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INFORMATION

ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 8] AMARAVATI, FRIDAY, 28th JULY, 2023.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 28th July, 2023 is being published under Article 348(3) of the Constitution of India for general information:-

ANDHRA PRADESH ORDINANCE No. 8 OF 2023.

**AN ORDINANCE FURTHER TO AMEND THE ANDHRA PRADESH
PRIVATE UNIVERSITIES (ESTABLISHMENT AND REGULATION) ACT,
2016.**

Whereas, the Government of Andhra Pradesh is committed to provide quality education and to ensure that it is accessible to meritorious students belonging to socially and economically backward sections. In this regard, the Government is of the view that the requirement of Joint Certification of Degrees for all programmes of study with world-renowned foreign universities may be made applicable to Greenfield Universities also with effect from 06.08.2021 as the requirement of Joint Certification of Degrees with foreign universities was introduced as a pre-requisite for Brownfield Universities through AP Ordinance No. 10 of 2021 published in AP Gazette on 06.08.2021;

And whereas, in case of institutions/universities established under the Act after 06.08.2021 till date, it is desired that until they secure tie up for Joint

Certification of Degrees with Foreign University(s), they shall not function as degree awarding University and they will be given "consent to pursue" status for securing tie-up for Joint Certification of Degrees. Till that time the institution shall function as Private Unaided Colleges by affiliating themselves to a State University in their jurisdiction concerned;

And whereas, for all programmes of study offered by the Greenfield or Brownfield institution established under the Act on or after 06.08.2021, until the time it secures tie-up for Joint Certification of Degrees as required under the Act, the rules of admission and seat sharing in the approved intake may be regulated permanently by the concerned rules of admission and seat sharing as applicable to a College as defined under Section 2(4-A) of the Act, as amended from time to time. However, in respect of any additional intake in the existing programmes subsequent to securing tie-up for Joint Certification of Degrees, the Greenfield or Brownfield University shall earmark fifty percentage (50%) of seats in the Medical and Dental allied programmes of study and minimum thirty-five percentage (35%) of seats in every other programme of study;

And whereas, it is desirable to gauge the ability of the Sponsoring Body to run college before making it eligible to award degrees on its own as a university and so it is desired not to consider applications henceforth for establishment of Universities under Greenfield category but applications for establishment of Universities under Brownfield the universities may be considered as their abilities are tested as a College securing to relevant accreditation / re-accreditation / national rankings as a pre-requisite. As Greenfield Universities cannot have accreditation / re-accreditation / national rankings, no application from a Sponsoring Body for establishment of a Greenfield University may be considered by the Government henceforth and only Brownfield Universities may be established subject to satisfying the conditions required under the Act hereafter;

And whereas, in view of the ongoing admissions season for the Academic Year 2023-24, it is desired to promulgate an ordinance to give effect to the above decisions. Further, this ordinance seeks to give effect to the above decisions with effective from 06th August, 2021 which is the date of commencement of the Andhra Pradesh Ordinance No. 10 of 2021;

And whereas, the Legislature of the State of Andhra Pradesh is not now in session and the Governor of Andhra Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Andhra Pradesh is pleased to promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Andhra Pradesh Private Universities (Establishment and Regulation) (Amendment) Ordinance, 2023.

Short Title and Commencement.

(2) It shall be deemed to have come into force with effect on and from the 6th August, 2021.

2. In the Andhra Pradesh Private Universities (Establishment and Regulation) Act, 2016 (hereinafter referred to as the Principal Act), in Section 2, -

Amendment of Section 2.

Act No. 3 of 2016.

(i) In clause (3-A),-

(a) In sub-clause (ii), for the words "Under Graduate and Post Graduate", the words "Undergraduate and Postgraduate" shall be substituted.

(b) For sub-clause (iii), the following shall be substituted, namely, -

"(iii) Possessing valid Institutional Accreditation by NAAC with at least 3.2 CGPA for the latest two consecutive cycles OR NBA Accreditation for two-thirds of eligible programmes for the latest two consecutive cycles OR NIRF rank among the top 50 in any specific category / among top 100 in overall rankings continuously for the latest two consecutive years:

Provided that the application for accreditation / re-accreditation / ranking has been submitted by the institution within time in each of the cycles;"

(c) For sub-clause (v), the following shall be substituted, namely, -

"(v) Possessing tie-up for Joint Certification of Degrees for all programmes of study, with at least one of the top 100 Universities

in the latest rankings of world-renowned ranking frameworks (such as Times Higher Education or QS World University Rankings) as a pre-requisite; and”

(ii) In clause (13),-

(a) In the opening paragraph, the words “from scratch” shall be omitted;

(b) In sub-clause (iii), for the expression “:”, the expression and word “; and” shall be substituted.

(c) After sub clause (iii) and above the provisos thereunder, the following shall be inserted, namely, -

“(iv) Possessing tie-up for Joint Certification of Degrees for all programmes of study, with at least one of the top 100 Universities in the latest rankings of world-renowned ranking frameworks (such as Times Higher Education or QS World University Rankings) as a pre-requisite.”.

Amendment of section 11.

3. In the Principal Act, in Section 11, for the words “issuing a notification amending the schedule”, the words “duly amending the schedule of the Act through A.P State Legislature” shall be substituted.

Insertion of new section.

4. In the Principal Act, after Section 11, the following new section shall be inserted, namely, -

“11-A. (1) From the date of commencement of the Andhra Pradesh Private Universities (Establishment and Regulation) (Amendment) Ordinance, 2023, no application from a Sponsoring Body for establishment of a Greenfield University shall be considered by the Government and only Brownfield Universities may be established henceforth subject to satisfying the conditions required under the Act.

(2) The Sponsoring Body for establishment of an institution under the Act, which got an Letter of Intent on or after the commencement of the Andhra Pradesh Ordinance No. 10 of 2021 (i.e., 06.08.2021), shall secure tie-up for Joint Certification of Degrees as required

under the applicable Clause (3-A) or (13) of Section 2 of the Act.

(3) Notwithstanding anything contained in this law or any other law for the time being in force, until the time such institution secures tie-up for Joint Certification of Degrees as required under the Act, they shall not function as a degree awarding Universities and they will be given "consent to pursue" status for securing tie-up for Joint Certification of Degrees and the institution, -

(a) shall function as a College (s) by affiliating itself to a State University of the concerned jurisdiction for all of its programmes of study;

(b) shall be regulated by the rules of admission and seat sharing, etc., as applicable to a College affiliated to the State University.

(4) From the time the institution secures a tie-up for Joint Certification of Degrees as required under the Act, to the satisfaction of the Expert Committee constituted under Section 8 of the Act, it shall be notified by the Government as a University entitled to award its joint degrees."

5. In the Principal Act, in section 33, for the words "full autonomy" wherever they occur, the words "full autonomy subject to other provisions of this Act" shall be substituted. Amendment of section 33.

6. In the Principal Act, in Section 33-A, for sub-section (1) along with provisos, the following shall be substituted, namely,- Amendment of section 33- A.

"(1) (a) The Greenfield or Brownfield University shall earmark Government Quota of fifty percentage (50%) of seats in the Medical and Dental allied programmes of study and minimum thirty-five percentage (35%) of seats in every other programme of study and admit students in accordance with the rules as may be prescribed;

(b) For all programmes of study offered by the Greenfield or Brownfield institution established under the Act on or after 06.08.2021, until the time it secures tie-up for Joint Certification

of Degrees as required under the Act, the rules of admission and seat sharing in the approved intake shall be regulated by the concerned rules of admission and seat sharing as applicable to a College as defined under Section 2(4-A) of the Act, as amended from time to time. Further, the seats provided for Government / Convenor Quota in all the programmes offered till then will continue to be under Government Quota even after securing tie-up for Joint Certification of Degrees:

Provided that in respect of any additional intake in the existing programmes subsequent to securing tie-up for Joint Certification of Degrees, the Greenfield or Brownfield University shall earmark fifty percentage (50%) of seats in the Medical and Dental allied programmes of study and minimum thirty-five percentage (35%) of seats in every other programme of study."

S. ABDUL NAZEER,
Governor of Andhra Pradesh.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.