

Haryana Vishwakarma Skill University Act, 2016

HARYANA

India

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Act 25 of 2016

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Haryana Vishwakarma Skill University Act, 2016(Haryana Act No. 25 of 2016)[Dated 20.9.2016.]An Act to establish and incorporate a Skill University in the State of Haryana to facilitate and promote skill, entrepreneurship development, skill based education and research in the emerging areas of manufacturing, textile, design, logistics and transportation, automation, maintenance, etc. and to raise skill level in various fields related to these areas and for matters connected therewith or incidental thereto.Be it enacted by the Legislature of the State of Haryana in the Sixty-seventh Year of the Republic of India as follows:-

1. Short title and commencement.

(1)This Act may be called the Haryana Vishwakarma Skill University Act, 2016.(2)It shall come into force on the date of its publication in the Official Gazette.

2. Definitions.

- In this Act and in all Statutes, Ordinances and Regulations made thereunder, unless the context otherwise requires,-(a)"All India Council for Technical Education" means the All India Council for Technical Education established under the All India Council for Technical Education Act, 1987 (Central Act 52 of 1987);(b)"college" means a college maintained by, or admitted to the privileges of the University under this Act;(c)"Council of Architecture" means the Council of Architecture constituted under the Architects Act, 1972 (Central Act 20 of 1972);(d)"employee" means any person appointed by the University and includes teachers and all other staff of the University;(e)"Haryana State Board of Technical Education" means the Haryana State Board of Technical Education established under the Haryana State Board of Technical Education Act, 2008 (19 of 2008);(f)"Indian Institute of Technology" means the Indian Institute of Technology incorporated under the Institute of Technology Act, 1961 (Central Act 59 of 1961);(g)"Indian Medical Council" means Indian Medical Council constituted under the Indian Medical Council Act, 1956 (Central Act 102 of 1956);(h)"Institution" means an institution, not being a college maintained by the

University;(i)"National Council for Vocational Training" means National Council for Vocational Training established by the Central Government;(j)"National Institute of Technology" means an institution listed in the Schedule to the National Institute of Technology Act, 2007 (Central Act 29 of 2007);(k)"National Occupational Standards" means the National Occupational Standards developed by the Sector Skill Councils concerned;(l)"National Skill Development Agency" means the National Skill Development Agency as constituted by the Central Government;(m)"National Skill Development Corporation" means the National Skill Development Corporation as established by the Central Government;(n)"National Skill Qualification Framework" means the qualification assurance framework for skills as notified by the Central Government;(o)"Pharmacy Council of India" means the Council constituted under the Pharmacy Act, 1948 (Central Act 8 of 1948);(p)"prescribed" means prescribed by the Statutes and Regulations;(q)"Sector Skill Council" means the Sector Skill Council recognized as such by the National Skill Development Corporation of Central Government;(r)"State" means the State of Haryana;(s)"State Government" means the Government of the State of Haryana in the administrative department;(t)"State Sector Skill Council" means Sector Skill Council recognized as such by the State Government;(u)"Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University made under this Act;(v)"University" means the Haryana Vishwakarma Skill University established under this Act;(w)"University Grants Commission" means the University Grants Commission established under the University Grants Commission Act, 1956 (Central Act 3 of 1956);(x)"University teachers" means professors, associate professors, assistant professors and such other persons as may be appointed for imparting instructions, trainings or conducting research in the University or in any college or institution and are designated as teachers by the Ordinances; and(y)"vocational education" means such education that prepares a person to work as a technician in a trade, craft, or in support role in professions such as engineering, accountancy, nursing, medicine, architecture, law etc.

3. Incorporation.

(1)There shall continue to be a body corporate by the name of the Haryana Vishwakarma Skill University comprising of the Chancellor, Vice-Chancellor, the members of the Court, the Executive Council, the Skill Council of the University and all persons, who may hereafter become or be appointed as such officers or members, so long as they continue to hold such office or membership.(2)The University shall have perpetual succession and a common seal with power to acquire, hold and dispose of property and to contract, and may by the said name sue or be sued.

4. Objects of University.

- The University shall have the following objects, namely:-(a)to emerge as one of the foremost institution of quality in skill education recognized by industry, nationally and internationally;(b)to develop qualified youth with skill proficiency and competency at different levels as per National/State qualifications of skill education;(c)to promote skill education in an integrated and holistic manner with higher education to ensure pathways for progression and mobility;(d)to provide opportunities for flexible learning systems and skill development;(e)to frame credit framework for competency based skill and vocational education;(f)to exchange expertise and best

practices in support of skill developments efforts with any other college, institution, organization, university etc.:(g)to disseminate knowledge/skill through seminars, conferences, executive education programmes, community development programmes, publications and training programmes;(h)to undertake programmes for the training and development of faculty members and teachers of the University and other institutions;(i)to undertake collaborative research with other organizations;(j)to create entrepreneurs by providing necessary skill and support;(k)to provide consultancy to government, semi-government, public and private industries;(l)to create an Industry Academia partnership by inviting industry and institutions for mutual benefits;(m)to ensure that the standard of degree, diploma, certificates and other academic distinctions are not lower than those laid down by statutory regulatory authorities in India; and(n)to pursue any other objects, as may be prescribed.

5. Territorial exercise of powers.

(1)The limits of the area within which the University shall exercise its powers, shall be such, as the Government may, from time to time, by notification, specify:Provided that different areas may be specified for different faculties.(2)Notwithstanding anything contained in any other State law for the time being in force, any college or institution situated within the limits of the areas specified under sub-section (1) shall, with effect from such date, as may be notified in this behalf by the Government, be deemed to be associated with, and admitted to, the privileges of the University and shall cease to be associated in any way with, or be admitted to, the privileges of any other University, and different dates may be notified for different colleges or institution:Provided that-(i)any student of any college or institution, associated with or admitted to, any other university before the said date, who was studying for any degree, diploma or certificate examination of that university, shall be permitted to complete his course in preparation thereof and the University shall hold for such students examinations in accordance with the curricula of study in force in that university, for such period, as may be prescribed by the Statutes, Ordinances and Regulations;(ii)any such student may, until any such examination is held by the University, be admitted to the examination of the other university and be conferred the degree, diploma, certificate or any other privilege of that university for which he qualifies on the result of such examination.

6. Bar on conferring, granting or issuing degrees, diplomas or certificates by unauthorized institutions.

(1)Notwithstanding anything contained in this Act or any other State law for the time being in force no college or institution other than the University, shall confer, grant, issue or hold himself or itself out as entitled to confer, grant or issue any degree, diploma or certificate in the specified areas of knowledge assigned to it within the territorial jurisdiction of University which is identical with or is a colourable imitation of any degree, diploma or certificate conferred, granted or issued by the University.(2)Contravention of the provisions of sub-section (1) shall be an offence and shall be dealt with as per rules laid down by the University in this regard keeping in view the orders and guidelines issued by the competent authorities and academic bodies such as the State Government and the University Grants Commission.(3)Where an offence under this section has been committed by an institution, every person incharge of and responsible to the institution for the conduct of its

business at the time of the commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against as per the University rule: Provided that such person shall not be liable for any action if he shows that such offence was committed without his knowledge and he exercised all due diligence for the prevention of such offence, on coming to know of it. (4) Notwithstanding anything contained in sub-section (3), where an offence under this section has been committed by an institution and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any partner, director, manager, secretary or other officer of the institution, such partner, director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly. Explanations. - For the purpose of the section 'institution' means any body corporate and includes a firm or other association of individuals.

7. Powers and functions of University.

- The University shall exercise the following powers and perform the following functions, namely:-(a) to provide facilities and promote trainings, studies and research in emerging areas of skill, including new frontiers of manufacturing, textile, design, logistics and transportation, automation, maintenance, information technology, healthcare, construction, banking and finance, marketing, hospitality etc. and also to achieve excellence in enhancement in these and connected fields; (b) to recognize and affiliate institutions of skill education, in such manner and in accordance with such parameters, as may be specified by Statutes; (c) to develop credit framework in accordance with the National Occupational Standards as specified by the National Skill Qualification Framework; (d) to develop curriculum packages of skill at different levels, as may be defined by the University or by the National Skill Qualification Framework; (e) to define norms and parameters of skill education, teaching and instruction, consistent with the credit framework and curriculum packages, as the University may deem fit; (f) to award degrees, diplomas, certificates and other distinctions; (g) to define norms of examination or any other measure of assessment of knowledge and competency of a student for admission to the University or institution; (h) to hold examinations or other assessments of knowledge or competency, or accredit the examination or other assessment system of institution, as the University may, from time to time determine; (i) to recognize industries or training centres for the purposes of practical training of students in skill and to define norms for recognition of competency attained by a student in such practical training in industry or training centre for the purpose of earning credits; (j) to lay down norms for transfer of credits to promote new learning opportunities without compromising on learning outcomes; (k) to appoint persons possessing significant experience, knowledge and competency, as adjunct, guest or visiting faculty of the University, on such terms and for such duration, as the University may decide; (l) to lay down parameters for assessment and accreditation of skill educators and training providers in accordance with the norms specified under the National Skill Qualification Framework, or such other norms, as may be determined by the University; (m) to determine, specify and receive payment of fees and other charges, from students, institution, industry or body corporate for instructions and other services, including training, consultancy and advisory services, provided by the University, as the University may deem fit; (n) to acquire, hold, manage and dispose of any property belonging to or vested in the University, in such manner, as the University may deem fit; (o) to receive gifts, grants,

donations or benefactions from the Central Government and the State Government and to receive bequests, donations and transfer of movable or immovable properties from testators, donors or transferors, as the case may be;(p)to establish its own school to provide skill education, for identification and recognition of prior learning of skill;(q)to establish and maintain such infrastructure including campuses and training centers within its territorial jurisdiction;(r)to institute and award fellowship, scholarships, exhibitions, prizes and medals;(s)to collaborate with any other Indian or foreign university or institution in offering joint degree programmes for bridging skill education with higher education ;(t)to promote national and international collaboration with institutions of skill education for the purpose of developing competency, knowledge and ability to global standards;(u)to establish its own production house, incubation centre, retail house or service centre or any other centre which shall provide practical training to enhance skill level of youth; and(v)to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

8. University open to all races, classes, castes and creeds.

- The University shall be open to all persons irrespective of sex, race, creed, caste or class and no test or condition shall be imposed as to religion, belief or profession in admitting or appointing members, students, teachers, workers, or in any other connection whatsoever and no benefactions shall be accepted which in the opinion of the authorities of the University involves conditions or obligations opposed to the spirit and objectives of this provision:Provided that nothing contained in this section shall be deemed to prevent the University from making any special provisions in respect of weaker sections of the society and in particular Scheduled Castes and Scheduled Tribes.

9. Teaching of University.

- All teaching in the University shall be conducted by and in the name of the University in accordance with the Statutes, Ordinances and Regulations made in this behalf.

10. Officers of University

- The following shall be officer of the University, namely:-(i)the Chancellor;(ii)the Vice-Chancellor;(iii)the Registrar; and(iv)such other persons in the service of the University, as may be declared by the Statutes to be officers of the University.

11. Chancellor.

(1)The Governor of Haryana by virtue of his office shall be the Chancellor of the University.(2)The Chancellor shall be the Head of the University.(3)The Chancellor shall, if present, preside over the convocation of the University for conferring degrees and meetings of the Court.(4)The Chancellor shall have the right-(i)to cause an inspection to be made by such person or persons, as he may direct, of the University, its buildings, laboratories, libraries, and equipment and of any college or institution maintained by the University and also of the examinations, teaching and other work

conducted and done by the University;(ii)to cause an inquiry to be made in like manner in respect of any matter connected with the administration of finances of the University, colleges or institutions.(5)The Chancellor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and on receipt of such notice, the University shall have the right to make such representation to the Chancellor, as it may consider necessary.(6)After considering the representation, if any, made by the University, the Chancellor may cause to be made such inspection or inquiry, as is referred to in sub-section (4).(7)Where any inspection or inquiry has been caused to be made by the Chancellor, the University shall be entitled to appoint a representative who shall have the right to be present and to be heard at such inspection or inquiry.(8)The Chancellor may, if the inspection or inquiry is made in respect of the University or any college or institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council, the views of the Chancellor and the action to be taken thereon as advised by the Chancellor.(9)The Executive Council shall communicate through the Vice-Chancellor to the Chancellor such action, if any, as it proposes to take or has taken upon the result of such inspection or inquiry.(10)Where the Executive Council does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor, may, after considering any explanation furnished or representation made by the Executive Council, issue such directions, as he may think fit and the Executive Council shall comply with such directions.(11)Without prejudice to the foregoing provisions of this section, the Chancellor may, by order in writing, annul any proceedings of the University, which are not in conformity with this Act, the Statutes or the Ordinances:Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.(12)The Chancellor may, at any time, require or direct the University to act in conformity with the provisions of this Act and the Statutes, Ordinances and Regulations made thereunder.(13)The power exercised by the Chancellor under sub-section (11) and sub-section (12) shall not be called in question in any Civil Court.(14)Any employee of the University, who is aggrieved by the decision of the Executive Council or the Vice-Chancellor in respect of any disciplinary action taken against him, may address a memorial to the Chancellor in such manner, as may be prescribed by the Statutes and the decision of the Chancellor shall be final.(15)The Chancellor shall have such other powers, as may be prescribed by the Statutes.

12. Vice-Chancellor.

(1)Notwithstanding anything contained in this Act, the first Vice-Chancellor shall be appointed by the Chancellor on the advice of the State Government for such period not exceeding three years, as deemed appropriate by the State Government.(2)The Vice-chancellor shall be appointed from the field of Technology, Sciences, Public Administration, Skill Development, Pharmacy or Management.(3)The State Government shall constitute a Search Committee consisting of two nominees of the Chancellor and one nominee of the Executive Council, three months prior to the expiry of term of the Vice-Chancellor, which shall prepare a panel of atleast three names, in alphabetical order, from which the Chancellor shall appoint the Vice-Chancellor, on the advice of the State Government. The terms and conditions of service of the Vice-Chancellor shall be determined by the Chancellor, on the advice of the State Government.(4)The Vice-Chancellor shall

hold office for a period of three years which may be renewed for not more than one term: Provided that he shall cease to hold the office on attaining the age of 68 years irrespective of the fact that his term has not expired. (5) If the Vice-Chancellor is unable to perform his duties owing to his temporary incapacity on account of illness or any other reason, or the office of the Vice-Chancellor falls vacant due to death, resignation or otherwise, the Chancellor may make arrangements for the performance of duties of the Vice-Chancellor until the existing Vice-Chancellor is able to resume his office or until a regular Vice-Chancellor is appointed, as the case may be. (6) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University. (7) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act, except in the matters involving creation or abolition of a faculty, department or post and the matter involving appointment or removal of an employee: Provided that the Vice-Chancellor before exercising powers under this section shall record in writing the reasons, why the matter cannot wait till the meeting of the authority concerned: Provided further that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor, whose decision thereon shall be final: Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to represent to the Executive Council within one month from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor. The employee shall be informed that the action has been taken under emergency powers. (8) The Vice-Chancellor shall exercise such other powers and perform such other duties, as may be prescribed by the Statutes or Ordinances. (9) The Chancellor may, on the advice of the State Government, cause an inquiry to be held in accordance with the principles of natural justice, and remove the Vice-Chancellor from office, if he is found on such inquiry, to be a person patently unfit to be continued in such office: Provided that the Chancellor may curtail working powers and functions of Vice-Chancellor in case he is of the opinion that an ongoing matter in a complaint against the Vice-Chancellor is serious enough to be an impediment in discharging the duties of the Vice-Chancellor and may make arrangements for the performance of the duties of Vice-Chancellor until the existing Vice-Chancellor is able to resume his office or until a regular Vice-Chancellor is appointed, as the case may be.

13. Registrar.

(1) The Registrar shall be appointed by the Chancellor on the advice of the State Government. (2) The Registrar shall be the Chief Administrative Officer of the University. He shall work directly under the superintendence, direction and control of the Vice-Chancellor.

14. Other officers.

- The manner of appointment and powers and functions of other officers of the University shall be such, as may be prescribed by the Statutes.

15. Authorities of University.

(1)The following shall be the authorities of the University, namely:-(i)the Court;(ii)the Executive Council;(iii)the Skill Council;(iv)the Finance Committee;(v)the Faculties;(vi)the Planning Board; and(vii)such other authorities as may be declared by the Statutes to be the authorities of the University.(2)The constitution, functions, and powers of the authorities shall be such, as may be prescribed by the Statutes.

16. Court.

(1)The Constitution of the Court, and the term of office of its members shall be prescribed by the Statutes.(2)Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:-(a)to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;(b)to consider and pass resolution on the annual report, annual budget and the annual accounts of the University and on the audit report of such accounts;(c)to advise the Chancellor in respect of any matter which may be referred to it for advice; and(d)to perform such other functions, as may be prescribed by the Statutes.

17. Executive Council.

(1)The Executive Council shall be the principal executive body of the University.(2)The constitution of the Executive Council, the term of office of its members and its powers and functions shall be such, as may be prescribed by the Statutes.

18. Academic Council.

(1)The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervisions over all academic policies of the University.(2)The constitution of the Academic Council, the term of office of its members and its powers and functions shall be such, as may be prescribed by the Statutes.

19. Faculties.

- The constitution and functions of the Faculties shall be such, as may be prescribed by the Statutes.

20. Finance Committee.

- The constitution of the Finance Committee, the term of office of its members, and its powers and functions shall be such, as may be prescribed by the Statutes.

21. Planning Board.

- The constitution and functions of the Planning Board shall be such, as may be prescribed by the Statutes.

22. Statutes and their scope.

- Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-(a)the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;(b)the classification, mode of appointment, powers and duties of the teachers and the officers of the University;(c)the conditions of service including provision for pension or provident fund or insurance scheme for the benefit of the employees of the University;(d)the conferment of honorary degrees;(e)the establishment and abolition of faculties and departments;(f)the institution of fellowships, scholarships studentships, exhibitions, medals and prizes;(g)the maintenance of discipline among the students;(h)the conditions under which colleges and institutions may be admitted to the privileges of the University and the withdrawal of the same;(i)the delegation of powers vested in the authorities or officers of the University; and(j)all other matters which by this Act are to be or may be provided for, by the Statutes.

23. Statutes.

(1)On the commencement of this Act, the Statutes of the University shall be those, as set out in the Schedule:Provided that the authorities of the University constituted under the Statutes framed before the commencement of this Act, shall continue to exercise all the powers and perform all the functions under this Act, till such authorities are constituted in terms of the Statutes set out in the Schedule referred to above.(2)The Executive Council may, from time to time make new or additional Statutes or may amend or repeal the Statutes in the manner hereinafter provided in this section:Provided that the Executive Council shall not make, amend or repeal any Statute, affecting the status, power or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes and any opinion so expressed shall be considered by the Executive Council.(3)The Skill Council may propose to the Executive Council a draft of any Statute relating to academic matters for consideration by the Executive Council.(4)Every new Statute or addition to the Statute or any amendment or repeal of a Statute shall require the approval of the Chancellor, who may approve, disapprove or remit it for further consideration. A Statute passed by the Executive Council shall have no validity until it has been assented to by the Chancellor.(5)Notwithstanding anything contained in the foregoing sub-sections, the Chancellor either suo motu or on the advice of the State Government, may direct the Executive Council, to make, amend or repeal the Statutes in respect of any matter specified by him and if the Executive Council fails to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council or its inability to comply with such direction, make, amend or repeal the Statutes suitably.

24. Ordinance and their scope.

- Subject to the provisions of this Act and the Statutes, the Ordinances shall provide for all or any of the following matters, namely:-(a)the admission of students to the University and their enrolment as such;(b)the courses of study to be laid down for all degrees, diplomas and certificates of the University;(c)the conditions under which students shall be admitted to the degree or diploma courses and to the examination of the University and shall be eligible for degrees and diplomas;(d)the fee to be charged for courses of study in the University and for admission to the examinations, degree and diplomas of the University; and further to make progressively the fee structure so flexible that the courses could become self-financing to the extent possible;(e)the conditions of the award of fellowships, studentships, exhibition, medals and prizes;(f)the conduct of examinations, including the term of office and manner of appointment and the duties of examiners, moderators and assessors;(g)the conditions of residence of students of the University; and(h)all other matters which by this Act or the Statutes are to be made or may be provided for by the Ordinances.

25. Ordinances.

(1)The Ordinances shall be made, amended, repealed or added to by the Executive Council:Provided that no Ordinance shall be made-(i)affecting the admission or enrolment of students or prescribing examinations to be recognized as equivalent to the University examinations; and(ii)affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any course of study, unless the draft of such an Ordinance has been proposed by the Skill Council.(2)The Executive Council may return to the Skill Council for reconsideration, either in whole or in part, any draft proposed by the Skill Council under sub-section (1) alongwith its suggestions:Provided that the Executive Council shall not amend the draft proposed by the Skill Council itself. It may, however, reject such draft, if not found suitable when submitted to it by the Skill Council for the second time.(3)All Ordinances made by the Executive Council shall have effect from such date, as it may direct and every Ordinance made shall be communicated, as soon as may be, to the Chancellor.

26. Regulations.

(1)The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances-(a)laying down the procedure to be observed at their meetings; and(b)providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations.(2)Every authority of the University shall make Regulations providing for giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for keeping of a record of the proceedings of the meetings.

27. Annual Report.

- The annual report of the University giving details of broad programmes, policies and finances,

amendments of Statutes and Ordinances made during the year under report, shall be prepared under the directions of the Executive Council and shall be submitted to the Court on or after such date, as may be prescribed by the Statutes and the Court shall consider the report at its annual meeting.

28. Funds and accounts.

(1)The University shall have a General Fund to which shall be credited-(a)its income from fees, grants, donations and gifts, if any;(b)any contribution or grant made by the Central/State Government, the Ministry of Skill Development and Entrepreneurship, National Skill Development Agency, National Skill Development Corporation, University Grants Commission, All India Council for Technical Education or like authority, any local authority or any corporation owned or controlled by the State Government;(c)endowments and other receipts.(2)The University may have such other funds, as may be prescribed by the Statutes.(3)The funds and all moneys of the University shall be managed in such a manner, as may be prescribed by the Statutes.(4)The State Government may, every year, provide grant-in-aid to facilitate and promote studies and research.

29. Annual Accounts.

(1)The annual accounts and the balance sheet of the University shall be prepared under the directions of the Executive Council and shall at least once every year and at intervals of not more than fifteen months be audited by the Director, Local Fund Accounts, Haryana or any other auditor that may be appointed by the State Government. The annual accounts when audited shall be published in the Haryana Government Gazette and a copy of the annual accounts alongwith the report of the Director, Local Fund Accounts or the auditor shall be submitted to the Court and the Chancellor alongwith the observations of the Executive Council. Any observations made by the Chancellor on the annual accounts shall be brought to the notice of the Court and observations of the Court, if any, shall after being considered by the Executive Council, be submitted to the Chancellor.(2)The annual accounts of the University shall also be submitted to the State Government at the time of its submission to the Chancellor.

30. Conditions of service of officers and teachers.

(1)Every salaried officer and teacher, except the Vice-Chancellor and Registrar, shall be appointed under a written contract, which shall be lodged with the University and any dispute arising out of a contract between the University and officer or teacher shall, at the request of the teacher or officer concerned or at the instance of the University, be referred to a Tribunal of arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and one nominee of the Chancellor. The decision of the majority of the members of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of the matter decided by the Tribunal.(2)Every such request shall be deemed to be a submission to arbitration within the meaning of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996).

31. Pension, provident fund and insurance fund.

(1)The University shall institute, for the benefit of its officers, teachers and other employees, provident fund and insurance fund on the pattern of the Government employees.(2)Where any provident fund and insurance fund have been so constituted, the provisions of the Provident Fund Act, 1925 (Central Act 19 of 1925) shall be applicable.

32. Vacancy not to invalidate proceedings.

- No act done, or proceeding taken, under this Act by any authority or other body of the University shall be invalid merely on the ground of any-(a)vacancy or defect in the constitution of the authority or body; or(b)defect or irregularity in election, nomination or appointment of a person acting as a member thereof; or(c)defect or irregularity in such act or proceeding, not affecting the merits of the case.

33. Certain disputes to be referred to Chancellor.

- If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, matter shall be referred to the Chancellor, whose decision thereon shall be final.

34. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, do anything not inconsistent with the provisions of this Act which appears to it to be necessary or expedient for the purpose of removing the difficulty.

35. Creation of teaching and non-teaching posts.

- Notwithstanding anything contained in this Act, the University shall not create any teaching and non-teaching posts or revise the pay scales of the teaching and non-teaching employees without obtaining the prior approval of the State Government:Provided that the State Government may delegate its powers under this section to the Vice-Chancellor or the Executive Council as and when the need arises for smooth functioning and growth of the University.

36. Protection of action taken in good faith.

- No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or Ordinances.The Schedule[see sections 2 (u) and 23](Statutes of the Haryana Vishwakarma Skill University)

1. Powers and duties of Vice-Chancellor. - (i) The Vice-Chancellor shall be ex-officio Chairman of the Executive Council, the Skill Council and the Finance Committee, and shall, in the absence of the Chancellor, preside over the convocations of the University held for conferring degrees and over the meetings of the Court. The Vice-Chancellor shall be entitled to be present at, and to address, any meeting of any authority or other body of the University but shall not be entitled to vote thereat, unless he is a member of such authority or body.

(ii) It shall be the duty of the Vice-Chancellor to see that the provisions of the Act, the Statutes, the Ordinances and the Regulations are duly observed and he shall take all necessary steps to ensure such observance. (iii) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Court, the Executive Council, the Skill Council, the Finance Committee and any other authority or body of the University. (iv) The Vice-Chancellor shall exercise general control over the affairs of the University and shall give effect to the decisions of the authorities of the University. (v) The decision of the Vice-Chancellor regarding seniority for nomination to the various authorities or bodies of the University shall be final.

2. Powers and duties of Registrar. - (i) The Registrar shall be ex-officio Secretary of the Executive Council and Faculties but shall not be deemed to be a member of any of these authorities and shall be ex-officio Member Secretary of the Court and the Skill Council.

(ii) When the Office of the Registrar is vacant or when the Registrar is by reason of illness, or any other cause unable to perform the duties of his office, the duties of the office shall be performed by such person, as the Vice-Chancellor may appoint temporary for the purpose till regular appointment is made by the Chancellor on the advice of the State Government. (iii) It shall be the duty of the Registrar- (a) to be the custodian of the records, common seal and such other property of the University, as the Vice-Chancellor shall commit to his charge; (b) to issue all notices convening meetings of the Court, the Executive Council, the Skill Council, the Faculties and any committee appointed by any authority of the University; (c) to keep the minutes of all meetings of the Court, the Executive Council, the Skill Council, the Faculties and any Committee appointed by the authorities of the University; (d) to conduct the official correspondence of the Court, the Executive Council, the Skill Council and the Faculties; (e) to supply to the Chancellor, copies of the agenda, the minutes of the meetings of the authorities of the University, as soon as they are issued; (f) to perform such other duties, as may, from time to time, be assigned to him by the Vice-Chancellor. (iv) The Registrar shall have power to administer warning or to impose the penalty of censure or withholding of increments upon such of the employee, excluding teachers of the University and academic staff, as may be specified in the orders of the Executive Council and to suspend them pending enquiry: Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken against him. (v) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified

in clause (iv).(vi)In case the inquiry discloses that a punishment, beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry make a report to the Vice-Chancellor alongwith his recommendations:Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.(vii)The Registrar shall be an authorized officer to enter into agreements, sign documents and authenticate records on behalf of the University and shall act in such capacity when the appropriate authority has taken a decision in the matter. The Registrar shall also exercise such other powers and perform such other duties, as may be prescribed by the Statutes.

3. Court and its constitution. - The Court shall consist of the following members, namely:-

I. Ex-officio members-(i)the Chancellor;(ii)the Vice-Chancellor;(iii)the Administrative Secretary to Government, Haryana, Finance Department, or his nominee;(iv)the Administrative Secretary to Government, Haryana, Higher Education Department or his nominee;(v)the Administrative Secretary to Government, Haryana, Technical Education Department or his nominee;(vi)the Registrar.II. Other members-(i)professors of the University not exceeding three on the basis of seniority by rotation;(ii)two eminent academicians and three representatives from industry, to be nominated by the Chancellor on the recommendation of the Vice-Chancellor.III. (i) The Registrar shall be the Member-Secretary of the Court.(ii)Save as otherwise expressly provided, the members of Court, other than ex-officio members, shall hold office for a term of two years.(iii)At all meetings of the Court, three-fifth of the members shall form a quorum.

4. Meetings of Court. - (1) The Court shall meet atleast once a year.

(2)A special meeting of the Court may be convened at any time, by the Chancellor, the Vice-Chancellor or on a written request by one-third of its members.

5. Executive Council and its constitution. - The Executive Council shall consist of the following persons, namely:-

I. Ex-officio members-(i)the Vice-Chancellor;(ii)the Administrative Secretary to Government, Haryana, Finance Department or his nominee;(iii)the Administrative Secretary to Government, Haryana, Higher Education Department or his nominee;(iv)the Administrative Secretary to Government, Haryana, Technical Education Department or his nominee;(v)the Administrative Secretary to Government, Haryana, Industrial Training Department or his nominee;(vi)the Administrative Secretary to Government, Haryana, Industries Department or his nominee;(vii)the Administrative Secretary to Government, Haryana, Medical Education and Research Department or his nominee.II. Other members-(i)two Deans of Faculties to be nominated by the Vice-Chancellor, by rotation in accordance with the procedure laid down by the University;(ii)two Professors from other university to be nominated by the Vice-Chancellor;(iii)two persons to be nominated by the Chancellor on the recommendation of the Vice-Chancellor from amongst distinguished professionals and eminent persons from the industry/ chambers of Commerce/ Technical

Universities/ Indian Institute of Technology/ Indian Institute of Management/ All India Council for Technical Education/ National Skill Development Corporation/ National Skill Development Agency etc;(iv)the Mission Director, Haryana Skill Development Mission.III. (i) The Registrar shall be the ex-officio Secretary of the Executive Council.(ii)Three-fifths of the members shall form a quorum.(iii)Save as otherwise expressly provided, the members of the Executive Council, other than ex-officio members, shall hold office for a term of two years.

6. Power of Executive Council. - The Executive Council shall exercise the following powers, namely:-

(a)to hold, control and administer the revenue, property and funds of the University;(b)to recommend creation or abolition of teaching, academic and non teaching posts to the State Government;(c)to appoint professors, associate professors, assistant professors, other academic staff on the recommendations of the Selection Committee constituted for the purpose and to fill up temporary vacancies therein;(d)to make appointments on administrative, ministerial and other posts in the manner prescribed by the Statutes;(e)to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University and for that purpose, to appoint such agents, as it may think fit;(f)to invest any money belonging to the University including any unapplied income in such stocks, funds, shares or securities as it shall, from time to time, think fit or in the purchase of immovable property in India with the like power of varying such investments from time to time;(g)to transfer or accept transfer of any movable and immovable property on behalf of the University;(h)to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;(i)to select a common seal for the University;(j)to delegate any of its powers to the Vice-Chancellor, the Registrar or such other employee or authority of the University or to a committee appointed by it, as it may deem fit;(k)to enter into, vary, carry out, or cancel contracts on behalf of the University;(l)to make, amend or repeal the Statutes;(m)to make decisions regarding maintenance of discipline among students;(n)to exercise such other powers and perform such other duties, as may be conferred or assigned to the Executive Council by the Act or the Statutes, or the Ordinances; and(o)to exercise all powers of the University not otherwise provided for by the Act, the Statutes, or the Ordinances.

7. Skill Council and its constitution. - The Skill Council shall consist of the following persons, namely:-

I. Ex-officio members:-(i)the Vice-Chancellor;(ii)the Director General, Higher Education Department, Haryana or his nominee;(iii)the Director General, Industrial Training Department, Haryana or his nominee;(iv)the Director General, Technical Education Department, Haryana or his nominee;(v)the Chief Executive Officer, National Skill Development Corporation or his nominee;(vi)the Director General, National Skill Development Agency or his nominee;(vii)the Mission Director, Haryana Skill Development Mission or his nominee;(viii)the Secretary, Board of School Education, Haryana or his nominee;(ix)the Registrar.II. Other members:-(i)two professors to be appointed by the University by rotation on the basis of seniority;(ii)one senior technical officer from each Department;(iii)three "Vishwakarma" Awardees (awarded by the Central Government)

from the State or from the neighbouring States to be nominated by the Chancellor on the recommendation of the Vice-Chancellor;(iv)two Deans from the University to be nominated by the Vice-Chancellor;(v)three persons from Industries (preferably handling Human Resources) to be nominated by Chancellor on the recommendation of the Vice-Chancellor:Provided further that any other Chairman/ officer of the University whose association is necessary may be invited to attend the meeting. However, the special invitee shall not have any right to vote.III. (i) The Registrar shall be the Member-Secretary of Skill Council.(ii)Three-fifths of the members shall form a quorum;(iii)Save as otherwise expressly provided, the members of the Skill Council, other than Ex-officio members, shall hold office for a term of two years;(iv)The method of election shall be by simple majority voting by ballot and the elections shall be conducted in accordance with the rules framed by the Vice-Chancellor.

8. Powers of Skill Council. - (1) The Skill Council shall exercise the following powers, namely:-

(a)to have general supervision over the skill and academic policies of the University and to give directions regarding methods of instruction, co- operative teaching among skill colleges and skill institutions, evaluation of research or improvements in skill and academic standards;(b)to consider matters of skills and general academic interest either on its own initiative or on a reference by the Chancellor, the Vice-Chancellor, the Executive Council or a Faculty and to take appropriate action thereon;(c)to recommend to the Executive Council, the creation and abolition of teaching posts;(d)to prescribe syllabi and courses of study for various examinations on the recommendations of the Departments/ Faculties;(e)to frame such regulations consistent with the Statutes and Ordinances regarding the skill training and academic functions of the University, discipline, residence, admissions, equivalency, awards of fellowships, studentships, scholarships, medals and prizes, fee concessions, corporate life and attendance; and(f)to exercise such other powers and perform such other duties, as may be conferred or assigned to the Skill Council by the Act, the Statutes, or the Ordinances.(2)All decisions of the Skill Council concerning syllabi, courses of studies and conducting of examinations so far as they are not provided for by the Statutes and Ordinances shall be final.

9. Composition of the Finance Committee. - (1) The Finance Committee shall consist of the following persons, namely:

I. Ex-officio members:-(a)the Vice-Chancellor (Chairperson);(b)the Administrative Secretary to Government, Haryana, Finance Department or his nominee;(c)the Administrative Secretary to Government, Haryana, Higher Education Department or his nominee;(d)the Administrative Secretary to Government, Haryana, Technical Education Department or his nominee.II. Other members-(a)two outside members having expertise in finance to be nominated by the Chancellor on the recommendation of the Vice-Chancellor;(b)One senior Professor to be nominated by the Vice-Chancellor.(2)The Registrar shall be the Member-Secretary of the Committee.(3)Nominated members of the Finance Committee shall hold office for a term of two years.(4)Five members, out of whom at least two members shall be Government nominees, shall form the quorum.

10. Functions and powers of Finance Committee. - (1) The Finance Committee shall examine the accounts and scrutinize the proposals for expenditures and shall submit the annual budget to the Executive Council for approval. No expenditure in the budget shall be incurred by the University without the prior approval of the Finance Committee which shall fix limits for the total recurring and non- recurring expenditure for the year based on the resources and the income of the University. No expenditure shall be incurred by the University in excess of the limits so fixed.

(2) It shall examine and recommend to the Executive Council the creation of teaching and other posts. (3) The annual accounts and the official estimates of the University shall be laid before the Finance Committee for its consideration and comments.

11. Department/ Faculty of the University. - The University shall have such Departments/ Faculties in the emerging areas of skill as the Executive Council on the recommendations of Skill Council may institute. The Department or Faculty so constituted shall exercise powers to promote quality skill education to meet out qualified skill requirements of growing economy and to address the skill gaps.

12. Appointments. - (1) All appointments to teaching posts shall be made by the Executive Council on the recommendations of the Selection Committee.

(2) All appointment to non-teaching posts shall be made by the Executive Council on the recommendations of the Selection Committee. (3) The Vice-Chancellor may, where he considers necessary, make an adhoc or temporary appointment for a period not exceeding six months, if it is not possible or desirable to make regular appointment.

13. Selection Committee. - (1) A Selection Committee for the appointment of any professor, associate professor and assistant professor shall consist of:-

(i) the Vice-Chancellor; (ii) the Dean of Faculty; (iii) the Chairperson of the Department concerned, if he is a professor; (iv) three experts in the concerned subject, to be invited on the basis of the list recommended by the Vice-Chancellor and approved by the Executive Council; (v) the nominee of President, Haryana Skill Development Mission; (vi) an academican nominated by the Chancellor. (2) The University may utilize the seminar or colloquium method for the selection of associate professor or assistant professor. (3) The Selection Committee for the Librarian, Deputy Librarian and Assistant Librarian and Director, Deputy Director and Assistant Director of Physical Education shall be the same as that of professor, associate professor and assistant professor respectively, except that the concerned expert in Physical Education or administration or Library Science, as the case may be, shall be associated with the Selection Committee. (4) At least five

members, including two outside subject-experts, shall constitute the quorum.(5)The panels of names drawn up by the Executive Council and the additions, if any, made thereto by the Vice-Chancellor as provided in the Statutes, shall be subject to approval of the Chancellor:Provided that in case one of the experts fails to turn up at the Selection Committee, after, accepting the invitation to attend the same the proceedings of the meeting shall not be invalidated:Provided further that the proceedings of the meeting of a Selection Committee shall not be invalidated in case any of the ex-officio members of the Selection Committee fails to attend the meeting.(6)The Vice-Chancellor shall preside over at the meetings of a Selection Committee. The meeting of a Selection Committee shall be convened by, or under the directions of the Vice-Chancellor.(7)The Selection Committee shall consider and submit to the Executive council recommendations as to the appointment referred to it. If the Executive Council is unable to accept the recommendations made by the Committee, it shall record its reasons and submit the case to the Chancellor for final orders.(8)The process of selection shall involve the following:(a)short listing of applications in accordance with the guidelines as prescribed by the University;(b)assessment of aptitude for teaching, skill, research and publications;(c)ability to analyze and discuss;(d)ability to communicate clearly and effectively:Provided that ability to communicate may be assessed by requiring the candidate to participate in a group discussion or by exposure to a class room situation/ lecture/ laboratory, wherever it is possible.Note: - A representative of the Scheduled Caste or Scheduled Tribe, women and physically handicapped persons shall be in the Selection Committee whenever a candidate from any of these categories appears for the interview.

14. Establishment Committee. - (1) Subject to the control of the Executive Council, the Establishment Committee shall consist of:-

(i)the Vice-Chancellor;(ii)two members of the Executive Council nominated by the Vice-Chancellor;(iii)expert nominated by the Vice-Chancellor, whenever deemed necessary:Provided that where there are more than one expert and one of the experts fails to turn up at the time of the meeting after accepting the invitation to attend it, the proceedings of the meeting shall be valid;(iv)the Registrar.(2)The Vice-Chancellor shall preside over at the meetings of the Establishment Committee and the Registrar shall be the Member-Secretary of the Committee.(3)The nominated members of the Executive Council shall hold office for two years provided that any such member, who ceases to be the member of the Executive Council, shall cease to be the member of the Establishment Committee.(4)The Establishment Committee shall recommend to the Executive Council appointments to Non-Teaching Posts.Explanation. - "appointment" shall include direct appointment as well as promotion to all non-teaching posts including posts in the University Library and Sports Department.

15. Constitution and function of Planning Board. - (1) The Planning Board shall consist of-

(a)the Vice-Chancellor;(b)the Administrative Secretary to Government, Haryana, Finance Department or his nominee;(c)the Administrative Secretary to Government, Haryana, Higher Education Department or his nominee;(d)the Administrative Secretary to Government, Haryana,

Technical Education Department or his nominee; (e) not more than ten persons of high standing in education and industry who shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor for a term of two years which may include the followings:-(i) nominee of the All India Council for Technical Education; (ii) Director of one of the Indian Institute of Technology; (iii) the Director, Indian Institute of Management, Rohtak; (iv) the Vice-Chancellor of one of the Technical Universities of India; (v) nominee of the State Government; (vi) five persons of high standing in education and industry; (vii) the Mission Director, Haryana Skill Development Mission; (viii) representative of Ministry of Skill Development and Entrepreneurship, Government of India. (f) The Registrar shall be the Secretary to the Board. (2) The recommendations of the Board shall be implemented after they are approved by appropriate authorities of the University. (3) It shall advise on the planning and development of the University particularly in respect of the standard of education and research in the University.

16. Convocation. - Convocation of the University for conferring of degrees and for other purposes shall be held in such manner, as may be laid down by the Executive Council, from time to time, by means of an Ordinance:

Provided that every proposal to confer an honorary degree shall be subject to the confirmation of the Chancellor.

17. Departments. - There shall be University Teaching Departments duly created by the Skill Council on the recommendation of the Vice-Chancellor in the various Faculties of the University.

18. Assignments of Departments of Studies to Faculties. - The Departments of Studies shall be assigned to various Faculties by the Skill Council on the recommendation of the Vice-Chancellor.

19. Boards of Studies. - (1) Every Department included in Faculty, may have two Boards of Studies, one for certificate/diploma studies and the other for undergraduate/ postgraduate studies and research.

(2) The Board of Studies shall be constituted on the recommendation of Executive Council and Skill Council.

20. Withdrawal of degree, diploma etc. - A degree, diploma, certificate and other academic distinctions may be withdrawn by the University-

(a) if the candidature of the person concerned has been cancelled or result quashed in accordance with the manner laid down by the Ordinances; or (b) if the candidate has misbehaved at a convocation of the University; provided that the question whether a person has misbehaved in terms

of this Statute shall be finally decided by the Vice-Chancellor; or(c)when sufficient evidence is laid before the Skill Council showing that any person on whom degree or diploma was conferred by the University has been convicted of what is in their opinion a serious offence, the Skill Council may recommend to the Executive Council that such a degree or diploma be cancelled.

21. Withdrawal of approval, recognition of teachers. - Approval, recognition to a teacher may be withdrawn by University-

(a)if the teacher fails to perform duties in accordance with the manner laid down by the Ordinances;(b)if sufficient evidence is laid before the Executive Council that the teacher has committed an act which in their opinion is a serious offence, the Executive Council may withdraw approval, recognition of the teacher.

22. Gratuity, ex-gratia grant, etc. - The University shall provide for the benefit of its officers, teachers and other employees, gratuity, ex-gratia grant etc. on the pattern of the State Government.

23. Fellowships, scholarships, medals and prizes. - The number and value of fellowships, scholarships, medals and prizes to be awarded shall be determined by the Executive Council either on its own initiative or on the recommendations of the Skill Council or Finance Committee.

24. Limitation of term of membership. - (1) Notwithstanding anything contained in these Statutes, a person, who is a member of any authority or body of the University in his capacity as a member of a particular authority or body or as a holder of particular appointment shall hold office so long only as he continue to be member of that particular authority or body or the holder of that particular appointment, as the case may be:

Provided that a teacher-member of any authority or body of the University who resigns his service or proceeds on leave for six months or more, shall cease to be a member of the respective body and a substitute shall be appointed. If the period of his leave is less than six months, his membership shall be held in abeyance till his return or the expiry of the period of six months, whichever is later. No substitute member shall be appointed or elected, where the membership is held in abeyance.(2)If a teacher is on leave for a period of six months or more, he shall not be eligible for nomination or re-election for that particular vacancy. He may, however, be eligible for nomination or election in a vacancy which may arise after his return from leave.

25. Termination of membership etc. - Notwithstanding anything contained in these Statutes or the Ordinances of the University, no person, who has been convicted of any offence involving moral turpitude or has been dismissed for misconduct from a Government or Semi-Government institution or from a university or an educational institution of any kind, shall be eligible to become or to continue as a member of any authority of the University or of any committee appointed by the University. A person under suspension shall not be allowed to sit in any meeting of above authorities or committees during the period of his suspension.

26. Disqualification for membership. - If a person is debarred by the Skill Council from any work of the University on account of any kind of malpractice on his part in connection with a University examination, such a person shall be disqualified to become, or to continue as a member of any body or authority of the University so long as the bar lasts.

27. Delegation of administrative and financial powers. - (1) The officers, teachers and other employees of the University may exercise such administrative and financial powers, as the Executive Council may delegate through Ordinances, Regulations or by resolutions adopted by it subject to the control of the Vice-Chancellor and the superior officers concerned.

(2) The Vice-Chancellor or the Registrar, may delegate to an officer, teacher or any other employee of the University, such powers as he considers necessary which have been vested in them by the Statutes, Ordinances and Regulations, with the prior approval of the Vice-Chancellor.

28. Honorary Degree. - If not less than two-third members of the Skill Council recommend that an Honorary Degree be conferred on any person on the ground that he is, in their opinion, by reason of his eminent position and academic attainments, a fit and proper person to receive such degree, and this recommendation is endorsed by the Executive Council and approved by the Chancellor, the University may confer on such a person the Honorary Degree, so recommended, without requiring him to undergo any examination.

29. Special mode of appointment. - (1) Notwithstanding anything contained in the Statutes, the Executive Council may invite a person of high academic distinction and professional attainments to accept a post of professor in the

University, on such terms and conditions, as it may deem fit and on the person agreeing to do so, appoint him to the post.

(2)The Executive Council may appoint a teacher or any other academic staff working in any other university or organization in accordance with the manner laid down in the Ordinances.

30. Withdrawal of affiliation. - If at any time, the Executive Council finds that a skill college or institution is not complying with the requirements of the Act, Statutes, Ordinances or Regulations of the University or any instructions, issued by it or on its behalf, the Executive Council shall have the authority to withdraw the affiliation of such college or institution.