

Roorkee University Act 1947

UTTAR PRADESH

India

Roorkee University Act 1947

Act 9 of 1948

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Roorkee University Act 1947(U. P. Act No. 9 of 1948)Last Updated 3rd March, 2020For SOR see Utter Pradesh Gazette, Extraordinary, dated August 23, 1947 Part. VII. pro 61-63.An Act to establish and incorporate a teaching and residential University at Roorkee Whereas It is expedient to provide for the teaching of all branches of Engineering at the Thomson College of Engineering at Roorkee and incorporate it into a unitary, teaching and residential University;It Is Hereby enacted as follows: -

1. Short title and commencement.

(1)This Act may be called the Roorkee University Act, 1947.(2)It shall come into force on such [dates] [The Act came into force on March 1, 1948 vide notification no. 310· TC/XXIII-21.TC/46, dated February 27, 1948 in Gazette, dated March 6, 1948, Part I. P. 160.] as the [State Government] [Substituted by A. O. 1950 for (Provincial Government).] may by notification in the official, Gazette, appoint in this behalf.

2. [Definition. [Substituted by section 2 of U.P. Act No. 10 of 1998.]

- In this Act : -(a)"Academic Council" means the Academic Council of the University;(b)"Academic Department" means a teaching Department of the University in which instructions are imparted leading to Bachelor s or Post Graduate Degree or Diploma;(c)"Academic Centre" means a School, a Centre, a Laboratory, an Institute or the like established by the University, in which research, teaching or training is carried out but which is not covered under clause (b);(d)"Board of Studies" means the Board of Studies of an Academic Department or an Academic Centre constituted in accordance with the regulations;(e)"Dean" means a Dean appointed in accordance with the regulations;(f)"Director or Coordinator" means the Director or Coordinator of an Academic Centre appointed as such in accordance with the regulations;(g)"Finance Committee" means the Finance Committee of the University;(h)"Head of the Academic Department" means the Head of an Academic Department appointed in accordance with the regulations;(i)"Hostel" means a unit of

residence for the students of the University maintained or recognized by the University;(j)"Registered Graduate" means a graduate registered according to rules framed by the Syndicate under section 20;(k)"Regulations" means a regulations framed by the Syndicate under section 21;(l)"Rule" means a rule framed by the Syndicate under section 20;(m)"Teacher" means a Professor, Associate Professor, Assistant Professor, Reader, Lecturer or any other person imparting instruction in the University;(n)"University" means the Roorkee University established under this Act.]

3. The University.

- [(1) The Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, if any, and the members of the Senate, the Syndicate, the Academic Council and the Finance Committee, for the time being holding office as such in the University shall constitute a body corporate by the name of the University of Roorkee.] [Substituted by section 3 of U.P. Act No. 10 of 1998.](2)The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. Powers of the University.

- The University shall have the following powers; namely : -(1)to provide for instruction in such branches of Engineering and allied subjects as the University may think fit and to make provision for research and for the advancement and dissemination of knowledge in the aforesaid subjects;(2)to hold examinations and to grant degrees to and confer other academic distinctions on persons who -(a)[have pursued a course of study in the University or partly in the University and partly in any institution approved in that behalf by the University; or [Substituted by section 4 (i) of U.P. Act No. 10 of 1998.](aa)have carried on research in the University or in any institution approved in that behalf by the University; or](b)are teachers in educational institutions under conditions prescribed in the regulations and shall have passed the examinations of the University under like conditions ;(3)to confer honorary degrees or other distinctions on approved persons in the manner prescribed in the regulations ;(4)to provide such lectures and instruction for, and to grant such diplomas to persons not being members of the University as the University may determine;(5)to co-operate with other Universities, authorities and institutions in such manner as maybe necessary to advance the objects of the University;(6)to institute [Professorships, Associate Professorships, Assistant Professorships] [Insertion by section 4 (ii) of U.P. Act No. 10 of 1998.] readerships, lecturer ships and other teaching posts required by the University and to appoint persons to such posts ;(7)to institute fellowships arid scholarships, organize exhibitions and award medals and prizes in accordance with the rules and regulations ;(8)to maintain hostels and recognize hostels not maintained by the University, provided that no hostel shall be so recognized for five years from the date this Act comes into force ;(9)to demand and receive such fees as may be prescribed by the regulations;(10)to supervise and control the residence and discipline of the students of the University and to make arrangements for promoting their health and general welfare; and(11)to do all such other acts and things whether incidental to the powers aforesaid or not, as may be requisite in order to advance the objects of the University as a teaching and examining body, and to promote Engineering and allied subjects;[Provided that the University shall not transfer any immovable property by way of sale, gift, mortgage or lease for a period exceeding

thirty years, without the previous approval of the State Government.] [Added by section 4 (iii) of U.P. Act No. 10 of 1998.]

5. University open to all classes, castes and creeds.

- The University shall be open to all persons of either sex and of whatever race, creed or class and it shall not be lawful for University to impose on any person any restrictions of religious belief or professions in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to enjoy or exercise any privilege thereof except where such restriction is a condition of any benefaction accepted by the University.

6. Teaching of the University.

(1)All recognized teaching in connection with the University courses shall be conducted by the University as prescribed by the regulations. -(2)The courses and curricula shall be prescribed by the regulations.(3)It shall not be lawful for the University to conduct courses or maintain classes for the purpose of preparing students for admission to the University.

7. Inspection and enquiry.

(1)The [State Government] [Substituted by the A. O. 1950 for (Provincial Government)] shall have the right to cause an inspection to be made by such person, as it may direct, of the University, its buildings, laboratories, workshops and equipment, and also of the examination, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the University. The [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] shall in every case give notice to the University of its intention to cause an inspection or inquiry to be made.(2)The [State Government] [Substituted by the A. O. 1950 for (Provincial Government)] shall communicate to the Senate and the Syndicate its views on the results of any such inspection or inquiry, and shall after ascertaining the opinion of the Senate and the Syndicate thereon, issue such direction to the University as may be necessary.(3)The Syndicate shall report to the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] the action, if any, which is proposed to be taken or has been taken upon the direction issued by the [State Government] [Substituted by the A. O. 1950 for (Provincial Government)] under sub-section (2).The report shall be submitted within such times as may be directed by the [State Government] [Substituted by the A. O. 1950 for (Provincial Government)] through the Senate which may express its opinion thereon.(4)If it appears to the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] that the University has made default in performing a duty imposed on it by or under this Act or has failed to carry out any direction issued under subsection (2) the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] may, in exceptional circumstances appoint an officer to perform such duty or carry out such direction at the expense of the University.

7A. [Review Committee of the University. [Added by section 5 of U.P. Act No. 10 of 1998.]

(1)There shall be a Review Committee of the University to review the over all performance of the University.(2)The Committee referred to in sub-section (1) shall consist of nine members to be nominated by the Chancellor from amongst the persons who have excelled in the field of engineering, technology or science.(3)The member of the Review Committee shall hold office at the pleasure of the Chancellor and shall get such facilities and honorarium as may be prescribed by the Rules.(4)Subject to sub-section (1), the Committee referred to therein shall at the end of every three years from the date of commencement of the Uttar Pradesh Roorkee University (Amendment) Act, 1997 independently review the academic performance of the University and submit, its report to the Chancellor who may take such actions thereon as he may deem expedient and necessary under the Act.]

8. Officers of the University.

- The following shall be the officers of the University -(1)The Chancellor.(2)The Vice-Chancellor.(3)The Pro-Vice-Chancellor.(4)The Registrar.(5)Such, other officers as maybe declared by the regulations to be officers of the University.

9. The Chancellor.

(1)The Chancellor shall be nominated by the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).](2)The term of office of the Chancellor shall be three years.(3)The Chancellor shall have such powers as may be conferred on him by this Act or the rules.(4)Every proposal for the conferment of an honorary degree or distinction shall be subject to the confirmation of the Chancellor.

10. [The Vice- Chancellor. [Substituted by section 6 of U.P. Act No. 10 of 1998.]

(1)The Vice-Chancellor shall be appointed by the Chancellor out of a panel of a minimum of three engineers, scientists or technologists, nominated by a Committee consisting of the President of Indian National Academy of Engineering or President of the Institution of Engineers (India), and two other members appointed by the State Government. The Vice-Chancellor shall hold office on such terms and subject to such conditions as may be prescribed by the rules.(2)Where any temporary vacancy in the office of the Vice-Chancellor occurs by reasons of leave, illness or any other cause, and -(i)such vacancy is for a period not exceeding two months the Pro-Vice-Chancellor, if any, appointed or if there is no Pro-Vice-Chancellor or the Pro-Vice- Chancellor too is absent, the senior most Professor of the University, shall exercise the powers and perform the duties of the Vice-Chancellor until the expiry of the period of two months or the vacancy in the office of the Vice-Chancellor is filled or the Pro-Vice-Chancellor, if any, takes over, whichever occurs first;(ii)such a vacancy is for a period exceeding two months, the Chancellor may appoint any suitable engineer,

scientist or technologist to the office of the Vice-Chancellor for a term not exceeding six months, which may, from time to time be extended up to a total period of one year, including the term fixed in the original order.]

11. Powers and duties of the Vice-Chancellor.

(1)The Vice-Chancellor shall be a whole- time officer of the University. He shall be the principal executive and academic officer of the University and shall, in the absence of the Chancellor preside at the meetings of the Senate and at any Convocation of the University. He shall be an ex officio member and [Chairman of the Syndicate, Academic Council and the Finance Committee and] [Substituted by section 7 (a) of U.P. Act No. 10 of 1998.] shall be entitled to be present and to speak at 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 the authority or body concerned.(2)It shall be the duty of the Vice-Chancellor to see that the provisions of this Act, the rules and regulations are faithfully observed, and shall have all powers necessary for this purpose.(3)The Vice-Chancellor shall have power to convene meetings of the [Senate, the Syndicate, Academic Council and the Finance Committee] [Substituted by section 7 (b) of U.P. Act No. 10 of 1998.]:Provided that he may delegate his power to any other officer of the University.(4)(a)In any emergency which, in the opinion of the Vice-Chancellor, requires that immediate action should be taken, he shall take such action as he deems necessary, and shall at the earliest opportunity thereafter report his action to the officer, authority or other body who or which in the ordinary course would have dealt with the matter.(b)When the action taken by the Vice-Chancellor under clause (a) affects any person in the service of the University such person shall be entitled to prefer an appeal to the Syndicate within fifteen days from the date on which such action communicated to him.(5)The Vice-Chancellor shall give effect to the orders of the Syndicate regarding the appointment, 'dismissal and suspension of the officers and teachers of the University, and shall exercise general control over the affairs of the University. He shall be responsible for the discipline of the University in accordance with the provisions of this Act, the rules and the regulations.(6)The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the rules or regulations.

12. [The Pro-Vice-Chancellor. [Substituted by section 8 of U.P. Act No. 10 of 1998.]

(1)The Vice-Chancellor, if he considers necessary, may appoint a Pro-Vice-Chancellor from amongst ten senior most Professors of the University.(2)The Pro-Vice-Chancellor shall discharge his duties in addition to his duties as Professor.(3)The Pro-Vice-Chancellor shall hold office at the pleasure of the Vice-Chancellor.(4)The Pro-Vice-Chancellor shall get such facilities and honorarium as may be prescribed by the rules.(5)The Pro-Vice-Chancellor shall, assist the Vice-Chancellor in such matters as may be specified by the Vice-Chancellor from time to time, shall exercise such powers and perform such duties as may be assigned or delegated to him by the Vice-Chancellor and shall in the absence of the Vice-Chancellor exercise the powers and perform the duties of the Vice-Chancellor.]

13. The Registrar.

- The Registrar shall be a whole-time officer of the University and shall act as Secretary of the [Senate, the Syndicate, the Finance Committee and the Academic Council and shall be appointed in the manner prescribed by rules.] [Substituted by section 9 of U.P. Act No. 10 of 1998.] He shall exercise such other powers and perform such other duties as may be prescribed by the rules or regulations.

14. Other Officers.

- The powers of the officers of the University other than the Chancellor, Vice-Chancellor, Pro-Vice-Chancellor and the Registrar shall be prescribed by the rules or regulations.

15. Authorities of the University.

- The following shall be authorities of the University : -(1)The Senate;(2)The Syndicate;[(2-a) The Academic Council; [Substituted by section 10 of U.P. Act No. 10 of 1998.](2-b) The Finance Committee;](3)Such other authorities as may be declared by the regulations to be the authorities of the University.

16. [The Senate. [Substituted by section 11 of U.P. Act No. 10 of 1998.]

(1)The Senate shall consist of the following members; namely :-Class I- Ex-officio members(i)the Chancellor;(ii)the Vice-Chancellor;(iii)the Pro-Vice-Chancellor, if any;(iv)the Secretary to the Government of Uttar Pradesh, in the Technical Education Department or his nominee not below the rank of Joint Secretary;(v)all Deans;(vi)all Heads of the Academic Department and all Directors or Coordinators of Academic Centers;(vii)the Registrar, CLASS II- Life members -(viii)persons not exceeding three appointed by name by the Chancellor to be life members on the ground that they have distinguished in or have rendered meritorious services to engineering and technological science or education;(ix)all persons who have made donations of not less than ten lakh rupees to or for the purposes of the University;(x)all other persons who are life members on the date of commencement of the Uttar Pradesh Roorkee University (Amendment) Act, 1997;Class III- Representation of Parliament and State Legislature:(xi)two members of the Lok Sabha to be nominated by the Speaker of the Lok Sabha;(xii)one member of the Rajya Sabha to be nominated by the Chairman of the Rajya Sabha;(xiii)four members of Vidhan Sabha of the State to be elected by it;(xiv)two members of the Vidhan Parishad of the State to be elected by it;Class IV - Registered Graduates :(xv)ten representatives of the registered graduates of the University to be elected in the manner prescribed by the rules;Class V - Representatives of the Teachers :(xvi)thirty teachers of the University other than those who are already members in some other capacity, to be elected from amongst themselves. The number of their election shall be such as may be prescribed by rules :Provided that a member once so elected shall not cease to be a member during the term for which he was so elected merely because he was appointed to any higher category of teachers;Class VI - Representatives of Non-Teaching Employees :(xvii)four representatives of the Non-Teaching

Employees of the University to be nominated by the Vice-Chancellor; Class VII - Other members to be nominated by the State Government representing the following special interests or fields, namely :- (xviii) one representative of the Institution of Engineers (India); (xix) six representatives of the Public Sector Industries, Corporations, Research, Defence or other organizations; (xx) three representatives of the private sector industries or organizations; (xxi) one representative each of the Railways and Irrigation and Public Works Department of the State Government; (xxii) two representatives of the industrial organizations in the neighbourhood of the University; (xxiii) two representatives of the research institutions in the neighbourhood of the University; (xxiv) two representatives of the professional bodies of various disciplines of the University; (xxv) three representatives from amongst the Vice-Chancellors, Directors and Principals respectively of the Universities, Institutes and Colleges in the State having degree courses in Engineering or Technology. (2) The term of office of a member of classes III, IV, V and VII referred to in sub-section (1) shall be three years and of a member of class VI referred to in the said sub-section shall be one year, commencing from the date of first meeting of the Senate held after his election or nomination, as the case may be. (3) A person who became a member of the Senate (whether by election or nomination) by virtue of holding a particular office, shall cease to be such member on ceasing to hold such office notwithstanding that his term if any, has not expired.]

17. Powers and duties of the Senate.

(1) Subject to the provisions of this Act, the Senate shall exercise the following powers and perform the following duties : (a) of considering, amending or cancelling such regulations made by the Syndicate as need the approval of the Senate under this Act or the rules, (b) of considering and passing resolutions on matters affecting the welfare of the University, on the annual accounts and the Financial estimates, and (c) of exercising such other powers and performing such other duties as may be conferred or imposed upon it by this Act, or the rules. (2) The Senate shall on a date to be fixed by the Vice-Chancellor meet once a year at a meeting to be called "the annual meeting of the Senate. (3) The Vice-Chancellor may, whenever he thinks fit, and shall upon a requisition in writing signed by not less than twenty members of the Senate, convene a special meeting of the Senate.

18. [The Syndicate. [Substituted by section 12 of U.P. Act No. 10 of 1998.]

(1) The Syndicate shall be the Executive Body of the University. (2) The Syndicate shall consist of the following members; namely - (a) The Vice-Chancellor; (b) The Pro-Vice-Chancellor; (c) three Heads of the Department and one Director or coordinator of Academic Centers to be nominated by the Academic Council by rotation in the manner prescribed by the rules; (d) the Dean of Students Welfare; (e) nine representatives of teachers, other than those who are already members of the Syndicate in any other capacity, to be elected by the Senate. The number of the different categories of teacher and the manner of their election shall be such as may be prescribed by the rules; (f) four persons to be elected by the Senate from amongst such of its members as are not in the service of the University; (g) two persons from amongst eminent engineers and architects not in the service of the university to be nominated by the Chancellor in the manner prescribed by the rules; (h) two persons from amongst the eminent educationists and scientists not in the service of the University; (i) the Secretary to the Government of Uttar Pradesh in the Technical Education Department or his

nominee not below the rank of a Joint Secretary.(3)the term of office of the members referred to in clauses (c), (e), (f), (g) and (h) of sub-section (2) shall be three years, commencing from the date of the first meeting of the Syndicate held after his election or nomination, as the case may be.(4)A person who became a member of the syndicate (whether by election or nomination) by virtue of holding a particular office, shall cease to be such member on ceasing to hold such office, notwithstanding that his term if any, has not expired.]2

19. Powers and duties of the Syndicate.

(1)The Syndicate shall, subject to the approval of the [State Government] [Substituted by the A, O, 1950 for (Provincial Government).] in the case of (1) the appointment of officers and teachers, (2) the budget, (3) extraordinary expenditure (4) extension of courses, and (5) any other matter ordered by the [State Government] [Substituted by the A, O, 1950 for (Provincial Government).]:(a)hold, control and administer the property and funds of the University;(b)direct the form, custody and use of the Common Seal of the University;(c)subject to the powers conferred by this Act on the Vice-Chancellor, regulate and determine all matters concerning the University in accordance with this Act and rules and regulations;(d)administer any funds placed at the disposal of the University for specific purposes ;(e)have power to accept transfer of any movable or immovable property on behalf of the University;(f)save as otherwise provided by this Act and the rules, appoint the officers (other than the Chancellor and Vice-Chancellor), teachers and other servants of the University and specify their duties and the conditions of service and provide for filling the temporary vacancies in their posts;(g)appoint examiners;(h)publish the results of the University examinations;(i)exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, the rules or the regulations; and -(j)exercise all other powers of the University not otherwise provided for by this Act, rules or the regulations.(2)Any regulations made for the purpose of clauses (b), (e), (f) and (g) of sub-section (1) for such other regulations, as may be so prescribed by the rules, shall be subject to the approval of the Senate.(3)[The Syndicate shall not take any decision in regard to the number and qualifications of teachers and the fees payable to the examiners without considering the recommendations of the Academic Council.] [Substituted by section 13 of U.P. Act No. 10 of 1998.]

19A. [The Academic Council. [Section 19-A, 19-B, 19-C and 19-D added by section 14 of U.P. Act No. 10 of 1998.]

(1)The Academic Council shall be the Principal Academic Body of the University.(2)The Academic Council shall consist of the following members :-Class I - Ex-officio members(i)The Vice-Chancellor;(ii)the Pro-Vice-Chancellor, if any appointed;(iii)all Heads of Academic Department;(iv)all Directors or Coordinators of Academic Centers;(v)the Librarian;(vi)one nominee of the University Grants Commission, New Delhi;(vii)one nominee of the Department of Education in the Ministry of Human Resource Development, Government of India;(viii)the Secretary to the Government of Uttar Pradesh, in the Technical Education Department or his nominee not below the rank of Joint Secretary;(ix)all Deans;(x)the Registrar;Class II - Representatives of Teachers :(xi)five senior most Professors of the University;(xii)two teachers from each academic Department, nominated by the Vice-Chancellor by rotation in order of seniority;Provided that only such

Lecturers shall be eligible for nomination who have atleast three years experience as Lecturer or in equivalent capacity; Class III - Nominees of the Chancellor : (xiii) not more than five persons nominated by the Chancellor from amongst scientists, educationists, technologists, engineers and architects; (xiv) not more than five persons nominated by the Chancellor from amongst the Vice-Chancellors, Directors and Principals respectively of the Universities, Institutes and Colleges, having degree courses in engineering or technology; Class IV - Representatives of the Industrial or Commercial Organizations: - (xv) two representatives of the industrial or commercial organizations, to be nominated by the State Government; (3) The term or office of a member referred to in clauses (xii), (xiii), (xiv) and (xv) of sub-section (2) shall be three years, commencing from the date of first meeting of the Academic Council held after his nomination. (4) A person who became a member of the Academic Council (whether by election or nomination) by virtue of holding a particular office shall cease to be such member on ceasing to hold such office, notwithstanding that his term, if any, has not expired.

19B. Powers and duties of the Academic Council.

- The Academic Council shall, subject to the provisions of this Act, the rules and the regulations

- (a) recommend to the Syndicate provisions relating to all academic matters for inclusion in the regulations;
- (b) supervise and control the admission of students in the University and the examinations of the University;
- (c) consider and recommend to the Syndicate, proposals for the creation or abolition or merger or division, of the Academic Departments and Academic Centers;
- (d) control, regulate and maintain the standards of instruction, education, training and research carried on or imparted in the University;
- (e) co-ordinate the working of Boards of Studies and scrutinize and approve their proposals in regard to the scheme of teaching and examinations in the University;
- (f) scrutinize and approve the recommendations of the examiners of Ph.D. candidates;
- (g) advise the Syndicate in regard to the number and qualifications of teachers and the fees payable to the examiners;
- (h) approve in regard to the recognition of the certificates, diplomas and degrees of other Universities and Institutions, as prescribed in the rules and the regulations;
- (i) consider and make its recommendations on such matters as may be referred to it by the Senate or the Syndicate;
- (j) perform in relation to academic matters all such duties as may be necessary for the proper carrying out of the provisions of this Act, the rules and the regulations;
- (k) maintain contact with employer organizations with a view to, access their changing needs for the pattern of education required to be imparted by the University.

19C. The Finance Committee.

(1) The Finance Committee shall consist of the following person; namely :- (a) the Chancellor; (b) the Pro-Vice-Chancellor, if any appointed; (c) the Secretary to the Government of Uttar Pradesh in the Finance Department or his nominee not below the rank of a Joint Secretary; (d) the Secretary to the Government of Uttar Pradesh in the Technical Education Department or his nominee not below the rank of Joint Secretary; (e) five persons to be nominated by the Syndicate by a resolution, out of who two shall be the persons other than the members of Syndicate, who have interest in education and finance; (f) the Chief Accounts Officers; (g) the Registrar. (2) the term of the office of members referred to in clause (e) shall be three years commencing from the date of first meeting of the Finance

Committee after their nomination: Provided that a person who became the member by virtue of being a member of the Syndicate shall cease to be such member on ceasing to be a member of the Syndicate, notwithstanding that his term, if any, has not expired.

19D. Powers and Duties of the Finance Committee.

(1) The Finance Committee shall, subject to the provisions of this Act, rules and the regulations exercise the following powers and perform the following duties:-(a) framing of annual budget of the University and allocation of funds therefor; (b) generating sources of additional income other than the grant-in-aid; (c) to advise the University on the investment of University Funds; (d) such other matters as may be referred to it by the Syndicate. (2) The Finance Committee shall have such other powers and duties as are assigned to it under the rules.]

20. The Rules.

- The Syndicate may, with the approval of the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] frame rules to carry out the purposes of this Act.

21. Regulation.

- Subject to the provisions of this Act and the rules the Syndicate may frame any regulations to carry out the purposes of this Act and the rules.

22. Residence.

- Every student of the University shall reside in a hostel or under such conditions as may be prescribed by the regulations.

23. Admission to University Courses.

- Admission of students to the University shall be made In accordance with the rules or the regulations.

24. Examinations.

- All arrangements for the conduct of examinations shall be made by the Syndicate in such manner as may be prescribed by this Act or the regulations.

25. Annual Report.

- The annual report of the university shall be prepared under the direction of the Syndicate and shall be submitted to the Senate on or before such date as may be prescribed by the rules and shall be considered by the Senate and passed with or without amendments as it thinks fit at its annual

meeting. The Syndicate shall thereafter submit the annual report as passed by the Senate to the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] with its views, if any, for any action which the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] may think fit.

26. Control on funds of the University.

(1)The Vice-Chancellor shall, subject to the provisions of this Act and the rules and regulations, be responsible for managing the property and for the investments of the University. He shall also be responsible for the presentation of the annual estimates and statement of accounts.(2)The Auditors, appointed by the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] shall audit the accounts of the University and submit a report to the Vice-Chancellor as well as the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).]. An Accounts Officer, appointed by the [State Government] [Substituted by the A. O. 1950 for (Provincial Government).] according to the rules, shall be responsible for seeing that all moneys are spent on the purposes for which they are granted or allotted and that all accounts are properly maintained.(3)Every contract shall be signed by the Vice-Chancellor or a person authorized by him in this behalf.

27. Annual account.

- The annual accounts of the University shall be prepared under the direction of the Syndicate and shall be submitted to the [State Government]l for necessary action.

28. [Transitory provisions. [Substituted by section 15 of U.P. Act No. 10 of 1998.]

- Upon the commencement of the Uttar Pradesh Roorkee University (Amendment) Act, 1997 :
 -(i)the State Government shall as soon as may be, but not later than one year from such commencement take steps for the constitution of the Academic Council in accordance with the provisions of section 19-A and until the Academic Council is so constituted the functions of the Academic Council shall be performed by the Syndicate;(ii)the members of the Senate (other than those who are officers of the University or life members) shall cease to hold office as such members and the State Government shall, as soon as may be, but not later than one year from such commencement take steps for the reconstitution of the Senate in accordance with the provisions of section 16 and until such reconstitution of the Senate shall consist of the Ex-officio members, the life members and such members of the Syndicate as are nominated by the State Government under clause (iii) of section 16;(iii)the members of the Syndicate other than the Vice-Chancellor and Pro-Vice-Chancellor shall cease to hold office as such members and the State Government shall, as soon as may be, but not later than one year from such commencement, take steps for the reconstitution of the Syndicate in accordance with the provisions of section 18 and until such reconstitution the Syndicate shall consist of the Vice-Chancellor, the Pro-Vice-Chancellor, the Dean of Students welfare, the Secretary to the Government of Uttar Pradesh in the Technical Education

Department and such members as may be nominated by the State Government to represent the classes referred to in clauses (c), (e), (f), (g) and (h) of sub-section (2) of section 18.

29. Surcharge.

(1) An officer of the University except the Chancellor shall be liable to surcharge for the loss, waste or misapplication of any money or property of the University, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct, while acting as such officer. (2) The procedure of surcharge and the manner of recovery of the amount involved in such loss, waste or misapplication shall be such as may be prescribed by the State Government by notified order.]

30. First Constitution of the University.

- As soon as the first Vice-Chancellor, the first Pro-Vice-Chancellor and the first Registrar and the first Syndicate have been appointed the University will have been duly constituted. Until such time as the Senate is constituted, the function of the Senate shall be performed by the [State Government] [Substituted by the A.O. 1950 for (Provincial Government)]. Explanation. - for the purposes of this section the first Syndicate shall be deemed to have been duly appointed without the four members to be elected by the Senate till such time as the Senate elects them.

31. [Powers to remove difficulties. [Substituted by section 16 of U.P. Act No. 10 of 1998.]

(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, within a period of two years from the commencement of the Uttar Pradesh Roorkee University (Amendment) Act, 1997 by notified order, make such provisions not inconsistent with the provisions of this Act as amended by the said Act of 1997, as appear to it to be necessary or expedient for removing the difficulty. (2) Every order made under sub-section (1) shall be laid as soon as may be, before both the houses of State Legislature and the provisions of sub-section (1) of section 23-A of the Uttar Pradesh General Clauses Act, 1904 shall apply, as they apply in respect of rules made by the State Government under any Uttar Pradesh Act.]

32. Validity of the act of the Syndicate or the Senate.

- No act or proceeding of the [Senate, the Syndicate, the Finance Committee or the Academic Council] [Substituted by section 17 of U.P. Act No. 10 of 1998.] shall be invalidated merely by reason of the existence of any vacancy among its members.

33. Question to be referred to the Chancellor.

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

34. Contract for the appointment of officers and teaches.

- Every salaried officer and teacher of the University shall be appointed by a written contract. The contract shall be lodged with the Registrar of the University and a copy thereof shall be furnished to the officer or teacher concerned. Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of arbitration consisting of one member appointed by the Syndicate, One member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final and no suit shall lie in any court in respect of the matter decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration within the meaning of the Arbitration Act, 1940, and all the provisions of that Act shall apply accordingly.