

THE SURAJMAL UNIVERSITIES ACT, 2021

(Uttarakhand Act No. 15 of 2021)

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THE SURAJMAL UNIVERSITIES ACT, 2021

(Uttarakhand Act No. 15 of 2021)

An

Act

To establish and incorporate a University in the name of 'Surajmal University' with the objective of providing facilities of Education, Training, Research, Extension, in the areas of Technical Education, Higher Education (including teacher education), science and technology, General Sciences, Management Education related areas, sponsored by the Surajmal Lakshmidewi Sawartha Educational Trust (Trust), Kichha, Udham Singh Nagar, Uttarakhand registered under the Indian Trusts Act, 1882.

Be It enacted by the Uttarakhand State Legislative Assembly in the Seventieth- Second Year of the Republic of India as follows:-

CHAPTER I Preliminary

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|-------------------------------------|--|
| Short title and Commencement | <p>1. (1) This Act may be called the Surajmal University Act, 2021.</p> <p>(2) It shall come into force on such date, as the State Government may by notification in the Official Gazette, appoint.</p> |
| Definitions | <p>2. In this Act, unless the context otherwise required:-</p> <p>(a) "Academic Council" means the Academic Council of the University;</p> <p>(b) "Board of Governors" means the Board of Governors of the University</p> <p>(c) "Board of Management" means the Board of Management of the University;</p> |

- (d) **“Chancellor, Pro-Chancellor, Vice Chancellor, Pro-Vice-Chancellor, Registrar, Controller of Examinations, and Finance Officer”**, respectively means the ‘Chancellor’, ‘Pro-Chancellor’, ‘Vice Chancellor’, ‘Pro-Vice Chancellor’, ‘Registrar’, ‘Controller of Examinations’ and ‘Finance Officer’ of the University;
- (e) **“Finance Committee”** means Finance Committee of the University;
- (f) **“Authorities”** means authorities of the University;
- (g) **“Statutory/Regulatory Body”** means a body constituted by the Central/State Government Act or setting and maintaining standards in the relevant areas of higher education, such as University Grants Commission (UGC), All India Council of Technical Education (AICTE), Medical Council of India (MCI), Dental Council of India (DCI), National Council for Teacher Education (NCTE), Central Council of India Medicine (CCIM) and Bar Council of India (BCI) etc.;
- (h) **“Government”** means the Government of Uttarakhand;
- (i) **“Faculty”** means faculty of the University;
- (j) **“State”** means State of Uttarakhand;
- (k) **“Open and Distance Learning Mode”** means a mode of providing flexible learning services opportunities by overcoming separation of teacher and learner using a variety of media, including print, electronic, online and occasional interactive face-to-face meetings with the presence of an Higher Education Institution or Learner Support Services to deliver teaching-learning experiences, including practical or work experiences;

- (l) **“Employee”** means employee appointed by the University, and also includes teachers and other staff of the University or of Constituent College;
- (m) **“Hostel”** means a unit for residence for students maintained or recognized by the University or Constituent College;
- (n) **“Permanent Resident”** means any resident of the state who has the valid domicile/permanent resident certificate of the Uttarakhand State issued by the prescribed authority as per the rules framed by the State Government from time to time;
- (o) **“Fee and Admission Regulatory Committee and its powers”** means the Fee and Admission Regulatory Committee constituted under Section 4 of the Uttarakhand Unaided Private Professional Educational Institution (Regulation of Admission and Fixation of Fee) Act, 2006 and the powers given to the committee in the said Act;
- (p) **“Sponsor body”** means the 'Surjmal Laxmidevi Savarthia Educational Trust' Kichha, Udham Singh Nagar registered under the Indian Trust Act, 1882;
- (q) **“Degree”** means a degree specified under sub-section (3) of section 22 of the University Grants Commission Act, 1956;
- (r) **“Statutes and Rules”** mean respectively the 'Statutes', 'Rules' and 'Ordinances' of the University;
- (s) **“Teacher”** means a Professor, Associate Professor, Assistant Professor/Lecturer or such other person as may be appointed under norms of University Grants

Commission for imparting instruction or conducting research in the University or other Campus and Constituent College, Regional Centre, Study Centre, Research Centre and Career Academy Centre;

- (f) **“University Grants Commission”** means the University Grants Commission established under the University Grants Commission Act, 1956;
- (u) **“University”** means the “Surajmal University” established under this Act;
- (v) **“Visitor”** means the Visitor of the University.
- (w) **“Board of Studies”, “Board of Examinations”** means respectively the Board of Studies and Board of Examinations of the University;
- (x) **“Campus”** means the center of the University established, operated and maintained by it as its constituent unit outside the main campus within the jurisdiction of the Uttarakhand State after five years of its establishment, with the prior approval of the University Grants Commission and the State Government.
- (y) **“Constituent College”** means a college or institution maintained by the University;
- (z) **“Career Academy Centre”** means such centre which is established with in the State, conducted and recognized by the University for the purposes of acceptance of e-mails, internet, interactive talk, training, lectures, conduction of symposia, conferences, and workshops, guidelines, consultation or any type of necessary help for students;

(z) "Director" of campus or "Principal/Dean" of the Constituent College means the Head of that campus or Constituent College:

(za) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordinating 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;

(zb) "study centre" means a centre 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, after five years of its establishment, with the prior approval of the University Grants Commission and the State Government

CHAPTER-II

The University and its Objects

Proposal for the Establishment of University 3. (1) The Sponsor body, shall have the right to establish the Surajmal University in accordance with the provisions of this Act;

(2) A proposal related to establishment of University along with the records shall be presented to the State Government by the Sponsor body.

Establishment of University 4. (1) A University in the name of Surajmal University shall be established by the sponsor body in Udham Singh Nagar, Uttarakhand.

- (2) The University in the name of Surajmal University shall be a corporate body.
- (3) The Headquarters of University shall be at Village Dupahariya, Tehsil-Kichha, District Udham Singh Nagar, Uttarakhand.
- (4) The Chancellor, Pro-Chancellor, the Vice-Chancellor, Pro-Vice-Chancellor, Registrar, members of the Board of Governors, members of 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) The land, building and other properties requisition for the university shall not be used for any purpose, other than that for which the same is acquired.
- (6) University shall fulfill the minimum criteria in terms of all courses, faculty, land, building and any other infrastructural facilities, financial viability etc., as laid down from time to time by the University Grants Commission and other concerned Statutory/Regulatory body
- (7) On the establishment of the University the land and other movable and immovable properties requisition created, arranged or built by the University for the purpose of the University, except the properties of Surajmal Lakshmidewi Sawarthia Educational Trust, shall stand transferred to and vested in the University.
- (8) The University shall not provide its programmes to the private institutions through franchising arrangement, no matter whether the courses are being conducted through distance education system.

- (9) The University shall comply with the UGC (Established and Maintenance of Standards in Private Universities) Regulation, 2003 (as amended from time to time).
- (10) The University shall comply with the University Grants Commission (Open and Distance Learning) Regulation, 2017 (as amended from time to time).
- (11) The University shall award only such degrees as are specified by the University Grants Commission and published in the Official Gazette.
- (12) The University shall conduct their first degree, Masters' degree and Research programmes in accordance with the regulations notified by the University Grants Commission in this regard.

Conditions for 5. the establishment of the University

- (1) The Sponsor body shall for the purposes of establishing the university under the Act shall fulfill the following conditions, namely-
 - (a) The University possesses minimum 10 acres contiguous land ownership for the University ;
 - (b) Building constructed on land mentioned in clause (a) is minimum 20,000 sqm carpet area in which at least fifty percent, shall be for academic and administrative purposes;
 - (c) Install equipments in offices and laboratories of the building as specified in clause (b) worth a minimum rupees seven crore;
 - (d) The Sponsor body shall make available to the State Government environmental clearance obtained as per rules from the Government of

India;

(e) The university shall establish a permanent endowment fund in the name of the State Government under section 4o.

Starting of the University

6. (1) The State Government shall issue the authority letter after verifying the proposal along with documents received from the Sponsor body to the effect that all conditions referred to in section 5 has been fulfilled.

(2) The Sponsor body shall start the functioning of the University only after obtaining the authority letter for the commencement of the functioning of the Univeristy, by the State Government.

University shall not be entitled for any financial assistance etc.

7. The University shall be self-financed 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 Institution

8. The University shall no power to affiliate any college or institution for conducting courses leading to award of its diplomas, degrees or other qualifications.

Objects of the University

9. The objectives for which the University is established are as follows:-

(a) to provide extensive study, teaching, raining, research and extension in Technical Education, Higher Education (including teacher education), science and technology, General Sciences, Management Education related areas of education;

(b) to conduct the courses of Technical Education, Higher Education (including teacher education), science and

technology, General Sciences, Management Education related areas of education with prior permission and to adhere to procedure and norms laid down the University Grants Commission and Statutory/Regulatory body and State Government;

- (c) to promote research and innovations in the Technical Education, Higher Education (including teacher education), science and technology, General Sciences, Management Education related areas of education and together with organize seminars, conferences, workshops, educational programmes, community development program, publications, training programmes and group study etc.;
- (d) to undertake extra-mural studies, extension programmes and field outreach activities to contribute to the development of the society;
- (e) to promote National Integation, Secularism, Social equity and engineering understanding and ethics;
- (f) to contribute to the promotion and development of economically and socially deprived class and provide to such students the opportunity to join mainstream.
- (g) as necessary, doing all that is necessary, relevant and helpful for achieving all or any of the objectives of the University.

Powers of the University

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

- (a) to provide for instructions in all disciplines pertaining to Technical Education, Higher Education (including teacher education), science and technology, General Sciences, Management Education related areas of education and to make provision for research and for the advancement and dissemination of knowledge;

- (b) to carry out all such other activities as may be necessary or feasible in furtherance of the objects of the University;
- (c) to hold examinations for, and to institute grant and confer degrees or other academic distinction to, and on, persons, who-
- (1) have pursued a course of study in the University or other Campus and Constituent College, Regional Centre, Study Centre, Research Centre and Career Academy Centre or in under its distance education system; or
 - (2) have carried on research in the University or other Campus and Constituent College, Regional Centre, Study Centre, Research Centre and Career Academy Centre or under its distance education system;
- (d) to confer honorary degrees or other academic distinctions in the manner and under conditions laid down in the Statutes/Rules;
- (e) to 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 education in Technical Education, Higher Education (including teacher education), science and technology, General Sciences, Management Education related areas of education mentioned in Section 9;
- (h) to provide other extra curricular activities for students and employees apart from education;

- (i) to make appointments of faculty, officers and employees in the University or other Campus and Constituent College, Regional Centre, Study Centre, Research Centre and Career Academy Centre;
- (j) to receive donations, project grants 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 of Sponsor body;
- (k) to establish and maintain halls/hostels and to recognize places of residence for students of the University or Constituent College;
- (l) to supervise and control the residence, and 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 the necessary posts of the employees in the academic, administrative and supporting staff and other sectors;
- (n) to co-operate and collaborate with other Universities, Industries and Organizations in such a manner and for such purpose 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 as per procedure and norms prescribed by the University Grants Commission and other concerned Statutory/Regulatory body;
- (p) to organize and conduct refresher courses, orientation courses, workshops, seminars and

other programmes for teachers, lesson writers, evaluators and other academic staff;

- (q) to determine standards of admission to the University through specialized committees with the approval of Academic Council;
- (r) to make special provision for students belonging to the State of Uttarakhand for admission in any course of the University.
- (s) to do all such other acts or things whether incidental to the powers aforesaid or not, as may be necessary to pursue the objectives of the University;
- (t) to prescribe courses for Bachelor Degree, Post Graduate and Research and to start the courses for diploma, certificates etc;
- (u) to clearly set apart Academic Activities of the University from the activities the Sponsor body;
- (v) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes, CD, VCD and other softwares;
- (w) to recognize examinations of, or periods of study (whether in full or in part) of other Universities, Institutions or other places of higher learning as equivalent to examination or periods of study in the University and to withdraw such recognize at any time;
- (x) to raise, collect, subscribe and borrow funds with the approval of the Board of Governors, with or without the security of property of the University for the purposes of the University;

(y) to enter into, carry out, vary or cease contracts;

**Access to all
Classes, Castes,
Creed and
Gender in the
University**

11. The University shall be open to all persons irrespective of class, caste, creed or gender;

Provided that nothing in this section shall be deemed to prevent the university from making special provisions for admission to permanent resident of Uttarakhand;

Provide further that nothing in this section shall be deemed to require the University or other Campus and Constituent College, Regional Centre, Study Centre, Research Centre and Career Academy Centre to admit in any course of study a larger number of students than may be determined by the University Grants Commission and other concerned Statutory/Regulatory body.

**National
Accreditation**

12. The University shall seek accreditation from the national University accreditation bodies as per rule.

CHAPTER - III

Designations of the Officers of the University

**Officers of
the University**

13. The following shall be the officers of the University; namely:-

- (a) The Visitor;
- (b) The Chancellor;
- (c) The Pro-Chancellor;
- (d) The Vice-Chancellor;
- (e) The Pro-Vice-Chancellor;
- (f) The Dean of Faculties;
- (g) The Registrar;
- (h) The Finance Officer; and
- (i) Such other officers as may be declared by the Statutes as the officers of the University.

- The Visitor**
14. (1) the Governor of Uttarakhand shall 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 any record, paper or information relating to the affairs of the University;
- (b) on the basis of the information received by the Visitor, if he/she is satisfied that any order, minutes or decision taken by any authority or University is not in conformity with the 'Act, Statutes, or Rules, Regulation ordinance he/she may issue such directions as he/she may deem fit in the interest of the University and the directions so issued shall be complied by all concerned office bearers.
- (c) every proposal for the conferment of an honorary degree or distinction shall be subject to the approval of the Visitor.
- Chancellor**
- 15 (1) Chairman of Sponsor body shall be the first Chancellor of the Surajmal University, who's tenure shall be of three year. there after Sponsor body with, with the prior concurrence of the Visitor, shall appoint Chancellor from amongst its member.
- (2) The Chancellor shall have such powers as may be conferred on him by this Act or Statutes made there under.
- The Pro-Chancellor**
16. If there a necessity, the Chancellor of the University may appoint Pro Chancellor, who would be an academican of repute. The Pro-Chancellor shall have such powers as may be conferred on him as per the provision of the Act or Statutes.

The Vice-Chancellor

17. (1) The Vice-Chancellor shall be appointed on such terms and conditions as may be prescribed by the statutes for a term of three years by the Chancellor from a panel of three persons recommended by the Committee constituted in accordance with the provisions of sub-section (2).
- (2) The Committee referred to in sub section (1) shall consist of the following persons, namely:-
- (a) one Academician nominated by the Visitor;
 - (b) one Academician nominated by the Chancellor;
 - (c) the Principal Secretary/Secretary to the State Government in the Higher Education Department;
 - (d) four members nominated by the Board of Governors, one of whom shall be nominated as the convener of the committee by the Board of Governors
- (3) The committee shall, on the basis of merit prepare a panel of names of three persons suitable to hold the office of the Vice-Chancellor and forward the same to the Chancellor along with a concise statement showing the academic qualifications and other distinctions of each person.
- (4) The Vice-Chancellor shall be the Principal Executive and Academic Officer of the University who 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/she may deem fit with the prior approval of the chancellor.
- (6) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be laid down by the Statutes or the Rules.
- (7) The Chancellor is empowered to remove the Vice-Chancellor after due inquiry. It shall 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** 18. A Pro-Vice-Chancellor may be appointed by the Vice-Chancellor with approval of the Chancellor in such manner as may be prescribed by Statutes and Pro-Vice-Chancellor shall exercise such powers and perform such duties as may be prescribed by Statutes.
- Dean of Faculties** 19. Deans of faculties shall be appointed by the Vice-Chancellor in such manner as may be prescribed by Statutes and he/she shall exercise such powers and perform such duties as may be prescribed by Statutes.
- The Registrar** 20. (1) The Registrar shall be appointed by the Chancellor in such manner and on such term and conditions as may be prescribed by Statutes.
- (2) All contracts shall be entered into and signed by the Registrar on behalf of the University.

(3) The Registrar shall have the powers 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 by the Chancellor or Vice-Chancellor from time to time.,

(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 competent authority, all such information and documents as may be necessary for transaction of their business.

The Finance Officer 21. 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 by the Statutes

Other Officers 22 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 by the Statutes.

CHAPTER-IV

Authorities of the University

Authorities of the University 23. The following shall be the authorities of the University, namely:-

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

The Board of Governors and 24. (1) The Board of Governors shall consist of:-

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;
- (d) five persons nominated by Sponsor body;
- (e) one officer amongst from the officers nominated in the institutes such as Central University, Indian Institutes of Technology/Indian Institute of Management/Indian Institute of Science/Institute of National Ayurveda nominated by the Chancellor;
- (f) three academicians nominated by the Visitor;
- (g) three members of industrial sector nominated by the Visitor;

(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 provision 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 Rule or amend or repeal the earlier Statutes and Rules;
- (e) to take decision about voluntary winding up of the University;
- (f) to approve proposals for submission to the State Government; and
- (g) to take such decisions and steps as are found desirable for effectively carrying out the objects of the University;

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

The Board of Management

25. (1) The Board of Management shall consist of following members:-

- (a) The Vice-Chancellor ;
- (g) One officer amongst from the officers in the Indian Institutes of Technology/Indian Institute of Management/Indian Institute of Science/Institute of National Ayurveda nominated by the Chancellor;
- (h) Five persons nominated by Sponsor body;
- (b) Two Professors of the University by rotation on the basis of seniority for a period of one year;
- (c) Two Deans of the Faculties nominated by the Chancellor;
- (d) 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 by the Statutes.

The Academic Council

26. (1) The Academic Council shall consist of following members:-

- (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 and Statutes and the Rules made thereafter, co-ordinate and exercise general supervision over the academic policies of the University.

The Finance Committee

27. (1) The Finance Committee shall consist of :

- (a) the Vice-Chancellor - Chairman
- (b) the Finance Officer - Member
Secretary
- (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) such other member 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, Rules, co-ordinate and exercise general supervision over the financial matters of the University.
- Other Authorities** 28. The constitution, power and functions of the other authorities of the University shall be such as may be prescribed by the Statutes/Rules.
- Proceeding not Invalidated on account of Vacancy** 29. 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.
- Fee Structure** 30. The fee structure of the courses run by the university shall be determined by the Admission and Fee Regulatory Committee.

CHAPTER- V Statutes and Rules

Statutes 31. Subject to the provisions of this Act, the Statutes may provide for any matter relating to the University and officers/employees as given follows:-

- (a) transaction of business of the Authorities of the University and procedure of constitution of such units, which is not specified in this Act,
- (b) the operation of the permanent endowment fund, the general fund and the development fund;
- (c) appointment of the Chancellor and Pro Chacellor, their powers and functions;
- (d) the terms and conditions of appointment of the

Vice-Chancellor, Pro-Vice-Chancellor, the Registrar and the Finance Officer and their powers and functions;

- (e) the mode of recruitment and the conditions of service of the other officers, teachers, faculty members and employees of the University;
- (f) the procedure for resolving disputes between the University and its officers, teachers, faculty members, employees or students;
- (g) creation, abolition or restructuring of departments and faculties;
- (h) the manner of co-operation with other University or institutions of higher learning;
- (i) the procedure for conferment of honorary degrees;
- (j) provisions regarding grant of freeships and scholarships;
- (k) number of seats in different courses of studies and the procedure of admission of students to such courses including reservation of seats for permanent resident of Uttarakhand;
- (l) institution of fellowships, scholarships, studentships, freeships, medals and prizes;
- (m) procedure of creation and abolition of posts;
- (n) other matters which may be prescribed in the Statutes;

How to make Statutes 32. The first Statutes made by the Board of Governors shall be submitted to the State Government for its approval within three months after the Act being effect, which may give its approval with or without modification within three month.

Power to amend the Statutes 33. The Board of Governors may, with the prior approval of the State Government, make new or additional Statutes or amends or repeals the existing Statutes.

Rules 34. Subject to the provisions of this Act, the Rules may made for any the following matters, namely:-

- (a) Admission of students to the University, their enrolment and continuance as such;
- (b) The courses of study to be laid down for all degrees and

- other academic distinctions of the University;
- (c) The award of degrees and other academic distinctions;
- (d) The conditions of the award of fellowships, scholarships, studentships, medals and prizes;
- (e) The conduct of examination and the condition and mode of appointment and duties of examining bodies, examiners, invigilators, tabulators and moderators;
- (f) fee chargeable from students for various courses of studies;
- (g) the fee to be charged for the examination, degrees and other academic distinctions of the University;
- (h) The conditions of residence of the students at the University or any Constituent College;
- (i) To maintain discipline among the students of the University or any Constituent College;
- (j) All other matters as may be provided under the Rules and Statutes under this bill.

How to make Rules

35. The First Rules made by the Board of Governors shall be submitted to the State Government for its approval within three months after the Act being effective, which may, within three months, give its approval with or without modifications.

Power to Amend Rules

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

**CHAPTER-VI
Miscellaneous**

Service condition of employees

37. (1) Every employee shall be appointed under a written contract, which shall be kept in the University and a copy of which shall be furnished to the concerned employee.
- (2) Disciplinary action against students, employee, teachers and officers 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 arbitration tribunal consisting of one member appointed by the Board of Management, one member nominated by the employee concerned and an adjudicator 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.

Provisions for Permanent Resident of Uttarakhand

- (1) For admission in various courses conducted by the University, minimum twenty five percent seats shall be reserved for the permanent residents of the State of Uttarakhand and if the reserved seats for permanent residents remain vacant, then, the said vacant seats may be filled from amongst the other candidates with prior permission of the State Government.
- (2) Twenty five percent rebate shall be given to the permanent residents of the State of Uttarakhand in the fees fixed for various courses conducted by the University, as mentioned in sub-section (1) above.
- (3) All posts of Group 'C' and 'D' employees shall be filled by the permanent residents of the State of Uttarakhand.
- (4) The University shall follow the reservation policy applicable from time to time by the State Government with regard to seats reserved under sub section (1) above

Right to appeal 39. Every employee or student of the University or of other Campus and Constituent College, Regional Centre, Study Centre, Research Centre and Career Academy Centre shall, notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed, to the Board of Management against the decision and there upon the Board of Management may confirm, modify or change or set-aside the decision appealed against.

Provident Fund 40. The University shall constitute for the benefits of its

- and pension** 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
- Disputes as to Constitution of University Authorities and bodies** 41. 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 of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final.
- Constitution of Committee** 42. Whenever any authority of the University is given power by this Act or the statutes to appoint Committee, such committees shall, have as otherwise provided, consist of any or all the members of the authority concerned and of such other person, if any, as the authority in each case thinks fit.
- Filling of casual Vacancies** 43. 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 remaining term for which the person whose place he/she fills would have been a member.
- Protection of Action taken in good faith** 44. No suit or other legal proceedings shall lie against any officer or other employee of the University for anything, which is done or intended to be done in good faith in pursuance of the provisions of this Act, the Statutes or the Rules made there under.
- Transitional Provisions** 45. Notwithstanding anything contained in any other provisions of this Act and the Statutes.
- (a) The first Vice-Chancellor and Pro-Vice-Chancellor, if any, shall be appointed by the Chancellor and the said officer shall hold office for a term of three year;
 - (b) The first Registrar and the first Finance Officer shall be appointed by the Chancellor who shall hold office for a term of three year;
 - (c) The first Board of Governors shall hold office for a term not exceeding three year;
 - (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 year.

Permanent Endowment Fund

46. The University shall establish a permanent endowment fund of Rs. Five Crores in the form of a Bank Guarantee of a Nationalized Bank Pledged in the name of State Government of Uttarakhand whose tenure shall be five years and after the completion of the duration it shall be renewed after every five years and the said Bank Gurantee shall be increased by twenty five percent after every five years.

General Fund

47. (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 Sponsor body; and
- (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 used to meet all the recurring expenditure of the University.

Development Fund

48. (1) A development fund shall be established by the University in which the following funds shall be credited, namely:-

- (a) development fees which may be charged from students;
- (b) all amounts received from any other source for the purposes of the development of the University;
- (c) all contributions made by the Sponsor body;
- (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 funds** 49. The funds established under section 46, 47 and 48 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** 50. (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 annual report duly approved by the Board of Governors shall be sent to the Visitor and the State Government before 31 December following close of the financial year in 31 March each year.
- Account and Audit** 51. (1) The annual account 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 accounts and audit report of the University shall be binding on the University.

Mode of proofing the University records

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

Dissolution of University

53. (1) If Sponsor body proposes dissolution of the 'Surajmfal University' in accordance with the law governing its constitution or incorporation, it shall give at least three months notice in writing to the State Government.
- (2) On identification of mismanagement, maladministration, in-discipline, failure in the accomplishment of the objectives of University and economic hardship 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 by the Government, the right to take decision for winding up of the University shall vest in the State Government after giving due opportunity for hearing to the management systems of the university.
- (3) The manner of winding up of the University would be such as may be prescribed by the state Government in this behalf:
- (4) On receipt of the notice referred to in sub-section (1), the State Government shall acquire the administration of the university as per rules.

- Expenditure of 54. (1)** The expenditure for administration of the University during the dissolution of the University under section 53 shall be met out from the permanent endowment fund, the general fund or the development funds
- 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 dissolution of the University, such expenditure may be met by disposing of the properties or assets of the University by State Government.

- Power to 55 (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;
- remove difficulties**

Provided that no notification orders 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 Legislative Assembly.

By Order,

HIRA SINGH BONAL,
Principal Secretary.

Statement of Objective and reasons

To encourage the development of the State as an education hub and to promote private sector participation in the field of higher education, it is decided that in village dupahariya, Kichha, Udham Singh Nagar a private University named 'Surajmal University', sponsored by Surajmal Laxmidevi Sawartha Educational Trust, is to be established. The aim of the said University is to provide innovation of education, new method of teaching and learning and for the overall development of personality, to provide education to the socially and economically deprived class, to promote state related research programmes and to provide employment resources.

2- Proposed bill fulfills the above objectives.

Dr. Dhan Singh Rawat
Minister