

**MINISTRY OF HOME AFFAIRS****(Internal Security-I Division)****NOTIFICATION**

New Delhi, the 30th December, 2020

**G.S.R. 807(E).**—Whereas the draft rules were published, as required under sub-section (1) of section 43 of the Rashtriya Raksha University Act, 2020 (31 of 2020), *vide* notification of the Government of India in the Ministry of Home Affairs number G.S.R. 653 (E), dated the 20<sup>th</sup> October, 2020 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) inviting objections and suggestions from affected persons before the expiry of the period of thirty days from the date on which copies of the Gazette containing the said notification were made available to public;

And, whereas, copies of the said Gazette notification were made available to the public on the 21<sup>st</sup> October, 2020;

And, whereas, no objections and suggestions received from the public in respect of the said draft rules;

Now, therefore, in exercise of the powers conferred by section 43 of the Rashtriya Raksha University Act, 2020 (31 of 2020), the Central Government hereby makes the following rules, namely: -

1. **Short title and commencement.** - (1) These rules may be called the Rashtriya Raksha University Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.** - (1) In these rules, unless the context otherwise requires, -

(a) “Act” means the Rashtriya Raksha University Act, 2020 (31 of 2020);

(b) “Chairperson” means the Chairperson of the Governing Body as specified in clause (a) of sub-section 2 of section 13 of the Act;

(c) “Governing Body” means the Governing Body of the University as specified in sub-section (2) of section 13 of the Act; and

(d) “Vice-Chancellor”, means the Vice-Chancellor of the University appointed under sub-section (1) of section 22 of the Act.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have the same meanings assigned to them in the Act.

3. **Terms and conditions for nomination of members of the Governing Body.-**

(1) The Vice-Chancellor shall suggest a panel of not less than five names for each vacancy for nominating the members under clauses (g), (h), (i) and (j) of sub-section (2) of section 13 of the Act, preferably within eight weeks prior to the likely date of vacancy.

(2) The Central Government may consider the panel suggested by the Vice-Chancellor while nominating the members of the Governing Body.

(3) All vacancies in the Governing Body shall be filled as per the provisions of the Act and the rules made there under and the vacancy shall be filled preferably within thirty days from the date vacancy arises.

4. **Disqualification for being a member of the Governing Body.** – (1) Prior to the nomination of a person as member, he or she shall give a declaration that he or she has no conflict of interest in any manner with the affairs of the University, and in case, any such conflict of interest arises at any later period during his or her tenure, shall resign from the position forthwith:

Provided that if after a due process of inquiry, it is established that there is a conflict of interest of a Governing Body member, and the Governing Body comes to a conclusion that the said conflict of interest is adversely affecting the interest of the

University, then the Governing Body may decide the said member shall not participate in the proceedings of the Governing Body.

- (2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub-rule (1), the question shall be referred to the Central Government, whose decision shall be final.

**5. Removal of a member of the Governing Body.** – (1) A member of the Governing Body shall cease to be such member, if he or she,-

- (i) resigns his or her membership; or
- (ii) has become physically or mentally incapable of acting as a member; or
- (iii) is, or at any time has been, adjudged as insolvent; or
- (iv) has been convicted of an offence which in the opinion of the Central Government involves moral turpitude; or
- (v) he or she accepts a full time appointment in the University; or
- (vi) he or she fails to attend three consecutive meetings of the Governing Body without the leave of the Chairperson; or
- (vii) is disqualified by the Governing Body in terms of rule 4:

Provided that no member shall be removed from office unless he or she has been given a reasonable opportunity of being heard in the matter.

- (2) In case of nominated members, the order than *exofficio* members, the order of removal shall be issued by the Central Government.

**6. Meetings of the Governing Body.** –

- (i) The Governing Body shall meet as often as necessary, but not less than two times during an academic year.
- (ii) The interval between two meetings of the Governing Body shall not be more than six months in any case.
- (iii) The meetings of the Governing Body shall be chaired by the Chairperson of the Governing Body or on the recommendation of the Vice-Chancellor.
- (iv) The Chairperson, if for any reason, is unable to attend a meeting of the Governing Body any other member chosen by the members present from amongst themselves at the meeting shall preside at the meeting.
- (v) One-third of the total members of the Governing Body participating in person or through video conference or tele-conference, shall form the quorum for meeting of the Governing Body:

Provided that, if a meeting is adjourned for want of quorum, it can be held at such other time and place on the same day or other such day, as the Chairperson may determine; and if at such a meeting, a quorum is not present within half an hour from the appointed time for holding the meeting, the members present shall form the quorum.

- (vi) A written notice of every meeting along with agenda shall be circulated by the Registrar to the members of the Governing Body, at least ten working days prior to the meeting:

Provided that the Chairperson of the Governing Body may permit inclusion of any item for which due notice was not given.

- (vii) Notwithstanding the provisions of sub-rule (vi), the Chairperson may call an emergency meeting of the Governing Body at a short notice to consider urgent matters.
- (viii) Emergency meeting of the Governing Body may also be called if the Chairperson is so requisitioned in writing by more than three members to discuss only those items of agenda for which the requisition is made.

- (ix) All matters considered at the meeting shall be decided by a majority of votes of members present, and if the votes be equally divided, the Chairperson shall have the casting vote.
- (x) The notice, agenda and minutes of meetings may be delivered by hand or registered post or speed post or email or fax to the address of each member as recorded in the office of the Governing Body, and if so sent, shall be deemed to be duly delivered.
- (xi) An agenda item may be sent by circulation to all members of the Governing Body when it is not possible to convene meeting of the Governing Body, and shall be deemed to have been approved if concurred by the quorum of members as mentioned in sub-rule (v).
- (xii) The Chairperson may decide any question of procedure, which shall be binding.
- (xiii) A member who is directly or indirectly interested in any matter coming up for consideration at a meeting of the Governing Body in which he or she has conflict of interest, shall not take part in such deliberation or discussion of the Governing Body.
- (xiv) The minutes of the proceedings of a meeting shall be drawn by the Registrar with the approval of the Chairperson and circulated to all members preferably within a period of seven working days, seeking their comments and if no comments are received within ten days of receipt of minutes, the same shall be treated as final.
- (xv) In case, modification is suggested by a member, the same shall be circulated within five working days, through post or electronically, to members of the Governing Body for confirmation within seven days from the issue. Chairperson, may, after taking into account any comments received thereon, confirm and sign the minutes. The signed minutes will be treated as Resolution of the Governing Body.
- (xvi) The minutes shall contain names of the members present in the meeting and names of members, if any, dissenting from, or not concurring with the resolutions along with grounds of such dissent.
- (xvii) The minute book shall be kept open for inspection of the members at all times during office hours.

## **7. Travelling and other allowances payable to the members of the Governing Body. –**

- (1) The members of the Governing Body shall be entitled to travelling allowance and daily allowance as per the rates of travelling allowance or daily allowance entitlements for non-officials specified by the Department of Expenditure, Ministry of Finance, Government of India, as amended from time to time.
- (2) The cost of travelling allowance and daily allowance arising in relation to a member attending a meeting of the Governing Body shall be borne by the University.
- (3) The members of the Governing Body who are Government employees, shall receive travelling allowance and daily allowance from the source from which they draw their salaries at the rates admissible to them. If, however, required by the members, the University shall reimburse the travelling allowance and daily allowance as laid down by the Governing Body from time to time, to the members concerned if they declare that they shall not claim travelling allowance and daily allowance from any other source.
- (4) The members of the Governing Body, other than employees of the University, shall be entitled to sitting allowance for attending meeting of the Governing Body as specified by the Governing Body from time to time.

## **8. Manner of the functions of the Governing Body.-**

- (1) Signed minutes shall be issued as Resolution of the Governing Body.
- (2) The action taken as per the Resolution shall be reported to the Governing Body, preferably in its next meeting.

- (3) All orders and decisions of the Governing Body shall be authenticated by the signature of the Registrar or any other person authorised by the Governing Body in this behalf by a resolution.
- (4) No act or proceeding of the Governing Body shall be invalid merely by reason of any,-
- (a) vacancy or defect, in the constitution of the Governing Body; or
  - (b) defect in the appointment of a person as a member of the Governing Body.

[F. No. 23011/94/2020-BPR&D]

PUNYA SALILA SRIVASTAVA, Addl. Secy.

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