

AUTHORITATIVE ENGLISH TEXT

**THE SARDAR VALLABHBHAI PATEL CLUSTER UNIVERSITY,
MANDI, HIMACHAL PRADESH (ESTABLISHMENT AND
REGULATION) ACT, 2018**

ARRANGEMENT OF SECTIONS

Sections:

1. Short title and commencement.
2. Definitions.
3. Establishment and incorporating of the Cluster University.
4. The objects of the Cluster University.
5. Effects of establishment of the Cluster University.
6. The Cluster University open to all classes and creeds.
7. Powers and functions of the Cluster University.
8. General Fund.
9. Application of General Fund.
10. Transfer of employees to the Cluster University.
11. Powers of the Chancellor to annul proceedings or decisions.
12. Powers of the State Government to enquire.
13. Officers of the Cluster University.
14. The Chancellor.
15. Appointment of the Vice-Chancellor.
16. Powers and functions of the Vice-Chancellor.
17. Financial Officer.
18. Appointment and duties of the Registrar.
19. Controller of Examinations.
20. Dean of Faculty and Dean of Student Welfare.
21. Other Officers.
22. Authorities of the Cluster University.
23. The Governing Body.
24. The Board of Management.
25. Powers and Functions of the Board of Management.
26. The Academic Council.
27. Powers and functions of the Academic Council.

28. Finance Committee.
 29. Condition for affiliation.
 30. Pension, insurance and provident fund.
 31. Building and Works Committee.
 32. Board of Studies.
 33. Powers and functions of the Board of Studies.
 34. Other Authorities of the Cluster University.
 35. Disqualifications.
 36. Proceedings of the Cluster University not invalidated by vacancies.
 37. Committees.
 38. The First Statutes.
 39. The subsequent Statutes.
 40. The First Ordinances.
 41. The subsequent Ordinances.
 42. Regulations.
 43. Fee structure.
 44. Admissions.
 45. Examinations.
 46. Declaration of results.
 47. Convocation.
 48. Accreditation of the Cluster University.
 49. Cluster University to follow rules, regulations, norms etc. of the regulating bodies.
 50. Annual report.
 51. Annual accounts and audit.
 52. Powers of the Government to inspect the Cluster University.
 53. Power to make rules.
 54. Saving as to certain examinations.
 55. Power to remove difficulties.
 56. Act to have overriding effect.
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**THE SARDAR VALLABHBHAI PATEL CLUSTER UNIVERSITY,
MANDI, HIMACHAL PRADESH (ESTABLISHMENT AND
REGULATION) ACT, 2018**

(ACT NO. 6 OF 2018)¹

(Received the assent of the Governor on the 18th May, 2018 and was published both in the Rajpatra (e-Gazette), Himachal Pradesh dated 24th May, 2018, pp. 1800-1854).

An Act to establish and incorporate a Cluster University in the State of Himachal Pradesh to be known as “the Sardar Vallabhbhai Patel Cluster University, Mandi, Himachal Pradesh” for the purpose of affiliating, teaching and ensuring proper and systematic instructions, training and research in the Higher Education system.

BE it enacted by the Legislative Assembly of the Himachal Pradesh in the Sixty-ninth Year of the Republic of India as follows :-

1. Short title and commencement.- (1) This Act may be called the Sardar Vallabhbhai Patel Cluster University, Mandi, Himachal Pradesh (Establishment and Regulation) Act, 2018.

(2) It shall come into force on such date as the State Government may, by notification in the Rajpatra (e-Gazette), Himachal Pradesh, appoint.

2. Definitions.- In this Act, unless the context otherwise requires,-

- (a) “Academic Council” means the Academic Council of the University constituted under section 26.
- (b) “Board of Management” means the Board of Management constituted under section 24;
- (c) “campus” means the area of the Cluster University within which it is established;
- (d) “Cluster Colleges” means lead college and constituent colleges;
- (e) “college” means an institution maintained or admitted to its privileges by the Cluster University and includes Autonomous or Affiliated College;
- (f) “Cluster University” means “the Sardar Vallabhbhai Patel Cluster University, Mandi, Himachal Pradesh” established under section 3;
- (g) “Constituent Colleges” means the colleges constituting the Cluster University and mentioned as such in section 3;

¹ Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see the Rajpatra, Himachal Pradesh, dated 10th April, 2018, pp. 215 and 240-241.

- (h) “employee” means any person appointed by the Cluster University and includes its teachers and other staff;
- (i) “Faculty” means, a faculty consisting of an allied group of subjects;
- (j) “fee” means monetary collection made by the Cluster University or its colleges, institutions or study centres, as the case may be, from the students by whatever name, it may be called, which is not refundable;
- (k) “Government” or “State Government” means the Government of Himachal Pradesh;
- (l) “Governing Body” means the Governing Body constituted under section 23;
- (m) “Head of Department” means the Head of the Cluster University Teaching Department in the rank of Professor or Associate Professor;
- (n) “Higher Education” means study of a curriculum or course for the pursuit of knowledge beyond 10+2 level;
- (o) “hostel” means a place of residence for the students of the Cluster University, or its colleges, institutions and study centres, established or recognized to be as such, by the Cluster University;
- (p) “lead College” means the Vallabh Government College, Mandi, Himachal Pradesh;
- (q) “M.L.S.M. College” means the Maharaja Laxman Sen Memorial College, Sundernagar, District Mandi, Himachal Pradesh;
- (r) “notification” means a notification published in the Rajpatara (e-Gazette), Himachal Pradesh;
- (s) “off campus” means a centre of the Cluster University established by it outside the main campus operated and maintained as its constituent unit, having the Cluster University’s complement of facilities, faculty and staff;
- (t) “Principal” means the Head of a College or a person duly appointed, for the time being;
- (u) “prescribed” means prescribed by rules, Statutes, Ordinances or Regulations made under this Act;
- (v) “regulating body” means a body established by the Central Government or the State Government, as the case may be, for laying down norms and conditions for ensuring academic standards of higher education, such as, the University Grants Commission, the All India Council of Technical Education,

the National Council of Teacher Education, the Council of Architecture, the Indian Council of Agriculture Research, the Distance Education Council, the Council of Scientific and Industrial Research, the Himachal Pradesh Private Educational Institutional Regulatory Commission etc.;

- (w) “Section” means a section of this Act;
- (x) “State” means the State of Himachal Pradesh;
- (y) “Statutes”, “Ordinances” and “Regulations” means respectively, the Statutes, Ordinances and Regulations of the Cluster University made under this Act;
- (z) “student” means a person enrolled with the Cluster University for taking a course of study for a degree, diploma or other academic distinction instituted by the Cluster University;
- (za) “Study Centre” means a centre established and maintained or recognized by the Cluster University for the purpose of advising, counselling or for rendering any other assistance required by the students in the context of distance education; and
- (zb) “teacher” means a Professor, Associate Professor, Assistant Professor, and includes any other person imparting instructions in the Cluster University or in any College maintained or admitted to its privileges by the Cluster University.

3. Establishment and incorporation of the Cluster University.- (1)

There shall be established in the State of Himachal Pradesh a Cluster University by the name “the Sardar Vallabhbhai Patel Cluster University, Mandi, Himachal Pradesh”.

(2) The headquarter of the Cluster University shall be at Mandi with campuses at Sunder Nagar, Bassa and Darang at Narla. The Vallabh Government College, Mandi will be the lead college and the M.L.S.M. College, the Government Degree College, Bassa and the Government Degree College, Darang at Narla will be the constituent colleges of the Cluster University.

(3) The Cluster University shall be a teaching and affiliating University comprising of affiliated, autonomous and constituent Colleges and shall consist of a Chancellor, a Vice-Chancellor, a Governing body, a Board of Management and an Academic Council.

(4) The Cluster University shall be competent to raise its own infrastructure at Mandi and as also at its campuses. The academic resources of lead college and constituent colleges can be shared on mutual basis.

(5) The first Chancellor, the first Vice-Chancellor, the first members of the Governing Body, the Board of Management, and all the persons who may hereafter become such officers or members, so long as they continue to

hold such office or membership are hereby constituted a body corporate by the name of the Cluster University.

(6) The Cluster University shall have a perpetual succession and a common seal and shall sue or be sued by the same name.

4. The objects of the Cluster University.- The objects of the Cluster University shall includes,-

- (a) to provide instructions, teaching and training in higher education with a view to create higher levels of intellectual abilities;
- (b) to establish facilities for education and training;
- (c) to carry out teaching, research and offer continuing education programmes;
- (d) to create centres of excellence for research and development relevant to the needs of the State and for sharing knowledge and its application;
- (e) to establish campus in the State;
- (f) to establish examination centres;
- (g) to institute degrees, diplomas, certificates and other academic distinctions on the basis of examination or any such other method, while doing so, the Cluster University shall ensure that the standards of degrees, diplomas, certificates and other academic distinctions are not lower than those laid down by the regulating bodies;
- (h) to set up off campus centres, subject to applicable rules and regulations;
- (i) to engage in areas of specialization with proven ability to make distinctive contributions to the objectives of the Cluster University education system that is academic engagement clearly distinguishable from programmes of an ordinary nature that lead to conventional degrees in arts, science, engineering, management etc. routinely offered by conventional institutions; and
- (j) to establish broad-based, and viable under graduate, post graduate and research programmes in several disciplines with firm interdisciplinary orientation and linkages.

5. Effects of establishment of the Cluster University.- On and from the date of commencement of this act,-

- (a) all properties, moveable and immovable, belonging to the Himachal Pradesh University, in so far as jurisdiction of “the Sardar Vallabhbhai Patel Cluster University, Mandi,

Himachal Pradesh” is concerned, shall vest in the Cluster University;

- (b) all rights and liabilities of the Himachal Pradesh University, in so far as jurisdiction of the Cluster University is concerned shall be transferred to the Cluster University;
- (c) the Vice-Chancellor of the Himachal Pradesh University shall be deemed to have been appointed as the Vice-Chancellor of the Cluster University and shall hold office for a period of three months or till the time, the first Vice-Chancellor of the Cluster University is appointed under the provisions of this Act; and
- (d) the cluster colleges affiliated to the Himachal Pradesh University, shall stand automatically de-affiliated from the Himachal Pradesh University from the date of commencement of this Act and such colleges shall become the cluster colleges of “the Sardar Vallabhbhai Patel Cluster University, Mandi, Himachal Pradesh”.

6. The Cluster University open to all classes and creeds.- The Cluster University shall be open to all persons irrespective of sex, caste, class or creed and it shall not be lawful for a Cluster University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to a certificate, diploma or degree of the Cluster University, or to serve as a teacher or to hold any office in the Cluster University, or to enjoy or exercise any privileges thereof, except where such test is specially prescribed by the Statutes, or, in respect of any particular benefaction accepted by the Cluster University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction.

7. Powers and functions of the Cluster University.- The Cluster University shall have the following powers and functions, namely:-

- (a) to provide for instructions in such branches of learning as the Cluster University may, from time to time, determine, and to make provisions for research and for advancement and dissemination of knowledge and for extension of education;
- (b) to conduct innovative experiments in modern methodologies and technologies in the field of technical education in order to maintain international standards of such education, training and research;
- (c) to organize and to undertake extra-mural teaching and extension services;
- (d) to hold examinations and grant diplomas and certificates, and to confer degrees and other academic distinctions on persons, subject to recognition by any statutory body under any law, if required, and to withdraw any such diplomas, certificates,

degrees or other academic distinctions for good and sufficient cause;

- (e) to affiliate various institutions falling in its jurisdictions;
- (f) to create such teaching, administrative and other posts as the Cluster University may deem necessary, from time to time, and make appointments thereto;
- (g) to appoint employees for the Cluster University. The salary of such employees shall be deposited in their bank accounts every month;
- (h) to institute and award fellowships, studentships and prizes;
- (i) to establish and maintain hostel including halls; recognise, guide, supervise and control hostels and halls not maintained by the Cluster University and other accommodations for the residence of the students, and to withdraw any such recognition;
- (j) to regulate and enforce discipline among students and employees of the Cluster University and to take such disciplinary measures as may be deemed necessary;
- (k) to make arrangements for promoting health and general welfare of the students and the employees of the Cluster University and its colleges;
- (l) to determine the criterion for admission in the Cluster colleges and other affiliated or autonomous colleges under its jurisdiction;
- (m) to recognize for any purpose, either in whole or in part, any institution on such terms and conditions as may, from time to time, be specified and to withdraw such recognition;
- (n) to develop and maintain twinning arrangement with centres of excellence in modern advanced technology outside the country for higher education training and research, including distance education subject to the provisions of the University Grants Commission Act, 1956, (3 of 1956) and the regulations made thereunder;
- (o) to co-operate with any other Universities, authority or association or any public body having purposes and objects similar to those of the Cluster University for such purposes, as may be agreed upon, on such terms and conditions as may, from time to time, be specified by the Cluster University;
- (p) to co-operate with other National and International institutions in conducting research and higher education subject to the provisions of the University Grants

Commission Act, 1956, (3 of 1956) and the regulations made thereunder;

- (q) to deal with property belonging to or vested in the Cluster University in any manner which is considered necessary for promoting the objects of the Cluster University;
- (r) to enter into agreement for the incorporation in the Cluster University of any institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act;
- (s) to demand and receive payment of such fees and other charges, as may be determined from time to time;
- (t) to receive donations and grants, except from parents and students, and to acquire, hold, manage and dispose of any property, movable or immovable, including trust or endowed property within or outside Himachal Pradesh for the purposes and objects of the Cluster University, and to invest funds in such manner as the Cluster University thinks fit;
- (u) to make provisions for research and advisory services and for that purpose to enter into such arrangements with other institutions or bodies as the Cluster University may deem necessary;
- (v) to provide for the printing, reproduction and publication of research and other work, including text books, which may be issued by the Cluster University;
- (w) to accord recognition to the institutions and examinations for admission in the Cluster University;
- (x) to do all such other things, as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Cluster University;
- (y) to frame Statutes, Ordinances and Regulations for carrying out the objects of the Cluster University in accordance with the provisions of this Act;
- (z) to provide for dual degrees, diplomas or certificates *vis-à-vis* other Universities on reciprocal basis within and outside the country;
- (za) to make provisions for integrated courses in different disciplines in the educational programmes of the Cluster University;
- (zb) to set-up colleges, institutions, off-campus centres, off-shore campus, study centres or to start distance education, after fulfilling the norms and regulations of the Central Government Regulatory Bodies and the Central Government,

issued from time to time, and after obtaining the specific approval of the State Government; and

- (zc) to seek collaboration with other institutions on mutually acceptable terms and conditions.

8. General Fund.- The Cluster University shall establish a fund, which shall be called the General Fund to which following shall be credited, namely:-

- (a) grants received from the Centre Government or the State Government;
- (b) fees and other charges received by the Cluster University;
- (c) any income received from consultancy and other works undertaken by the Cluster University;
- (d) bequests, donations, except from parents and students, endowments and any other grants; and
- (e) all other sums received by the Cluster University.

9. Application of General Fund.- The General Fund shall be utilized for the following purposes, namely:-

- (a) for the payment of salary and allowances of the employees of the Cluster University and members of the teaching and research staff, and for payment of any Provident Fund contributions, gratuity and other benefits to such officers and employees;
- (b) for the expenses to be incurred by the Cluster University for services availed including services like electricity, telephone etc.;
- (c) for the payment of taxes or local levies wherever applicable;
- (d) for up keeping of the assets of the Cluster University;
- (e) for the payment of debts including interest charges thereto incurred by the Cluster University;
- (f) for the payment of travelling and other allowances to the members of the Governing Body, the Board of Management and the Academic Council etc.;
- (g) for the payment of fellowships, freeships, scholarships, assistantships and other awards to students belonging to economically weaker sections of the society or research associates or trainees, as the case may be, or to any student otherwise eligible for such awards under the Statutes, Ordinances, Regulations or rules made under this Act;
- (h) for the payment of the cost of audit of the funds created under this section;

- (i) for the meeting of expenses of any suit or proceedings to which Cluster University is a party;
- (j) for the purpose of purchase of movable and immovable assets;
- (k) for the payment of any expenses incurred by the Cluster University in carrying out the purposes of this Act or the Statutes, Ordinances, Regulations or rules made thereunder; and
- (l) for the payment of any other expenses as approved by the Board of Management to be an expense for the purposes of the Cluster University :

Provided that no expenditure shall be incurred by the Cluster University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year, as may be fixed by the Board of Management, without its prior approval:

Provided further that the General Fund shall, for the purpose specified under sub-clause (e), be applied with the prior approval of the Governing Body:

Provided further that no portion of income and property of the Cluster University shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, howsoever, by way of profit to the persons who were at any time or are members of the Cluster University or to any of them or any persons claiming through them, provided that nothing herein contained shall prevent the payment in good faith of remuneration to any member thereof or other person as consideration for any service rendered to the Cluster University or for travelling or other allowances and such other charges.

10. Transfer of employees to the Cluster University.- (1) All officers and other employees of the Himachal Pradesh University holding office as such immediately before the commencement of this Act, shall, on such commencement be allowed to exercise an option for taking over their services by the Cluster University. Such options may be accepted by the Cluster University, keeping in view its requirement.

(2) The existing rights and service conditions of such employees who opt for service in the Cluster University shall be protected. Any service rendered by any such officer or employee in the Himachal Pradesh University before transfer of services to the Cluster University shall be deemed to be service rendered in the Cluster University:

Provided that in the event of any dispute or difficulty in the matter of implementation of the provisions of this section, the matter shall be referred to the Government, whose decision shall be final.

11. Powers of the Chancellor to annul proceedings or decisions.- Without prejudice to the provisions of this Act, the Chancellor may, by order in writing, annul proceedings of the Cluster University or of its any authority

or the decision of any officer of the Cluster University, which is not in conformity with this Act or the Statutes or the Ordinances made there under:

Provided that before making such order, the Chancellor shall call upon the Cluster University, or as the case may be, its authority or the officer, to show cause why such an order should not be made and if any cause is shown within the period specified by him in this behalf, shall consider the same.

12. Powers of the State Government to enquire.- The State Government may, cause any enquiry to be made by any of its officers or agency as it may direct on any matters connected with the administration and finances of the Cluster University or the institutions maintained by it

and the report of such enquiry shall be sent to the State Government and the State Government after examining the same, shall forward the report to the Chancellor and may also recommend any action including removal of the Vice- Chancellor, as the case may be, if in its opinion there exist such circumstances as are contained in sub-section (5) of section 15 and the Chancellor may take action accordingly:

Provided that before taking such action, the Chancellor shall afford reasonable opportunity of being heard to the Vice-Chancellor.

13. Officers of the Cluster University.- The following shall be the officers of the Cluster University, namely:-

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Finance Officer;
- (d) the Registrar;
- (e) the Controller of Examinations; and
- (f) such other persons as may be declared by the Statutes to be the officers of the Cluster University.

14. The Chancellor.- (1) The Governor of Himachal Pradesh shall be the Chancellor of the Cluster University.

(2) The Chancellor shall, by virtue of his office, be the Head of the Cluster University and its Governing body. He shall, when present, preside over at any convocation of the Cluster University.

(3) The Chancellor shall have such powers as may be conferred on him by or under this Act.

(4) The Chancellor may delegate to the Vice-Chancellor such of his powers under this Act or Statute, as he may specify.

15. Appointment of the Vice-Chancellor.- (1) A person of the highest level of competence, integrity, morals and institutional commitment

shall be appointed as Vice-Chancellor of the Cluster University as per the norms of the University Grants Commission.

(2) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the State Government. The Vice-Chancellor shall be a whole time salaried Officer of the Cluster University.

(3) Except as expressly provided in sub-sections (4) and (8), the Vice-Chancellor shall, subject to the pleasure of the Chancellor, hold office for a term of three years from the date on which he enters upon his office and shall, on the expiry of the term of his office, be eligible for reappointment to that office:

Provided that the Vice-Chancellor shall, notwithstanding the expiry of the said period of three years, continue to hold his office until his successor is appointed and enters upon his office.

(4) No person shall be appointed, or if appointed shall hold or continue to hold office, as Vice Chancellor if he has attained the age of sixty five years.

(5) The Chancellor, by general or special order, may place the Vice-Chancellor under suspension,-

- (a) where an enquiry under sub-section (8) is contemplated or is pending; or
- (b) where, in the opinion of the Chancellor, he has engaged himself in activities prejudicial to the interest of the Cluster University; or
- (c) where a case against him in respect of any criminal offence is under investigation, inquiry or trial; or
- (d) where his continuance in office will prejudice the investigation, inquiry or trial like apprehended tempering with documents or to influence witnesses etc..

(6) The Vice-Chancellor under suspension shall be entitled to a subsistence allowance at an amount equal to leave salary which the Vice-Chancellor would have drawn if he had been on leave on half average pay or on half pay and in addition, dearness allowance, if admissible on the basis of such leave salary.

(7) Where the period of suspension exceeds three months, the Chancellor shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first three months as follows,-

- (a) the amount of subsistence allowance may be increased by a suitable amount, not exceeding fifty percent of the subsistence allowance admissible during the period of first three months, if in the opinion of the Chancellor, the period of suspension has been prolonged for reasons to be recorded in writing, nor directly attributable to the Vice-Chancellor;

- (b) the amount of subsistence allowance, may be reduced by a suitable amount, not exceeding fifty percent of the subsistence allowance admissible during the period of first three months, if in the opinion of the Chancellor, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the Vice-Chancellor; and
- (c) the rate of dearness allowance shall be based on the increased or the decreased amount, as the case may be, of subsistence allowance admissible under clause (a) and (b).

(8) No payment under sub-section (6) shall be made unless the Vice-Chancellor furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.

(9) If in the opinion of the Chancellor, the Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him or if it appears to the Chancellor that the continuance of the Vice-Chancellor in office is detrimental to the interests of the Cluster University, the Chancellor may, after making such enquiry as he deems proper and in consultation with the State Government, by order remove the Vice-Chancellor:

Provided that in the event of taking any action on a report of an enquiry under section 12, no further enquiry shall be necessary under this sub-section but the Vice-Chancellor shall be afforded an opportunity of being heard after making him available a copy of enquiry report.

(10) The Vice-Chancellor may resign by a notice of one month, in writing under his hand, addressed to the Chancellor. The Chancellor may waive off the period of notice and accept the resignation forthwith in consultation with the State Government.

16. Powers and functions of the Vice-Chancellor.- (1) The Vice-Chancellor shall be the principal academic and executive officer of the Cluster University. He shall, in the absence of the Chancellor preside over the convocation of the Cluster University and shall confer degrees on persons entitled to receive them.

(2) The Vice-Chancellor, by virtue of his office, shall be the Chairperson of the Board of Management and the Academic Council and also the Chairperson of any other Authority or Body of the Cluster University of which he may be a member, but shall not be entitled to vote there except in case of a tie.

(3) The Vice-Chancellor shall have the powers to convene or cause to be convened the meeting of the Board of Management, the Academic Council and the Finance Committee.

(4) The Vice-Chancellor shall exercise the general control over all the affairs of the Cluster University, Officers, Teachers, employees and shall be responsible for the due maintenance of discipline.

(5) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act, Statutes, Ordinances and Regulations and shall exercise all such powers as may be necessary in this behalf.

(6) The Vice-Chancellor shall exercise such other powers and discharge such other duties, as may be assigned to him by this Act or the Statutes or delegated to him by the Board of Management or the Chancellor.

17. Financial Officer.- (1) The Finance Officer shall be whole time officer of the Cluster University and shall be appointed by the State Government in consultation with the Chancellor;

(2) The salary and allowances payable to the officer shall be as specified in the conditions of service.

(3) The Finance Officer shall exercise such powers and perform such other duties as may be prescribed by the Statutes and Regulations.

18. Appointment and duties of the Registrar.- (1) There shall be a Registrar who shall be an ex-officio Member Secretary of the Governing Body and the Board of Management.

(2) To be eligible for the selection to the post of the Registrar, a person must have the following minimum qualifications,-

- (a) Masters degree in any faculty with five years experience as a Principal in a College affiliated to or maintained by the Cluster University; or
- (b) teaching experience as an Associate Professor in a University, with five years administrative experience; or
- (c) Masters degree in any faculty with five years experience as a Deputy Registrar or in an equivalent post in a University or Board of School Education; or
- (d) Masters degree in any faculty with five years administrative experience in the Central or State Government Administrative Service (on deputation, if necessary); or
- (e) Masters degree or its equivalent with at least 10 years administrative experience in a University or an educational institution.

(3) The Registrar shall be paid such salary, as may be determined by the Board of Management at the time of appointment.

(4) The Registrar of the Cluster University shall be the custodian of the records, the common seal and such other property of the Cluster University concerned as the Board of Management may commit to his charge.

(5) The Registrar of the Cluster University shall issue under his signatures, notice convening meetings of the Governing Body, the Board of Management and the Boards of Research Studies of the Cluster University.

(6) The Registrar shall, in the execution of his duties, be subject to the immediate direction and control of the Vice-Chancellor and shall render such assistance to the Vice-Chancellor as may be required by him in the performance of his official duties.

(7) The Registrar of the Cluster University shall exercise such other powers and perform such other duties, as may be prescribed by the Statutes and the Regulations.

(8) The Registrar may, with the previous approval of the Vice-Chancellor, delegate any of his powers prescribed under the provisions of this Act, or the Statutes or the Regulations made there under to any other officer of the Cluster University.

19. Controller of Examinations.- (1) In addition to the Registrar, the Board of Management may appoint a person, qualified to be appointed as Registrar, to hold the office of the Controller of Examinations, either temporarily or permanently.

(2) The terms and conditions for the appointment and the salary to be paid to the Controller of Examinations shall be as determined by the Board of Management at the time of appointment.

(3) The Controller of Examinations shall perform the duties of the Registrar in regard to the arrangements for the conduct of examinations and Board of Management may also assign to him such other duties and functions as it may think proper.

(4) The Controller of Examinations shall exercise his powers and discharge his duties under the immediate direction of the Vice-Chancellor.

(5) Subject to directions of the Board of Management, the Controller of Examinations shall make all arrangements for the conduct of examinations of the Cluster University.

(6) Subject to the directions of the Board of Management, the Controller of Examinations shall arrange all items of the examination work such as dispatch and transit of answer-books and question papers, evaluation of answer scripts, tabulation of results, complaints against question papers set for the examinations, use of unfair means, publication, and re-checking or re-evaluation of results and other related matters.

20. Dean of Faculty and Dean of Student Welfare.- (1) There shall be a Dean for each Faculty and Dean of Student Welfare in each constituent college, who shall be appointed, in such manner, as may be prescribed by the Statutes.

(2) The salary and allowances payable to the officers as specified in sub-section (1), the conditions of service and the powers to be exercised and the functions to be performed by them shall be, such as, may be prescribed in the Statutes.

21. Other Officers.- (1) The Cluster University may appoint such other officers as may be necessary for its functioning.

(2) The manner of appointment of other officers of the Cluster University and their powers and functions shall be, such as, may be prescribed by the Statutes.

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

- (a) the Governing Body;
- (b) the Board of Management;
- (c) the Academic Council;
- (d) Finance Committee;
- (e) Building and Works Committee;
- (f) Board of Studies; and
- (g) such other authorities as may be declared by the Statutes to be the authorities of the University.

23. The Governing Body.- (1) The Governing Body of the University shall consist of the following, namely:-

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Administrative Secretaries of Finance and Education Departments of the State Government;
- (d) the Director of the Higher Education, Himachal Pradesh;
- (e) the Principals of all the constituent colleges of the Cluster University;
- (f) two Deans of the faculties of the Cluster University concerned nominated by the Chancellor by rotation;
- (g) two Principals of the autonomous or affiliated colleges to be nominated by the Chancellor in consultation with the Vice-Chancellor;
- (h) two nominees of the Chancellor;
- (i) two persons, to be nominated by the Government;
- (j) two representatives of the Himachal Pradesh Legislative Assembly from amongst its members to be elected in the manner as the Speaker of the said Assembly may direct; and
- (k) the Registrar shall be ex-officio Member Secretary.

(2) The Governing Body shall be the supreme authority of the Cluster University.

(3) The Governing Body shall have the following powers, namely:-

- (a) to provide general superintendence and directions and to control functioning of the Cluster University by using all such powers as are provided by this Act, Statutes, Ordinances, Regulations or rules made thereunder;
 - (b) to review the decisions of other authorities of the Cluster University, in case, they are not in conformity with the provisions of this Act, Statutes, Ordinances, Regulations or rules made thereunder;
 - (c) to approve the budget and annual report of the Cluster University;
 - (d) to lay down the policies to be followed by the Cluster University;
 - (e) to recommend to the Government about the voluntary liquidation of the Cluster University, if a situation arises when smooth functioning of the Cluster University does not remain possible inspite of all efforts; and
 - (f) such other powers as may be prescribed by the Statutes.
- (4) The Governing Body shall meet at least thrice in a calendar year.
- (5) The quorum for meetings of the Governing Body shall be eleven.

24. The Board of Management.- (1) The Board of Management shall consist of the following members, namely:-

- (a) the Vice-Chancellor;
- (b) the Administrative Secretaries of Finance and Education Departments of the State Government;
- (c) the Director of the Higher Education, Himachal Pradesh;
- (d) all the Principals of constituent colleges;
- (e) two Deans of faculties by rotation on the basis of seniority;
- (f) two eminent academicians, to be nominated by the Chancellor;
- (g) two persons from amongst the Professors or Associate Professors by rotation on the basis of seniority;
- (h) one senior most representative of non-teaching employees;
- (i) the President of Student Union of the University; and
- (j) the Registrar shall be the Member-Secretary.

(2) The Vice-Chancellor shall be the Chairperson of the Board of Management.

(3) The powers and functions of the Board of Management shall be such as may be, prescribed by the Statutes.

(4) The Board of Management shall meet at least once in every two months.

(5) The quorum for meetings of the Board of Management shall be ten.

25. Powers and functions of the Board of Management.- The Board of Management shall have the following powers, namely:-

- (a) to make Statutes under this Act, and to amend and repeal the same;
- (b) to make the Regulations;
- (c) to approve the financial estimates framed by the Finance Committee;
- (d) to approve plans of development and expansion of the Cluster University;
- (e) to consider and pass resolutions on the annual reports;
- (f) save as otherwise provided in this Act, to appoint officers and teachers not below the rank of the Joint Registrar, Deputy Librarian and Associate Professors and to define their duties :

Provided that no officer or teacher shall be appointed by the Board of Management until provision has been made for his salary in the approved budget of the Cluster University:

Provided further that all the appointments to the posts of officers or teachers referred to in this section, shall be, made by the Board of Management on such terms and conditions, as may be prescribed, by the Statutes:

Provided further that the Vice-Chancellor may make appointments of teachers referred to in this section as a temporary measure for a period not exceeding six months to carry on the work and if the recommendations of the Selection Committee are not received within a period of six months, the Vice-Chancellor may extend appointment, if any, made by him, for the duration of the academic session with the approval of the Board of Management;

- (g) to exercise such other powers and to perform such other functions, as may be conferred or imposed upon it, by this Act or the Statutes;
- (h) to constitute committees for specific purposes and to assign such duties to them, as it deems fit;
- (i) to delegate such of its powers to any officer or authority of the Cluster University, as it may deem fit; provided that such delegation is made by a majority of not less than two third of the members of the Board of Management; and

- (j) to exercise such other powers of the Cluster University as are not otherwise provided for in this Act, and Statutes and Regulations made thereunder.

26. The Academic Council.- The Academic Council of the Cluster University shall consist of the following :-

- (a) the Vice-Chancellor;
- (b) Principals of all the Constituent Colleges;
- (c) two Principals of the Autonomous colleges or Affiliated Colleges nominated by the Vice-Chancellor;
- (d) the Deans of Faculties of the Cluster University;
- (e) four Professors or Associate Professors from constituent colleges of the Cluster University representing subjects other than those represented by the Principals, nominated by the Vice-Chancellor;
- (f) two Professors or Associate Professors from the Autonomous Colleges or Affiliated Colleges of the Cluster University representing subjects other than those represented by the Principals, nominated by the Vice-Chancellor; and
- (g) two Professors or Associate Professors of the Universities established in the State, nominated by the Vice-Chancellor.

27. Powers and functions of the Academic Council.- (1) The Academic Council of the Cluster University shall have the following powers and functions namely,-

- (a) to control and regulate the standards of teaching and examinations in the Cluster University;
- (b) to specify the syllabi and the courses of study for all the examinations held by the Cluster University;
- (c) to formulate, modify or revise, subject to control of the Governing Body and the Board of Management, schemes for the constitution of Faculties and for the assignment of subjects to the Faculties;
- (d) to nominate teachers or specialists to the Faculties;
- (e) to promote research within the Cluster University and to acquire reports of such research from persons engaged therein;
- (f) to advise the Governing Body and the Board of Management on academic matters; and
- (g) to make proposals to the higher authorities of the Cluster University for supplementing the teaching provided in the constituent, Autonomous and Affiliated Colleges.

(2) The Academic Council of the Cluster University shall have the powers to appoint a Standing Committee of the members of the Academic Council of which not less than two third shall be the Cluster University Professors, Associate Professors, Principals, or Teachers of constituent, autonomous and affiliated colleges not below the rank of a Professor or Associate Professor and to delegate to it such of its powers as it may deem fit. The Standing Committee shall have power to invite experts, whenever necessary, for advice on a particular matter under consideration.

28. Finance Committee.- (1) The Finance Committee shall consist of the following persons, namely:-

- | | | |
|-----|--|-------------------|
| (a) | the Vice-Chancellor | Chairperson; |
| (b) | the Secretary to the Government of Himachal Pradesh, Department of Finance or his nominee not below the rank of Special Secretary (Finance) to the Government of Himachal Pradesh. | Member; |
| (c) | the Secretary to the Government of Himachal Pradesh, Department of the Higher Education or his nominee not below the rank of Special Secretary (Higher Education) to the Government of Himachal Pradesh. | Member; |
| (d) | two members of the committee to be nominated by the Chairperson from the Principals of constituent colleges | Member; |
| (e) | the Registrar | Member; and |
| (f) | the Finance Officer | Member Secretary. |

(2) The Finance Committee shall ordinarily meet four times in a year preferably before the meeting of the Board of Management.

(3) The meetings of the Finance Committee shall be convened by the Chairperson.

(4) Four members of the Finance Committee shall form a quorum for a meeting.

(5) The Finance Committee shall advise the Board of Management on all financial matters and shall have the powers,-

- (a) to examine the Annual Accounts and Budget Estimates of the Cluster University and to advise the Board of Management thereon;
- (b) to examine the Annual Audit and Action Taken Report;

- (c) to review the financial position of the Cluster University and to make recommendations to the Board of Management on all matters relating to the finances of the Cluster University;
- (d) to examine and make recommendations to the Board of Management on all proposals involving expenditure for which no provision has been made in the Budget, or which involves expenditure in excess of the amount provided in the Budget;
- (e) to consider all proposals relating to the revision of pay scales, fixation of honorarium to members of various Committees, travelling allowances, fee for various courses to be charged from the students and remuneration to experts, paper setters, examiners, evaluators etc.; and
- (f) to exercise such other powers and to perform such other functions as may be prescribed by the Regulations.

29. Condition for affiliation.- The conditions for affiliation of other colleges to the Cluster University shall be, such as may be prescribed by the Statutes.

30. Pension, insurance and provident fund.- (1) The Cluster University shall constitute, for benefit of its officers, teachers, clerical staff and other employees, in such a manner and subject to such conditions, as may be prescribed by the Statutes, such pension, insurance and provident fund, as it may deem fit.

(2) Where any such pension, insurance or provident fund has been so constituted or where any such pension, insurance or provident fund has been constituted by a college under the rules made with the approval of the State Government.

31. Building and Works Committee.- There shall be Building and Works Committee and its constitution and powers shall be such as may be prescribed by the Statutes.

32. Board of Studies.- (1) In a Cluster University there shall be a Board of Studies for a subject or subjects comprised in a faculty in accordance with the provisions as may be prescribed by the Regulations.

(2) Each Board of Studies shall consist of the following members namely:-

- (a) the Professors of the Department of the Cluster University in the subject assigned to the Board of Studies, if there are any;
- (b) the Associate Professors of the Department of the Cluster University, in the subject assigned to the Board of Studies, if there are any;

- (c) the senior most Associate Professor, in case there is no Professor from the Department in the subject concerned from each constituent college;
- (d) the senior most Associate Professor, in case there is no Professor from the Department in the subject concerned from each constituent Autonomous or Affiliated college;
- (e) one person who is not a teacher in any affiliated or constituent college of the Cluster University or a Department of the Cluster University, nominated by the faculty:

Provided that where it is found that the Board of Studies in any subject is not adequately represented, the Vice-Chancellor may authorize co-option of teachers in the subject from colleges or the Cluster University Departments to the extent of three members.

(3) Head of the Cluster University Department senior to all other Professors in the Department shall be the Convener and in case there is no Professor in Department of the Cluster University, in a subject, the senior most member of the Board of Studies shall be the Convener of the Board.

(4) The terms and conditions of the office of the members of a Board of Studies shall be such, as may be prescribed by the Statutes, in this behalf.

(5) Where a Board of Studies comprises more than one subject, the Vice-Chancellor may constitute the same on similar lines so as to ensure that each subject comprised in the Board is adequately represented on it:

Provided that the total number of members of the Boards of Studies so constituted, does not exceed ten.

(6) Notwithstanding anything contained in this section or any Statute or Regulation made thereunder, the Cluster University may have a Board of Post-graduate Studies for each subject in which Post-graduate instructions are imparted, and a Board of Under graduate Studies for the subject or subjects in which under-graduate instructions are imparted. The composition of these Boards shall be such, as may be determined by the Chancellor, in consultation with the Vice-Chancellor.

33. Powers and functions of the Board of Studies.- (1) It shall be the duty of the Board of Studies to make suggestions to the faculty concerned regarding,-

- (a) syllabi for the subjects or subjects of instruction;
- (b) combination of subjects permitted in various courses;
- (c) identification of new courses of study;
- (d) appointment of paper-setters and examiners; and
- (e) any matter referred to it by the Academic Council or the faculty concerned.

(2) The Boards of Studies shall also discharge such other functions, as may be prescribed by the Statutes or the Regulations.

34. Other Authorities of the Cluster University.- The constitution, composition, powers and functions of other authorities of the Cluster University shall be such as may be prescribed by the Statutes.

35. Disqualifications.- A person shall be disqualified for being a member of any of the authorities or bodies of the Cluster University, if he-

- (a) is of unsound mind and stands so declared by a competent court; or
- (b) is an undischarged insolvent; or
- (c) has been convicted of any offence involving moral turpitude; or
- (d) is conducting or engaging himself in private coaching classes; or
- (e) has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere.

36. Proceedings of the Cluster University not invalidated by vacancies.- No act done, or proceeding taken, under this Act by any authority of the Cluster University shall be invalid merely on ground,-

- (a) of any vacancy or defect in the constitution of the authority; or
- (b) of any defect or irregularity in nomination or appointment of a person acting as a member thereof; or
- (c) of any defect or irregularity in such act or proceedings, not affecting the merits of the case.

37. Committees.- The authorities or officers of the Cluster University may constitute committees with such terms of reference, as may be necessary for specific tasks to be performed by such committees. The constitution of such committees and their duties shall be such, as may be prescribed by the Statutes.

38. The First Statutes.- (1) Subject to the provisions of this Act, and the rules made thereunder, the First Statutes of the University may provide for all or any of the following matters, namely:-

- (a) the constitution, powers and functions of the authorities and other bodies of the Cluster University, as may be constituted from time to time;
- (b) the terms and conditions of appointment of the Vice-Chancellor and his powers and functions;

- (c) the manner of appointment and terms and conditions of service of the Registrar and the Chief Finance and Accounts Officer, and their powers and functions;
- (d) the manner of appointment and terms and conditions of service of the employees and their powers and functions;
- (e) the procedure for arbitration in case of disputes between the employees, students and the Cluster University;
- (f) the provisions regarding exemption of students from payment of tuition fee and for awarding to them scholarships and fellowships;
- (g) provisions regarding the policy of admissions, including regulation of reservation of seats;
- (h) provisions regarding fees to be charged from the students; and
- (i) provisions regarding number of seats in different courses.

(2) The First Statutes shall be made by the Government and published in the Rajpatra (e-Gazette), Himachal Pradesh and a copy thereof shall be laid before the State Legislative Assembly.

39. The subsequent Statutes.- (1) Subject to the provisions of this Act and the rules made thereunder, the subsequent Statutes of the Cluster University may provide for all or any of the following matters, namely:-

- (a) creation of new authorities of the Cluster University;
- (b) accounting policy and financial procedure;
- (c) representation of teachers in the authorities of the Cluster University;
- (d) creation of new departments, and abolition or restructuring of the existing department;
- (e) institution of medals and prizes;
- (f) creation and abolition of posts and procedure for their abolition;
- (g) revision of fees;
- (h) alteration of the number of seats in different syllabi; and
- (i) all other matters which under the provisions of this Act are to be prescribed in the Statutes.

(2) The Statutes of the Cluster University other than the First Statutes shall be made by the Board of Management with the approval of the Governing Body.

(3) The Board of Management may, from time to time, make new or additional Statutes or may amend or repeal the Statutes, so made in the manner hereinafter provided:

Provided that Board of Management shall not make any Statute or any amendment of the Statute affecting the status, powers or constitution of any existing authority of the Cluster

University until such authority has been given an opportunity of expressing an opinion on the proposal and any opinion so expressed shall be in writing and shall be considered by the Governing Body.

(4) Every such Statute or addition to Statutes or any amendment or repeal of Statutes shall be subject to the approval of the Government:

Provided that no Statute shall be made by the Board of Management affecting the discipline of students and standards of instructions, education and examination, except in consultation with the Academic Council.

40. The First Ordinances.- (1) Subject to the provisions of this Act or the rules or Statutes made thereunder, the Board of Management may make such First Ordinances with the approval of the Governing Body as it deems appropriate for the furtherance of the objects of the Cluster University and such Ordinances may provide for all or any of the following matters, namely:-

- (a) the admission of students to the Cluster University and their enrolment as such;
- (b) the courses of study to be laid down for the degrees, diplomas and certificates of the Cluster University;
- (c) the award of the degrees, diplomas, certificates and other academic distinctions, the minimum qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
- (d) the conditions for awarding of fellowships, scholarships, stipends, medals and prizes;
- (e) the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (f) fees to be charged for various courses, examinations, degrees and diplomas of the Cluster University;
- (g) the conditions of residence of the students in the hostels of the Cluster University;
- (h) provision regarding disciplinary action against the students;
- (i) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the Cluster University;
- (j) the manner of co-operation and collaboration with other Universities and institutions of the higher education; and
- (k) all other matters which by this Act or Statutes made thereunder are required to be prescribed by the Ordinances.

(2) The Board of Management shall either modify the Ordinances incorporating the

suggestion of the Governing Body or give reasons for not incorporating any of the suggestions made by the Governing Body and shall return the Ordinances alongwith such reasons, if any, to the Governing Body and on receipt of the same, the Governing Body shall consider the comments of the Board of Management and shall approve the Ordinances of the Cluster University with or without such modifications and then the Ordinances, as approved by the Governing Body, shall come into force.

41. The subsequent Ordinances.- (1) All Ordinances other than the first Ordinances shall be made by the Academic Council which after being approved by the Board of Management shall be submitted to the Governing Body for its approval.

(2) The Academic Council shall either modify the Ordinances incorporating the suggestions of the Board of Management and the Governing Body or give reasons for not incorporating the suggestions, and shall return the Ordinances alongwith such reasons, if any. The Board of Management and the Governing Body shall consider the comments of the Academic Council and shall approve the Ordinances with or without such modification and then the Ordinances, as approved by the Governing Body shall come into force.

42. Regulations.- The authorities of the Cluster University may, subject to the prior approval of the Board of Management, make regulations, consistent with this Act, the rules, Statutes and the Ordinances made thereunder, for the conduct of their own business and of the committees appointed by them.

43. Fee structure.- (1) The Cluster University may, from time to time, prepare and revise, its fee structure and send it to the Government for its approval before 31st December of every preceding academic year alongwith the approval of courses granted by the Regulatory Commission and the Government shall convey the approval within three months from the receipt of the proposal:

Provided that the fee structure for each course shall be decided before the issue of prospectus and shall be reflected in the prospectus:

Provided further that the fee structure shall not be revised or modified during the academic year.

(2) The fee structure prepared by the Cluster University shall be considered by a committee to be constituted by the State Government, in the manner, as may be prescribed, which shall submit its recommendations to the Government after taking into consideration whether the proposed fee is,-

(a) sufficient for generating-

(i) resources for meeting the recurring expenditure of the Cluster University; and

(ii) the savings required for the further development of the Cluster University; and

(b) not unreasonably excessive.

(3) After receipt of the recommendations under sub-section (2), if the Government is satisfied, it may approve the fee structure.

(4) The fee structure approved by the Government under sub-section (3) shall remain valid until next revision.

44. Admissions.- (1) Admission in the Cluster University shall be made strictly on the basis of merit.

(2) Merit for admission in the Cluster University may be determined either on the basis of marks or grade obtained in the qualifying examination for admission and achievements in co-curricular and extra-curricular activities or on the basis of marks or grade obtained in the entrance test conducted at the State level either by an association of the Universities conducting similar courses or by any agency of the State:

Provided that admission in professional and technical courses shall be made only through entrance test.

(3) Seats for admission in the Cluster University for the students belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes and handicapped students, shall be reserved as per the policy of the State Government.

(4) At least twenty five percent seats for admission to each course shall be reserved for students who are the Bonafide Himachalis.

(5) The Cluster University shall seek prior approval, as may be prescribed, in the Statutes for admitting new students in subsequent years in the existing courses or for starting new courses, which shall be subject to recommendations of the inspection committee set up for the purpose. This shall be applicable till the first batch of final year students are admitted.

45. Examinations.- At the beginning of each academic session and in any case not later than 30th of August of every calendar year, the Cluster University shall prepare and publish a semester-wise or annual, as the case may be, Schedule of Examinations for each and every course conducted by it and shall strictly adhere to such Schedule:

Provided that if, for any reason whatsoever, the Cluster University is unable to follow this Schedule, it shall, as soon as practicable, submit a report to the Board of Management giving the detailed reasons for making a departure from the published Schedule of Examinations. The Board of Management may, thereon, issue such directions, as it may deem fit, for better compliance in future.

Explanation.- 'Schedule of Examinations' means a table giving details about the time, day and date of the commencement of each paper

which is a part of a scheme of examinations and shall also include the details about the practical examinations.

46. Declaration of results.- (1) The Cluster University shall strive to declare the results of every examination conducted by it within thirty days from the last date of the examination for a particular course, and shall in any case declare the results latest within forty-five days from such date:

Provided that if, for any reason whatsoever, the Cluster University is unable to finally declare the results of any examination within the period of forty-five days, it shall submit a report incorporating the detailed reasons for such delay to the Board of Management. The Board of Management may, thereon, issue such directions, as it may deem fit, for better compliance in future.

(2) No examination or the results of an examination shall be held invalid only for the reasons that the Cluster University has not followed the Schedule of Examinations as stipulated in section 46 and in this section.

47. Convocation.- The convocation of the Cluster University shall be held in every academic year in the manners, as may be prescribed, in the Statutes for conferring degrees, diplomas or for any other purpose.

48. Accreditation of the Cluster University.- The Cluster University shall obtain accreditation from the National Council of Assessment and Accreditation (NAAC), Bangalore, as soon as possible and inform the Government and such other regulating bodies which are connected with the courses taken up by the Cluster University about the grade provided by NAAC to the Cluster University and the Cluster University shall get renewed such accreditation from time to time.

49. The Cluster University to follow rules, regulations, norms etc. of the regulating bodies.- Notwithstanding anything contained in this Act, the Cluster University shall be bound to comply with all the rules, regulations, norms etc. of the regulating bodies and it shall provide such facilities and assistance to such bodies as are required by them to discharge their duties for carrying out their functions.

50. Annual report.- (1) The annual report of the Cluster University shall be prepared under the directions of the Board of Management which shall include among other matters, the steps taken by the Cluster University towards the fulfillment of its objects and shall be submitted to the Governing body on or after such date, as may be prescribed by Statutes and the Governing Body, shall consider the report in its meeting.

(2) A copy of the annual report, as submitted to the Governing Body under sub-section (1), alongwith the observations, if any, made by the Governing Body thereon shall be submitted to the State Government, which shall, as soon as may be cause, the same to be laid before the State Legislature.

51. Annual accounts and audit.- (1) The Cluster University shall maintain proper accounts and other relevant records and prepare Annual

Statement of Accounts, including Income and Expenditure and the Balance Sheet, in such form, as may be prescribed.

(2) An Internal Auditor shall audit the accounts of the Cluster University to ensure concurrent audit of all books of accounts and such periodical internal audit report so prepared shall be placed before the Finance Committee for its consideration.

(3) The accounts of the Cluster University shall be audited every year by an Auditor, who shall be the Chartered Accountant, as defined in the Chartered Accountant Act, 1949 (38 of 1949) or a firm of Chartered Accountant, to be appointed by the Board of Management.

(4) The accounts of the Cluster University together with audit report thereof certified by the Chartered Accountant or firm so appointed under sub-section (3), shall be placed before Chancellor, who may issue such directions to the Cluster University in respect thereof, as it deems fit, and the Board of Management shall comply with such directions.

52. Powers of the Government to inspect the Cluster University. -

(1) For the purpose of ascertaining the standards of teaching, examinations and research or any other matter relating to the Cluster University, the Government may cause an assessment to be made, in such manner, as may be prescribed.

(2) The Government shall communicate to the Cluster University its recommendations in regard to the result of such assessment for corrective action and the Cluster University shall take such corrective measures as are necessary so as to ensure the compliance of the recommendations.

(3) If the Cluster University fails to comply with the recommendations made under sub-section (2) within a reasonable time, the Government may give such directions, as it may deem fit, which shall be binding on the Cluster University.

53. Power to make rules.- (1) The Government may, by notification in the Rajpatra (e-Gazette), Himachal Pradesh, make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for all or any other matters which are required to be, or may be prescribed by rules under this Act.

(3) All the rules made under this Act shall be laid, as soon as may be after they are so made, before the State Legislative Assembly, while it is in session, for a period of not less than ten days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session in which it is so laid or the sessions immediately following, the Legislative Assembly makes any modification in any of such rules or agrees that any such rule should not be made, such rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done.

54. Saving as to certain examinations.- Notwithstanding anything contained in this Act, or in the Statues or Ordinances,-

- (a) any student who, immediately prior to the commencement of this act, was studying for a degree, diploma or certificate, as the case may be, of Himachal Pradesh University in accordance with the regulation in force under the respective Act under which the Himachal Pradesh University was established, may until such examinations are provided by the Cluster University, be admitted to the examination of Himachal Pradesh University and be conferred the degree, diploma or certificate, as the case may be, of the said university, for which he qualified on the result of such examination;
- (b) if the Himachal Pradesh University has held any examination, the result of which have been published but the degree, diploma or certificate, as the case may be, relating thereto have not been conferred or issued or the result of any such examination has not been published by the said University then such examination shall be deemed to have been held by the Cluster University.

55. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Rajpatra (e-Gazette), Himachal Pradesh, make 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 under this section after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislative Assembly.

56. Act to have overriding effect.- The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law, for the time being in force.
