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Dated Dehradun, January 03, 2024

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 Uttarakhand Private University Act, 2023'** (Act No. 02 of 2024).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 01st January, 2024.

THE UTTARAKHAND PRIVATE UNIVERSITIES ACT, 2023

(Uttarakhand Act No. 02 of 2024)

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THE UTTARAKHAND PRIVATE UNIVERSITIES ACT, 2023

(Uttarakhand Act No. 02 of 2024)

An

Act

to establish and incorporate new private Universities and to repeal the Acts of existing Private Universities and to incorporate them under this Act in the state of Uttarakhand, with emphasis to provide for qualitative, multidisciplinary and industry relevant Higher Education and to uniformly regulate their functions and for the matters connected therewith or incidental thereto.

Be it enacted by Uttarakhand State legislative assembly in the Seventy Fourth year of Republic of India, as follows,-

CHAPTER 1 Preliminary

<i>Short title, extent and commencement</i>	1.	(1)	This Act may be called the Uttarakhand Private Universities Act, 2023.
		(2)	It shall extend to the whole of the State of Uttarakhand.
		(3)	It shall come into force on such date as the State Government may by notification in the official gazette, appoint.
<i>Definitions</i>	2.		In this Act, unless the context otherwise requires, -
		(a)	“Act” means the Uttarakhand Private Universities Act 2023;
		(b)	“Academic Council” means the Academic Council of the University;
		(c)	“Authorities” means Authorities of the University;
		(d)	“Board of Governors” means the Board of Governors of the University;
		(e)	“Board of Management” means the Board of Management of the University;
		(f)	“Bodies” means Bodies constituted by any Officer or the Authority of the University;
		(g)	“Capitation Fees” means any extra amount charged in cash or kind over and above the determined and displayed fee on the public domain;
		(h)	“College/Institution/School” means the college or institutions or school established and managed by the University;

	(i)	“ Controller of Examination ” means the Controller of Examination of the University;
	(j)	“ Dean ” means the Dean of a Faculty of the University;
	(k)	“ Department ” means a Department designated as such by the Ordinances or Regulations with reference to a subject or group of subjects;
	(l)	“ Director ” means the Head of an Institution, including a Centre, of the University;
	(m)	“ Employee ” means any person appointed by the University including teacher or other staff;
	(n)	“ Evaluation Committee ” means an Evaluation Committee constituted to evaluate the proposals received for the establishment of a Private Universities;
	(o)	“ Faculty ” means the faculty of the University consisting of some Departments;
	(p)	“ Finance Committee ” means the Finance Committee of the University;
	(q)	“ Finance Officer/Finance Controller ” means the Finance Officer/Finance Controller of the University;
	(r)	“ High Power Committee ” mean a High Power Committee constituted to recommend the proposals for establishing private universities in the State of Uttarakhand, under this Act;
	(s)	“ Higher Education ” means study of a curriculum or course for the pursuit of knowledge beyond 10+2 level;
	(t)	“ Hill Region ” means such areas, blocks or districts defined by the State Government in its latest notifications, as Hill Region;
	(u)	“ hostel ” means a unit of residence for the students of the University or its constituent colleges or institutions maintained by the University in accordance with the provisions of this Act or the Statutes or Ordinances;
	(v)	“ Main Campus ” means the main campus of the private University situated in Uttarakhand State, in which the university headquarters with at least five educational departments are in the same place;
	(w)	“ Off-campus Centre/Campus ” means a Centre/Campus established, operated and maintained by the private university as its constituent unit outside the main campus within the jurisdiction of the Uttarakhand State with the prior approval of University Grants Commission and the State Government;

	(x)	"Off-shore Campus" means a campus established, operated and maintained by the private university as its constituent unit outside the country with only after obtaining due permission of the Government of India and also that of the Government of the host country;
	(y)	"Officers of the University" means the officers of the University;
	(z)	"Ordinances" means the Ordinances of the University made under the provisions of this Act;
	(za)	"Permanent Resident" means such resident of the State, who has the domicile/permanent residence certificate as per the rules framed by the State Government from time to time;
	(zb)	"Prescribed" means prescribed by the Statutes, Ordinances or Regulations made under this Act;
	(zc)	"President" means the President of the University;
	(zd)	"Principal" means the Principal of a Campus College of the University;
	(ze)	"Pro-Vice-Chancellor" means the Pro-Vice-Chancellor of the University;
	(zf)	"Registrar" means the Registrar of the University;
	(zg)	"Regulations" means the Regulations of the University made under the provisions of this Act;
	(zh)	"Regulatory Bodies" means the regulatory bodies established by the Central/State Governments from time to time such as University Grants Commission, All India Council of Technical Education (AICTE), National Council for Teachers Education (NCTE), Bar Council of India (BCI), National Medical Commission (NMC), Central Council of Indian Medicine (CCIM), Pharmacy Council of India (PCI), Indian Nursing Council (INC), Dental Council of India (DCI), Central Council for Homeopathy (CCH), Indian Council for Agricultural Research (ICAR), Council of Architecture (C.Arch.), Distance Education Board (DEB), Rehabilitation Council of India (RCI), National Council of Rural Institutes (NCRI), etc;
	(zi)	"Schedule" means the Schedule appended to this Act;
	(zj)	"Sponsoring Body" means,- <ul style="list-style-type: none"> • Any Society "not for profit" registered in Uttarakhand under the Societies Registration Act 1860, (Act no.21 of 1860) or any other corresponding law for the time being in force in the State; or

		<ul style="list-style-type: none"> • Any Public Trust registered under the Indian Trusts Act, 1882 (Act No. 2 of 1882); or • Any Company registered under the Companies Act, 1956 (Act No. 1 of 1956); and • Any company registered under the Companies Act, 2013;
		wishes to establish University under the provisions of this Act.
	(zk)	"State" means the State of Uttarakhand;
	(zl)	"Statutes" means the Statutes of the University made under the provisions of this Act;
	(zm)	"Study Centre" means a center established and maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance required by the students used in the context of distance education with the prior approval of University Grants Commission and the State Government;
	(zn)	"student" means any person enrolled in the University for any degree, diploma or other course, including research conducted by the University ;
	(zo)	"teacher" means a Professor, Associate Professor, Assistant Professor/Reader or any other person, appointed as per qualification prescribed by the Regulatory Body, required to impart education or to guide for research or to render guidance in any other form to the students studying in the University;
	(zp)	"University Grants Commission" means the University Grant Commission established under section 4 of the University Grant Commission Act, 1956;
	(zq)	"University" means a private University established or incorporated under the provision of this Act;
	(zr)	"Vice-Chancellor" means the Vice-Chancellor of the University; and
	(zs)	"Visitor" means the Visitor of the University.
CHAPTER II Establishment of University		
<i>Condition for the establishment of the University</i>	3.	The Sponsoring Body, for the purposes of establishing and operating the private University under this Act, shall follow the guidelines and fulfill all the conditions as specified by the notification in this connection by State Government and Regulatory Bodies from time to time.

<i>Submission of Proposal for Establishment of the University</i>	4.	The sponsoring body desirous to established a private University by a law of the State Legislature, shall make an application to the State Government, containing among other things an outline of the purpose and vision of the proposed University and the proposal and the Project Report in such manner, containing such particulars along with such fee, as may be prescribed by the State Government, from time to time.
<i>Evaluation and recommendation of proposals</i>	5.	The Higher Education Department of the State Government, on receipt of the proposal and the project report for establishment of a University, shall constitute an Evaluation Committee for evaluation and a High Power Committee for recommendation, of the proposals, in a manner as prescribed.
<i>Issuance of letter of intent and submission of compliance report by Sponsoring Body</i>	6.	After the receipt of the report of the Committee constituted under section 5, if the State Government is satisfied that it is justified to establish the University, it may issue a 'Letter of Intent' to the Sponsoring Body.
<i>Establishment of the University</i>	7.	(1) The State Government, if satisfied that the Sponsoring Body has fulfilled the conditions for establishment of the University as mentioned in Section-3 and has complied with the terms and conditions of Letter of Intent, issued under the Section 6, it may, after getting the University incorporated as per the provisions of sub-section (4) of Section-8, by a notification published in gazette, permit a Private University to be establish and operate, with such name and place.
		(2) The University shall start functioning only after getting the letter of authorization issued by the State Government for functioning of the University.
		(3) After establishment of the University, the name of the newly established Universities shall be mentioned in schedule-2 of this Act.
		(4) The land, building and other infrastructure pledged/acquired/constructed/created for the University shall not be utilized for any purpose, other than for which the same is acquired or constructed.
		(5) All the properties of the University shall remain vested in the University and no employee, officer or the member of any Authority of the University shall have any personal or proprietary rights on these properties.
		(6) The University shall not offer its programmers through franchising arrangement with other institutions/colleges or private coaching institutions even though the courses have to be conducted through distance mode.

		(7)	The University after five years of its existence and after the development of main campus with prior approval of the State Government, may open another campus, off-campus centers, off-shore campuses and study centers: Provided that the University before establishing another campus, off-campus center, off-shore campus and study center outside the main campus, shall comply with the Regulation issued from time to time by the University Grants Commission/Regulatory Bodies.
CHAPTER – III			
Incorporation of University and its Objectives			
<i>Incorporation of Universities</i>	8.	(1)	On the commencement of this Act the existing Private Universities enumerated in schedule-1 shall stand incorporated and established under this Act.
		(2)	The President, the Vice-Chancellor, members of the Board of Governors, the Board of Management and the Academic Council, Registrar for the time being holding office as such in the University so established, shall constitute a body corporate by the name of the University.
		(3)	The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.
		(4)	The State Government may, from time to time, by enacting in State Legislative Assembly and by notification in the Official Gazette, incorporate any new private university or may diminish, increase or alter the area of operation and function of any University, incorporated under this Act.
<i>Objectives of the University</i>	9.		The objectives of the University shall be to ensure promotion and advancement of knowledge and skills by making arrangements for instruction, research and extension in such branches of learning as it may deem fit. University shall endeavor to provide to students, researchers and teachers the necessary atmosphere and facilities for the promotion of the following,-
		(a)	Innovations in education, leading to restructuring of courses, new methods of teaching, training and learning including online learning, blended learning, continuing education and such other modes that paves the way for holistic and healthy development of personality;
		(b)	Studies and Research in various disciplines;
		(c)	Multidisciplinary and Interdisciplinary studies and Research;

		(d)	National integration, patriotism, secularism, social equity and inculcation of international understanding and ethics;
		(e)	To make learning more responsive to industrial and social needs and for holistic development associating the University closely with local, regional and national challenges; and
		(f)	Pursue any other objectives as may be approved by the Government.
Powers of the University	10.		Subject to the guidelines and norms as prescribed from time to time by the Regulatory Bodies and the State Government the University shall have the following powers, -
		(a)	to provide provisions for instruction in such branches of learning as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination of knowledge and skills;
		(b)	to honour educational stalwarts and persons of academic eminence with designation of Professor Emeritus;
		(c)	to grant, subject to such conditions as the University may determine, diplomas or certificates, and confer degrees or other academic distinctions to persons on the basis of examinations, evaluation or any other method of testing, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;
		(d)	to confer honorary degrees with prior approval of the Visitor;
		(e)	to institute as per norms of Regulatory Bodies and State Government Directorships, Professorships, Associate Professorships, Assistant Professorships, and other teaching or academic posts required by the University and to make appointments for the same;
		(f)	to create administrative, clerical and other posts and to make appointments thereto;
		(g)	to disseminate learning through various suitable modes, such as seminars, conferences, workshops, educational programs, community development program, publication, training programs etc.;
		(h)	to appoint or engage permanently or for a specified period persons of eminence from Industry, Academic or Research fields;
		(i)	to co-operate, collaborate or associate with any other University or Institution or Industrial and Social Organization in India or abroad in such manner and for such purpose as the University may determine;

	(j)	to establish and maintain such schools, faculties, departments, centers, specialized laboratories and other units for research and education as are in the opinion of the University, necessary for the furtherance of its objectives;
	(k)	to institute and award fellowships, scholarships, studentships, medals and prizes;
	(l)	to create a 'Corpus' fund for sustained and self-sufficient growth of the university;
	(m)	to establish, maintain and manage the hostels for students and residences of faculty and staff;
	(n)	to make provisions for functioning of University in accordance with the administrative and financial rules and procedures laid down by the University;
	(o)	to make provisions for research and consultancy;
	(p)	to determine standards for admissions into the University, which may include examination, evaluation or any other method of testing to ensure quality in accordance with the norms of State Government and other Regulatory Bodies;
	(q)	to determine, demand and receive fee and other charges;
	(r)	to lay down conditions of service of all categories of employees including their code of conduct;
	(s)	to make special arrangements in respect of women and other disadvantaged students as the University may consider desirable;
	(t)	to regulate and enforce discipline among the students and the employees, and to take such decisions in this regard as may be deemed necessary by the University;
	(u)	to make arrangements for promoting the health and general welfare of the employees of the University;
	(v)	to condemn or dispose off movable properties with the prior permission of the Sponsoring Body and as per provision of the Statutes, Ordinances and Regulations;
	(w)	To receive donations and to acquire, hold and manage any property, movable or immovable for the welfare of the University;

		(x)	to raise, collect, subscribe and borrow money for the purpose of University with approval of the Board of Governors and the Sponsoring Body, whether on the security or the property of the University;
		(y)	to ensure that no immovable property shall be disposed off or rights or title therein parted with or any liability created thereon, by any of the officers or authorities of the University, without prior approval of the State Government;
		(z)	to appoint either on contract or otherwise, visiting professors, emeritus professors, consultants, fellows, scholars, artists, course directors and such other persons who may contribute to the advancement of the objectives of the University;
		(za)	to make donations or grants or providing assistance to institutions, social institutions and charitable institutions having similar objectives;
		(zb)	to organize and to undertake extramural studies and extension service;
		(zc)	to organize and conduct orientation courses, refresher courses, workshops, seminars and other programs for teachers, staff and students;
		(zd)	to enter into, carry out, amend or cancel contracts;
		(ze)	to recognize examinations or period of studies (whether in full or part) of other Universities, Institutions or other Institutions of higher learning as equivalent to examinations or period of study of the University and to withdraw such recognition at any time;
		(zf)	to provide education in distance mode with the approval of the University Grants Commission, Regulatory Body and the State Government; and
		(zg)	to do all such other acts or things as may be necessary, incidental or conducive for smooth functioning and to attainment of all or any of the objectives of the University.
<i>Admission and Academic Standards</i>	11.	(1)	Admissions in all academic programmes, conducted by the University, shall be made by the admission committee as per the norms determined in accordance with the provisions of the Act, the Statutes and Ordinances made there under;
		(2)	The University shall ensure that the academic standards of the courses offered by the University are in accordance with the guidelines of the Regulatory Bodies;

		(3)	The teacher-student ratio shall be in accordance with the guidelines of the Regulatory Bodies.
<i>University open to all Classes and Creeds</i>	12.		<p>The University shall be open to persons of all sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt and to impose on any person any test whatsoever of his religious belief or profession in order to entitle him to be admitted therein as an officer, a teacher, staff member, student, or to hold any office therein or to graduate there at:</p> <p>Provided that nothing in this section shall be deemed to prevent the University from making special provisions for admission into various programs offered by the University for the permanent residents of the State of Uttarakhand.</p>
<i>Provisions for Permanent Residents of the State of Uttarakhand</i>	13.	(1)	<p>Notwithstanding anything contained in this Act for admission in various courses conducted by the private University minimum 25 (Twenty-five) percent or percentage of seats declared in the affidavit shall be reserved for the permanent resident of the State of Uttarakhand:</p> <p>Provided that if some seats, reserved for the permanent residents of the Uttarakhand, remain vacant, the University shall fix and publish the last date to fill these seats. If the permanent residents of Uttarakhand are not available after the last date fixed then the University may fill these seats by other eligible candidates:</p> <p>Provided further that the reservation policy of the State Government shall be applicable for admission for seat reserved for permanent resident of Uttarakhand.</p>
		(2)	In tuition fee of various courses conducted by the private university, at least 25 (Twenty Five) percent rebate or percentage declared in affidavit shall be given to the permanent residents of Uttarakhand who are admitted under sub-section (1) above.
		(3)	Qualified permanent residents of Uttarakhand shall be appointed against all post/vacancies of Group C and D.
<i>No Power to Affiliate any Institution</i>	14.		The University may have its own Constituent Institutions/Colleges, Regional Centers, Study Center and Training & Research Centers, but the University shall have no power to affiliate any College/Institution etc.

CHAPTER IV
Officers of the University

<i>Officers of the University</i>	15.	The following shall be the officers of the University, namely: -	
		(a)	The Visitor;
		(b)	The President;

		(c) The Vice-Chancellor;
		(d) The Pro-Vice-Chancellor;
		(e) The Dean/Principal/Director;
		(f) The Registrar;
		(g) The Finance Officer;
		(h) The Controller of Examinations; and
		(i) such other officers as may be defined and declared by the Statutes to be the officers of the University.
<i>The Visitor</i>	16.	(1) The Governor of Uttarakhand shall be the Visitor of the University.
		(2) The Visitor, when present shall preside over the convocation of the University.
		(3) Every proposal for the conferment of an honorary degree shall be subject to the approval of the Visitor.
		(4) 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, minutes or decision taken by any authority of University is not in conformity with the Act, Statues, Rules, Regulation or Ordinance 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 office bearers.
<i>The President</i>	17.	(1) The President shall be appointed by the Sponsoring Body for a period of 05 (five) years by following such procedure and on such emoluments, terms and conditions as may be prescribed: Provided that he may be re-appointed by the Sponsoring Body.
		(2) The President shall be the Head of the University. He shall be ex-office Chairmen of the Board of Governor and shall preside over the convocation of the University in the absence of the Visitor.
		(3) If in the opinion of the President, it is necessary to take immediate action on any matter for which powers are conferred on any authority under this Act, he may take such action as he deems necessary.
		(4) If, at any time, upon representation made or otherwise, and after making such inquiry, as may be deemed necessary, the situation so warrants that the continuance of the President in his post is not in the interest of the University, the Sponsoring Body, after following the procedure as prescribed by the statute, may ask the President to demit his office:

			Provided that before taking an action under this sub-section, the President shall be given an opportunity of being heard.
		(5)	The President shall have the following powers, namely,-
		(a)	he shall be appellate authority for hearing the appeals against the decisions of the Board of Management as disciplinary (appointing) authority of the teachers or equivalent;
		(b)	to call for any information or record of the University;
		(c)	to appoint the Vice-Chancellor under sub-section (3) of section 18 of this Act;
		(d)	to remove the Vice-Chancellor under sub-section (6) of Section 18 of this Act; and
		(e)	such other powers as may be prescribed by the Statutes.
<i>The Vice-Chancellor</i>	18.	(1)	The Vice-Chancellor shall be whole time salaried officer of the University who shall be responsible for over-all functions of the University and shall function through authorities and officers of the University.
		(2)	The Vice-Chancellor shall be an eminent academician with strong administrative acumen. He shall fulfill the qualification and experience prescribed in the Regulations of University Grants Commission or other Regulatory Bodies, from time to time.
		(3)	The Vice-Chancellor shall be appointed, subject to fulfilling the qualification as per sub-section (2), and on such terms and conditions as may be prescribed by the Statutes, for a period of three years by the President, from a panel of three persons recommended by the Search-cum-Selection Committee constituted under sub-section (4): Provided that the Vice-Chancellor shall be eligible for reappointment subject to the approval of the Board of Governors: Provided further that no person shall be appointed or hold the post of the Vice-Chancellor after attaining the age as determined by the Regulatory body.
		(4)	The Committee referred in sub-section (3) shall consist of the following persons, namely: -

		(a)	One member nominated by the Visitor;
		(b)	One member nominated by the President;
		(b)	One member nominated by UGC;
		(d)	Principal Secretary/Secretary, Department of Higher Education, Government of Uttarakhand;
		(e)	Two members nominated by the Board of Governors-one of whom shall be nominated by the Board of Governors as convener of the committee.
		(5)	<p>The Committee constituted under sub-section (4) 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 President along with a concise statement showing the academic qualifications and other distinctions of each person:</p> <p>Provided that if the President is not satisfied/ agreed with the panel recommended by the search-cum-selection committee, he shall with reasons of disagreement call for a fresh panel only one more time.</p>
		(6)	<p>If, at any time, upon representation made or otherwise, and after making such enquiry, as may be deemed necessary, the situation so warrants that continuance of the Vice-Chancellor is not in the interest of the University, the President, by an order in writing stating the reasons thereof, may ask the Vice-Chancellor to demit his office from such date as may be specified in the order:</p> <p>Provided that before taking an action under this sub-section, the Vice-Chancellor shall be given an opportunity of being heard.</p>
<i>Powers and Duties of the Vice-Chancellor</i>	19.	(1)	The Vice-Chancellor, shall be principal academic and executive head of the University who shall exercise general supervision and control over affairs of the University and its constituent Colleges/ Institutions/Schools. He shall,-
		(a)	preside over the convocation of the University in the absence of the Visitor and the President;
		(b)	implement the decisions of the President and authorities of the University;
		(c)	be ex-officio Chairman of the Board of Management, the Academic Council and the Finance Committee;
		(d)	ensure the observance of the provisions of Act, Statutes, Ordinances, Regulation and Rules;

		(e)	be responsible for the proper administration, co-ordination, utilization of funds, timely holding the examination and declaration of the results and maintenance of discipline in the University; and
		(f)	have the right to speak in and otherwise take part in the meeting of any other authority or body of the University but shall not by virtue of this sub section be entitled to vote.
		(2)	<p>If in the opinion of the Vice-Chancellor, it is necessary to take immediate action on any matter for which powers are conferred on any authority, under his control, under this Act, he may take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer or authority as it would have in the ordinary course dealt with the matter:</p> <p>Provided that if in the opinion of the concerned officer or authority such action should not have been taken by the Vice-Chancellor, then the person aggrieved by the decision shall have the right to appeal, within a period of two months from the date of communication or knowledge of such decision, before the President, whose decision thereon shall be final.</p>
		(3)	The Vice-Chancellor shall exercise such other powers and perform such duties as may be prescribed by the Statutes or delegated by the Board of Governors or the President.
<i>The Pro-Vice – Chancellor</i>	20.	(1)	The Pro-Vice-Chancellor shall be appointed by the President on the recommendation of the Vice-Chancellor in such manner as prescribed by the Statue, and he shall exercise such powers and perform such duties as may be prescribed by the Statutes or provided in the Ordinances and regulations.
		(2)	The Pro-Vice-Chancellor appointed under sub-section (1) shall discharge his duties in addition to his duties as a Professor.
		(3)	The Pro-Vice-Chancellor shall assist the Vice-Chancellor in discharging day-to-day duties as and when required by the Vice-Chancellor.
<i>Dean/ Principal/ Director</i>	21.		The Dean/Principal/Director of each faculty/constituent college/institution/school of the University shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.
<i>The Registrar</i>	22.	(1)	The Registrar shall be a whole-time salaried Officer of the University and shall be appointed by the President in such manner and on such terms and conditions as may be prescribed by the Statutes.

		(2)	The Registrar by virtue of his office shall be the member secretary in the Board of Management and the Academic Council and Secretary for the selection committee of the teachers and shall be a member of Finance Committee and other committees or bodies, as may be prescribed by Statutes and Ordinances.
		(3)	The Registrar shall be custodian of records, property and common seal of the University and he shall have the power to authenticate records on behalf of the University.
		(4)	The Registrar shall have the power to enter into contract, sign documents on behalf of the University.
		(5)	The Registrar shall be bound to place before the authorities all such information as may be necessary for transaction of their business. He shall exercise such other powers and perform such other duties as may be prescribed by the Statute, Ordinances or Regulations or as may be delegated to him by the Vice-Chancellor and other Authorities from time to time.
<i>The Finance Officer</i>	23.	(1)	The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed.
		(2)	The Finance Officer shall, be the <i>ex-officio</i> secretary of the Finance Committee.
<i>The Controller of Examinations</i>	24.	(1)	The Controller of Examinations shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes, Ordinance and Regulations.
		(2)	The Controller of Examinations shall be the member secretary of the Board of Examinations.
<i>Other officers</i>	25.		The procedure of appointment, terms and conditions of service, powers and duties of other officers of the University shall be as prescribed by Statutes.

CHAPTER V
Authorities of the University

<i>Authorities of the University</i>	26.		The following shall be Authorities of the University, namely:-
		(a)	The Board of Governors;
		(b)	The Board of Management;
		(c)	The Academic Council;

		(d)	The Board of Examinations;
		(e)	The Board of Studies;
		(f)	The Planning Board;
		(g)	The Finance Committee; and
		(h)	Such other authorities as may, be prescribed by the Statutes to be the authorities of the University.
The Board of Governors	27.	(1)	The Board of Governors shall be the Principal Governing Authority of the University who shall control its functioning, by using all such powers as prescribed by Statutes, Ordinances or Regulations.
		(2)	The Board of Governors of the University shall consist of following, -
		(a)	The President - Chairman;
		(b)	The Vice-Chancellor – Member Secretary;
		(c)	Two distinguished academicians nominated by the Visitor;
		(d)	Two distinguished academicians nominated by the State Government;
		(e)	The Principal Secretary/Secretary, Department of Higher Education, Government of Uttarakhand or a person nominated by him not below the rank of Additional Secretary;
		(f)	Three distinguished persons nominated by the President from the fields of Administration/Corporate/ Management / IT etc.; and
		(g)	Five distinguished persons nominated by the Sponsoring Body, out of whom at least one should be an academician.
		(3)	The Board of Governors shall meet at least twice in a year on such date and place as the President may fix: Provided that the President may, whenever he thinks fit or shall upon a requisition in writing signed by not less than one fourth of the total members, convene a special meeting of the Board of Governors.
		(4)	The Board of Governors shall have the following powers namely, -

		(a)	to decide the broad policies and from time to time review the programs of the University and to suggest measures for the working procedures, improvement and development of the University;
		(b)	to appoint the Statutory Auditors of the University;
		(c)	to review the decisions taken by the Board of Governors and to amend or to charge or to repeal the decisions taken by other authorities;
		(d)	to approve budget, annual report and annual account of the University;
		(e)	To approve new or additional Statutes and Ordinances made by the Board of Management or to amend or repeal the Statutes and Ordinances made earlier;
		(f)	to take decision about voluntary winding up of the University;
		(g)	to open, close, operate and manage accounts of the University;
		(h)	to approve proposals for submission to the State Government;
		(i)	to maintain and supervise all funds of the University;
		(j)	to take decision regarding future planning and development of the University;
		(k)	to take such decisions and take such steps as are desirable for growth and effectively carrying out the objectives of the University; and
		(l)	to perform such other functions as may be prescribed.
The Board of Management	28.	(1)	The Board of Management shall be the principal executive authority of the University.
		(2)	The Board of Management shall consist of the following namely,-
		(a)	The Vice-Chancellor - Chairperson;
		(b)	The Pro- Vice -Chancellor, if any;
		(c)	Five eminent persons, nominated by the Sponsoring Body from different fields;

		(d)	The Principal Secretary/Secretary, Department of Higher Education, Government of Uttarakhand or person nominated by him not below the rank of Additional Secretary;
		(e)	Maximum Three Deans/Principals/Directors on the basis of rotation, nominated by the President;
		(f)	Two Professors, on recommendation of Vice- Chancellor, nominated by the President on the basis of seniority and rotation :
		(g)	The Finance Officer; and
		(h)	The Registrar - Member Secretary.
		(2)	The meetings of the Board of Management shall be held in such manner as may be prescribed.
		(3)	The Board of Management shall exercise such powers and perform such functions as prescribed by statutes.
<i>The Academic Council</i>	29.	(1)	The Academic Council shall be the principal academic authority of the University and shall subject to the provisions of the Statutes, the Ordinances and Regulations, determine, co-ordinate and exercise general supervision over the academic policies of the University.
		(2)	The constitution of the Academic Council, the term of office of its members and its powers and functions shall be such as may be prescribed by the Statutes.
<i>The Board of Examinations</i>	30.		The constitution, powers and functions of the Board of Examinations shall be as prescribed by the Statutes and Ordinances or Regulations.
<i>The Boards of Studies</i>	31.		The constitution, powers and function of the Boards of Studies shall be as prescribed by the Statutes.
<i>The Planning Board</i>	32.	(1)	The Planning Board shall be the principal Planning Body of the University which shall ensure that the infrastructure and academic support system meets the norms of the University Grants Commission and other Regulatory Bodies.
		(2)	The constitution of the Planning Board, term of office of its members and its powers and functions shall be such as may be prescribed by the Statutes.
<i>The Finance Committee</i>	33.	(1)	The Finance Committee shall be Principal Financial Authority for policy making and management of financial matters of the University.

		(2)	The constitution, powers and functions of the Finance Committee shall be such, as may be prescribed by the Statutes.
<i>Other authorities of University</i>	34.		The constitution, powers and functions of other authorities, declared by the Statutes, of the University, shall be such as may be prescribed.
<i>Disqualification of the Members of an Authority or Body</i>	35.	(1)	A person shall be disqualified for being a member of any authorities or bodies of the University, if he, -
		(a)	is of unsound mind and stands so declared by a competent medical board;
		(b)	is an undischarged insolvent;
		(c)	has been convicted of any offence involving moral turpitude;
		(d)	has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere;
		(e)	has any motive of profit from University except salary or any other authorized emoluments;
		(f)	applies funds of the University for his personal use.

CHAPTER VI
Statutes, Ordinances and Regulations

<i>Powers to make Statutes</i>	36.	(1)	The First and amended Statutes of the Universities incorporated and established under this Act shall be made by the Board of Governors on recommendation of the Board of Management and shall be submitted before the State Government for its approval.
		(2)	Within 03 (three) months from the date of receipt of the Statutes the Government shall consider and approve or return the same to the University for modification with its suggestions.
		(3)	Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely, -
		(a)	constitution, powers and functions of the Authorities of the University or as may be constituted from time to time;

			(b)	appointment and continuance in office of the members of the Authorities, filling of vacancies of the members of the Authorities and all other matters relating to authorities for which it may be necessary to make provisions;
			(c)	appointment, powers and duties of the officers of the University and their emoluments;
			(d)	appointment of teachers, other academic, administrative and non-academic employees and their emoluments;
			(e)	appointment of teachers and other academic and administrative staff working in the University or Institution for specific period for undertaking a joint project;
			(f)	conditions of service of employees including provisions for retirement benefits, insurance and provident fund, the manner of termination of service and disciplinary actions;
			(g)	principles governing seniority of service of employees;
			(h)	procedure for resolving disputes between university and its officers, teachers, employees or students;
			(i)	institution and condition for award of fellowships, scholarships, studentships, medals and prizes;
			(j)	procedure for filing appeal by any employee or student against the action of any officer or authority of the University and it's disposal;
			(k)	conferment of honorary degrees;
			(l)	withdrawal or cancellation of degree, diploma, certificate and other academic distinctions;
			(m)	operation of the permanent endowment fund, the general fund and the development fund;
			(n)	establishment, merger and abolition of Departments;
			(o)	maintenance of discipline among the students and employees;
			(p)	Creation and abolition of posts;
			(q)	Process of dissolution/winding up of the University; and
			(r)	all other matters, as per this Act or as may be prescribed.

		(4)	The Board of Management shall not make, amend or repeal any Statute affecting the powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes and any opinion so expressed shall be considered by the Board of Management.
Power to make Ordinances	37.	(1)	Subject to the provisions of this Act and the Statutes, the Ordinances shall be made by the Board of Management which may provide for all or any of the following matters, namely, -
		(a)	the admission of students to the University and their enrolment as such;
		(b)	the determination of courses of study to be laid down for all degrees, diplomas and certificates of the University;
		(c)	the medium of education and examination;
		(d)	the award of degree, diploma, certificate and other academic distinction and determination of eligibilities and measures to be taken for awarding or obtaining the same;
		(e)	the determination of tuition fee for various programs and chargeable fee for examinations, degrees, diplomas and certificates of the University;
		(f)	the conditions for the award of fellowships, scholarships, studentships, medals and prizes;
		(g)	the conduct of examinations including the term of office and the manner of appointment and duties of the Examination Committee, examiners, invigilators, tabulators and moderators;
		(h)	the conditions of residence of the students of the University;
		(i)	special arrangements, if any, to be made for the residence, discipline and teaching of girl students and to prescribe special courses of studies for them under the University;
		(j)	the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;
		(k)	the establishment of Centre of Studies, Board of Studies, Interdisciplinary Studies, Special Centers, Specialized Laboratories and other Committees;

		(l)	the manner of co-operation and collaboration with other Universities and Institutions including professional bodies or associations;
		(m)	the creation, composition and functions of any other body/committee which is considered necessary for improving the academic standard of the University;
		(n)	the remuneration to be paid to the examiners, moderators, invigilators and tabulators; and
		(o)	other matters as prescribed by the Act or Statutes.
Power to make Regulations	38.		For academic, administrative and other activities of the University the authorities of the University may make Regulations not inconsistent with the provisions of this Act, Statutes and Ordinances.
Publication of Statues, Ordinances and Regulation	39.		Every Statute, Ordinance and Regulation made under this Act shall be published by the University and shall also uploaded in its website and the public domain.
Convocation	40.		The Convocations of the University, for conferring degree, diplomas or for any other purpose, may be held regularly in the manner as may be prescribed by the Statutes, Ordinances and Regulations.
Accreditation of University	41.		Within a period of five years from commencement of programmes, the University shall obtain NAAC and other such accreditations as may be prescribed by the State Government from time to time. It shall also obtain certification/accreditation from such other Regulating Bodies which are connected with the courses conducted by the University. It shall inform the State Government about the grade obtained by the University. The University shall ensure renewal of such accreditation from time to time.

CHAPTER – VII

Funds and Account of the University

Permanent Endowment Fund	42.	(1)	The Sponsoring Body shall establish a Permanent Endowment Fund of at least of Rupees 05 (Five) crore for plane areas and Rupees 3 (Three) crore for hill areas in the form of a Bank Guarantee of a Nationalized Bank Pledged in the name of State Government for a period of 05 (five) years and it shall be renewed after every five years and after every five year the said Bank Guarantee shall be increased by 25 percent.
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	(2)	The Endowment Fund shall be used as security deposit to ensure that the University complies with the provisions of this Act and functions as per the provisions of this Act, the Statutes, the Ordinances and the Regulations made there under. The State Government shall have the powers to forfeit, a part or whole of the Endowment Fund, in case the University or the Sponsoring Body contravenes the provisions of this Act, the Statutes, the Ordinances or the Regulations made there under.
	(3)	The University may utilize the income from Endowment Fund for the development of infrastructures of the University or for meeting the recurring expenditure of the University.
General Funds	43.	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 sources;
	(c)	all contributions made by the sponsoring body; and
	(d)	all contributions made in this behalf by any other person, institutions or bodies which are not prohibited by any law for the time being in force.
	(2)	The money credited to the general fund shall be applied for development of the University and to meet all the expenses for it's smooth functioning.
Development Funds	44.	(1) The University shall also establish a development fund to which the following moneys shall be credited, namely, -
	(a)	development fees, which may be charged from students;
	(b)	all sums received from other sources for the purpose of the development of the University;
	(c)	all contributions made by the Sponsoring Body;
	(d)	contributions made in this behalf by any other person or bodies 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 money credited to the development fund from time to time shall be utilized for the development of the University.
Maintenance of Funds	45.	All funds established under this Act shall subject to general supervision and control of the Board of Governors and shall be regulated and maintained in such manner as may be prescribed.

Annual Report	46.	(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 on such date as may be prescribed. The Board of Governors in its annual meeting shall consider and approve the Annual Report.
		(2)	Approved Annual Report shall be submitted to the Visitor and State Government before 31 st December each year.
Annual Account and Audit	47.	(1)	The annual accounts and balance sheet of the University shall be prepared under the direction of the Board of Management and at least once every year and at intervals of not more than fifteen months, be audited by an experienced and qualified firm of Chartered Accountants of repute.
		(2)	A copy of the annual accounts and the balance sheet together with the audit report and the observations of the Board of Management shall be submitted to the President and the Board of Governors for consideration in the Annual Meeting.
		(3)	The Board of Governors in its annual meeting shall consider and approve the annual accounts and audit report. Observations on annual accounts, if any, shall be brought to the notice of the Board of Management. The Board of Management after reviewing the observations, if any, shall submit the audit report before the President for approval.
		(4)	A copy of the annual account and balance sheet duly approved by the Board of Governors shall be sent to the Visitor and the State Government before 31 st December each year for information and uploading it in the website of the concern Department.
		(5)	The directions of the State Government on the subject arising out of the account and the audit report of the University shall be binding on the University.
The University shall be self-financed	48.		<p>The University shall not be entitled for any grants in aid or any financial assistance from the State Government or any other body or Corporation owned and controlled by the State Government:</p> <p>Provided that the University shall be entitled to receive any such grant which may be granted under any special scheme of the State/Central Government or any body or corporate, owned or controlled by the State/Central Government subject to the condition of such a grant.</p>

CHAPTER VIII
Role of the State
Government and Regulatory Bodies

<i>University to follow rules, regulations, norms, etc. of regulatory bodies</i>	49.	Notwithstanding anything contained in this Act, the University shall be bound to comply with all the rules, regulations, norms, etc. of the regulating bodies of Government of India and provide all such facilities and assistance to such bodies as are required by them to discharge their duties and carry out their functions.
<i>Power of State Government to call for Information and records</i>	50.	It shall be the duty of the University or any authority or officer of the University to furnish such information or records relating to the administration or finances and other affairs or activities etc. of the University as the State Government may call for.
<i>Role of the Government and Regulatory Bodies</i>	51.	(1) The University, as an autonomous body, shall function independently within broad policy frame work of the State Government and in accordance with the Regulations and Guidelines of Regulatory Bodies. The role of the State Government and the Regulatory Bodies shall be to ensure that the functioning of the University is as per the provisions of the Act, Statutes, Ordinances and Regulations and the State Government and Regulatory Bodies may interject for a constructive resolve in the greater academic interests, including periodic inspection.
		(2) The State Government may issue such directions from time to time to the University on policy matters not inconsistent with the provisions of this Act as it may deem necessary. Such directions shall be complied by the University, failing which the State Government may take a reasonable action against the University.
		(3) On identification of gross mismanagement, mal-practice, fraud or misappropriation or serious misuses of funds, failure in the accomplishment of the objectives of the University or non-compliance of the provision of Letter of Intent and any section of this Act, the State Government shall issue notice requiring the University to show cause within two months.
		(4) Upon receipt of the reply from the University on the notice issued under sub-section (3), if the Government is satisfied that the University has violated any provisions of this Act or Statutes, it shall conduct such inquiry as it may deem fit.
		(5) If, on receipt of the report of the enquiry conducted under sub-section (4), the State Government is satisfied that the University has violated any provision of this Act or Statute, then it may take appropriate action, including imposing the penalty on the University, recommend to the regulatory Bodies to derecognize the University or winding up of the University.

		(6)	Without prior approval of the State Government no immovable property of the University shall be disposed off, sold or transferred by any of the officers or authorities of the University.
<i>Fee</i>	52.	(1)	The fee structure for all purpose shall be determined by the Board of Management on recommendations of a Fee Fixation Committee, constituted by the Board of Governors. The Fee Fixation Committee shall consist of members drawn from Board of Management, Academic Council, as well as external experts related to the programs and accounts. A senior member of the Board of Management shall be Head of the Fee Fixation Committee.
		(2)	Fees determined by the Board of Management shall be valid for 03 (three) consecutive academic years. All fees and charges determined by University shall be transparently and fully disclosed, along with the basis of fee fixation process. There shall be no increases in the tuition fees to be charged from an enrolled student during the period of completion of any course.
		(3)	The University shall not charge any fee, in any form, like Capitation fee etc., from its students over and above the fee fixed by the Fee Fixation Committee or by the Regulatory Bodies and there shall be no profiteering of education.
		(4)	The level of fees charge, for the courses offered, shall have a reasonable relation to the cost of running the course, infrastructure, quality of teaching & research and other facilities. The Admission process and fee structure shall be published in the prospectus and uploaded on the Website of the University before starting the admission in any course & session.
		(5)	The University shall preserve the complete proceedings and records of fee determination process and a copy shall be sent to the State Government for information, and for further consideration, if required.
		(6)	In the event of any written complaint, related to wrongly in fixation of fee, demand of fee or money in excess of the fee fixed and displayed in public domain, lodged before the Board of Governors by any student enrolled in a course, the Board of Governors shall settle the matter itself or through the Student Grievance Redressal Committee constituted as per norms of University Grants Commission regulation.
		(7)	Any student aggrieved by the decision of the Board of Governors or the Student Grievance Redressal Committee may refer the case, along with supporting documents, to the State Government, within two months of the decision of the University.

		(8)	The State Government shall examine and decide the matter and its decision shall be final.
<i>Provision of Penalties</i>	53.	(1)	Whoever contravenes the provisions of this Act or the rules made there under for any examinations related matters or in matters relating to the admissions and award of degree or in giving mark sheets or fee related matter or matter related to appointment of Faculty, shall on conviction be punishable with fine of such amount as may be notified by the State Government from time to time; Provided that, where the University is also involved in committing the offence, the authorization letter, issued by the Government under this Act, to operate the University shall be withdrawn.
		(2)	No Court lower than the court of a Magistrate of the first class shall try an offence punishable under this Act, nor shall cognizance of any such offence be taken except on a complaint made by the Principal Secretary/ Secretary, Department of Higher Education Government of Uttarakhand or any other person authorized, in writing by him, by general or special order in that behalf.
		(3)	Penalty under this Section may the imposed without prejudice to the penalty specified in any other Act.

CHAPTER IX

Dissolution/Winding Up of University

<i>Dissolution/ Winding up of University</i>	54.	(1)	If the Sponsoring Body proposes to dissolve, the University it shall give at least one year's prior notice in writing to the State Government.
		(2)	On receipt of notice referred to in sub-section (1), the State Government shall make such arrangements in such manner as may be prescribed for administration of the University, from the date of dissolution of the University and until the last batch of students in regular program of the University complete their program/studies.
		(3)	If the State Government decides to wind up the University in pursuance to provisions of sub-section (5) of section 51, it shall initiate the process of winding up of the University in accordance with the Statutes made in this regard:

			Provided that the process of winding up of University shall not be initiated without giving a reasonable opportunity of being heard to the Sponsoring Body.
		(4)	On the completion of the process of dissolution or winding up of the University under sub-sections (2) and (3), the State Government shall, by a notification in the Official Gazette, issue an order for dissolving or winding up of the University and from the date of publication of such notification, the University shall stand dissolved/wound up and from such date all the remaining assets and liabilities of the University shall vest in the sponsoring body.
		(5)	Every notification issued under sub-section (4) shall be placed before the State Legislature Assembly.
<i>Expenditure of the University during Dissolution/Winding up</i>	55.	(1)	Once the decision regarding dissolution or winding up of the University is taken by the State Government, the expenditure for administration of the University during the process of dissolution/winding up shall be met out from the permanent endowment fund, the general fund or the development fund.
		(2)	If the funds referred in sub-section (1) are not sufficient to meet the expenditure and the liabilities of the University such expenditure and liabilities may be met out by the State Government by disposing off the properties and assets of the University.
CHAPTER X Miscellaneous and Transitory Provisions			
<i>Duties of Teachers</i>	56.		Every teacher of a University shall carry out the work related to teaching, research, examination or other work assigned to him by the university from time to time.
<i>Obligation to perform Examination work</i>	57.		Any person who is entrusted with the examination work relating to paper setting, invigilation, supervision, evaluation, conduct of practical examination, tabulation and preparation of marks sheets and all such activities shall discharge his duties prudently and with utmost integrity.

<i>Returns and information</i>	58.	It shall be the duty of the University or any authority or officers of the University to furnish such information or records relating to the administration or finances and other affairs or activities etc. of the University as the State Government may call for.
<i>Conditions of service of employees etc.</i>	59.	<p>(1) Every employee of the University shall be appointed under a written contract, a copy of which shall be kept by the University and a copy of which shall be furnished to the employee concerned.</p> <p>(2) Disciplinary action against the employees shall be taken under procedure prescribed in the relevant Statutes.</p> <p>(3) Any dispute arising between the University and any of the regular appointed employees shall be referred to the Vice-Chancellor. The Vice-Chancellor shall decide the dispute within 03 (three) months from the date of its reference after giving an opportunity of hearing to the employee.</p> <p>(4) Any dispute in respect of any employee engaged temporarily or on ad-hoc or part time or casual basis shall be heard and decided by the Vice-Chancellor.</p> <p>(5) The employee aggrieved by the order of the Vice-Chancellor within a period of two months from the date of communication or knowledge of such order shall have the right to appeal before the President whose decision shall be final.</p> <p>(6) Notwithstanding anything contained in this Act, the employees of the University shall not be deemed as Public Servant and would always remain as under the private employment of the University for the purpose of this Act or otherwise.</p>
<i>Right to appeal</i>	60.	Every employee or student of the University or of a College or Institution maintained by the University, notwithstanding anything contained in this Act, shall have a right to appeal, within such time as may be prescribed by the Statutes, to the Board of Governors against the decision of any officer or authority of the University, as the case may be, and thereupon the Board of Governors may confirm, modify or reverse the decision appealed against.

<i>The Grievance Redressal Committee</i>	61.	(1)	There shall be a Grievance Redressal Committee in each University to deal with the grievances of teaching and non-teaching staff as well as students belonging to its departments to hear and redress them as far as may be practicable within three months. The Committee shall make periodical Reports to the Board of Management on the grievances dealt with by it.
		(2)	The composition of the Grievance Redressal Committee, its powers, functions and the procedure to be followed by it in dealing with the grievances put up before it, shall be as prescribed by the Statutes or regulations of Regulatory Bodies.
<i>Provident fund and pension</i>	62.		The University shall constitute for the benefit of its employees such provident fund or pension fund or welfare schemes or provide such insurance schemes as it may deem fit, in such manner and subject to such conditions as may be prescribed by the Statutes.
<i>Disputes as to constitution of authorities and bodies</i>	63.		If any question arises as to whether any person has been duly nominated 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 President whose decision thereon shall be final.
<i>Filling of casual vacancies</i>	64.		All casual vacancies among the members (other than ex officio members) of any authority or other body of the University shall be filled, as soon as may be, by the person or body who appoints, select or co-opts the member, whose place has become vacant, and the person appointed, selected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.
<i>Proceedings of authorities and bodies not to be invalidate due to vacancies</i>	65.		No act or proceedings of authority or body of the University shall be invalid merely by reason of any vacancy or defect in constitution of the Authority or Body.
<i>Protection of action taken in good faith</i>	66.		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 any of the provisions of this Act, the Statutes or the Ordinances and the Regulations.

<i>Mode of proof of University records</i>	67.	A copy of any receipt, application, notice, order, proceeding/ resolution of any authority or committee of the University or other documents or entry in the register which are in possession of the University, if certified by the Registrar, shall be received as prima-facie evidence of the such receipt, applications, notice, order, proceeding/resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein recorded where the original thereof would, if produced have been admissible in evidence.
<i>Powers of the Government to make rules</i>	68.	The Government may, by notification, make rules to carry out all or any of the purposes of this Act.
<i>Power to remove difficulties</i>	69.	(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, 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 such order shall be made after expiry of three years from the date of commencement of this Act.
		(2) Every order made under sub-section (1) shall be laid before the State Assembly as soon as after it is made.
<i>Disputes to be disposed in a Court in Uttarakhand</i>	70.	All disputes arising as a result of the provisions made in the Act and the Statutes, Ordinances and Regulations made there under shall be disposed of by a competent court of law in the State of Uttarakhand.
<i>Overriding effect</i>	71.	In respect of Private Universities the provisions of this Act and the Statutes, Ordinances and Regulations made there under shall have overriding effect notwithstanding anything to the contrary contained in any other law, for time being in force, made by the State Legislature.
<i>Repeal and saving</i>	72.	(1) With commencement of this Act, all the Acts enumerated in column-2 of the Schedule-1 of this Act shall stand repealed.
		(2) Notwithstanding the repeal of the Acts enumerated in the Schedule mentioned in sub-section (1), all the decisions made, acts performed, rights and liabilities created and exhausted by the Universities established under such repealed Acts shall be deemed to be valid under this Act.

		(3) The Statutes, Ordinances or Rules and Regulations made under the provisions of the repealed Acts shall continue to be operational till the new Statutes, Ordinances and Regulations are made as per the provisions of this Act: Provided that the Universities established under the provisions of the repealed Acts and now incorporated and established under this Act shall submit the Statutes for the approval of State Government not later than 01 (one) year from the date of commencement of this Act.
Transitional provisions	73.	Notwithstanding anything contained in this Act and the Statutes, -
	(a)	The Sponsoring Body shall appoint the first President;
	(b)	The first Vice-Chancellor shall be appointed by the President in such manner and on such conditions as he may deem fit and the Vice-Chancellor shall hold office for three years;
	(c)	The first Registrar and the first Finance Officer shall be appointed by the President in such manner and on such conditions as he may deem fit and said officers shall hold office for a period of three years;
	(d)	the first Board of Governors shall hold office for a term not exceeding three years; and
	(e)	The President shall constitute the first Board of Management, the first Finance Committee and the first Academic Council.
Minority Private Universities	74.	Notwithstanding anything contained in this Act the University established by a religious or linguistic minority of the State of Uttarakhand, shall continue to have the privileges as guaranteed by Article 30 of the Constitution of India.

Schedule 1
Existing Private Universities

S. No.	Name and Main Campus of the University	Name of Acts	Sponsoring Body
•	<i>Dev Sanskriti Vishwavidyalaya, Gayatrikunj- Shantikunj, Haridwar- 249411</i>	The Dev Sanskriti Vishwavidyalaya Act, 2002 (Act No. 04 of 2002.)	Shri Vedmata Gayatri Trust, Haridwar
•	<i>UPES, P.O Bidholi Via-Prem Nagar, Dehradun-248007</i>	The University of Petroleum and Energy Studies Act, 2003 (Act No. 15 of 2003.)	Hydrocarbons Education & Research Society, 2 nd floor, okhala industrial estate, phasa III, okhla, New Delhi 110020
•	<i>The ICFAI University, Rajawala Road, Central Hope Town, Selaqui, Dehradun - 248 011</i>	The ICFAI University Act, 2003 (Act No. 16 of 2003.)	The ICFAI society, Hyderabad, telangana
•	<i>Hingiri Zee University, P.O. Sherpur, chakrata Road, Dehradun</i>	The Hingiri Nabh vishwavidyalaya (university in the sky) University Act, 2003 (Act No. 17 of 2003.)	TALEEM Research Foundation, Ahmedabad, Gujarat
•	<i>University of Patanjali Patanjali YogPeeth, Roorkee-Haridwar Road, Haridwar</i>	The University of Patanjali Act, 2006 (Act No. 04 of 2006.)	The Patanjali YogPeeth(Trust), new delhi
•	<i>Graphic Era Hill University, Bell Road, Clement Town Dehradun</i>	The Uttarakhand Graphic Era Hill University Act, 2011 (Act No. 12 of 2011.)	Graphic Era Educational Society, 566/bell road, clement town, Dehradun 248002
•	<i>DIT University, Mussoorie, Diversion Road, Makka Wala, Dehradun- 248009, Uttarakhand</i>	The DIT University Act, 2012 (Act No. 10 of 2013.)	Unison education foundation, third floor, administrative block. IMS Unison University, village makkawala, uttarakhand 248009
8.	<i>IMS Unison University, Mussoorie Diversion Road, Makkawala Greens, Dehradun-248009 Uttarakhand</i>	The IMS Unison University Act, 2012 (Act No. 13 of 2013).	Unison education foundation, third floor, administrative block. IMS Unison University, village makkawala, uttarakhand 248009

9.	Uttaranchal University Arcadia Grant, Chandanwari, Premnagar, Dehradun- 248007 Uttarakhand	The Uttaranchal University Act, 2012 (Act No. 11 of 2013.)	Sushila Devi Center for Professional Studies and Research society, arcadia grant, p.o. chandanwari, Preminger, Dehradun 248007
10.	Swami Ram Himalayan University Swami Ram Nagar, Jolly Grant, Dehradun – 248140 Uttarakhand	The Himalayan University Act, 2012 (Act No. 12 of 2013.)	Himalayan Institute Hospital Trust Swami Ram Nagar Jolly Grant Dehradun 248016 Uttarakhand
11.	Motherhood University Karaundi, Bhagwanpur, Roorkee (Haridwar)	The Motherhood University Act, 2014 (Act No. 05 of 2015.)	Motherhood Institute of Management Technology Society, vill-karoundi, post- bhagwanpur, roorkee- 247667
12.	Bhagwant Global University Uttari Jhandi Chaur, Kotdwar District- Pauri - Garhwal, Uttarkhand	The Bhagwant Global University Act, 2016 (Act No. 39 of 2016.)	Bhagwant Education Foundation, New Delhi
13	Maharaja Agrasan Himalayan Garhwal University Dhaid Gaon, Block Pokhra District Pauri Garhwal- 246169, Uttarakhand	The Himalayan Garhwal University Act, 2016 (Act No. 33 of 2016.)	JanKalyan Educational Trust, 13, Naveen park, sahibabad, Ghaziabad
14.	Ras Bihari Bose Subharati University Kotra Santour, Nanda Ki Chowki, Dehradun-248007, Uttarakhand	The Ras Bihari Bose Subharati University Act, 2016 (Act No. 35 of 2016.)	Dr. Jagat Narain Subharti Charitable Trust, Dehradun
15.	Shri Guru Ram Rai University, West Patel Nagar, Patel Nagar, Dehradun- 248001 Uttarakhand	The Shri Guru Ram Rai University Act, 2016 (Act No.03 of 2017.)	Shri Guru Ram Rai Education Mission Society, Dehradun
16.	Quantum University Roorkee, Dehradun Highway, Mandawar, Roorkee-247167 Uttarakhand	The Quantum University Act, 2016 (Act No. 04 of 2017.)	LMD Educational &Research Foundation (Trust), 14/1, new road, Dehradun

17.	Sardar Bhagwan Singh University, Gullar Ghati Road, Balawala, Dehradun-248161, Uttarakhand	The Sardar Bhagwan Singh University Act, 2016 (Act No. 12 of 2018.)	Gaurav Bharti Shiksha Sansthan, Dehradun
18.	Himalayiya University, Fatehpur Tanda, Jeevanwala, Dehradun	The Himalayiya University Act, 2019 (Act No.08 of 2019.)	Himalayiya Ayurvedic Yog Evam Prakartik Chikitsa Sansthan, Dehradun
19.	CAER University, 07 KM Roorkee Hridwar road, vardhmanpuram, roorkee district haridwar, uttarakhand	The university of Engineering and Technology Roorkee Act, 2020 (Act No.07 of 2021.)	Seth roshan lal jain trust, 07 km Roorkee Haridwar road, vardhmanpuram, roorkee, district haridwar
20.	Surajmal University, village dupahariya, tehsil-kichcha, district udham singh nager, uttarakhand	The Surajmal university Act, 2021 (Act No.15 of 2021.)	Surajmal lakshmidivi sawarthia educational trust (trust), kichha, udham singh nager, uttarakhand
21.	Dev Bhoomi Uttarakhand university, navgaon, manduwala, Dehradun, uttrakhand	The Dev Bhoomi Uttarakhand university Act, 2021 (Act No.17 of 2021.)	Uttarakhand uthan samiti, 32/4, E.C. Road, Dehradun, uttarakjhand
22.	Haridwar University, 5 km, Roorkee-Haridwar Canal Road, Village Bajuheri, Roorkee, Haridwar, Uttarakhand.	The Haridwar University Act, 2022 (Act No.16 of 2023.)	The satyam education society, Roorkee college of Engineering, Roorkee to Haridwar Canal Road, Bajuheri, Roorkee, Haridwar, Uttarakhand 247667

Schedule 2
Private Universities established and incorporated under this Act

S. No.	Name and Main Campus of the University	Name of Acts	Sponsoring Body
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•			

By Order,

SHAHANSHAH MUHAMMAD DILBER DANISH,
Principal Secretary.

Statement of Objectives and reasons

Private universities have been established and incorporated by different Acts in the state. There are different provisions in the Acts of private universities and there is no uniform system for monitoring them. Therefore, it has been decided to make an umbrella act for the purpose of governing all private universities under the common law.

2- Proposed bill fulfills the above objectives.

Dr. Dhan Singh Rawat
Minister

2024

उत्तराखण्ड शासन

उच्च शिक्षा अनुभाग-3

संख्या: 109/XXIV-C-3/2024-13(11)2018(Comp no 32176)
देहरादून, दिनांक: 31 जनवरी, 2024

अधिसूचना

राज्यपाल, उत्तराखण्ड निजी विश्वविद्यालय अधिनियम, 2023(उत्तराखण्ड अधिनियम संख्या 02, वर्ष 2024) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए 31 जनवरी, 2024 को ऐसी तारीख के रूप में नियत करते हैं, जिस तारीख को उक्त अधिनियम प्रवृत्त होगा।


Signed by Byomkesh Dubey
Date: 31-01-2024 13:22:51

(ब्योमकेश दूबे)
उप सचिव

संख्या : 109 (1)/XXIV-C-3/2024-13(11)2018(Comp no 32176), तददिनांक।
प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. मुख्य सचिव, उत्तराखण्ड शासन।
2. समस्त अपर मुख्य सचिव/प्रमुख सचिव/सचिव, उत्तराखण्ड शासन।
3. सचिव, मा0 मुख्यमंत्री, उत्तराखण्ड शासन।
4. सचिव, श्रीराज्यपाल, उत्तराखण्ड, देहरादून।
5. आयुक्त गढ़वाल मण्डल, पौड़ी/कुमाऊँ मण्डल, नैनीताल।
6. समस्त कुलपति, राज्य विश्वविद्यालय, उत्तराखण्ड।
7. समस्त जिलाधिकारी, उत्तराखण्ड।
8. संयुक्त सचिव, विश्वविद्यालय अनुदान आयोग, बहादुरशाह जफर मार्ग, नई दिल्ली।
9. निदेशक, मानव संसाधन विकास मंत्रालय, भारत सरकार, नई दिल्ली।
10. समस्त कुलपति, निजी विश्वविद्यालय, उत्तराखण्ड।
11. उपनिदेशक, राजकीय मुद्रणालय एवं लिथोप्रेस, रुड़की, जनपद-हरिद्वार को अधिसूचना को राजपत्र के आगामी अंक में प्रकाशनार्थ।
12. गार्ड फाईल।

आज्ञा से,


(जे०पी०बेरी)
अनु सचिव