacher" means a teacher as defined under sub-section (61) of section 2 of the Act;
- (n) "University area" means the area specified against the name of the university in the schedule;
- (o) "University" means Rashtrasant Tukadoji Maharaj Nagpur University;
- (p) "University Grants Commission" means the University Grants Commission established under the University Grants Commission Act 1956;
- (r) "Vice-Chancellor" means the Vice Chancellor of Rashtrasant Tukadoji Maharaj Nagpur University, Nagpur appointed, under provision of section 11 of the Act, by the Chancellor.
4. Norms for closure, change of Site /Locations, Change of Name, Change of Management and merging of the college/course or recognized institution, as may be applicable, shall be as provided under **Appendix-I** appended to this Direction.

Nagpur.

Date - 16-4-24


(Dr. Subhash R. Chaudhari)
Vice-Chancellor.

R.P.

Norms for Closure, Change of Site/Location, Change of Name, Change of Management and Merging of the College/Course or recognised Institute

I. Closure of the Course/College or recognised institution.:-

Closure of the Course /College or recognized institution.:-

- (1) No management of a college or recognized institution shall be allowed to close down the course / college or recognized institution without prior permission of the State Government;
- (2) The management desirous of closing down the course/ college or recognized institution shall apply to the University on or before the first day of August of the preceding year with prescribed fees as per Annexure-I stating the grounds for closure. The management shall submit following documents along with the application;
 - (i) The assets in the form of buildings and equipment, their original cost, the prevailing market value duly authenticated by the authority concerned / Auditor.
 - (ii) Details of the grants so far received by it either from the University Grants Commission, the State Government or from other public funding agencies.
 - (iii) List of faculty members and supporting staff including their date of joining and date of superannuation, department, post held etc. and plans for their rehabilitation / settlement.
 - (iv) Audited Financial Statements of last three financial years.
 - (v) Details of pending court cases (including cases in University Tribunal) and serious charges, violation of norms, pending Ragging / sexual harassment cases against the college/institution.
 - (vi) Resolution of the Society/Trust seeking approval for closure of college or existing program / course of study signed by the Chairman / Secretary of the Trust.
 - (vii) Affidavit in the format prescribed as annexure II
- (3) On receipt of such an application, the Academic Council shall cause to make enquiries as it may deem fit by appointing an Expert Committee as mentioned below:
 - a) For Closure of College/Institution: Dean of faculty as Chairman, one member each of Academic Council & Management Council, two experts of the faculty concerned to assess and determine whether the college or recognized institution be permitted to close.
 - b) For Closure of Program(s): An expert committee having at least two members of Academic Council be constituted to assess and determine whether the college or recognized institution be permitted to close the programme(s).

- (4) An expert Committee headed by Dean of faculty concerned as Chairman to be appointed by the University shall visit the location of college/ institution to verify-

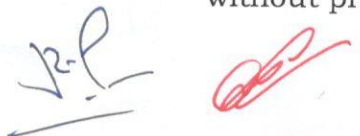
- a) Status of students already studying in the college/institution
- b) Status of Faculty and staff in the college/institution
- c) Any other liabilities of the college/institution
- d) Pending Court cases and serious charges, violation of norms, pending Ragging cases against the college/institution

Expert committee shall interact with the Management, Principal, faculty, staff and students to understand awareness about closure and consequences of closure of the college/program/course of study.

- (5) If the said expert committee recommends to explore the possibility of whether the closure should be avoided by providing necessary assistance or taking over of the college or institution by the university or transferring it to another management by appointing an Expert Committee, the said expert committee will be appointed by Hon'ble Vice-Chancellor.
- (6) If the Academic Council decides to recommend the closure, it shall prepare and submit to the Management Council, a report on the extent of damages or compensation to be recovered from the management and whether the assets created utilizing the funds provided by the University Grants Commission, the State Government or other public funding agencies be transferred to the respective funding agencies and NOC be obtained from the same funding agency.
- (7) The Academic Council shall, with the prior concurrence of the Management Council and approval of the State Government decide whether the affiliated college or recognized institution be permitted the closure;
- (8) The University may take over college or a recognized institution or transfer the same to another Management with prior approval of the State Government and after following the procedure prescribed in that behalf;
- (9) The procedure to execute the closure shall be in phases, so as to ensure that the students already admitted to the college or recognized institution are not affected and that the first year shall be closed first and no new admission shall be made. The procedure to phase out the closure shall be such as may be prescribed; and
- (10) The closure of the college shall be executed only upon receipt of approval from the University.
- (11) The procedure for closure of affiliated colleges, or recognized institutions, referred to in sub-sections (1) to (10) except 5 shall, mutatis-mutandis apply in the case of closure of programs, courses of studies or satellite centers.

II. Change of Site/Location of College or recognised Institute.:-

- (1) No management of a college or recognised institution shall be allowed to change the site/location of college or recognised institute without prior permission of the State Government;



- (2) The management desirous of change of site/location of the college or recognised institution shall apply to the university on or before the first day of August of the preceding year with prescribed fees as per Annexure-I stating fully the grounds for change of site/location of college or recognised institution;
- (3) On receipt of such an application, the Hon'ble Vice-Chancellor shall cause to make enquiries as he may deem fit by appointing an Expert Committee, to assess and determine whether the college or recognised institution be permitted to affect the Change of Site/Location;
- (4) The application shall be processed as per procedure of approval for New college/Institution. It shall be necessary to provide built up area as per norms required to conduct all existing courses;
- (5) In the event of approval by the University for Change of Site/Location, the equipments, library and other movable property in the existing college/Institute may be shifted to new site/location and the approval for activities on existing location shall cease;
- (6) The change of site/location shall be effected only on receipt of approval in respect of new location;
- (7) Request for approval for partial shifting shall not be considered;
- (8) On approval of new location, all activities of College/Institute shall necessarily/compulsorily be carried out at newly approved location;
- (9) Any violation in this respect may lead to withdrawal of approval and College / Institute shall not be allowed to continue its activities in either locations;
- (10) Applicant shall need to submit all documents as required for approval of new College/ Institution. Following additional documents shall be necessary while seeking approval for change of site/ location of the existing College/ Institute. :-
 - (i) Resolution of the Society/ Trust seeking approval for change of site/ location of the existing Institute.

III. Change of Name of College / Institute. :-

- (1) No management of a college or recognised institution shall be allowed to change name of the college or recognised institution without prior permission of the State Government;

- (2) The management desirous of changing name of the college recognised institution shall apply to the university on or before the first day of August of the preceding year with prescribed fees as per **Annexure- I** stating fully the grounds for change of name;
- (3) Applicant shall submit the following documents along with application form for change of name of College / Institute.:-
 - (a) Resolution by Governing Board approving change in name, duly signed by the Chairman of the Society/ Trust;
- (4) The Academic Council shall, recommend to the State Government whether the affiliated college or recognised institution be permitted for change of name of College/ Institute; and
- (5) On approval of new name all correspondence of the College/ Institute shall necessarily / compulsorily be carried out with new name of the College / Institute.

IV. Change of Management :-

- (1) No change in management of the College or recognised Institution shall be allowed without prior permission of the State Government;
- (2) The management desirous of changing the management of the college or recognised institution shall apply to the University on or before the first day of August of the preceding year with prescribed fees as per **Annexure- I**, stating fully the grounds for change of management.
- (3) Applicant shall submit the following documents along with application form for change of management of the College/ Institute. :-
 - (i) Resolution of present Governing Board approving change in management, duly signed by the Chairman of the Society/ Trust;
- (4) On receipt of such an application, the Academic Council shall cause to make enquiries as it may deem fit by appointing an Expert Committee, to assess and determine whether the college or recognised institution be permitted to affect the Change of Management.
- (5) An Expert Committee appointed by the University shall visit the location of college/ institution to verify-
 - 1) Status of students already studying in the college/ institution
 - 2) Status of Faculty and staff in the college/ institution
 - 3) Any other liabilities of the college/ institution
 - 4) Pending Court cases and serious charges, violation of norms, pending Ragging cases against the college/institution.

- (6) On approval of report of expert committee by the Academic Council, the Management Council will recommend it to the State Government and after receiving approval by the state Government the university should notify.
- (7) The change of management of the college/institution shall be effected only on receipt of notification issued by the University.

V. Merging of the Colleges or recognised Institutes.

- (1) No management of a college or recognised institution shall be allowed to merge the colleges or recognised institutions managed by the same management without prior permission of the State Government ;
- (2) The management desirous of merging the colleges or recognised institutions shall apply to the university on or before the first day of August of the preceding year with prescribed fees as per **Annexure- I** stating fully the grounds for merging, and pointing out the assets in the form of buildings and equipments, their original cost, the prevailing market value and the grants so far received by it either from the University Grants Commission, the State Government or from public funding agencies for individual college/ Institute.
- (3) On receipt of such an application, the Hon'ble Vice-Chancellor shall cause to make enquiries as he may deem fit by appointing an Expert committee, to assess the feasibility of merging of colleges/institutions.

A) Conditions for Merging.

- The junior and senior college managed by the same Management and conducted in same building can be merged.
 - The senior college of conventional courses and senior college of professional courses managed by the same Management and conducted in same building or in the same premises can be merged.
 - The other terms and conditions laid down in Government resolution No : NGC- 2010/(184/10)/CE- 4, dated 31st August, 2010 shall be followed for merging the colleges run by same management.
- (4) The Academic Council shall, with concurrence of the Management Council and approval of the State Government then decide whether the management be permitted for merging of its colleges/institution.
 - (5) The merging of the colleges/institution shall be effected only on receipt of approval of the University.

Annexure- I**Processing fees for various Applications**

Type of Application	Non Professional College / Course	Professional College/ Course
Closure	Rs. 50,000. 00	Rs. 1,00,000. 00
Change of Site/ Location	Rs. 50,000. 00	Rs. 1,00,000. 00
Change of Name	Rs. 25,000. 00	Rs. 50,000. 00
Change of Management	Rs. 50,000. 00	Rs. 1,00,000. 00
Merging of Colleges /institution	Rs. 50,000. 00	Rs. 1,00,000. 00



Affidavit

(Notarized on Rs. 100/- non judicial stamp paper)

I ----- (Chairman/Secretary) of ----- (name of society/trust) son/daughter of ----- aged --- resident of ----- (address) do hereby solemnly affirm state and undertake as below:

1. Society/trust will abide by and comply with all the statutory payments required to be made by the society/trust to its creditors as per prevailing norms.
2. The payment of salary and other statutory liabilities to the faculty members and staff getting affected because of closure of course/program/college will be made as per the norms of RTMNU and regulating agencies.
3. There are no pending court cases filed against the institution by regulating agencies, state government and faculty members or staff as on today i.e. -----.
4. There are no pending cases against the institution for violation of norms & ragging as on today i.e. -----.
5. The utilization certificates for the grants received from university/state/central funding agencies are duly submitted. The dues towards the funding agencies, if any are settled and NOC is obtained.
6. No further admission of students shall be made in the courses/programs/college after approval for closure, from the immediate session.
7. All the necessary permissions and NOCs are obtained from all the competent authorities of regulating agencies of State & Central level will be produced at the time of closure of courses/programs/college.

The aforesaid information furnished is true to my knowledge and belief.

Chairman/Secretary
(Sign, Stamp & Seal)

Principal/Director
(Sign, Stamp & Seal)

Place:

Date: /

