

# **Dr. Shakuntala Misra National Rehabilitation University**

## **DSMNRU Affiliation Ordinance, 2018**

Whereas there is lack of Institutions which could provide higher education to children with disabilities according to their needs;

Whereas it is felt that children with disabilities do not excel at par with general students due to their physical and social problems and sometimes they are deprived of acquiring higher education;

And whereas it is expedient to facilitate and enhance the number of institutions providing higher education to children with disabilities by the University;

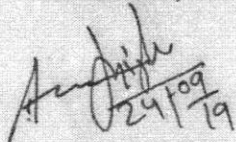
In exercise of the powers of Sec 5 ii, Sec 32 (1) and Sec 16 (XII) of the DSMRU Act, 2009 the DSMRU hereby makes the following Affiliation Ordinance to further its objective of facilitating higher education to children with disabilities.

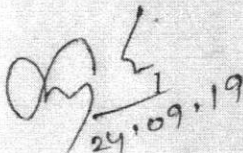
### **1. Short Title, Application and Commencement:**

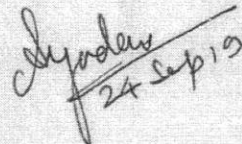
- 1.1. This Law may be called DSMNRU Affiliation Ordinance, 2018.
- 1.2. This shall apply to affiliate such colleges and others institutions, who in addition to routine branches of knowledge provide special education as per norms of the Rehabilitation Council of India; seeking affiliation and already affiliated to the DSMNRU.
- 1.3. The Ordinance shall come into force after the approval of the Executive Council and then General Council of the University.

### **2. Definitions in the Ordinance:**

- 2.1. "Affiliation" together with its grammatical variation, includes, in relation to a college, recognition of such college by, association of such college with, and admission of such college to the privileges of, a university;
- 2.2. "College" means any institution, whether known as such or by any other name which provides for a programme of study beyond 12 years of schooling for obtaining any qualification from a University and which in accordance with the rules and regulations of the University is recognised by the Regulatory body as competent to provide for such programme of study and present students undergoing such programme of study for the examination for the award of such qualification.
- 2.3. "UGC" means the University Grants Commission established under the UGC Act;
- 2.4. "Course" means one of the units which comprise a programme of study;
- 2.5. "Programme"/"Programme of study" means programme pursued for a Degree/Diploma.
- 2.6. "Statutory/Regulatory body" means a body so constituted by a Central/State Government Act for setting and maintaining standards in the relevant areas of higher education, such as Rehabilitation Council of India (RCI);
- 2.7. "Student" means a person admitted to and pursuing a specified programme of study;
- 2.8. 'Act means Dr. Shakuntala Misra Rehabilitation University (for differently abled) Uttar Pradesh Act, 2009

  
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- 2.9. 'Statute' means Dr. Shakuntala Misra Rehabilitation University (for differently abled) First Statute, 2009
- 2.10. 'Ordinance means Dr. Shakuntala Misra National Rehabilitation University Affiliation Ordinance, 2018.
- 2.11. 'Rules' Means Dr. Shakuntala Misra National Rehabilitation University Affiliation Rules, 2018.
- 2.12. 'University' means Dr. Shakuntala Misra National Rehabilitation University Lucknow.
- 2.13. Word and expressions used herein and not defined but defined in the Act, Statute shall have the meaning respectively assigned to them in the Act and Statute.

### **3. Eligibility Criteria for Temporary Affiliation:**

Only such colleges or institutions are eligible for consideration of affiliation to the University which are working in the field of disability and Rehabilitation provide special education as per norms of the Rehabilitation Council of India. However, in the anticipation of the approval of the respective course(s) by RCI the institution may apply for affiliation to this University.

- 3.1 The proposed college seeking affiliation, at the time of inspection by the university, shall satisfy the following requirements, or the requirements in respect of any of them prescribed by the Statutory/ Regulatory body concerned;
- 3.1.1. Land and Physical requirement must met the RCI norms with undisputed ownership and possession of land free from any or all encumbrances.
- 3.1.2. Administrative, academic and other building with sufficient accommodation to meet the immediate academic and other space requirements as specified by the University concerned for each of the higher education course/ programme with adequate scope for future expansion in conformity with those prescribed by the Regulatory body concerned, taking care that all buildings constructed in the college are disabled friendly;
- 3.1.3. Academic building sufficient to accommodate the faculties, lecture/ seminar room, library and laboratories as per RCI norms.
- Provided that this sub clause shall not apply to colleges already affiliated to the University.
- 3.1.4. Number of teaching and non-teaching staff as per the norms of Statutory/Regulatory body.
- 3.1.5. Adequate civic facilities for essentials like water, electricity, ventilation, toilets, sewerage, etc. in conformity with the norms laid down by the Central/ State Public works department.
- 3.1.6. Adequate measures for safety, security, pollution control etc.
- 3.1.7. A library with at least 1000 books, or 100 books in different titles on each subject, whichever is more, of the proposed programme to include both text books and reference books, besides two journals per subject, along with a book bank facility for students with disabilities and such other as may be specified by the Regulatory body from time to time.
- 3.1.8. Necessary laboratory equipments as prescribed by the University/ Statutory/ Regulatory body concerned, for each of the Special Education programme.

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- 3.1.9. A multi-purpose complex / an auditorium and facilities for sports, canteen, health care, separate common rooms and separate hostels for boys and girls as per the local requirements as decided by the University.
- 3.1.10. Appropriate furniture for lecture/ seminar rooms, laboratories, library, faculty rooms, rooms for administrative staff including the Principal, multi-purpose complex/ auditorium, common rooms and hostel rooms, and for other facilities;
- 3.1.11. A duly constituted managing body as specified by the University.
- 3.2. The Institution/college, if not run by the State Government,
- 3.2.1. Shall be managed by a duly constituted and registered Society or Trust;
- 3.2.2. Shall satisfy the University that adequate financial provision is available for running the college for at least three years without any aid from any external source. In particular, it shall produce evidence of creating and maintaining a Corpus fund permanently in the name of the college by way of irrevocable Government Securities of Rs. 05 lakh per programme or FDRs for like amount jointly held by the college and the university for a minimum lock in period of three years. The interest accrued out of it may be utilized by the college with the prior permission of the University for strengthening its infrastructure facilities;
- 3.2.3. Shall also provide an undertaking to the University that it has adequate recurring income from its own resources for its continued and efficient functioning.
- 3.3 The Registered Society/Trust in justified exceptional cases may be allowed to start the college for the first year of the programmes in a readily available building with the condition that all other academic and administrative requirements are satisfied under the Regulations and the college shall complete the building per para 4.4.6 and other requirements cited in the detailed project report by the end of the second year and the college is moved completely to the proposed permanent building by the beginning of the third year, failing which the Institution/college shall not be granted renewal of temporary affiliation until the college moves to the permanent buildings. Under no circumstance, extension of time for this movement to the permanent building shall be granted by the University beyond five years.
- 3.4 The Registered Society/Trust proposing the college shall execute bond:
- 3.4.1 To follow all the orders, rules and regulation of the government/ U.G.C and concerned regulatory body etc.
- 3.4.2. To impart instruction only in the subject and for the courses/programmes in the faculty for which affiliation has been granted by the University and shall not seek retrospective affiliation. All such courses/programmes shall follow the syllabi approved by the RCI/appropriate academic bodies of the University.
- 3.4.3. To comply with all the provisions of the Act, the Statutes and the Ordinance, Rules and Regulation of the University framed in this regard;
- 3.4.4. To follow the Rules, Regulation and Guidelines of the Statutory/ Regulatory bodies issued from time to time;

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- 3.4.5. To the effect that the number of teaching posts, the qualification of teaching staff and their recruitment/ promotion procedures as prescribe by the RCI/U.C.G and conditions of service shall be in accordance with the Statutes/ Ordinance/ Regulations of the University/State government/UGC/RCI and shall ensure imparting of adequate instruction to the students in the courses/ programmes of studies to be undertaken by the college and that the Students-Teacher Ratio in the college shall be as per the UGC/RCI norms;
- 3.4.6. To the effect that the members of the teaching and non-teaching staff shall be regularly and fully paid in the pay scales along with applicable allowances as per the pay scales prescribed by the UGC/RCI or the State Government from time to time. It should have the sufficient fund to meet at least three months advance salary of the staff & other miscellaneous expenditure.
- 3.4.7. To the effect that appointment of members of the teaching and the non-teaching staff shall be made only on consideration of merit based on qualification prescribed for them and not by demanding or accepting any donation or other consideration;
- 3.4.8. To the effect that the college shall obtain the eligibility approval of the appointed teaching staff from the University within three months of affiliation and shall report all changes in the teaching staff and all other changes that may affect the fulfillment of the conditions for affiliation to the University within a fortnight of changes coming into effect.
- 3.4.9. To the effect that all fees to be charged from the students shall be as per the fee structure approved by the University based on the norms of the UGC/RCI from time to time.
- 3.4.10. To the effect that the college shall not collect any capitation fee or donation in any form amounting to corrupt practices from or on behalf of any of its students or their parents/ guardians except the prescribed fee and other charges as approved by the University based on the norms of the UGC/RCI;
- 3.4.11. To the effect that no student shall be admitted to any programme of study by the college in anticipation of affiliation or in excess of the number of seats sanctioned per programme of study by the Regulatory body.
- 3.4.12. To the effect that the college shall not, without the previous permission of the University, suspend offering an already approved course/programme of study;
- 3.4.13. To the effect that the academic and welfare activities of the students belonging to the students with disabilities Scheduled Castes, Scheduled Tribes and other disadvantaged groups, including minorities, wherever applicable, shall be properly taken care of by the college.
- 3.4.14. To the effect that all registers and records, including audited statement of accounts, as required to be maintained under the Regulations/Orders of the RCI/UGC/University/ Government shall be maintained and made available as and when required for inspection;
- 3.4.15. To the effect that the college shall furnish all such returns and other information as the RCI/UGC/University/Government may require to enable it to monitor and judge the performance of the college with regard to maintenance of academic standards and shall take such action as the RCI/UGC/University/Government may direct to maintain the same.

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#### 4. Procedure for granting Temporary Affiliation:

- 4.1 The application to start a new college and to get it affiliated to the University can be submitted by State Government institutions and Registered Society/Trust etc.
- 4.2 If the applicant is a Society/Trust, it shall have been registered under Registration of Societies Act, the Trusts Act or any other Act of the State Government on or before the date of submission of the application.
- 4.3 The Government/Society/Trust which proposes to start the college and wishes to get it affiliated to the University shall make an application within the stipulated time to the University in the prescribed proforma along with the prescribed fee in the form of Demand Draft drawn in favour of The Finance Officer, Dr. Shakuntala Misra Rehabilitation University, payable at Lucknow.
- 4.4 The application for affiliation shall be submitted with certified copies of the following documents:
  - 4.4.1 Registration of the Society/Trust along with details of Constitution and Memorandum of Association.
  - 4.4.2 Letter from the Competent Authority designated by the Government concerned for classification of land and its locations as Metropolitan or other areas.
  - 4.4.3 Land Use Certificate from the Competent Authority designated by the Government concerned;
  - 4.4.4 Registered land/Govt. leased land documents in the name of the applicant;
  - 4.4.5. Appropriate order from the Govt. permitting the Society/ Trust to start the college with details of the courses/ programmes intended to be offered;  
  
(This can also be brought later, after the consent letter has been issued by the University in case University rules permit to do so.)
  - 4.4.6. Building Plan of the proposed college prepared by a registered Architect and approved by the Competent Authority designated by the Govt. concerned;
  - 4.4.7. Registered document by the registered Society/ Trust earmarking land buildings for the proposed college;
  - 4.4.8. Details of the latest fund position along with photocopies of relevant bank account, including the evidence of the Corpus Fund earmarked for the purpose as specified under Clause 3.2.2. of this ordinance.
  - 4.4.9. Detailed Project Report:
    - a. Background of the Society/ Trust with reference to its experience in promoting, managing and operating educational institutions; details of its promoters including their background; its activities in the social, charitable and educational spheres since its inception and its Vision and Mission;

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- b. Development plan for the college with timeline, spelling out its growth plan over the first 10 year period in terms of phasing of academic programmes, increase in students intake and introduction of postgraduate programmes/ research, and the time schedule for stage-wise development of the academic infrastructure, like recruitment of faculty, and other support facilities, including student amenities, such as hostels, sports and recreational facilities;
- c. Architectural master plan indicating the land use pattern including those for the future;
- d. Policy with regard to faculty recruitment, retention and development;
- e. Structure of academic and administrative governance;
- f. Sources of financing of capital and operating expenditure, besides funds to be generated through students' fees; and
- g. Resource projections and their utilization schedule.

4.5 The University shall make a preliminary scrutiny of the application, and if found satisfactory, issue a letter of intent, (consent letter) and direct the college/institute to get an approval from the Government if the appropriate order of government with permission was not submitted earlier. After the receipt of the permission from the government an inspection for physical verification shall be carried out by the University.

4.6 The college shall be subjected to an inspection by the University through a committee of experts nominated by the Vice chancellor consisting of.

4.6.1 One expert for each of the subject areas proposed,

4.6.2 Dean College Development Council/an equivalent academician of the university.

4.6.3 A representative of the Empowerment of Persons with disability Department of Govt. of U.P. not below the rank of Deputy Director, and

4.6.4 An Engineer from the PWD/CPWD or the University not below the rank of Executive Engineer.

One of the subject experts at the level of Professor, as nominated by the Vice-Chancellor, shall be the Chairperson of the Committee.

4.7 The report of the inspection committee shall be submitted by the Chairperson to the University duly filled in and signed by all the members. The University shall process the report through its appropriate Bodies and decide to grant, or not to grant, temporary affiliation to the college, recording the reasons in writing for its decision within three months of inspection.

4.8 The Syndicate/Executive Council/General Council of the University shall be the ultimate authority to decide granting, or not granting, affiliation.

4.9 Continuation of temporary affiliation of the programmes of study and the college itself shall be granted by the University on a year to year basis through inspection process prescribed in the ordinance and rules.

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- 4.10 If the University decides not to grant affiliation to the college for reasons, recorded in writing of its failure to meet the conditions/requirements for getting affiliation, the college may apply again if it fulfils the conditions/requirements subsequently but not earlier than six months from the date of rejection of its earlier application.

#### **5. Eligibility Criteria for Permanent Affiliation.**

- 5.1 The college shall have completed at least five years of satisfactory performance after getting temporary affiliation and attained the academic and administrative standards as prescribed by the University/RCI /Statutory/Regulatory Body concerned from time to time.
- 5.2 The college shall have completed construction of buildings and all infrastructure/facilities as stipulated in ordinance and rules.
- 5.3 All the teaching and non-teaching staff are appointed on permanent (appointed on regular basis, in case of a Government college) on the RCI/Government scales of pay.
- 5.4 The college shall have a duly constituted College Council as per the norms.
- 5.5 The college shall be accredited by NAAC or any other statutory accreditation agency by State/Central Government.

#### **6. Procedure for granting Permanent Affiliation.**

- 6.1 A college which seeks to get permanent affiliation shall apply to the University any time after completing five years of temporary affiliation in the proforma along with the prescribed fee in the form of Demand Draft drawn in favour of The Finance Officer, Dr. Shakuntala Misra Rehabilitation University, payable at Lucknow.
- 6.2 The procedure for according permanent affiliation shall be the same as for granting temporary affiliation given in the ordinance and rules thereof.
- 6.3 If the University decides not to grant permanent affiliation to the college for reasons, to be recorded in writing of its failure to meet the conditions/requirements for getting such affiliation, the college may apply again if it fulfils the conditions/requirements subsequently, but not earlier than six months from the date of rejection of its earlier application.

#### **7. Eligibility to apply for addition of new programmes of study.**

- 7.1 Any proposal for adding new programmes shall be considered by the University only after ensuring equitable distribution of facilities for higher Special education, having due regard in particular to the needs of the unserved, underdeveloped and backward areas within its jurisdiction.
- 7.2 Any proposal for raising the existing under-graduate college to post-graduate studies level shall considered by the University only after satisfactory completion of two years of the under-graduate programme and the proposed buildings, qualified faculty and other infrastructure facilities are fully created as per the Regulations.
- 7.3 Each application for addition of a new programme or for upgrading the existing programme to post-graduate level shall be accompanied by the prescribed fee in the form of Demand

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drafts drawn in favour of The Finance Officer, Dr. Shakuntala Misra Rehabilitation University, Lucknow payable at Lucknow.

- 7.4 The procedure for granting temporary affiliation to additional programmes of study or for upgrading the existing programmes in the college shall be the same as prescribed under the ordinance and rules for temporary affiliation.

#### **8. Withdrawal of affiliation.**

- 8.1 The privileges conferred on a college by affiliation may be withdrawn in part or in full, suspended or modified, if the college, on due enquiry, is found to have failed to comply with any of the provisions of the Act, the Statutes, the Ordinances, the Rules and Regulations or any other direction or instruction of the RCI/UGC/University, or failed to observe any of the conditions of affiliation or has conducted itself in a manner prejudicial to the academic and administrative standards and interests of the University.
- 8.2 If an affiliated college ceases to function or is shifted to a different location or is transferred to a different Society, Trust, Individual or a group of individuals without the prior approval of the University, the affiliation granted to the college shall lapse automatically on such ceasing, shifting or transfer, as the case may be, and it shall be treated as a new college for the purposes of future affiliation. The University/Government shall have the duty to alleviate the educational future of the affected students in an appropriate manner as per its decision.
- 8.3 Without prejudice to the ordinance and rules University on its own, or on the basis of any complaint or any other information or report from any other source, can cause an enquiry in respect of a college, and after giving the college a reasonable opportunity of being heard may pass an order that the affiliation of the college shall stand terminated.
- 8.4 If the University decides to withdraw the affiliation of the college, or the affiliation stands terminated by the order of the University, temporarily or permanently, such decision shall not affect the interests of the students of the college who were on its rolls at the time of issue of the order till they pass out the normal duration of programmes to which they are registered at that time. The University/Government shall have the duty to alleviate the education future of the affected students in an appropriate manner as per its decision.

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