

(TO BE PUBLISHED IN THE GAZETTE OF INDIA PART-I SECTION-1)

No. F. 9-54/2006-U.3
Government of India
Ministry of Human Resource Development
(Department of Higher Education)
U.3(A) Section

Shastri Bhawan, New Delhi,
Dated the 16th December, 2008.

NOTIFICATION

Whereas the Central Government is empowered under Section 3 of the University Grants Commission (UGC) Act, 1956 to declare, on the advice of the UGC, an institution of higher learning as a deemed-to-be-university.

2. And whereas, a proposal was received for grant of status of deemed-to-be-university (under *de novo* category) to ICFAI Foundation for Higher Education, Hyderabad, Andhra Pradesh, under Section 3 of the UGC Act, 1956,

3. And whereas, the University Grants Commission have examined the said proposal and vide their communication No.F.6-42/2005(CPP-I) dated the 28th June, 2007 have recommended conferment of status of 'deemed-to-be-university' to ICFAI Foundation for Higher Education, Hyderabad, consisting of the ICFAI Business School, Hyderabad, under Section 3 of the UGC Act, 1956.

4. Therefore, in exercise of the powers conferred by Section 3 of the University Grants Commission Act, 1956, the Central government, on the advice of the University Grants Commission (UGC), hereby declare that 'ICFAI Foundation for Higher Education, Hyderabad, Andhra Pradesh, comprising ICFAI Business School, Hyderabad only, shall be deemed to be a university for the purposes of the aforesaid Act. The ICFAI Foundation for Higher Education should obtain accreditation in respect of all its academic programmes from the National Board of Accreditation (NBA) / National Assessment and Accreditation Council (NAAC) (as may be relevant) within a period of six months. ICFAI Foundation of Higher Education shall not also undertake franchising of higher education which is not permissible under any circumstances. ICFAI Foundation of Higher Education is also not permitted to affiliated any college(s) / institution(s).

5. The declaration made in para 4 above is further subject to fulfillment/compliance of conditions mentioned at Sr. No.4 of the endorsement to this Notification.

6. Neither the Government of India nor the University Grants Commission shall provide any Plan and Non-Plan grant-in-aid to ICFAI Foundation for Higher Education or its constituent teaching unit.

(Sunil Kumar)
Joint Secretary to the Government of India

The Manager,
Government of India Press,
Faridabad (Haryana)

Copy forwarded to:-

1. The Secretary, University Grants Commission, Bahadurshah Zafar Marg, New Delhi - 110002.
2. Director, Distance Education Council, Indira Gandhi National Open University, Maidan Garhi, New Delhi.
3. The Member Secretary, All India Council for Technical Education (AICTE), Indira Gandhi Stadium, I. P. Estate, New Delhi - 110002.
4. The Member, Board of Governors, The Institute of Chartered Financial Analysts of India, Plot No.19, Road No.3, Banjara Hills, Hyderabad, Andhra Pradesh - 500034.
The declaration as made in para 4 of this Notification shall be further subject to the following conditions that:-
 - (i) The management of the Society formed to manage ICFAI Foundation for Higher Education, Hyderabad, Andhra Pradesh and the management of ICFAI Business School, Hyderabad should be the same.
 - (ii) The By-laws, Memorandum of Association and Rules of the ICFAI Foundation for Higher Education should also clearly specify the names of the ICFAI Business School.
 - (iii) The management of ICFAI Foundation for Higher Education should take appropriate action to ensure that all the moveable and immovable assets, including that of the ICFAI Business School, are immediately transferred and vested with the Society that will be managing ICFAI Foundation for Higher Education, if not already done, in the interest of students, members of faculty,

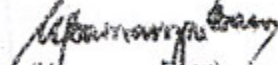
employees and for maintaining the standards of higher education. A report and undertaking for having complied with this condition along with a copy of a valid document in this respect should be submitted to the UGC.

- (iv) The corpus fund created by the institution will be irrevocable in nature and necessary undertaking to this effect shall be given by the ICFAI Foundation for Higher Education. The ICFAI Foundation for Higher Education should submit copies of documents of the Corpus Fund to the UGC / the Ministry of Human Resource Development. The bank deposit maintained for this purpose should not be liquidated or closed without prior consent of the UGC.
- (v) ICFAI Foundation for Higher Education and the Trust that will be managing it, should not undertake or engage in any activities that are of commercial and profit making in nature.
- (vi) ICFAI Foundation for Higher Education should also comply with all the conditions stipulated by the AICTE in its Letter of Approval F.No.M&T-icfai/BSHyd/2007 dated 22.10.2006.
- (vii) The declaration as made above shall cover only those academic courses / programmes of the ICFAI Foundation for Higher Education that are approved by the AICTE.
- (viii) The declaration as made in para 4 of this notification shall not extend to cover any other institution/college, including the ICFAI Institute of Science and Technology.
- (ix) ICFAI Foundation for Higher Education should submit a legal undertaking as per the instructions of the UGC (in its circular No.F.6-1(II)/2006-CPP-I dated 13.09.2006) pertaining to the issues of earmarking of assets, non-diversion of assets without prior approval of the UGC and making a provision for the UGC to take control of assets, etc. in the event of winding up of or dissolution of the deemed-to-be-university.
- (x) ICFAI Foundation for Higher Education or its constituent unit shall not start any academic programmes without obtaining prior approval of the relevant Statutory Councils such as the AICTE, UGC, National Council for Teacher Education (NCTE), etc., wherever necessary in accordance with the relevant norms and guidelines of these Councils.
- (xi) The academic programmes offered or to be offered by ICFAI Foundation for Higher Education will conform to the norms and standards prescribed by the relevant Statutory Councils ICFAI Foundation for Higher Education shall not offer / award, as the case may be, any degrees that are not specified by the UGC. ICFAI Foundation for Higher Education shall also ensure that the nomenclatures of the degrees, etc. to be awarded by it are specified by the UGC under Section 22 of the UGC Act, 1956.

- (xii) ICFAI Foundation for Higher Education shall award degrees in respect of the courses run by the institutions mentioned in para 4 of this notification only to those students who are admitted to these colleges subsequent to the date of this notification.
- (xiii) All the prescribed norms and procedures of the relevant Statutory Councils and other authorities concerned in the matter of admission of students, intake capacity of students, starting of new courses/programmes, renewal of approval to the courses, etc. will continue to be in force, and shall be adhered to by the ICFAI Foundation for Higher Education and its constituent teaching unit.
- (xiv) ICFAI Foundation for Higher Education shall not conduct any distance education programmes without prior approval of UGC and Distance Education Council (DEC). The guidelines issued by both the DEC and the UGC from time to time in the matter of imparting education through distance mode have to be complied with by it.
- (xv) ICFAI Foundation for Higher Education shall not start and run any study centre / off-campus centre without obtaining the requisite prior approval of the UGC/ Government of India, as the case may be.
- (xvi) Suggestions, if any, of the UGC's Expert Visiting Committee as made out in its respective report, should be followed by ICFAI Foundation for Higher Education so as to rectify deficiencies, if any, to bring about the recommended improvement.
- (xvii) As and when necessary, the ICFAI Foundation for Higher Education shall suitably amend and update its MoA/Rules in consultation and in concurrence with the UGC.
- (xviii) The instructions / guidelines issued by the UGC and AICTE from time to time, as are applicable to institutions declared as 'deemed to be universities', will apply to ICFAI Foundation for Higher Education and its constituent unit.
- (xix) ICFAI will not open and run any off-campus / off-shore campus centres or establish new departments(s) / start new courses(s) other than allied to the courses already approved and being offered) without obtaining the specific prior approval of the UGC/Government of India. The requisite official approval to any off-campus or off-shore campus centre or new department / faculty / new course(s) will take only a prospective effect.
- (xx) ICFAI shall not conduct any course(s) under distance mode without the specific prior approval of the Joint Committee of the UGC, AICTE and DEC.
- (xxi) ICFAI Foundation for Higher Education, Hyderabad shall not create an impression in the mind of the general public that it has been 'established' under a Central Act. In order to ensure this, it shall, in all its advertisements, public notices, communications, etc., distinctly mention under its nomenclature

by inserting (within brackets) a line, which shall read: "Declared as Deemed-to-be-University' under Section 3 of the UGC Act, 1956" as distinct from any State Universities by that name.

5. The Principal Secretary to the Government of Andhra Pradesh, Department of Higher Education, Government of Andhra Pradesh, J-Block, Floor-4, Room No.407, Andhra Pradesh Secretariat, Hyderabad – 500022. Andhra Pradesh.
6. The Commission of Technical Education, Government of Andhra Pradesh, 5th Floor, BRKR Govt. Complex, Hyderabad – 530063.
7. Press Information Bureau, Shastri Bhawan, New Delhi-110001.
8. The Secretary-General, Association of Indian Universities, A.I.U. House, 16 Kotla Marg, New Delhi - 110002.
9. Joint Director(Planning) & Web Master, Department of Higher Education, Room No.523-'C' Wing, Shastri Bhawan, New Delhi with the request to issue necessary instructions to the CMIS Unit to display this notification on the website of Department of Higher Education.
10. Guard file / Notification file.


(Upamanyu Basu)
Director