

Uttaranchal University Act, 2012

UTTARAKHAND

India

Uttaranchal University Act, 2012

Act 11 of 2013

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Uttaranchal University Act, 2012(Uttarakhand Act No. 11 of 2013)Last Updated 4th March, 2020[Dated 13.02.2013]An Act to establish and incorporate a university in the name of Uttaranchal University at Dehradun by Sushila Devi Centre for Professional Studies and Research (A society registered under Societies Registration Act, 1860 at Dehradun) to develop and promote Higher Education, Technical and Professional Education in the field of Engineering, Architecture, Technology, Communication, Environment, Law and Legal Education, Management, Computer Application, Life Sciences, Agricultural Sciences, Applied Sciences, Social Sciences, Humanities, Arts. Commerce, Medicine, Dentistry, Para-medical, Pharmacy, Journalism, Mass Communication, Bio-Technology, Marine Sciences, Petroleum Studies, Energy Studies, Solar Energy, Hotel Management and Hospitality and Professional Education meaning B.Ed., M.Ed., B.P.Ed., research and training programmes and such other programmes or field declared to be such by Gazette Notification by the Central Government, in consultation with Indian Ayurvedic Council, Indian Dental Science Council, Indian Pharmacy Council, National Teachers Training Council, University Grants Commission, Bar Council of India, Distance Education Council and other regulatory Council related to Profession Education for the award of Diploma, Degree and Research leading to the award of Ph.D., D. Phil, D.Lit., D.Sc. and for matters connected therewith or incidental thereto.Be it enacted by Uttarakhand State Legislature in the Sixty-fourth year of the Republic of India as follows:
-Chapter-I Preliminary

1. Short title and Commencement.

(1)This Act may be called Uttaranchal University Act, 2012.(2)It shall be deemed to have come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.

- In this Act, unless the context otherwise required : -(a)"Academic Council" means the Academic Council of the University;(b)"Board of Management" means the management board of

University;(c)"Bar Council of India" means Bar Council of India Rules made under Advocates Act, 1961;(d)"Board of Governors" means the Board of Governors of the University;(e)"Career Academy Centre" means a centre established, maintained or recognized by the University for the purpose of receiving telecast, e-mail, internet, interactive talk back, conducting training, organize lectures, seminars and workshops, advising, counselling or rendering any other assistance required by the students with the prior approval of the State Government;(f)"Chancellor" means the Chancellor of the University;(g)"Campus" means a campus of University maintained and conducted on the basis of regulations by the University;(h)"Constituent College" means a college or institution maintained by the University;(i)"Council for Technical Education" means the All India Council for Technical Education established under section 3 of the All India Council for Technical Education Act, 1987;(j)"Distance Education System" means the system of imparting education through any means of information technology and communication such as broadcasting, telecasting, correspondence course, seminar, contact program or a combination of any two or more such means within the state.(k)"Employee" means employee appointed by the University and includes teachers and other staff of the University or a constituent college;(l)"Faculty" means faculty of the University;(m)"Finance Committee" means the Finance Committee of the University;(n)"Government" means the Government of Uttarakhand;(o)"Hall" or "Hostel" means a unit of residence for students maintained or recognized by the University or a constituent college;(p)"Sushila Devi Centre for Professional Studies and Research Society" means Society registered under Societies Registration Act, 1860 having registered office at Arcadia Grant, P.O-Chandanwari, Premnagar, Dehradun-248007, Uttarakhand;(q)"Prescribed" means prescribed by the Statutes;(r)"Director" of campus or "Principal" in relation to a constituent college, means the Head of the campus or constituent college and includes, where there is no Principal, the Vice-Principal or any other person for the time being appointed to act as Principal;(s)"Registrar" means the Registrar of the University;(t)"Regional Centre" means a centre established or maintained by the University for the purpose of co-ordination and supervising the work of Study Centers in any region and for performing such other functions as may be conferred on such centre by the Board of Management;(u)"State" means the State of Uttarakhand;(v)"Statutes" and "Rules" mean, respectively, the Statutes and Rules of the University;(w)"Study Centre" means a centre established, maintained or recognized by the University for the purpose of advising, counselling or for rendering any other assistance required by the students;(x)"Teacher" means a Professor, Associate Professor, Assistant Professor/Lecturer or such other person as may be appointed for imparting instruction, conducting research in the University or in a Constituent College and includes the Principal of Constituent College;(y)"UGC" means University Grants Commission established under University Grants Commission Act, 1956;(z)"University" means the Uttaranchal University established under this Act ;(aa)"Visitor" means the Visitor of the University.

Chapter-II
The University and its Objects

3. Proposal for the establishment of the University.

(1)Sushila Devi Centre for Professional Studies and Research Society, Dehradun, Uttarakhand, hereinafter referred to as Society shall have the right to establish the University in accordance with the provisions of this Act.(2)An application containing the proposal to establish a University been made to the State Government by the Society. The proposal contained the following particulars;

namely:-(a)the objects of the University along with the details of the Society;(b)the extent and status of the University and the availability of land;(c)the nature and type of programmes of study and research to be undertaken by the University;(d)the nature of facilities, courses of study and research proposed to be started;(e)the campus development such as buildings, equipment and structural amenities;(f)the phased outlays of a capital expenditure for a period of the next five years;(g)the item-wise recurring expenditure, sources of finance and estimated expenditure for each student;(h)the scheme for mobilizing resources and the cost of capital thereto and the manner of repayments to each sources;(l)the scheme of generation of funds internally through the recovery of fee from students, revenues anticipated from consultancy and other activities relating to the objects of the University and other anticipated incomes;(j)the details of expenditure on unit cost, the extent of concessions or rebates in fee, free ship and scholarship for students belonging to economically weaker sections and the fee structure indicating varying rate of fee, if any, that would be levied on non resident Indians and students of other nationalities;(k)the years of experience and expertise in the concerned discipline at the command of the Society as well as the financial resources;(l)the system for selection of students to the courses of study at the University; and(m)status of fulfillment of such other conditions as may be required by the State Government to be fulfilled before the establishment of the University.

4. Establishment of University.

(1)Where the State Government, after such inquiry is satisfied that Society has fulfilled the conditions, norms and requirements for establishments of Uttaranchal University, hence a University to be known as Uttaranchal University is established.(2)The University shall be body corporate by the name Uttaranchal University and shall have a perpetual succession and a common seal and shall sue and be sued by its name.(3)(a)The Headquarter of the University shall be at Dehradun, Uttarakhand. The University can open its additional campus, regional centres, study centres from time to time as per requirement provided the norms of UGC and other statutory bodies are followed. The University may open its second campus with in the State after five years with the approval of the State Government. However the University may open additional campus any time in hilly region located at an altitude greater than 2500 feet;(b)However, to establish new faculties where additional land would be required as per norms of the concerned regulatory body, the University shall establish a split campus either adjoining or nearby within Dehradun.(4)The Chancellor, the Vice-Chancellor, members of the Board of Governors, members of the Board of Management and the Academic Council for the time being holding office as such in the University so established under sub section (2) shall constitute a body corporate and can sue and be sued in the, name of the University.(5)On the establishment of the University under sub-Section (2) the land and other movable and immovable properties acquired, created arranged or built for Law College, Dehradun, Uttaranchal Institute of Technology, Uttaranchal Institute of Management and Uttaranchal Institute of Business Studies by the Society shall vest in the University.(6)The available land, building; various Department/faculties of the University shall be must according the standard of Apex Regulatory Bodies.(7)The land and building should be available with the private University as per the norms of Apex Regulatory bodies for different courses separately.

5. University not to be entitled to financial assistance.

- The University shall be self-financing and shall neither make a demand nor shall be entitled to any grant in-aid or any other financial aid from the State Government or any other body or corporation owned or controlled by the State Government.

6. No Power to affiliate any institution.

- The University may have Constituent Colleges, Regional Centre, Study Centre, Research Centre and Career Academy Centre within State after prior approval of State Government/UGC after five years of establishment of University but shall have no power to admit any other college or institution to the privileges of affiliation.

7. Effect of the Establishment of the University.

- On and from the date of commencement of this Act : -(a)Any reference to Law College Dehradun affiliated to Hemwati Nandan Bahuguna Central University, Srinagar Garhwal; Uttaranchal Institute of Technology, Uttaranchal Institute of Management and Uttaranchal Institute of Business Studies affiliated to Uttarakhand Technical University and Hemwati Nandan Bahuguna Central University, Srinagar, Garhwal in any contract or other instrument shall be deemed as a reference to Uttaranchal University, established under this Act;(b)Every person employed in Law college Dehradun, Uttaranchal Institute of Technology, Uttaranchal Institute of Management and Uttaranchal Institute of Business Studies immediately before the commencement of this Act shall hold his office or service in Uttaranchal University established under this Act by the same tenure, at the same remuneration and upon the same terms and conditions with the same rights and privileges as to leave, provident fund and other matters as he/she would have at the same if this Act have not been enacted and shall continue to do so unless and until his/her employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes :Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the university in accordance with the terms of the contract with the employee or, if no provision is made therein on this behalf, on payment, to him by the university, of compensation equivalent to three months remuneration in case of permanent employees and one month remuneration in case of other employees :Provided further that every person employed before the commencement of this Act, pending the execution of a contract shall be deemed to be appointed in accordance with the provisions of a contract consistent.

8. Objects of the University.

(1)The objectives for which the University is established are as follows : -(a)to advance learning, disseminate knowledge and provide provisions for teaching, training in the fields of Engineering, Architecture, Technology, Communication, Environment, Law and Legal Education, Management, Computer Application, Life Sciences, Agricultural Science, Applied Sciences, Social Sciences, Humanities, Arts, Commerce, Medicine, Dentistry, Para-medical, Pharmacy, Journalism, Mass

Communication, Bio-Technology, Marine Sciences, Petroleum Studies, Energy Studies, Solar Energy, Hotel Management and Hospitality, and Professional Education meaning B. Ed., M. Ed., B.P.Ed., research and training programmes and such other programmes or fields declared to be such by Gazette Notification by the Central Government, in consultation with Indian Ayurvedic Council, Indian Dental Science Council, Indian Pharmacy Council, National Teachers Training Council, University Grants Commission, Bar Council of India, Distance Education Council and other regulatory Council related to Professional Education for the award of Diploma, Degree and Research leading to the award of Ph. D., D. Phil., D.Sc. and for matters connected thereto;(b)to establish campuses, constituent colleges of Engineering, Architecture, Technology, Communication, Environment, Law and Legal Education, Management, Computer Application, Life Sciences, Agricultural Science, Applied Sciences, Social Sciences, Humanities, Arts, Commerce, Medicine, Dentistry, Para-medical, Pharmacy, Journalism, Mass Communication, Bio-Technology, Marine Sciences, Petroleum Studies, Energy Studies, Solar Energy, Hotel Management and Hospitality, and Professional Education meaning B.Ed., M.Ed., B.P.Ed., research and training programmes and such other programmes or field declared to be such by Gazette Notification by the Central Government, in the consultation with Indian Ayurvedic Council, Indian Dental Science Council, Indian Pharmacy Council, National Teachers Training Council, University Grants Commission, Bar Council of India, Distance Education Council and other regulatory Council related to Professional Education for the award of Diploma, Degree and Research leading to the award of Ph.D., D. Phil., D.Sc. and for matters connected thereto conforming to the prescribed courses recognized by the , UGC and AICTE reserving the right to start other Degree, Diploma and certificate course in furtherance of its objectives;(c)to develop, design and teach innovative, flexible professional and technical courses so as to provide best possible education of the highest academic standards in the fields of Engineering, Architecture, Technology, Communication, Environment, Law and Legal Education, Management, Computer Application, Life Sciences, Agricultural Science, Applied Sciences, Social Sciences, Humanities, Arts, Commerce, Medicine, Dentistry, Para-medical, Pharmacy, Journalism, Mass Communication, Bio-Technology, Marine Sciences, Petroleum Studies, Energy Studies, Solar Energy, Hotel Management and Hospitality and Professional Education meaning B.Ed., M.Ed., B.P.Ed., research and training programmes and such other programmes or field declared to be such by Gazette Notification by the Central Government, in consultation with Indian Ayurvedic Council, Indian Dental Science Council, Indian Pharmacy Council, National Teachers Training Council, University Grants Commission, Bar Council of India, Distance Education Council and other regulatory Council related to Professional Education for the award of Diploma, Degree and Research leading to the award of Ph. D., D. Phil., D.Sc. and for matters connected thereto comparable to global standards;(d)to advance and disseminate learning and knowledge by multimedia and other information and communication technology and also conventional means, and to provide opportunities for education to a larger segment of the population and to promote the educational well being of the society in general, to encourage the distance education and alternate learning systems in conjunction with the conventional educational pattern of the country and to co-ordinate and determine the standards in such systems.(e)to establish constituent centre for distance education and continuing education programmes as given in clause (b) above.(f)to set up campus out of the State, with the consent of UGC and the concerned State Government;(2)To establish Research and Development centre to promote, Engineering, Architecture, Technology, Communication, Environment, Law and Legal Education, Management, Computer Application, Life

Sciences, Agricultural Science, Applied Sciences, Social Sciences, Humanities, Arts, Commerce, Medicine, Dentistry, Para-medical, Pharmacy, Journalism, Mass Communication, Bio- Technology, Marine Sciences, Petroleum Studies, Energy Studies, Solar Energy, Hotel Management and Professional Education meaning B. Ed., M. Ed., B.P.Ed., research and training programmes and such other programmes or field declared to be such by Gazette Notification by the Central Government, in consultation with Indian Ayurvedic Council, Indian Dental Science Council, Indian Pharmacy Council, National Teachers Training Council, University Grants Commission, Bar Council of India, Distance Education Council and other regulatory Council related to Professional Education for the award of Diploma, Degree and Research leading to the award of Ph.D., D. Phil., D.Sc. and for matters connected thereto within the jurisdiction of the State of Uttarakhand.(a)to benefit the humanity spread all over the world by organizing activities in conventional residential and distance mode to carry out teaching and research without any discrimination on the grounds of caste, colour and creed;(b)to encourage and carry out fundamental and applied research for the advancement and dissemination of knowledge;(c)to provide education, instructions and training in such branches of knowledge, as it may deem appropriate.

9. Powers and Duties of the University.

- The University shall have following powers and duties; namely -(1)to provide for instruction in such branches of learning as the University may think fit with particular emphasis on modern subjects aiming at becoming centres of excellence in each such areas, and to make provision for research for the advancement and dissemination of knowledge;(2)(a)to carry out all such other activities as may be necessary or feasible in furtherance of the object of the University.(b)to confer degrees or other academic distinction and establish grants, conduct examination for such persons: -(1)to hold examinations for, and to institute grant and confer degrees or other academic distinctions to, and on, persons, who -(2)to pursue a course of study in the University or in a Constituent College;(3)to confer honorary degree or other academic distinctions in the manner and under conditions laid down in the Statutes/ provisions;(4)to institute and award fellowships, scholarships and prizes etc. in accordance with the Statutes;(5)to demand and receive such fees, bills invoices and collect charges as may be fixed by the Statutes or rules, as the case may be;(6)to make provisions for extra curricular activities for students and employees;(7)to make provisions for promotion of education in the field of Engineering, Architecture, Technology, Communication, Environment, Law and Legal Education, Management, Computer Application, Life Sciences, Agricultural Science, Applied Sciences, Social Sciences, Humanities, Arts, Commerce, Medicine, Dentistry, Para- medical, Pharmacy, Journalism, Mass Communication, Bio- Technology, Marine Sciences, Petroleum Studies, Energy Studies, Solar Energy, Hotel Management and Hospitality, and Professional Education meaning B. Ed., M. Ed., B.P.Ed., research and training programmes and such other programmes or field declared to be such by Gazette Notification by the Central Government, in consultation with Indian Ayurvedic Council, Indian Dental Science Council, Indian Pharmacy Council, National Teachers Training Council, University Grants Commission, Bar Council of India, Distance Education Council and other regulatory Council related to-Professional Education for the award of Diploma, Degree and Research leading to the award of Ph.D., D. Phil., D.Sc. and provide matters thereto;(8)to make appointments of faculty, officers and employees of the University or a Constituent College;(9)to receive donations and gifts of any kind and to acquire,

hold, manage, maintain and dispose of any movable or immovable property, including Society's endowment properties for the purpose of the University or a Constituent College or Research Centre, Study Centre and Career Academy Centre with the prior permission of the Society;(10)to institute and maintain halls, Lecture Theatres and to recognize places of residence and Hostel's for students of the University or its Constituent College;(11)to supervise and control the residence, Hostels and to regulate the discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their Code of Conduct;(12)to create academic, administrative, managerial and support staff and other necessary posts;(13)to co-operate or collaborate with other Universities in such manner and for such purposes as the University may determine from time to time;(14)to provide distance education system and the manner in which distance education in relation to the academic programmes of the University may be organized.(15)to organize and conduct refresher courses, orientation courses workshops, seminars and other programs for teachers, lesson writers, evaluators and other academic staff;(16)to determine standards of admission to the University or a Constituent College, Regional Centre, Study Centre, Career Academy Center with the approval of Academic Council;(17)to make special provision for students belonging to the state of Uttarakhand for admission to the courses of the University or in a Constituent College, Regional Centre, Study Centre, Research Centre and Career Academy Centre;(18)to do all such other acts or things whether incidental to the powers aforesaid or not, as may be necessary to further the objects of the University;(19)to prescribe such courses for Engineering, Architecture, Technology, Communication, Environment, Law and Legal Education, Management, Computer Application, Life Sciences, Agricultural Science, Applied Sciences, Social Sciences, Humanities, Arts, Commerce, Medicine, Dentistry, Para-medical, Pharmacy, Journalism, Mass Communication, Bio-Technology, Marine Sciences, Petroleum Studies, Energy Studies, Solar Energy, Hotel Management and Hospitality, and Professional Education meaning B.Ed., M.Ed., B.P.Ed., research and training programmes and such other programmes or field declared to be such by Gazette Notification by the Central Government, in consultation with Indian Ayurvedic Council, Indian Dental Science Council, Indian Pharmacy Council, National Teachers Training Council, University Grants Commission, Bar Council of India, Distance Education Council and other regulatory Council related to Professional Education for the award of Diploma, Degree and Research leading to the award of Ph. D., D. Phil., D.Sc. and provide for matters thereto.(20)to clearly set apart Academic Activities of the University from the activities the society;(21)to provide for the preparation of instructional materials, including films, cassettes, tapes, CD, VCD, and other software's;(22)to recognize examinations of, or periods of study (whether in full or in part) at other Universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the University and to withdraw such recognition at any time;(23)to raise, collect, subscribe and borrow with the approval of the Governing Body whether on the security of the University, money for the purpose of the University;(24)to enter into, carry out, vary or cancel contracts.(25)to appoint on contract or otherwise visiting Professors, Emeritus Professors, Consultants and such other persons who may contribute to the advancement of the objects of the University.(3)Notwithstanding anything contained in any other law for the time being in force but without prejudice to the provisions of sub-section (1) and (2), its shall be the duty of the University to take all such steps as it may deem fit for the promotion of the Open University and distance education system and for the determination of standards of teaching, evaluation and research in such system and for the purpose of performing this function, the University shall have such powers,

including the power to allocate and disburse grants to colleges, Regional Centers and Study Centres and Career Academy Centres, whether admitted to its privileges or not or to any other University or institution of higher education learning, as may be specified by the Statutes.

10. University Open to all Classes, Castes, Colour, Creed and Gender.

- The University shall be open to all persons irrespective of class, caste, colour and creed or gender :Provided that nothing in this section shall be deemed to prevent the University from making special provisions for admission to students of the State of Uttarakhand :Provided further that nothing in this section shall be deemed to require the University or Constituent Colleges or Regional Centre, Study Centre and Career Academy Centre to admit in any course of study a larger number of students than may be determined by the Statutes.

11. National Accreditation.

- The University will seek accreditation from respective national accreditation bodies.
Chapter-III
Officers of the University

12. Officers of the University.

- The following shall be the officers of the University: -(a)the Visitor;(b)the Chancellor;(c)the Vice-Chancellor;(d)the Pro Vice-Chancellor;(e)the Deans of Faculties;(f)the Registrar;(g)the Finance Officer; and(h)such other officers as may be declared by the Statutes to be officers of the University.

13. The Visitor.

(1)The Governor of Uttarakhand will be the Visitor of the University.(2)The Visitor shall, when present, preside at the Convocation of the University for conferring degrees and Diplomas.(3)The Visitor shall have the following powers; namely: -(a)to call for any paper or information relating to the affairs of the University;(b)on the basis of the information received by the Visitor, if he is satisfied that any Order, proceeding, or decision taken by any authority of the University is not in conformity with the Act, Statutes or Rules, he may issue such directions as he may deem fit in the interest of the University and the directions so issued shall be complied with by all concerned.(4)every proposal for the conferment of an honorary degree or distinction shall be subject to the approval of the Visitor.

14. The Chancellor.

(1)The Chairman of Society will be the first Chancellor of the University whose tenure shall be for five years. Thereafter Society with prior concurrence of the Visitor would either extend his term for another five years or appoint new Chancellor from amongst its members.(2)The Chancellor shall be the head of the University,(3)The Chancellor shall preside at the meeting of the Governing Body and

shall, when the Visitor is not present, preside at the convocation of the University, for conferring degrees.(4)The Chancellor shall have the following powers, namely: -(a)to call for any information or record;(b)to appoint the Vice-Chancellor;(c)to remove the Vice-Chancellor;(d)such other powers as may be prescribed by the statutes.

15. The Vice-Chancellor.

(1)The Vice-Chancellor shall be appointed on such terms and conditions as may be prescribed by the Statutes for a term of three years by the Chancellor from a panel of three persons recommended by the Committee constituted in accordance with the provisions of sub-section (2).(2)The Committee referred to in sub-section (1) shall consist of the following persons; namely : -(a)one person nominated by the Chancellor;(b)three nominees of the Board of Governors, one of whom shall be nominated as the convener of the committee by the Board of Governors.(3)The committee shall, on the basis of merit, prepare a panel of names of three persons suitable to hold the office of the Vice-Chancellor and forward the same to the Chancellor along with a concise statement showing the academic qualifications and other distinctions of each person.(4)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 the authorities of the University.(5)Where any matter other than the appointment of a teacher is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit with the prior approval of the Chancellor.(6)The Vice-Chancellor shall exercise such other powers and perform such other duties as may be laid down by the Statutes or the Rules.(7)The Chancellor is empowered to remove the Vice-Chancellor after due enquiry. It will be open to the Chancellor to suspend the Vice-Chancellor during enquiry depending upon the seriousness of the charges, as he may deem fit.

16. The Pro Vice-Chancellor.

- A Pro Vice-Chancellor may be appointed by the Vice-Chancellor with approval of the Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed by Statutes.

17. Deans of Faculties.

- Deans of the faculties shall be appointed by the Vice-Chancellor with the approval of Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed by Statutes.

18. The Registrar.

(1)The Registrar shall be appointed by the Chancellor in such manner and on such terms and conditions as may be prescribed.(2)All contracts shall be entered into and signed by the Registrar on

behalf of the University.(3)The Registrar shall have the power to authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed or may be required from time to time, by the Chancellor or the Vice-Chancellor.(4)The Registrar shall be responsible for the due custody of the records and the common seal of the University and shall be bound to place before the Chancellor, the Vice-Chancellor or any other authority, all such information and documents as may be necessary for transaction of their business.

19. The Finance Officer.

- The Finance Officer shall be appointed by the Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed.

20. Other Officers.

- The manner of appointment, terms and conditions of services and powers and duties of the other officers of the University shall be such as may be prescribed.Chapter-1V Provisions for Permanent Residents of Uttarakhand

21. Provisions for Permanent Residents of Uttarakhand.

(1)For admission in various courses conducted by the University, 40 percent seats shall be reserved for the permanent resident of the State of Uttarakhand, if the reserve seats are vacant, then the said vacant seats may be filled by the eligible students of other States.(2)In tuition fee of various courses conducted by the University 26percent rebate shall be given to the permanent residents of the State of Uttarakhand.(3)All posts of Group 'C' and 'D' employees shall be filled by the permanent residents of the State of Uttarakhand.(4)Preference shall be given to the permanent residents of the State in the appointment to the Academic Cadre.(5)University shall comply with the State Government reservation policy as amended and enforced from time to time.Chapter - V Authorities of the University

22. Authorities of the University.

- The following shall be the authorities of the University; namely: -(a)the Board of Governors;(b)the Board of Management;(c)the Academic Council;(d)the Finance Committee; and(e)such other authorities as may be declared by the Statutes to be the authorities of the University.

23. The Board of Governors and its Powers.

(1)The Board of Governors shall consist : -

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| (a) the Chancellor | - Chairman; |
| (b) the Vice-Chancellor | - Member Secretary; |
| (c) Academician nominated by the Visitor | - One Member |

- (d) Nominee of the State - One member;
- (e) Nominated by the Society - Five Members
- (f) Eminent invited academicians - Three Members.

(2) The Board of Governors shall be the Principal governing body of the University and shall have the following powers; namely:-(a)to lay down policies to be pursued by the University;(b)to review decisions of the other authorities of the University if they are not in conformity with the provisions of this Act, or the Statutes or the Rules;(c)to approve the budget and annual report of the University;(d)to make new or additional Statutes or amend or repeal the earlier Statutes and Rules;(e)to take decision about voluntary winding up of the University;(f)to approve proposals for submission to the State Government;and(g)to take such decisions and steps as are found desirable for effectively carrying out the objects of the University.(3)The Board of Governors shall, meet at least two times in a year at such time and place as the Chancellor thinks fit.

24. The Board of Management.

(1)The Board of Management shall consist :- (a)the Vice-Chancellor(b)the Registrar(c)five persons, nominated by the Society;(d)two professors of the University, by rotation on the basis of seniority for a period of one year;(e)two Deans of the faculties as nominated by the Chancellor;(f)the Vice-Chancellor shall be the Chairperson of the Board of Management and the Registrar shall be the Secretary of the Board of Management.(2)The powers and functions of the Board of Management shall be such as may be prescribed.

25. The Academic Council.

(1)The Academic Council shall consist of:-(a)the Vice-Chancellor - Chairman;(b)the Registrar - Secretary(c)such other members as may be prescribed in the Statutes.(2)The Academic Council shall be the Principal Academic Body of the University and shall, subject to the provisions of this Act, the Statutes and the Rules, co-ordinate and exercise general supervisions over the academic policies of the University.

26. The Finance Committee.

(1)The Finance Committee shall consist of:-(a)the Chancellor - Chairman;(b)the Finance Officer - Secretary;(c)such other members as may be prescribed in the Statutes.(2)The Finance Committee shall be the principal financial body of the University to take care of the financial matters and shall, subject to the provisions of this Act, Statutes and Rules, co-ordinate and exercise general supervision over the financial matters of the University.

27. Other Authorities.

- The constitution, powers and functions of the other authorities of Authorities the University shall be such as may be prescribed.

28. Proceedings not invalidated on account of vacancy.

- No act or proceeding of any authority of the University, shall be invalid merely by reason of the existence of any vacancy or defect in the constitution of the authority. Chapter-VI Statutes and Rules

29. Statutes.

- Subject to the provisions of this Act, the Statutes may provide for any matter relating to the University and staff, as given below:-(a)The procedure for transaction of business of the Authorities of the University and the procedure of constitution of such units which is not specified in this Act ;(b)The operation of the permanent endowment fund, the general fund and the development fund;(c)The terms and conditions of appointment of the Vice-Chancellor, the Registrar and the Finance Officer and their powers and functions;(d)The mode of recruitment and the conditions of service of the other officers, faculty members, employees of the University;(e)The procedure for resolving disputes between the University and its officers, faculty members, employees and students;(f)Creation, abolition or restructuring of departments and faculties;(g)The manner of co-operation with other Universities or Institutions of higher education;(h)The procedure for conferment of honorary degrees;(i)Provisions regarding grant of free ships and scholarships;(j)Number of seats in different courses of studies and the procedure of admission of students to such courses including reservation of seats for Uttarakhand students;(k)The fee chargeable from students for various courses of studies;(l)Institution of fellowships, scholarships, studentships, free ships, medals and prizes;(m)Procedure for creation and abolition of posts;(n)Other matters which may be prescribed.

30. Statutes how made.

(1)The first Statutes framed by the Board of Governors shall be submitted to the State Government for its approval, which may be approved within two months from the date of receipt of the Statutes with or without modification.(2)Where the State Government fails to take any decision with respect to the approval of the Statutes within the period specified under sub- section (1) it shall be deemed to have been approved by the State Government.

31. Power to amend the Status.

- The Board of Governors may, with the prior approval of the State Government, make new or additional Statutes or amend or repeal the existing Statutes.

32. Rules.

- Subject to the provisions of this Act, the Rules may provide for all or any of the following matters; namely:-(a)admission of students to the University and their enrolment and continuance as such;(b)the courses of study to be laid down for all degrees and ,other academic distinctions of the University;(c)the award of degrees and other academic distinctions;(d)the conditions of the award

of fellowships, scholarships, studentships, medals and prizes;(e)the conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners, invigilators, tabulators and moderators;(f)the fee to be charged for admission to the examinations, degrees and other academic distinctions of the University;(g)the conditions of residence of the students at the University or constituent college;(h)maintenance of discipline among the students of the University or constituent college;(i)all other matters as may be provided in the Statutes and Rules under this Act.

33. Rules how made.

(1)The rules shall be made by the Board of Governors and the rules so made shall be submitted to the State Government for its approval, which may, within two months from the date of receipt of the rules, give its approval with or without modification.(2)Where the State Government fails to take any decision with respect to the approval of the rules within the period specified under sub- section (1), it shall be deemed to have been approved by the State Government.

34. Power to amend rules.

- The Board of Governors may, with the approval of the State Government make new or additional rules or amend or repeal the rules.

35. Conditions of Services of Employees.

(1)Every employee shall be appointed under a written contract, which shall be kept in the University and a copy thereof shall be furnished to the employee concerned.(2)Disciplinary action against the students/employees shall be governed by procedure prescribed in the Statutes.(3)Any dispute arising out of the contract between the University and an employee shall, at the request of the employee, be referred to a tribunal of arbitration consisting of one member appointed by the Board of Management, one member nominated by the employee concerned and an umpire appointed by the Chancellor.(4)The decision of the tribunal in such matter shall be final.(5)The procedure for regulating the work of the tribunal shall be such as may be prescribed.

36. Right to Appeal.

- Every employee of the University or of an constituent college, Regional Centre, Study Centre and Career Academy Centre,/ shall notwithstanding anything have a right to appeal within such time as may be prescribed, to the Board of Management against the decision of any officer or authority of the University or of the Principal of any such Constituent college, Regional Centre, Study Centre, Career Academy Centre as the case may be and thereupon the Board of Management may confirm, modify or change the decision appealed against.

37. Provident Fund and Insurance.

- The University shall constitute for the benefit of its employees such provident fund and provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be prescribed.

38. Disputes as to Constitution of University Authorities Bodies.

- If any question arises as to 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, the matter shall be referred to the Chancellor whose decision thereon shall be final.

39. Constitution of Committees.

- Whether any authority of the University is given power by this Act or the statutes to appoint committees, such committees, shall, save as otherwise provided, consist of any or all the members of the authority concerned and of such persons, if any, as the authority in each case thinks fit.

40. Filling of Casual Vacancies.

- Any casual vacancy among the members, other than ex-officio members, of any Authority or body of the University shall be filled in the same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling the vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he/she fills would have been a member.

41. Protection of, Action Taken in Good Faith.

- No suite or other legal proceedings shall lie against any officer or employee of the University for anything, which is done in good faith or intended to be done in pursuance of the provisions of this Act and made under the Statutes or the Rules.

42. Transitional Provisions.

- Notwithstanding anything contained in any other provisions of Act and made under the Statutes :
-(a) the first Vice-Chancellor and Pro-Vice Chancellor, if any shall be appointed by the Chancellor and the said officer shall hold the office for a term of three year;(b) the first Registrar and the first Finance Officer shall be appointed by the Chancellor who shall hold the office for a term of three years;(c) the first Board of Governors shall hold office for a term not exceeding three years;(d) the first Board of Management, the First Finance Committee and the first Academic Council shall be constituted by the Chancellor for a term of three years.

43. Permanent Endowment Fund.

- The University shall establish a permanent endowment fund of Rs. Five crore in the form of a Bank Guarantee of a Nationalized Bank pledged in the name of State Government of Uttarakhand which tenure shall be five years and after that shall be renewed for five years again.

44. General Fund.

(1)The University shall establish a general fund to which the following amount shall be credited; namely:-(a)all fees which may be charged by the University;(b)all sums received from any other source;(c)all contributions made by the Society;(d)all contributions/donations made in this behalf by any other person or body, which are not prohibited by any law for the time being in force.(2)The funds credited to the general fund shall be applied to meet all the recurring expenditure of the University.

45. Development Fund.

(1)The University shall also establish a development fund to which; the following funds shall be credited, namely:-(a)development fee which may be charged from students;(b)all sums received from any other source for the purposes of the development of the University;(c)all contribution made by the Sushila Devi Centre for Professional Studies and Research (Society), Dehradun;(d)all contribution/donations made in this behalf by any other person or body which are not prohibited by any law for the time being in force; and(e)all incomes received from the permanent endowment fund.(2)The funds credited to the development fund from time to time shall be utilized for the development of the University.

46. Maintenance of Fund.

- The funds established under sections 43, 44, 45 shall, subject to Maintenance of general supervision and control of the Board of Governors, be regulated and maintained in such manner as may be prescribed.

47. Annual Report.

(1)The annual report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Board of Governors for its approval.(2)The Board of Governors shall consider the annual report in its meeting and may approve the same with or without modification.(3)A copy of the annual report duly approved by the Board of Governors shall be sent to Visitor and the State Government before 31st December following close of the financial year in 31st March each year.

48. Accounts and Audit.

(1)The annual accounts and balance sheet of the University shall be prepared under the direction of the Board of Management and all funds accruing to or received by the University from whatever source and all amount disbursed or paid shall be entered in the accounts maintained by the University.(2)The annual accounts of the University shall be audited by an auditor, who is a member of the Institute of Chartered Accountants of India, every year.(3)A copy of the annual accounts and the Balance sheet together with the audit report shall be submitted to the Board of Governors well before 31st December following close of the financial year in 31st March each year.(4)The annual accounts, the Balance sheet and the audit report shall be considered by the Board of Governors at its meeting and the Board of Governors shall forward the same to the Visitor and the State Government along with its observations thereon before the 31st December each year.(5)The direction of the State Government on the subject arising out of the accounts and audit report of the University shall be binding on the University.

49. Mode of Proof of University Record.

- A copy of any receipt, application, notice, order, proceeding or resolution of any authority or committee of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application. Notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein recorded where the original thereof would, if produced, have been admissible in evidence.

50. Dissolution of University.

(1)If Society proposes dissolution of the Uttaranchal University in accordance with the Law governing its constitution or incorporation, it shall give at least three months notice in writing to the State Government.(2)On identification of mismanagement, mal-administration, in- discipline, failure in the accomplishment of the objects of the University, the State Government would issue directions to the management system of University. If the directions are not followed within such time as may be prescribed, the right to take decision for winding up of the University would vest in the State Government.(3)The manner of winding up of the University would be such as may be prescribed by the State Government in this behalf :Provided that no such action will be initiated without affording a reasonable opportunity to show cause to the Society.(4)On receipt of the notice referred to in sub-section (1), the State Government shall, in consultation with the All India Council for Technical Education, Bar Council of India and UGC make such arrangements for administration of the University from the proposed date of dissolution of the University by Society and until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed by the statutes.(5)On the dissolution of the University, all the assets and liabilities of the University shall vest in the Promoting Society i.e., Society

51. Expenditure of University during Dissolution.

(1)The existing expenditure for administration of the the University the dissolution of the University under section 50 shall be met out of during the permanent endowment fund, the general fund or the development fund.(2)If the funds referred to in sub-section (1) are not sufficient to meet the expenditure of the University during the dissolution of the University, such expenditure may be met by disposing of the properties or assets of the University.

52. Removal of Difficulties.

(1)If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by a notification or order, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:Provided that no order under sub-section (1) shall be made after the expiration of a period of three years from the commencement of this Act.(2)Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State Assembly.

53. Repeal and Saving.

(1)The Uttranchal University Ordinance, 2012 is hereby repealed.(2)Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.