

No.717/Vidhayee & Sansadiya Karya/2006

Dated Dehradun, April 05, 2006

NOTIFICATION
Miscellaneous

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the University of Patanjali Bill, 2006 (Uttaranchal Adhiniyam Sankhya 04 of 2006).

As passed by the Uttaranchal Legislative Assembly and assented to by the Governor on 05-04-2006.

THE UNIVERSITY OF PATANJALI ACT, 2006

(THE UTTARANCHAL ACT NO. 04 OF 2006)

To establish and incorporate an University in the name of University of Patanjali with facilities for education, training and research in the areas of Yoga, Ayurveda and culture of Medicinal Herbs/ Plants and studies and in related areas sponsored by The Patanjali Yog Peeth (Trust).

AN

ACT

IT IS HEREBY enacted by the Uttaranchal State Assembly in the 57th Year of the Republic of India as follows :

CHAPTER-I

Preliminary

1. (1) This Act may be called the University of Patanjali Act, 2006.

Short title and
Commencement

- (2) It shall come into force on the date, the
Notification is issued by the State Government.

2. (1) In this Act, unless the context otherwise requires:-

Definitions

- (a) "Academic Council" means the Academic Council of the University;
- (b) "Board of Governors" means the Board of Governors of the University;
- (c) "Chancellor" means the Chancellor of the University;
- (d) "Constituent College" means a college or institution maintained by the University;
- (e) "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;
- (f) "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;
- (g) "Employee" means employee appointed by the University and includes teachers and other staff of the University or a constituent college;
- (h) "Faculty" means faculty of the University;

- (i) "Finance Committee" means the Finance Committee of the University;
- (j) "Government" means the Government of Uttaranchal;
- (k) "Hall" means a unit of residence for students maintained or recognized by the university or a contentment college,
- (l) "Prescribed" means prescribed by the Statutes;
- (m) "Principal" in relation to a constituent college, means the head of the 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;
- (n) "Registrar" means the Registrar of the University;
- (o) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordination and supervising the work of Study Centres in any region and for performing such other functions as may be conferred on such centre by the Board of Management;
- (p) "State" means State of Uttaranchal;
- (q) "Statutes" and "Rules" mean, respectively, the Statutes and Rules of the University;
- (r) "Study Centre" means a centre established, maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance required by the students;
- (s) "Teacher" means a Professor, Associate Professor, Assistant Professor/ Lecturer or such other person as may be appointed for imparting instruction or conducting research in the University or in a Constituent College and includes the Principal of Constituent College;
- (t) "UGC" means University Grants Commission established under The University Grants Commission Act, 1956;
- (u) "University" means the university of Patanjali established under this Act.
- (v) "Visitor" means the visitor of the University.
- (w) "Indian Madical Central Council" means the Indian Madical Central Council established under The Indian Madical Central Council Act, 1970;

CHAPTER-II

The University and its Objects

Proposal for 3.
the establishment
of the University

- (1) The Patanjalii Yog Peeth (Trust), N. Delhi 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 shall be made to the State Government by the Patanjalii Yog Peeth (Trust). The proposal shall contain the following particulars, namely:-
 - (a) the objects of the University along with the details of the Patanjali Yog Peeth (Trust),
 - (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 in the University during a period of the next five years;
 - (d) the nature of faculties, course of study and research proposed to be started;
 - (e) the campus development such as buildings, equipment and structural amenities;
 - (f) the phased outlays of 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 source;
 - (i) 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 freeship 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 Patanjali Yoga Peeth (Trust) 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. (1) Where the State Government, after such inquiry as it may deem necessary, is satisfied that Patanjali Yog Peeth (Trust), Delhi camp office at Kripalu Bagh Ashram, Kankhal, Hardwar has fulfilled the conditions specified in sub-section (2) of Section 3, it may direct the Patanjali Yog Peeth (Trust) to establish an Endowment Fund.
- (2) After the establishment of the Endowment Fund, the State Government may, by notification in the Official Gazette, accord sanction for establishment of the University.

Establishment
of University

- (3) The Patanjali University shall be located at Hardwar, Uttaranchal and it may also have campuses or regional centres, Study Centres and Career Academic Centres at such other places, as may be specified by it from time to time. provided that the procedure established by University Grant Commission & other Constitutional bodies shall be complied.
- (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, 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 by the University for the purpose of the University except the properties of Patanjali Yog Peeth and Divya Yog Mandir (Trust), shall stand transferred to, and vest in, the University.
- (6) The land, building and other properties acquired for the University shall not be used for any purpose, other than that for which the same is acquired.

University not to be entitled to financial assistance

5. 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 assistance from the State Government or any other body or corporation owned or controlled by the State Government.

No Power to affiliate any institute.

6. The University may have Constituent Colleges, Regional Centres, Study Centres and Yoga training and research Centres, but shall have no power to admit any other college or institution to the privileges of affiliation. Patanjali University may carryout the research activities in conjunction with other research institutes & Universities. The provisions of the regulation of University Grant Commission (Establishment and maintenance of standard in Private Universities) shall have to be complied with in relation to the establishment the off campus centres or study centres .

Objects of the University

7. (1) The objectives for which the University is established are as follows:-
 - (a) objective of Patanjali University is to establish and investigate thorough scientific basis for the knowledge advanced by the ancient Indian sages and to undertake systematic research investigations in the background of scientific facts so as to provide it a firm foundation in the emerging world;
 - (b) to provide employment oriented education and awaking to the youths so that they become in grained to preserve knowledge of Ayurveda, herbal medicines, food hygiene, Rashtra dharma, Swadesh prem and swadeshi life style;
 - (c) to establish various colleges and institutions based on traditional lines including Yog, Ayurveds, Veda and Vedang etc. and to provide graduate and post graduate degree courses. And will have right to meet our own objectives, to run diploma courses and certificate programmes which may be sponsored by University Grants Commission;

(d) to establish constituent centre for continuing Education to provide instructions through distance learning methodology for the courses in (c) above.

(2) To establish an R & D center to promote research and innovations in the field of Yog, Ayurveda, Indian culture and Traditional Sciences.

- (a) to provide for instructions and training in such related branches of learning as it may deem fit.
- (b) to arrange the research activities for the creation and dissemination of knowledge in schools, so that these traditions may be establish on the world fora & also for the easy achievements of employment of students.
- (c) to undertake Yoga/Ayurveda and other such activities related studies so that common people leading to Revival of Indian culture in high esteem.

8. (1) The University shall have the following powers. namely :-

Power of the University

- (a) to provide for instruction in all disciplines of Indian culture, Humanities information technology and allied fields and to make provision for research and for the advancement and dissemination of knowledge;
- (b) to carry out all such activities as may be necessary or feasible in furtherance of the objects of the University;
- (c) to hold examinations for, and to institute grants and confer degrees or other academic distinctions to, and on, persons, who-
 - (i) have pursued a course of study in the University or in a constituent College or through its distance education system at Regional Center/ Study Center/ Yoga Training Centres
 - (ii) have carried on research in the University or in a constituent body or under its distance education system.
- (d) to confer honorary degree or other academic distinctions in the manner and under conditions laid down in the Statutes/ Provisions;
- (e) to institute and award fellowships, scholarships and prizes etc. in accordance with the Statutes;
- (f) 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;
- (g) to make provisions for the advancement of Yoga and Ayurveda and other mentioned in Section 7;
- (h) to make provisions for extra curricular activities for students and employers;
- (i) to make appointments of faculty, officers and employees of the University or a Constituent College, Regional Center, Study Center and Yoga Training Center;

- (j) to receive donations and gifts of any kind and to acquire, hold, manage, maintain and dispose of any movable or immovable property, including trust and endowment properties for the purpose of the University or a Constituent College, Regional Center, Study Center and Yog training Centers with the prior permission of Patanjali Yog Peeth (Trust).
- (k) to institute and maintain halls and to recognize places of residence for students of the University or in a Constituent College;
- (l) to supervise and control the residence, 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;
- (m) to create administrative, managerial, employees and other necessary posts;
- (n) to co-operate or collaborate with other Universities in such manner and for such purposes as the University may determine from time to time;
- (o) to provide distance education system and the manner in which distance education in relation to the academic programmes of the University may be organized;
- (p) to organize and conduct refresher courses, orientation courses, workshops, seminars and other programs for teachers, lesson writers, evaluators and other academic staff;
- (q) to determine standards of admission to the University or a Constituent College, Regional Center, Study Center and Yoga training Center through specialized committee with the approval of Academic Council;
- (r) to make special provision for students belonging to the state of Uttaranchal for admission in any course of the University or in a Constituent College, Regional Center, Study Center and Yoga training Center;
- (s) 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;
- (t) to prescribe such courses for Bachelor Degree, Post Graduate and Research and to start diplomas, certificates etc. in Yog and Ayurveda related subjects; which would be covered by UGC & AICTE but university shall have right to start diplomas Certificates etc. in its own subject.
- (u) to provide for the preparation of instructional materials, including films, cassettes, tapes, CD, VCD and other softwares;
- (v) 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;
- (w) 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;
- (x) to enter into, carry out, vary or cancel contracts.

- (2) Notwithstanding anything contained in any other law for the time being in force, but without prejudice to the provisions of sub-section (1), it 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 systems, and for the determination of standards of teaching evaluation and research in such systems 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 Centers whether admitted to its privileges or not, or to any other University or institution of higher learning, as may be specified by the Statutes.

9. The University shall be open to all persons irrespective of class, creed or gender:-

University
Open to
all classes,
castes, creed and
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 Uttaranchal. Provided further that nothing in this section shall be deemed to require the University or Constituent Colleges or Regional Centers or Study Centers or Yog Training Centers to admit in any course of study a larger number of students than may be determined by the Statutes.

10. The University will seek accreditation from the national University accreditation body.

National
Accreditation

CHAPTER-III

Officers of the University

11. The following shall be the officers of the University:-

Officers of the
University

- the Visitor
- the Chancellor;
- the Vice-Chancellor;
- the Pro Vice-Chancellor;
- the Deans of Faculties;
- the Registrar;
- the Finance Officer, and
- such other officers as may be declared by the Statutes to be officers of the University.

12. (1) The Governor of Uttaranchal 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.

Visitor

The Chancellor 13. (1) Yog Rishi Swami Ramdev ji, who is President of Patanjali Yog Peeth (Trust) and Divya Yog Mandir (Trust), Kankhal, Hardwar will be the first Chancellor of Patanjali University and will hold office for life long and thereafter Patanjali Yog Peeth (Trust) will appoint Chancellor from among the Trustees with the prior approval of the Visitor.

(2) The Chancellor shall have other such powers as may be conferred on him by this Act or the Statutes made there under.

Vice Chancellor 14. (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, viz, :-

- (a) One person nominated by the Visitor & Chancellor each.
- (b) The Principal Secretary/ Secretary to the State Government in the Higher Education Department;
- (c) Three nominees of the Board of Governors, one of whom shall be nominated as the convenor 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 of 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.

The Pro-Vice Chancellor 15. A Pro Vice-Chancellor may be appointed by the Vice-Chancellor with prior approval of the Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed by Statutes.

Deans of Faculties 16. Deans of faculties shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed by Statutes.

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| 17. | (1) The Registrar shall be appointed by the Chancellor in such manner and on such terms and conditions as may be prescribed. | The Registrar |
| (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. | |
| 18. | 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. | The Finance Officer |
| 19. | The manner of appointment, terms and conditions of service and powers and duties of the other officers of the University shall be such as may be prescribed. | Other Officers |

CHAPTER-IV

Authorities of the University

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| 20. | The following shall be the authorities of the University, namely:- | Authorities of the University |
| | (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. | |
| 21. | (1) The Board of Governors shall consists of: | The Board of Governors and its powers |
| | (a) The Chancellor -Chairman; | |
| | (b) The Vice-Chancellor - Member-Secretary; | |
| | (c) Principal Secretary/ Secretary to the State Government in the Higher Education Department or a Secretary to the State Government nominated by the State Government; | |
| | (d) Principal Secretary/ Secretary to the State Government in the Medical Education Department or a Secretary to the State Government nominated by the State Government; | |
| | (e) Five persons nominated by the Patanjali Yog Peeth (Trust). | |
| | (f) Three academicians nominated by the Visitor. | |
| | (g) A Nominee of University Grants Commission. | |
| | (h) Three Nominees of Officers or Scientist working in the field of Yog and Ayurved nominated by the Chancellor. | |

(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.
- (h) to nominate an observer or observers who will, time to time, under the advice and directions of the Chancellor decide the policy and frame work within which the Board of Management, Academic Council, Finance Committee and such other authorities as may be declared in the statutes, will function and pass resolutions for the proper administration of the University.

(3) The Board of Governors shall meet at least three times in a year at such time and place as the Chancellor thinks fit.

The Board of Management

22. (1) The Board of Management shall consist of:-

- (a) The Vice-Chancellor;
- (b) A Nominee of Patanjali Yog Peeth (Trust) nominated by the Chancellor.
- (c) Five persons, nominated by the Patanjali Yog Peeth (Trust).
- (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) Principal Secretary/ Secretary to the State Government in the Higher Education Department or his nominee not below the rank of Joint Secretary to the State Government. 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.

The Academic Council

23. (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 supervision over the academic policies of the University.

The Finance Committee

24. (1) The Finance Committee shall consist of:-

- (a) the Vice-Chancellor - Chairman;
- (b) the Finance Officer -
- (c) Principal Secretary/ Secretary to the State Government in the Higher Education Department or his nominee not below the rank of Joint Secretary to the State Government;
- (d) Principal Secretary/ Secretary to the State Government in the Medical Education Department or his nominee not below the rank of Joint Secretary to the State Government;
- (e) 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 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.

Other Authorities 25. The constitution, powers and functions of the authorities of the University shall be such as may be prescribed.

Proceedings not invalidated on account of vacancy 26. 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-V

Statutes and Rules

Statutes 27. 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 composition of bodies 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, teachers and 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 department and faculties;
- (g) the manner of co-operation with other Universities or Institutions of higher learning.
- (h) the procedure for conferment of honorary degrees;
- (i) provisions regarding grant of freeships 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 Uttaranchal Students;
- (k) the fee chargeable from students for various courses of studies;
- (l) institution of fellowships, scholarships, studentships, freeships, medals and prizes;
- (m) procedure for creation and abolition of posts;
- (n) other matter which may be prescribed.

Statutes how made 28. (1) The first Statutes framed by the Board of Governors shall be submitted to the State Government for its approval, which may, within three months from the date of receipt of the Statutes give its approval 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 approved by the State Government.

Power to amend the Statutes 29. 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.

Rules 30. 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 course 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 a constituent college;
- (h) maintenance of discipline among the students of the University or a constituent college;
- (i) all other matters as may be provided in the Statutes and Rules under the Act.

- Rules how made 31. (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.

Power to amend Rules 32. The Board of Governors may, with the approval of the State Government make new or additional rules or amend or repeal the rules.

CHAPTER-VI

Miscellaneous

Conditions
service of
employees

33. (1) Every employee shall be appointed under a written contract, which shall of be kept in the University and a copy of which 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.

34. Every employee or student of the University or of a Constituent College, Regional Center, Study Center and Yog Training Centers notwithstanding anything contained in the proposed Act, 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 Center, Study Center and Yog Training Center as the case may be and thereupon the Board of Management may confirm, modify or change the decision appealed against. Right to appeal
35. The University shall constitute for the benefit of its employees such provident or pension fund and provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be prescribed. Provident fund & pension
36. 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. Disputes as to constitution of University authorities and bodies
37. Whenever 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 other persons, if any, as the authority in each case thinks fit. Constitution of Committees
38. 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. Filling of casual vacancies
39. No suit or other legal proceedings shall lie against any officer or other 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, the Statutes or the Rules. Protection of action taken in good faith
40. Notwithstanding anything contained in any other provisions of this Act and the Statutes:- Transitional provisions
- (a) the first Vice-Chancellor and Pro Vice-Chancellor, if any shall be appointed by the Chancellor and the said officer shall hold office for a term of three years;
- (b) the first Registrar and the first Finance Officer shall be appointed by the Chancellor who shall hold 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.
41. (1) The University shall establish a permanent endowment fund of at least rupees three crores which may be increased suo motu but shall not be decreased. Permanent Endowment Fund
- (2) The University shall have power to invest the permanent endowment fund in such manner as may be prescribed.
- (3) The University may transfer any amount from the general fund or the development fund to the permanent endowment fund. Excepting the dissolution of the University, in no other circumstances can any monies be transferred from corpus of the endowment fund for other purposes.

- (4) Not exceeding 75% of the incomes received from the corpus permanent endowment fund shall be used for the purposes of development works of the University. The remaining 25% shall be reinvested into the permanent endowment fund.

General Fund 42. (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 Patanjali Yog Peeth (Trust).
 (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.

Development Fund 43. (1) The University shall also establish a development fund to which the following funds shall be credited, namely:-
 (a) development fees 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 contributions made by the Patanjali Yog Peeth (Trust).
 (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; 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.

Maintenance of fund 44. The funds established under sections 41, 42 and 43 shall, subject to general supervision and control of the Board of Governors, be regulated and maintained in such manner as may be prescribed.

Annual Report 45. (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 31 December following close of the financial year in 31 March each year.

Accounts and audit 46. (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 31 December following close of the financial year in 31 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 accoutns and audit report of the University shall be binding on the University.
47. 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 matter and transaction therein recorded where the original thereof would, if produced, have been admissible in evidence. Mode of proof of University record
48. (1) If Patanjali Yog Peeth (Trust) proposes dissolution of the Patanjali 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. Dissolution of University
- (2) On identification of mismanagement, mal-administration, in-discipline, failure in the accomplishment of the objects of University and economic hardships in the management systems of 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 Patanjali Yog Peeth (Trust).
- (4) On receipt of the notice referred to in sub-section (1), the State Government shall, in consultation with the Council for Technical Education and University Grant Commission make such arrangements for administration of the University from date of dissolution of the University by Patanjali Yog Peeth (Trust) and until the last batch of students in regular courses of studies in such manner as may be prescribed by the statutes.
49. (1) The expenditure for administration of the University during the taking over period of its management under section 48 shall be met out of the permanent endowment fund, the general fund or the development fund. Expenditure of the University during dissolution
- (2) If the funds referred to in sub-section (1) are not sufficient to meet the expenditure of the University during the taking over period of its management, such expenditure may be met by disposing of the properties or assets of the University, by the State Government.

Enforcement 50. The law prepared by state Government relating admission & fee in the of Law relating Universities and Institutes established in private sector, shall operate in this Admission & Fee University too.

Removal of difficulties 51. (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 notification 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 legislature.

By Order,

U. C. DHYANI,
Secretary.