

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

No. F. 10-14/2008-U.3(A)
Government of India
Ministry of Human Resource Development
(Department of Higher Education)

Shastri Bhawan, New Delhi,
Dated the 12th January, 2009.

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, on the advice of the UGC, Yenepoya University, Mangalore, Karnataka, comprising Yenepoya Dental College, Deralakatte, Mangalore, was declared as an 'Institution Deemed-to-be-University' for the purposes of the aforesaid Act, vide this Ministry's notification No. 9-11/2007-U.3(A) dated the 27th February, 2008, with effect from the date of disaffiliation of the said Dental College from its affiliating university, viz., Rajiv Gandhi University of Health Sciences, Bangalore;

3. And whereas, a proposal was received in May, 2008 from Yenepoya University, (Institution Deemed-to-be-University), Mangalore, for inclusion of (i) Yenepoya Medical College, Nithyananda Nagar PO, Deralakatte, Mangalore (ii) Yenepoya Nursing College, Nithyananda Nagar PO, Deralakatte, Mangalore and (iii) Yenepoya Physiotherapy College, Nithyananda Nagar PO, Deralakatte, Mangalore, as constituent units of Yenepoya University, Mangalore, Karnataka;

4. And whereas, the UGC vide its communication bearing No.F.26-2/2008(CPP-I) dated 04.12.2008 has recommended for bringing (i) Yenepoya Medical College, Nithyananda Nagar PO, Deralakatte, Mangalore (ii) Yenepoya Nursing College, Nithyananda Nagar PO, Deralakatte, Mangalore and (iii) Yenepoya Physiotherapy College, Nithyananda Nagar PO, Deralakatte, Mangalore, under the ambit of Yenepoya University, Mangalore, subject to annual review for three years and subsequently after five years;

5. Now, therefore, in exercise of the powers conferred by Section 3 of the UGC Act, 1956, the Central Government, on the advice of the University Grants Commission (UGC), do hereby declare that (i) Yenepoya Medical College, Nithyananda Nagar PO, Deralakatte, Mangalore (ii) Yenepoya Nursing College, Nithyananda Nagar PO, Deralakatte, Mangalore and (iii) Yenepoya Physiotherapy College, Nithyananda Nagar PO, Deralakatte, Mangalore, shall be constituent

(Pto)

teaching units under the ambit of Yenepoya University, 'Institution Deemed-to-be-University', Mangalore, Karnataka, for the purposes of the UGC Act, 1956, subject to the following conditions:-

- (i) The declaration of the aforementioned three Colleges as the constituent teaching units of the Yenepoya University shall take effect from the date of disaffiliation of these Colleges from their affiliating university, viz., Rajiv Gandhi University of Health Sciences (RGUHS), Karnataka, Bangalore;
- (ii) Yenepoya University shall admit students to the academic courses/programmes of the aforementioned Colleges under its enrolment only with effect from the academic year 2009-2010;
- (iii) The performance and functioning of the aforementioned Colleges shall be initially reviewed on annual basis for three years, and subsequent reviews shall be conducted after every five years;
- (iv) Yenepoya University shall obtain NAAC (National Assessment and Accreditation Council) accreditation within three years from the date of issue of this notification;

6. All the conditions that were stipulated in the Ministry's notification No.9-11/2007-U.3(A) dated the 27th February, 2008, that govern the status of 'deemed to be university' conferred on Yenepoya University, Mangalore, shall continue to be in force, and be complied with;

7. The declaration as made in Para 5 above is further subject to fulfillment of the conditions mentioned at Sr. No.6 of the endorsement to this notification;

8. Neither the Government of India nor the UGC shall provide any Plan or Non-Plan grant-in-aid to Yenepoya University, Mangalore, or any of its constituent teaching units.

(Sunil Kumar)

Joint Secretary to the Government of India

The Manager,
Government of India Press,
Faridabad - 121 001,
Haryana.

Copy forwarded to: -

1. The Secretary, University Grants Commission, Bahadurshah Zafar Marg, New Delhi - 110002. UGC shall take appropriate action to conduct necessary reviews of the Colleges mentioned in Para 5 above, with help of an Expert Committee in accordance with the

procedure prescribed by it for the purpose of such 'reviews' and make necessary recommendations to this Ministry in this behalf.

2. The Under Secretary, (ME-P.II), Ministry of Health and Family Welfare (Department of Health), Nirman Bhavan, New Delhi - 110011.
3. The Secretary, Medical Council of India (MCI), Pocket - 14, Sector-8, Dwarka, Phase-I, New Delhi-110075.
4. The Secretary, Indian Nursing Council (INC), Combined Councils' Building, Kotla Road, Temple Lane, New Delhi-110002.
5. The Director, Distance Education Council, Indira Gandhi National Open University, Maidan Garhi, New Delhi - 110 068.
6. The Chancellor, Yenepoya University, Yenepoya Medical & Dental College Campus, Deralakatte, Mangalore - 575 018. The declaration as made in Para 5 of this notification shall be further subject to compliance with / fulfillment of the following conditions:-
 - (i) The management of the Colleges mentioned in Para 5 of this notification shall legally vest with the Yenepoya University Trust, Mangalore, Karnataka.
 - (ii) All the moveable and immovable assets of the Colleges mentioned in Para 5 above, shall be legally transferred from their Parent Trust concerned, vested with Yenepoya University Trust, Mangalore, and registered as such in the interest of future of students, members of faculty, employees and for maintaining the standards of higher education.
 - (iii) Yenepoya University shall maintain separate and distinct financial accounts in respect of its functioning as an 'Institution Deemed-to-be-University'. There shall be no diversion of assets or funds/revenues of the Yenepoya Trust and/or of the Colleges mentioned in Para 5 of this notification, without prior permission of the UGC. The accounts of the said Trust shall also be open to inspection/audit by the UGC
 - (iv) Yenepoya University shall continue to maintain the corpus fund as per the norms of the UGC. The corpus fund shall be irrevocable in nature and the bank deposits maintained for this purpose shall not be liquidated or closed without prior consent of the UGC.
 - (v) The Memorandum of Association (MoA)/Rules/Regulations/Bye-laws of the Yenepoya University Trust shall specify/reflect the names of all its constituent teaching units that have been approved by the Central Government.
 - (vi) The academic programmes being offered or to be offered by Yenepoya University, Mangalore, at its constituent teaching units shall conform to the norms and standards prescribed by the UGC and the Statutory Councils concerned, such as the MCI, INC, etc.

- (vii) New academic courses/programmes at the Colleges mentioned in para 5 of this notification, shall be started only as per the norms and guidelines prescribed, from time to time, by the Statutory Councils concerned (such as the MCI, INC, etc.) and the UGC, as the case may be.
- (viii) Yenepoya University, Mangalore, as a deemed-to-be-university, shall award degrees in respect of the academic courses / programmes of the Colleges mentioned in Para 5 of this notification, only to those students who shall be admitted to these Institutions from the academic year 2009-2010 onwards.
- (ix) The academic courses/programmes of the Colleges mentioned in Para 5 of this notification that are presently not affiliated to Rajiv Gandhi University of Health Sciences, Bangalore (the affiliating university) shall not fall under the ambit and purview of Yenepoya University for the purposes of admission of students and award of degrees.
- (x) As for the students who were already admitted to the Colleges mentioned in Para 5 of this notification, prior to the date of this notification, they shall continue to pursue their academic courses/programmes of study under the enrolment and affiliation of the Rajiv Gandhi University of Health Sciences, Bangalore, which shall conduct examinations to them and award degrees to them upon successful completion of the courses/programmes of study they are pursuing at any of these institutions presently.
- (xi) All the prescribed norms and procedures of the Statutory Councils such as the MCI, INC, etc. in the matter of admission of students, intake capacity of students, renewal of approval to the courses, starting of new courses/ programmes, etc. shall continue to be in force, and shall be adhered to the Yenepoya University.
- (xii) Yenepoya University shall take immediate steps to strengthen the research activities at its constituent units.
- (xiii) The infrastructure facilities at the Colleges mentioned in Part 5 of this notification shall be maintained as per the norms prescribed under the relevant guidelines of the UGC.
- (xiv) Yenepoya University 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 parenthesis; "*Declared as Deemed-to-be-University under Section 3 of the UGC Act, 1956*".
7. The Registrar, Rajiv Gandhi University of Health Sciences, 4th 'T' Block, Jayanagar, Bangalore - 560 041. The University is expected to take action in accordance with endorsement 6(x) regarding the students on the rolls of the Colleges mentioned in Para 5 of this notification, who are presently under its enrollment, as per the

'undertaking/assurance' given by it in its letter reference No.RP/15/2008-2009 dated 19.05.2008.

8. The Principal Secretary to the Government of Karnataka, Department of Higher Education, Government of Karnataka Secretariat, Vidhana Soudha, Bangalore-560001.
9. The Secretary to Government of Karnataka, Health & Family Welfare Department (Medical Education), Karnataka Government Secretariat, Vikasa Soudha, Dr. B.R. Ambedkar Road, Bangalore - 560001.
10. The Director of Medical Education, Ananda Rao Circle, Bangalore - 560 009.
11. The Commissioner for Collegiate Education, Department of Collegiate Education, Government of Karnataka, Tantrika Shikshana Bhavan, Palace Road, Bangalore - 560 001.
12. The Principal, Yenepoya Medical College, Nithyananda Nagar PO, Deralakatte, Mangalore - 575018.
13. The Principal, Yenepoya Nursing College, Nithyananda Nagar PO, Deralakatte, Mangalore - 575018.
14. The Principal, Yenepoya Physiotherapy College, Nithyananda Nagar PO, Deralakatte, Mangalore - 575018.
15. Press Information Bureau, Shastri Bhawan, New Delhi-110001.
16. The Secretary-General, Association of Indian Universities, A.I.U. House, 16 Kotla Marg, New Delhi - 110002.
17. Joint Director (Administration) & 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.
18. Guard file / Notification file.


(Upamanyu Basu)
Director