

THE UTTARAKHAND AYURVED UNIVERSITY ACT, 2009

[Uttarakhand Act No. 07 of 2009]

An Act

to establish a University to be known as the Uttarakhand Ayurved University

It is hereby enacted by Uttarakhand State Legislature in the sixty year of the Republic of India as follows:

Chapter-I

Preliminary

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| Short title, extent and Commencement | 1. (1) This Act may be called the Uttarakhand Ayurved University Act, 2009.
(2) It shall extend to the whole of the State of Uttarakhand.
(3) It shall come into force on such date as the State Government may by notification in the official gazette, appoint. |
| Definitions | 2. In this Act, unless the context otherwise requires,-
(a) ‘Affiliation’ means conferred affiliation under this Act;
(b) ‘Approved Educational Institution’ means Approved institution under section 33;
(c) ‘Ayurvedic Educational Institution’ means such teaching Institution in which teaching and training is provided;
(d) ‘Ayurvedic Medical Method’ means eight branches of Ayurvedic method of medical with include to the yoga and natural medical method and related other method whether such is full by modern progress and who is relevant to the fundamental principles of Ayurved as determined from time to time by the University for modern progress.
(e) ‘Academic Council’ means the Academic Council of the University;
(f) ‘Board of Study’ means the Board of Study of the University;
(g) ‘The Chancellor’ means the Chancellor of the University;
(h) ‘Degree College’ means such Ayurvedic Degree Colleges or Institutions who are instituted Diploma or Degree;
(i) ‘Constituent College’ means a college or an institution maintained by the University;
(j) ‘Dean’ means a Dean appointed as per provisions of this Act;
(k) ‘Faculty’ means faculty of the University;
(l) ‘Hostel of the University’ means such unit of residence of students who is maintained or recognized by the University and hostel of affiliated or constituent degree colleges means the unit of residence of students of that degree college;
(m) ‘Principal’ means head of the Degree College;
(n) ‘Professors of the University’ means such professor who is appointed for giving teaching or provided reorganization by the University; |
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- (o) **‘Property’** regarding any affiliated or co-opted degree college such all movable or non movable property means who is of degree college or conferred to the degree college for profitable as fully or partly in which the land, building (with hostel), workshop, library, laborites, instruments, tools, furniture, stationary, store, auto vehicle or other vehicle if any is include and all these articles who is attached with degree colleges as in hand amount, deposited amount in the bank, invest and mentioned loan and mentioned right and interest in the such property who is owner, possession, right or under the control of the degree college and account register and other all records who is any nature and all existing loans, responsibilities and legal proceedings shall be deemed included whether they are in any category;
- (p) **"Institution of Recognition"** means the Institution of Recognition under this Act;
- (q) **‘Registered Graduates’** means registered person as a registered graduated under the provisions of this Act;
- (r) **‘self financed institution’** means such degree college or institution who is affiliated in this place by the University according this Act, Statues and Ordinances;
- (s) [***]¹
- (t) **‘Statues, Ordinance and Act’** means, respectively, the Statutes, Ordinances and Regulations of the University under this Act;
- (u) **‘Executive Council’** means Executive Council of the University;
- (v) **‘Teachers’** means Professor, Reader, Lecturer and such other person who is Affiliated degree colleges any recognizing institution or any institutions is conferred teaching or the University who is as declared teacher by the Statues;
- (w) **"University"** means the Uttarakhand Ayurved University established under this Act;
- (x) **‘University Center’** means such center where is conferred master education determined in the relation by the Statues and Ordinances;
- (y) **‘Department of the University’** means such master degree or research institutions or department who is as maintained in this way by the University;
- ²{(z) **“Registrar”, “Deputy Registrar” and “Assistant Registrar”** means Registrar, Deputy Registrar and Assistant Registrar of the University respectively.}

1- Omitted by the sub-section (15) of section 12 of Uttarakhand Act no. 16 of 2014.

2- Inserted by section 2 of Uttarakhand Act no 11 of 2019.

Chapter-II

University

Incorporation of the University

3. (1) The Chancellor, Vice chancellor and first member of the Syndicate of the University and all persons who is after in referred join as officer and members constitute a University known as the Uttarakhand Ayurved University shall be established by the corporate body which jurisdiction within the territory of the State of Uttarakhand.
- (2) The University shall have perpetual succession and common seal and shall sue and be sued by the said name.
- [(3) The main campus of the University shall be situated at Dehradun and Rishikul Government Post Graduate Degree College and Gurukul Kangari Government Ayurvedic Degree College situated at Haridwar shall be the campus of the University. On the motion of Executive Council of the University after approval of the State Government, Additional campus may be established in any other place of the State.]¹
- (4) On the establishment of the University, the land and other movable and immovable properties acquired, created, arranged or built by the University for the purpose of except the properties vest in the University.

The object of the establishment of the University

4. The object of the establishment of the Ayurved University shall be ordinarily teaching, research, extension, education and service and extension, creation and protection of knowledge of understanding and Indian methods of medical by the affective way and shall be following particular objects--
- (1) to fulfill his responsibilities of new invention of Indian methods of medical and to protection and extension of his knowledge;
- (2) to extend benefits of knowledge and efficiency for the development of total medical of persons and society with the nearest co-option with the local and local heaths problems to the University;
- (3) to made strong to the research and specialties in Indian method of medical;
- (4) to make promotion of earn of knowledge in the developing and changeable society from fast track and to provide regular option to promote the invention in all areas of Indian methods of medical with the help of modern media and technology;
- (5) to established financial selfness within taken hands from effective way of educational and co-opted programme and resources production services; and
- (6) to act as a education centre for the all students of different parts and out of the country.

1- substituted by the section 2 of Uttarakhand Act no. 16 of 2014.

**Powers and duties
of the University**

5. Subject to such condition as may be prescribed by or under the provisions of this Act, the University shall have the following powers and shall perform the following duties, namely-
- (1) to provide for instruction, teaching and training in such branches of Ayurved system of medicine and allied subjects as it may think fit advancement and dissemination of the knowledge of the said system and subject and to promote and encourage the knowledge of Ayurved in its original concept ;
 - (2) to make such provision as would enable affiliated colleges, recognised institutions and approved institutions to undertake specialisation of studies;
 - (3) to establish and organise common pharmaceutical laboratories, libraries, museums and other equipment of teaching and research;
 - (4) to establish, take over, maintain and manage colleges, departments, centres and institutes of research or specialised studies;
 - (5) to create professor, sub-professor, lecturer and officers/employees posts required by the University;
 - (6) to appoint professor, sub-professor and lecturer to appoint and recognition persons to such posts;
 - (7) to lay down the courses of instructions for the various examinations;
 - (8) to guide teaching in colleges, University departments, University centres or recognised institutions;
 - (9) to institute degrees, diplomas and other academic distinctions.
 - (10) to hold examinations and persons who—
 - (a) have pursued approved courses of study in the University or in an affiliated college unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Rules and have passed the examinations prescribed by the University, or
 - (b) to organized degree, diploma and other distinctions have carried on research under conditions prescribed by the Ordinance and Rules;
 - (11) to institute and honorary degree and other academic in accordance prescribe by the Statutes;
 - (12) to admit educational institutions to the privileges of the University and his withdraw;
 - (13) to inspect colleges, recognised institutions and approved institutions and to take measures to ensure that proper standards of instruction, teaching or training are maintained in them and that adequate library and laboratory provisions are made therein;
 - (14) to control and co-ordinate the activities of, or to give financial aid to, affiliated colleges, approved institutions and recognised institutions;

- (15) to hold and manage trusts and endowments and to institute and award fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes;
 - (16) to fix, to demand and receive such fees and other charges as may be fixed by the State Government of time to time ;
 - (17) to establish , maintain and manage hostels;
 - (18) to recognize hostels not maintained by the University, to inspect such hostels and to withdraw recognition therefrom;
 - (19) to co-ordinate, supervise, regulate and control the residence, conduct and discipline of the students of the University and to make arrangement for promoting their health and general welfare;
 - (20) to co-ordinate, supervise, regulate and control the conduct of undergraduate and post-graduate teaching and of post-graduate research work and teaching in the affiliated colleges and the institutions recognised or approved by the University;
 - (21) (a) Documentation and publication department;
 - (b) Administrative department;
 - (c) Research and development department;
 - (d) Medical statistics department;
 - (e) Pharmaceuticals department;
 - (f) Medicine/ (Botanical Garden)Zadi Boti Udyaan, and
 - (g) to establish academic department and his management.
 - (22)(a) extramural education and other valid activity;
 - (b) physical education, NCC and military training;
 - (c) for student unions; and
 - (d) for sports and athletic activities;
 - (23) to co-operate or collaborate with other Universities and authorities in such manner and for such purposes as the University may determine;
 - (24) to invite research scholars, students, professors, Vaidyas, medical practitioner and other interested in the study of Ayurvedic system of medicine to give lectures, instructions or otherwise help in the study of the Ayurvedic system of medicine and to fix their pay, honoraria and other expenses payable to them;
 - (25) to collect, edit or publish manuscripts, books, periodicals, pamphlets and papers in the subject of Ayurvedic system of medicine or in any other allied subjects and for that purpose to establish works and open printing press;
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- (26) to carry out or help surveys and research work in the field of Botany, Biology, Physics, Chemistry, Medicine, Organic Chemistry, Organic technology, Botany chemistry, Organic, Information Science, Pharmacopoeia, Panchakarma, Naturopathy, Yoga, Therapy, Toxicology and History of Ayurveda and other allied subject;
- (27) to do all such acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University and generally to cultivate and promote Ayurvedic method of medicine and its allied science as well as its other branches of learning.

Jurisdiction and privileges

6. No Ayurvedic institution within the State of Uttarakhand shall, save with the sanction of the State Government and the University, be associated in any way with or seek admission to any privileges of any other University established by law.

University Open to all irrespective of classes, caste, sex and religion

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

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for admission to students of the State of Uttarakhand :

Provided further that nothing in this section shall be deemed to restrict the University to make provisions for the admission of student of Scheduled Caste, Scheduled Tribes Caste or other Backward Classes belonging to the State of Uttarakhand.

Chapter –III

Inspection and Inquiry

Inspection and Inquiry

8. (1) The State Government shall have the right to cause an inspection to be made by such person or persons as it may direct, of the University or any constituent college or any Institute maintained by the University, including its buildings libraries, laboratories, workshops and equipment and also of the examinations, teaching and other works conducted or done by the University or such colleges or Institute or to cause an inquiry to be made in the like manner in respect of any matter connected with the administration and finances of the University or such college or such Institute.
- (2) Where the State Government decides to cause an inspection or inquiry to be made under sub-section (1), it shall inform the University of the same through the Registrar, and any person nominated by the Executive Council may be present at such inspection or inquiry as representative of the University and he shall have the right to be heard as such:

Provided that no legal practitioner shall appear, plead or act on behalf of the University at such inspection or inquiry.

- (3) The person or persons appointed to inspect or inquire under sub-section (1) shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908, for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and compelling production of documents and material objects and shall be deemed to be a civil court within the meaning of sections 345 and 346 of the Code of Criminal Procedure, 1973 and any proceeding before him or them shall be deemed to be judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.
- (4) The State Government shall address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the State Government with such advice as the State Government may offer, upon the action to be taken thereon.
- (5) The Vice-Chancellor shall then within such time as the State Government may fix, submit to it a report of the action taken or proposed to be taken by the Executive Council.
- (6) If the University authorities do not within a reasonable time, take action to the satisfaction of the State Government the Government may, after considering any explanation which the University authorities may furnish, issue such directions as it may think fit, and the University authorities shall be bound to comply with such directions.
- (7) The State Government shall send to the Chancellor a copy of every report of an inspection or inquiry caused to be made under sub-section (1) and of every communication received from the Vice-Chancellor under sub-section (5) and of every direction issued under sub-section (6) and also of every report or information received in respect of compliance or non-compliance with such direction.
- (8) Without prejudice to the provisions of sub-section (6) if the Chancellor on consideration of any document or material referred to in sub-section (7) of this section including any report of an inquiry held before the commencement of this Act, is of opinion that the Executive Council has failed to carry out its functions or has abused its powers, he may, after giving it an opportunity of submitting a written explanation, order that in super session or the said Executive Council, and Executive Council, consisting of the Vice-Chancellor and such other persons not exceeding ten in number as the Chancellor may appoint in that behalf including any member of the superseded Executive Council, shall for such period not exceeding six month as the Chancellor may from time to time specify, and subject to the provisions of sub-section (1), exercise and perform all the powers and functions of the Executive Council under this Act.
- (9) Nothing in section 24 shall apply to the composition of the ad hoc Executive Council that may be constituted under sub-section (8).

- (10) Upon an order being made under sub-section (8), the term of office of all members of the Executive Council superseded thereby, including ex-officio members, shall cease and all such members shall vacate their offices as such.
- (11) During the period of operation of an order under sub-section (8), the established new Executive Council of the provisions of this section 24.
- (12) Any Statute, Ordinance, Regulation or Order made during the period of operation of an order under sub-section (8), in accordance with the provisions of this Act, as deemed modified by virtue of the provisions of sub-section (11), shall, notwithstanding the expiration of such period, continue in force until amended, repealed or rescinded in accordance with the provisions of this Act.

Chapter-IV

Officers of the University and Authorities of the University

Officers of the University

[The following shall be the officers of the University, namely :--

- (a) The Chancellor;
- (b) The Vice Chancellor;
- (c) The Finance Officer;
- (d) The Registrar; and
- (e) Such other Officers as may be declared by the Statutes to be officers of the University.]¹

The Chancellor

10. (1) The Governor of the Uttarakhand shall be the Chancellor of the University.
- (2) He shall, by virtue of his office be the Head of the University and the President of the [Executive Council]² and shall, when present, preside at meeting of the [Executive Council]², and at any convocation of the University.
- (3) The Chancellor shall have such other powers as may be conferred on him by or under this Act or the Statutes.

Appointment and Tenure of the Vice-Chancellor

11. (1) The Vice-Chancellor shall be a whole time salaried officer of the University and shall be appointed by the Chancellor except as provided from amongst the persons whose names are submitted to him by the Committee constituted in accordance with the provisions of sub-section (2) by the State Government.

³[(2) The Committee specified to in sub-section (1) shall have following members, namely :-

- (a) A serving/ retired Judge of State High Court nominated by the Chief Justice;
- (b) A renowned educationist nominated by the State Government;
- (c) A member nominated by the Chancellor;

1- Substituted by the section 3 of Uttarakhand Act no 16 of 2014.

2- Substituted by the sub-section (15) of section 12 of Uttarakhand Act no 16 of 2014.

3-Subs. by section 2 of UK Act no 11 of 2018.

(d) A nominated member by the executive council;

(e) Additional Chief Secretary/ Principal Secretary/ Secretary, Ayush education as a member secretary;

The State Government shall appoint one of the members of committee as a Chairperson of the Committee.

The Committee shall forward a panel of three to five such renowned Ayush educationists or retired officers from higher level suitable to hold the post of Vice-chancellor, showing their educational and specific administrative experience in the alphabetical order to the State Government. At the time of recommendation by the committee, the maximum age of recommended person in the panel shall be 65 years. The recommendation by the State Government shall be forwarded to the Chancellor.]¹

(3) The Committee shall, as for as may be, atleast sixty days before the date on which a vacancy the office of the Vice-Chancellor is due to occur by reason of expiry of term or resignation under sub-section (6), and also whenever so required and before such date as may be specified by the Chancellor, submit to the Chancellor the names of not less than three and not more than five persons suitable to hold the office of the Vice-Chancellor. The Committee Shall, while submitting the names, also forward to the Chancellor a concise statement showing the academic qualifications and other distinctions of each of the persons so recommended, but shall not indicate any order of preference.

(4) Where the State Government does not deemed suitable anyone to the post of Vice-chancellor recommended by the Committee or one or more of the persons recommended is or are not available for appointment and the opinion of the State Government only for one person than he, within two month subject to the aforesaid sub-sections may be required to produce a fresh panel form committee for the appointment of the Vice-chancellor

(5) No act or proceeding of the Committee shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

(6) The Vice-Chancellor shall hold office for a term of three years from the date on which he enters upon his office :

Provided that the tenure may be extended for one year in special circumstances;

Provided further that Vice-Chancellor may by writing under his hand addressed to the Chancellor resign his office, and shall cease to hold his office on the acceptance by the Chancellor of such resignation.

(7) In any of the following circumstances of the existence the Chancellor may appoint any suitable person, to the office of Vice-Chancellor for a term not exceeding six months as he may specify--

(a) where a vacancy in the office of Vice-Chancellor occurs , or is likely to occur by reason of leave or any other cause, not being resignation or expiry of term, of which a report shall forthwith be made by the Registrar to the Chancellor;

(b) where a vacancy in the office of Vice-Chancellor occurs and it cannot be conveniently and expeditiously filled in accordance with the provisions of sub-sections (1) ;

(8) The Vice-Chancellor shall not be entitled to the benefit of any pension, insurance or provident fund constituted under section 53:

(9) The Chancellor may remove to the Vice-chancellor by his order on the ground of opinion given by the State Government for miss-appropriation of the powers vest him or refuse to carry out the provisions of this Act;

(10) During the pendency or in contemplation, of any inquiry referred to in sub-section (11) the Chancellor may order that till further orders--

(a) such Vice-Chancellor shall refrain from performing the functions of the office of Vice-Chancellor, but shall continue to get the emoluments to which he was otherwise entitled under section 12 of sub-section (2);

(b) the functions of the office of the vice-Chancellor shall be performed by the person specified in the order.

(11) The State Government shall appoint a inquiry officer for inquiry by any retired judge of the High court for the purpose of miss-appropriation of the funds or miss-management or such miss-behaviour or miss-conduct who is not a graceful for this post. The inquiry officer shall enquire after giving occasion on the given representation by the Vice-chancellor and shall produce a report to the State Government on the proceeding with imposition of punishment and the State Government shall give consultation to the Chancellor after due consideration on the report. The Chancellor shall proceed as far as possible within the three month.

Service condition and pay of the Vice-chancellor

12. (1) On the appointment of the post of Vice-chancellor by any person shall resume his duties within the period of one month from the date of receiving the appointment order.

(2) Subject to the provisions of this Act, the terms of services and emoluments of the Vice-chancellor shall be such as may be determined by the general or special order by the State Government from time to time.

Powers and duties of the Vice-chancellor

13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall-

(a) exercise general supervision and control over the affairs of the University including the constituent colleges and the Institutes maintained by the University and its affiliated and associated colleges ;

(b) give effect to the decisions of the authorities of the University ;

(c) in the absence of the Chancellor, preside at meetings of the [Executive Council]¹ and at any convocation of the University;

1- Subs. by sub-section (15) of section 12 of the Uttarakhand Act no. 16 of 2014.

- (d) be responsible for the maintenance of discipline in the University.
- (e) be responsible for holding and conducting the University examinations properly and at due times and for ensuring that the results of such examinations are published expeditiously and that academic session of the University starts and ends on proper dates.
- (2) He shall be an ex-officio member and Chairman of the [***]¹ Executive Council, Academic Council and the Finance Committee.
- (3) He shall have the right to speak in and otherwise to take part in the meeting of any other authority or body of the University but shall not by virtue of this sub-section be entitled to vote.
- (4) It shall be the duty of the Vice-Chancellor to ensure the faithful observance of the provisions of this Act, the Statutes and the Ordinances and he shall, without prejudice to the powers of the Chancellor under sections 10 possess all such powers as may be necessary in 'that behalf by the State Government;
- (5) The Vice-Chancellor shall have the power to convene meetings of the Executive Council [***]¹, the Court, the Academic Council and the Finance Committee;
- (6) Other than appointment of teacher of the University is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officer or the authority or other body of the University empowered by or under this Act to deal with it, the Vice-Chancellor may take such action as he may deem fit and shall forthwith report the action taken by him to the Chancellor and also to the officer, authority or other body who or which in the ordinary course would have dealt with the matter :

Provided that no such action shall be taken by the Vice-Chancellor without the previous approval of the Chancellor, if it would involve a deviation from the provisions of the Statutes or the Ordinances :

Provided further that if the officer, authority or other body is of opinion that such action ought not to, have been taken it may, refer the matter to the Chancellor who may either confirm the action taken by the Vice Chancellor or annul the same or modify it in such manner as he thinks fit and thereupon it shall cease In have affect or, as the case may be, taken effect in the modified form so however, that such annulment or modification shall be without prejudice to the validity of anything previously done by or under the order of the Vice-Chancellor;

Provided also that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section, shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or withdraw the action taken by the Vice-chancellor and in that matters the decisions so to be taken generally within the period of six month from the date of receiving/ sanction of representation and shall be intimated both the parties.

1- Del. by sub-section (15) of section 12 of the Utrakhand Act no. 16 of 2014.

- (7) Nothing in sub-section (6) shall be deemed to empower the Vice-chancellor to incur any expenditure not duly authorized and provided for in the budget and such matters immediately shall be forward to the State Government.
- (8) Where the exercise of the power by the Vice-chancellor under sub-section (6) involves the appointment of an officer such appointment shall terminate on appointment being made in the prescribed manner or on the expiration of a period of six months from the date of the order of the Vice-Chancellor whichever is earlier.
- (9) With the approval of the Academic Council and with concurrent of the State Government, the Vice-chancellor shall have the power for re-appointment for the not more than five years or till attend the age of 65 years whichever is less to the retired International Eminent Teacher of University or any other University, but the terms of appointment shall be prescribed in the Statutes.
- (10) The Vice-chancellor shall have the power to decide exchange of one department to other department and one cadre to other cadre of the educational posts and creation of certain posts of the teachers of the University with the consultation and prior approval of the State Government when and where is required.
- (11) The Vice-Chancellor shall exercise such other powers as may be laid down by the Statutes and the Ordinances.

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The Finance Officer

15.

- (1) There shall be a finance officer for the University, who shall be appointed by the State Government by notification and his remuneration and allowances shall be paid by the University.
- (2) The Finance Officer shall be responsible for presenting the budget (annual estimates) and the statement of the accounts to the Executive Council and also for drawing and disbursing funds on behalf of the University.
- (3) He shall work directly under the control of the Vice-Chancellor.
- (4) The Finance Officer shall have the right to speak in and otherwise to take part in the proceedings of the Executive Council but shall not be entitled to vote.
- (5) He shall have duty the duty to exercise general supervision over the funds of the University and advise on financial policy
- (6) The Finance Officer shall have the following duties:-
 - (a) to ensure that no expenditure, not authorized in the budget is incurred by the University otherwise than by way of investment;
 - (b) to disallow proposed expenditure which may contravene the provisions of this Act or the terms of any Regulations;

- (c) to ensure that no other financial irregularity is committed and to take steps to set right any irregularities pointed out during audit;
- (d) to ensure that the property and investments of the University are duly preserved and managed.
- (e) to have the accounts audited regularly.

(7) Other powers and functions of the Finance Officer shall be such as may be prescribed.

¹{The Deputy and Registrar Registrar Assistant Registrar

16. [(1) Registrar, Deputy Registrar and Assistant Registrar shall be appointed by the State Government through Centralized Service Rules for the time being in force in the State of Uttarakhand, in such manner and on such terms and conditions as may be prescribed.}]

(2) The Registrar shall have the power of authentication of the records on behalf of the University.

(3) The Registrar shall be responsible for due custody of records and seal of the University. He will be ex-officio Secretary of every Committee for [***]² Executive Council, Finance Committee, Academic Council, Examination Committee, Admission Committee and the appointment / promotion of the teachers of the University and he will present such all information before these authorities who is necessary for disposal of their works. He shall be also performing such other duties which are prescribed by the statutes and ordinances of the University or as required by the Executive Council or Vice-chancellor from time to time, but he will not entitle to vote on the basis of this section.

(4) The Registrar shall be appointing authority of the all 3rd and 4th class employees of the University.

(5) Save as otherwise the matters, where the Academic Council otherwise made directions, the Registrar shall be responsible for keeping secrecy and secrets regarding to examination of the University.

(6) The Registrar shall be responsible for regarding all subjects of the educational affiliation and institutional activities.

(7) The Registrar shall be responsible for conduct and general and total supervision of inspection of the affiliated all degree colleges and institutions of the University as may be prescribed.

(8) The Registrar shall have the all powers of head of the office as mentioned in the financial hand book as applicable to the Sate of Uttrakhand from time to time.

(9) Except as provided in the Rules made under this Act neither any remuneration shall be paid to the Registrar and nor he shall accept.

The Dean of 17 Faculties

The appointment of the Dean of the Faculties shall be made in such method and he shall exercise such powers and perform such act as may be prescribed by the Statutes.

1- Subs. by the section 3 of the Uttrakhand Act no 11 of 2019.

2- del. by the sub-section (15) of section 12 Uttrakahand Act no 16 of 2014.

Appointment of Director of Pharmacy and other Officers of University their powers	18	<p>(1) The Director of Pharmacy, the Director of Botanical Garden and other officers for the University referred to in clause (h) of section 9 shall be appointed in accordance with the Statutes.</p> <p>(2) The terms and conditions of service of the officers specified in sub-section (1) and their powers and duties shall be such as may be prescribed by the Statutes and Ordinances.</p>
Authorities of the University	19	<p>[The members of Authority of the University shall be as follows-</p> <p>(a) Executive Council;</p> <p>(b) Finance Committee;</p> <p>(c) Academic Council;</p> <p>(d) Board of Studies;</p> <p>(e) Sports and Student Welfare Board, and</p> <p>(f) such other Board and Bodies of the University which may be declared as authority of the University by the Statute.]¹</p>
Finance Committee	19.A	<p>[The members of finance Committee shall be as follows-</p> <p>(1) Vice-Chancellor - Chairman</p> <p>(2) Principal Secretary/Secretary Ayush Department Uttarakhand Government - Member</p> <p>(3) Principal Secretary/Secretary Finance Department Uttarakhand Government - Member</p> <p>(4) Finance Officer - Member;</p> <p>(5) a nominated member by the vice-Chancellor amongst the Professors (tenure shall be two years) of the University - Member;</p> <p>(6) Registrar - Member Secretary.]²</p>
	20	[*****] ³
	21	[*****] ³
	22	[*****] ³
	23	[*****] ³
Executive Council	24	<p>⁴[(1) Executive Council shall be executive authority of the University and be comprises with, namely-</p> <p>(a) Vice-Chancellor - Chairman</p> <p>(b) Secretary Ayush Department, Health and Family Welfare Ministry, Government of India, New Delhi - Member</p> <p>(c) Chairman, Central Council for Indian Medicine, New Delhi- Member</p> <p>(d) Chairman, Central Council for Homeopathy, New Delhi - Member</p>

1- Subs. by section 5 of Uttarakhand Act no 16 of 2014.

2- Add. by the section 6 of Uttarakhand Act no 16 of 2014.

3- Del. by the section 7,8,9 and 10 of the Uttarakhand Act no 16 of 2014.

4- Subs. by the clause (a) section 11 of Uttarakhand Act no.16 of 2014.

- (e) One working/ retired Judge nominated by the Hon'ble Chief Justice High Court, Uttarakhand, Nainital - Member
- (f) Principal Secretary/ Secretary Ayush Department, Government of Uttarakhand - Member
- (g) Director, Ayurvedic and Unani Services, State of Uttarakhand-Member
- (h) Director, Homeopathic Services State of Uttarakhand - Member
- (i) one member amongst the Principals of affiliated Degree Colleges, which shall be nominated by the Vice-chancellor - Member
- (j) one member which may be nominated by the Vice-Chancellor amongst the professors of the University - Member
- (k) five members amongst Ayush and Science, Industry, Social, Political and Legal field shall be nominated by the Chancellor with the consultation of the State Government in presented panel by Vice-chancellor - Member
- (l) Registrar - Member-Secretary;]¹

[(2) The tenure of nominated members of the Executive Council shall be two years.]]²

**Powers and duties
of Executive
Council**

25.

³[(1) Minimum two meetings of the Executive Council shall be conducted in a year at fixed time and place by the Vice-Chancellor ;

(2) The Executive Council shall be supreme Executive Body of the University and shall exercise all such powers of the University which have no provision in the Ordinance /Statutes ;

(3) To provide for promotion of education of Ayush Medical Methods and make provisions for research, teaching, tutorial and training thereto;

(4) To confer and provide the degrees, post Graduation Diploma and other educational Institutions.

(5) To make, amend or repeal of the Statutes.

(6) To consider on the Annual Report and Annual Accounts and passed resolution.

(7) To hold, control and governed the property and funds of the University.

(8) To received / transfer on behalf of University to the transfer of trust, wills, claims and movable and immovable property.

(9) To recommend to the Chancellor for confer the honor and Education Institutions by the prescribed Statutes.

(10) To approve the teaching appointment of the University according the Statutes.

(11) To make Ordinance for educational purposes and to make amendment on them.

1- Subs. by the clause (a) of section 11 of Uttarakhand Act no.16 of 2014.

2- Subs. by the clause (b) of section 11 of Uttarakhand Act no.16 of 2014.

3- Subs. by the section 12 of Uttarakhand Act no. 16 of 2014.

(12) To exercise such other powers and to perform such other duties as may be confer by this Act or under the Statutes theirunder.

(13) To delegate other any powers as he deemed fit to any Committee by the Chancellor, Registrar or such other Officers or by him.

(14) to determine, demanding and receiving such fee and other charges as may be determined by the finance Committee of the University from time to time and which are related to the works/ income-expenditure of the University.

(15) Such all powers who was conferred to the senate, shall be deemed vest in the Executive Council.]

Academic Council	26.	(1) The Academic Council shall be constitution of University as may be prescribed by the Statutes. (2) The Academic Council shall be constitution, powers and duties such as may be prescribed by the Statutes.
Board of Studies	27.	(1) the group of the every subject and subjects shall be any one Board of Studies, such as may be prescribed by the Statutes. (2) The Board of Studies shall be constitution, powers and duties such as may be prescribed by the Statutes.
Games and Students Welfare Board and others Board	28.	(1) The University, establishment the games and students welfare board and other board as such may be prescribed by the Statutes. (2) The establishment of the Board, constitution, powers and duties such as may be prescribed by the Ordinance.
Other Bodies of the University	29.	The constitution, powers and functions of the other bodies which may be declared by the Statutes to be other bodies of the University shall be such as may be prescribed by the Ordinance.

Chapter-V

Statues and Ordinance

Statues	30	Subject to the provisions of this Act, to the condition the Statutes may provide for any matter relating to the University and shall, in particular, provide for- (a) the conferment of honorary degrees ; (b) to be conferment of degrees organizing of convocation; (c) the powers and duties of the officers of the University ; (d) the constitution, powers and duties of the authorities of the University under this Act; (e) the establishment, departments, research and specific academic institutions and abolition and re-organization of hostels maintained by the University; (f) acceptance and management of the bequests, donations and endowments; (g) registration of graduates and maintenance of a register of registered Graduates.
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			<ul style="list-style-type: none"> (h) procedure for conducting meetings and conduct of works of Authorities of the University; (i) qualifications of the Professor, Reader, Lecturer of the in affiliated colleges and recognition institutions; (j) all other matters which by this Act are to be or may be provided for by the Statutes.
Amendment Origination Repeal of Statues	31.	and the	<ul style="list-style-type: none"> (1) The Statutes may be made by the [Executive Council]¹ or may be amended, repealed or added to by Statutes made by the [Executive Council]¹ in the manner hereinafter provided. (2) The[Executive Council]¹ may take into consideration the draft of the Statute either of its own motion proposal by the executive council. (3) The executive council may propose to the draft of any statute to be passed by the executive council. (4) Such draft shall be considered by the [executive council]¹ at its next succeeding meeting. The [executive council]¹ may approve such draft and pass the Statutes or may reject it or return it to the executive council for reconsideration either in whole or in part together with any amendments which the executive council, it shall be again presented to the executive council with the report of the executive council thereon and may then deal with the draft in any manner it thinks fit. (5) Where a Statute affects the powers or duties of any officer, authority or Board of the University— <ul style="list-style-type: none"> (a) the executive council shall before proposing the draft of such Statutes, ascertain and consider the views of the officer, authority or Board concerned; and (b) the [executive council]¹, before passing any such Statute taken into consideration of its own motion, shall ascertain and consider the views of the officer, authority or Board concerned and the opinion of the [executive council]¹. (6) Every Statute passed by the [executive council]¹ shall be submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the [executive council]¹ for consideration. (7) No Statute passed by the [executive council]¹ shall have validity until assented to by the Chancellor.
Make of Ordinances	32		<ul style="list-style-type: none"> (1) The executive council may make Ordinance and amendment approved State Government to provide for all or any of the following matter, namely- <ul style="list-style-type: none"> (a)) the admission of students to the University; (b) the courses of study to be laid down for all degrees, diplomas and certificate distinctions of the University;

1- Subs. by sub-section (15) of section 12 of the Uttarakhand Act no. 16 of 2014.

- (c) the conditions under which students shall be admitted to the courses of studies for degrees, diplomas and other academic distinctions and to the examinations of the University;
 - (d) recognition of hostels and inspection;
 - (e) the conduct to discipline of students and conditions of their residence;
 - (f) the number, qualifications and conditions of appointment of teachers of the University;
 - (g) the fees to be charged for courses of instruction in, or on behalf of the University given by teachers of the University, for tutorial and supplementary instruction given by or on behalf of the University, upon admission into the University and for continuance therein, for admission to the examinations, degrees and diplomas of the University, for the registration of graduates and for other purposes of a like nature;
 - (h) the conditions of appointment and the duties of examiners;
 - (i) the conduct of examinations;
 - (j) The duties and powers of the Board and Committees to be appointed by the University jointly with any other University or body;
 - (k) the powers and duties of the Registrar and other officers and servants of the University;
 - (l) the discipline to be enforced in regard to the graduates and undergraduates in so far as they come within the jurisdiction of the University for purposes of study and examination;
 - (m) the rules to be observed and enforced by affiliated colleges and recognized institutions in respect of transfer of students;
 - (n) the fees, if any, to be paid for entry or retention of a name on any register;
 - (o) the inspection of affiliated colleges and recognised institutions the reports, returns and other information to be furnished by such colleges and recognised institutions ;
 - (p) the registers of students to be kept by affiliated colleges and recognized institutions;
 - (q) the duties of teachers of the University;
 - (r) the mode of execution of contracts of agreements by or on behalf of the University;
 - (s) generally, all matters which by this Act or by the Statutes may be provided for by the Ordinances [***]¹ and all matters for which provision is, in the opinion of the [executive council]¹ necessary for the exercise of the powers conferred, or the performance of the duties imposed, by this Act or the Statutes.
- (2) The Ordinances made by the executive council shall, except as otherwise provided by this Act, have effect from such date as it may direct.

1- del .Subs. by sub-section (15) of section 12 of the Uttarakhand Act no. 16 of 2014.

Chapter –VI

Affiliation, recognition and approval

Affiliation, recognition and approval

33. (1) A college applying for affiliation to the University shall send an application to the Registrar within the time limit fixed by the University and shall satisfy the Academic Council,-
- (a) that it will supply a need in the locality, having regard to the type of education and teaching and medical Ayurved method intended to be provided by the college, the existing provision in the neighborhoods and the suitability of the locality where the college is to be established;
 - (b) that it is to be under the management of a regularly constituted governing body;
 - (c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;
 - (d) that the building in which the college is to be located are suitable and that provision will be made in conformity with the provisions for the residence in the college or in lodging approved by the college, for students not residing with their parents or guardians and for the supervision and welfare of students of the Ordinance;
 - (e) that due provision has been made or will be made for a library;
 - (f) where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the according statute and Ordinance, and Rules for imparting instruction in the branch of science in a properly equipped laboratory or museum;
 - (g) That due provision will, as far as circumstances may permit, be made for the residence of the Principal and members of the teaching staff in or near the college or the place provided for the residence of students;
 - (h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and
 - (i) that rules fixing the fees, if any, to be paid by the students have been framed as per norms fixed by the committee constituted for this purpose .
- (2) The application shall further contain an assurance that after the college is affiliated, any transference of management and all changes in the teaching staff and all other changes which result in any of the aforesaid requirements, not being fulfilled or continued to be fulfilled, shall be forthwith reported to the Executive Council.
- (3) On receipt of a letter of application under sub-section (1), the Executive Council shall,-
- (a) direct a local inquiry to be made by a competent person or persons authorized by the Executive Council in this behalf in respect of such matters as may be deemed necessary and relevant in sub-section (1);
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- (b) make such further inquiry as may appear to it to be necessary;
- (c) give due consideration to the request, if any, made by the applicant for a reconsideration of any of the conditions conveyed to him;
- (d) record its opinion after consulting the Academic Council on the question whether the application should be granted or refused, either in whole or in part, stating the result of any inquiry under clauses (a) and (b).
- (4) The Registrar shall submit the application and all proceedings, if any, of the executive council relating thereto, to the State Government which, after such inquiry as may appear to it to be necessary, shall grant or refuse the application or any part thereof.
- (5) Where the application or any part thereof is granted, the order of the State Government shall specify the courses of instruction in respect of which the college is affiliated and where the application or any part thereof is refused, the grounds of such refusal shall be stated.
- (6) As soon as possible after the Government or the University makes its order, the Registrar shall submit to the [Executive Council]¹ a full report regarding the application, the action taken thereon under sub-sections (3) to (5) and of all proceedings connected therewith.
- (7) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (4).

Expansion of affiliation	34.	Where a college desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by section 33 shall, so far as may be, followed.
Recognition of institutions of research and specialised studies	35.	<p>(1) The State Government shall have the power to recognise as a recognised institution any institution specialised studies in Ayurvedic system of medicine other than a college.</p> <p>(2) An institution which desires to have such recognition shall send letter of application to the Registrar and shall give full information in the letter of application in respect of the following matters, namely—</p> <ul style="list-style-type: none"> (a) constitution and personnel of the managing body; (b) subjects and courses in regard to which recognition is sought; (c) accommodation, equipment, library facilities and the number of students for whom provision has been or is proposed to be made; (d) the strength of the staff, their qualifications and salaries and the research work done by them; (e) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.

1- Subs. by sub-section (15) of section 12 of the Uttarakhand Act no. 16 of 2014.

**Approval
Institutions**

of 36.

- (3) Before taking the application into consideration the executive council may call for any further information which it may deem necessary.
- (4) If the executive council decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the application or any part thereof.[***]
- (1) The executive council shall have the power to approve an institution as an approved institution for specialised studies, laboratory work, internship, research or other academic work in the Ayurvedic system of medicine under the guidance of a single qualified teacher.
- (2) An institution which desires to have such approval shall send a application to the Registrar and shall give full information in the application in respect of the following matters, namely—
 - (a) the name, qualifications, experience and research work of the teacher under whom approved work is to be done;
 - (b) the nature of work or the subjects for which work is proposed to be done;
 - (c) accommodation, equipment, library facilities and the number of students for whom provision has been made or is proposed to be made;
 - (d) fees levied or proposed to be levied and the financial provision made for capital expenditure on buildings and equipment and for the continued maintenance and efficient working of the institution.
- (3) Before taking the application into consideration the executive council may call for any further information which it may deem necessary.
- (4) If the executive council decides to take the application into consideration, it may direct a local inquiry to be made by a competent person or persons authorised by it in this behalf. After considering the report made as a result of such local inquiry and making such further inquiry as may appear to it to be necessary, the application or any part thereof, the application or any part thereof is granted, the executive council shall specify the subjects of instruction in respect of which the institution is approved and make a report to that effect to the Senate at its next succeeding meetings, the application or any part thereof is refused, the grounds of such refusal shall be stated.

**Withdraw
affiliation**

of 37.

- (1) The rights conferred on a college by affiliation may be withdrawn in whole or in part or modified with the prior if the college has failed to comply with any of the provisions of sub-section (1) of section 33 or the college has failed to observe any of the conditions of its affiliation or the college is conducted in a manner which is prejudicial to the interest of education.
- (2) A motion for the withdrawal or the modifications of such rights shall be initiated only in the Executive Council. The member of the Executive Council who intends to move such a motion shall give notice of it and shall state in writing the grounds on which it is made.

- (3) Before taking the said motion into consideration the Executive Council shall send a copy of the notice and written statement mentioned in sub-section (2) to the Principal of the college concerned together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the college will be considered by the Executive Council.

Provided that the period so specified may, if necessary be extended by the Executive Council.

- (4) On receipt of the representation or on the expiry of the period referred to in sub-section (3), the Executive Council after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by it in this behalf and such further inquiry as may appear to it to be necessary shall make a report to the Executive Council.
- (5) On receipt of the report under sub-section (4) the Executive Council shall, after such further inquiry, if any, as may appear to it to be necessary record its opinion in the matter:

Provided that no resolution of Executive Council recommending the withdrawal of affiliation shall be deemed to have been passed by it unless the resolution has obtained the support of two-thirds of the members present at a meeting of the Executive Council, such majority comprising not less than one-half the members of the Executive Council.

- (6) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council and the Executive Council relating thereto to the Government which after such inquiry, if any, as may appear to it to be necessary, shall make, their recommendations to the University which shall thereafter make such order, as it deems fit.
- (7) Where by an order made under sub-section (6), the rights conferred by affiliation are withdrawn in whole or in part or modified, the grounds for such withdrawal or modification shall be stated in the order.

**withdraw
recognition**

of 38

- (1) The rights conferred on an institution by recognition may be withdraw or suspended for any period if the institution has failed to observe any of the conditions of its recognition or the institution is conducted in a manner which is prejudicial to the interests of education.
- (2) A motion for such withdraw or suspension shall be initiated only in the executive council, the member of the executive council who intends to move such a motion shall give notice of it and shall in handwriting the grounds on which it is made.
- (3) Before taking the said motion into consideration the executive council shall send a copy of the notice and written statement mentioned in sub-section (2) to the head of the institution concerned together with an intimation that any representation in writing submitted within a period specified in the intimation on behalf of the institution, will be considered by the executive council.
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Provided that the period so specified may, if necessary, be extended by the executive council.

- (4) On receipt of the representation or on the expiry of the period referred to in sub-section (3) the executive council, after considering the notice of motion, statement and representation and after such inspection by any competent person or persons authorised by the executive council this behalf and after such further inquiry s may appear to it to be necessary, shall make a report to the executive council.
- (5) On receipt of the report under sub-section (4), the executive council shall, after such further inquiry, if any, as may appear to it to be necessary decide whether the recognition should be withdraw or suspended, as the case may be.

**Withdraw
approval**

of 39.

- (1) The rights conferred on an institution by approval may be withdraw or suspended for any period by the executive council if the institution has failed to observe any conditions of its approval or the work assigned under section 36 is conducted in a manner which is prejudicial to the interests of education, leaves the institution.
- (2) Before an order under sub-section (1)in respect of any approved institution, the executive council shall by notice in writing call upon the institution to show cause within one month from the date of the receipt of the notice, why such an order should not be made, the period so given for showing the cause may, ii necessary, be extended by the executive council.
- (3) On receipt of the explanation, if any, made by the institution in reply to the notice, and where no such reply is received, on the expiry of the period referred to in sub-section (2), the executive council shall, after such inquiry, if any, as may appear to it to be necessary decide whether the approval should be withdraw or suspended and make an order accordingly.

Chapter-VII

Post-graduate teaching

**Post-graduate
teaching**

40.

- (1) All post-graduate instruction, teaching and training shall be conducted by the University or by such affiliated colleges or institutions and in such subjects as may be prescribed by the Statutes.
- (2) All post-graduate departments shall ordinarily be located at the headquarters of the University, however, the University may locate any of such department at a place of places outside its headquarter.
- (3) The University may maintain University centers at places other than the headquarters of the University on such terms and conditions as may be prescribed by the Statutes and Ordinances.

Chapter- VIII

Enrolment and Degrees

**qualification of
enrolment of the
students of the
University**

41.

No students shall be enrolled as a student of the University unless he possesses such qualifications as may be prescribed by the Statutes.

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| residence of students | of | 42. | Every students of the University shall reside in a hostel or under such conditions as may be prescribed. |
| Degrees, diploma and academic distinctions | diploma others | 43. | The University shall grant degrees, diplomas and other academic distinctions and titles prescribed by the Statute. |
| Honorary Degrees | 44. | In case two-third of the members of executive Council recommend that an honorary degree or academic distinction be conferred on any person on the ground that he is, in their opinion a distinguished personality to receive such degrees or academic distinction, and where their recommendation is supported by a majority of not less than two thirds of the members of the executive council present at a meeting of the executive council[***] ¹ , such majority comprising not less than one-half of the members of the executive council and the recommendation is confirmed by the Chancellor, the executive council may confer on such person he honorary degree or other academic distinction so recommended without requiring him to undergo any examination. | |
| Removal from Membership of the University and withdraw of degree and diploma | 45. | (1) The Executive Council may by a two-third majority of the members present and voting remove any person from membership of any Authority or other Body of the University on the ground that such person has been convicted of an offence which, the Chancellor, removed graduate registered the name of the person, in the opinion of the Executive Council, is an offence involving moral turpitude or upon the ground that he has been guilty of scandalous conduct or had behaved in a manner unbecoming of a member of the University and may upon the same grounds withdraw from any person, any degree, and diploma conferred or granted by the University.

(2) No action under this section shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken. | |

Chapter-IX

Committees

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| Committees | 46. | ² {(1) The University may constitute Committees for the various purposes and such persons shall be nominated in that Committees as may be prescribed by the Statutes.

(2) The State Government shall constitute an Admission and Fee Regulatory Committee comprising:-- <ul style="list-style-type: none"> (a) Retired Judge of High Court nominated by the Chief Justice of High Court - Chairman (b) Secretary, Medical Education (Ex-Officio) - Member (c) Secretary, Law (Ex-Officio) - Member (d) A Retired Government Officer retired from a post not below the rank of Secretary to the State Government nominated by the State Government - Member (e) One Ex-Vice- Chancellor of the State Ayush University nominated by the Governor - Member (f) Two Eminent Ayush Educationist nominated by the State Government - Member (g) Secretary, Ayush and Ayush Education -Secretary. |
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A renowned Chartered Accountant as defined in the rules shall also be nominated by the Chairman of the Committee.

Notwithstanding anything in other Act/ Ordinance, this section shall prevail.}

Chapter-X

Finance

- University Fund** **47.** (1)The University shall establish a fund, to be called the University fund.
- (2) The following shall from part of or be paid into, the University fund—
- (a) any contribution or grant by the State Government, the Union Government, or the University Grants Commission;
- (b) the income of the University from all sources including income from fees and charges;
- (c) bequests, donation, endowments and other grants, if any.
- (3) The University Fund shall be kept in any Scheduled Bank as defined in the Reserve Bank of India Act, 1934 (No.2 of 1934) or invested in securities authorized by the Indian Trusts Act, 1882 (No.2 of 1882), at the discretion of the Executive Council.

1- del. by sub-section (15) of section 12 of the Uttrakhand Act no. 16 of 2014.

2- Inserted by section 4 of UK Act no 11 of 2019.

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| Annual Accounts and Financial estimation | 48. | <p>(1) The annual accounts of the University shall be prepared under the direction of the executive council and shall be submitted to the State Government for audit.</p> <p>(2) The executive council shall after the accounts are audited, submit a copy thereof along with a copy of the audit report to the Senate and to the State Government.</p> <p>(3) The executive council shall also prepare, before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year.</p> <p>(4) On the annual accounts and financial estimate shall be considered by the [Executive Council]¹ in the annual meeting and the [Executive Council]¹ may be passed a resolution in this behalf.</p> |
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| Annual Report | 49. | <p>The Annual Report of the University shall be prepared under the direction of the [Executive Council]¹ prescribed by the Statutes and shall be submitted to the Court its annual meeting and the Court shall consider it in its annual meeting.</p> |
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Chapter-XI

Supplementary provision

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| Conditions of service | 50. | <p>Except as otherwise provided by or under this Act every employee of the University including a teacher of the University may be appointed under a written contract and such contract shall not be inconsistent with the provisions of this Act, and a copy of which shall be furnished to the employee concerned</p> |
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| officers and employees to be public servants | 51. | <p>Every officer and employee of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.</p> <p>Explanation- For the purposes of this section any person who is appointed by the University for a specified period, or for a specified work of the University or who receives any remuneration by way of compensatory allowance or fee for any work done from the University Fund shall be deemed to be an officer or employee of the University while he is performing and in relation to all matters relatable to the performance of, the duties and functions connected with such appointment of work.</p> |
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| Tribunal of Arbitration | 52. | <p>Any dispute arising out of a contract of employment referred between the University and an employee or a teacher shall, at the request of either party, be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Executive Council, one member nominated by the employee or teacher concerned and an umpire to be nominated by the Chancellor. Every such reference shall be deemed to be a submission to arbitration upon the terms of this section within the meanings of Arbitration and Conciliations Act, 1996 (central Act no. 22 of 1996).</p> |
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| Provident, Insurance and Pension Funds | 53. | <p>The University shall constitute for the benefit of the employees, teachers and other employees such provident, insurance or pension funds as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.</p> |
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1- subs. by sub-section (15) of section 12 of the Uttarakhand Act no. 16 of 2014.

deposit of provident fund in Government treasury	54.	<p>(1) Where the University has established a provident fund for the benefit of its officers, teachers and other servants under section 53 such fund shall notwithstanding anything contained in any law for the time being in force, be deposited in the State Government Treasury in accordance with such directions as the State Government may, from time to time by an order in writing give and thereupon--</p> <p>(a) the subscriber to the fund shall be entitled to interest on the balance in his provident fund account at the same rate, at which the State Government servant is for the time being entitled to on the balance of his provident fund account, and</p> <p>(b) the rules for the time being in force relating to the limits of withdrawals from the provident fund as applicable to such Government servant shall, so far as may be, apply to the subscriber.</p> <p>(2) Nothing in this section shall apply to a provident fund established by the University to which the Employee, Provident Fund Act, 1952 applies.</p>
Election to system of proportional representation	55.	The election to any authority of the University made under this Act shall be made according to the system of proportional representation by means of a single transferable vote by ballot in such manner as may be prescribed by the Statutes.
vacant of post	56.	<p>(1) Any member of any authority or body of the University may resign his office by letter addressed to the Vice-chancellor through the Registrar and the resignation shall take effect on its acceptance by the Vice-chancellor or on the expiry of thirty days from the date of receipt of the letter by the Vice-chancellor whichever event occurs earlier.</p> <p>(2) Any member of any authority or body of the University shall cease to be a member on his being convicted by a court of law of an offence, which in the opinion of the executive council, involves moral turpitude.</p>
Filling of casual vacancies	57.	<p>All casual vacancies amongst the members other than ex-officio members of any authority or other body of the University shall be filled, as soon as may be by the person or body who or which nominated the member whose place has become vacant and the persons nominated to a casual vacancy shall be member of such authority or body for the residue of the term for which the person in whose place he is nominated would have been a member:</p> <p>Provided that no casual vacancy shall be filled, if such vacancy occurs within six months before the date of the expiry of the term of the members of any authority of the [Executive Council]¹.</p>
Proceedings of the University authorities invalidated by vacancies	58.	No Act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of any vacancy or of any in its membership.

1- subs. by sub-section (15) of section 12 of the Uttarakhand Act no. 16 of 2014.

Disputes as to constitutions of University, authority or body	59.	If any question arises regarding the interpretation of any provision of this Act, or of any Statute, Ordinance or Rule or as to whether a person has been duly elected or appointed as, or is entitled to be or ceases to be, a member of any authority or other body of the University, the matter may on petition by any person or body directly affected or suo motu be referred by the Vice-chancellor to the Chancellor and shall be so referred to the Chancellor if the members of the executive council so require, the Chancellor shall, after taking such advice as he deems necessary, decide the question and his decision shall be final.
Acts and orders of protection	60.	All acts and orders in good faith done and passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against or damage claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act and the Statutes, Ordinance and Rules thereunder.

Chapter-XII

Transitory provision

Completion of courses of studies in institutions recognized by the Faculty	61.	Notwithstanding anything contained in this Act or the Statutes and Ordinances made thereunder any student of an institution entitled to train students for the examinations of the Faculty who immediately before the date on which section 6 comes into force was studying or was eligible for any examination of the faculty shall be permitted to complete his course in preparation therefore and the University shall provide for such period and in such manner as may be prescribed by the Statutes for the instruction, teaching, training and examination of such students in accordance with the courses of studies of the faculty.
appointing of first Vice-chancellor	62.	Notwithstanding anything contained in section 11, the first Vice-chancellor shall be appointed by the State Government as soon as practicable after the passing of his Act for a period not exceeding three years and on such terms and conditions as the State Government thinks fit. [Provided that in special circumstances the tenure of first Vice Chancellor may be extended for one year.] ¹
Transitory powers of the first Vice-Chancellor	63.	<p>(1) The duty of the first Vice-chancellor to give recognition to institutions, if any, as far as possible consistently with the provisions of section 33 and to make arrangement for constituting the executive council and other authorities of the University, within six months after the date of his appointment or such longer period not exceeding two years as the State Government direct, may by notification in the Official Gazette.</p> <p>(2) The first Vice-chancellor shall, with the assistance of the Advisory Committee consisting of not more than fifteen members nominated by the State Government, subject to the provisions of this Act and the approval of the Chancellor---</p> <p>(a) make provisional first Statutes for constituting the aforesaid authorities and regulating of the procedure at their meeting and the transaction of their conduct of business;</p>

1- inserted by section 2 of Uttarakhand Act no. 3 of 2014.

(b) make any rules that may be necessary for regulating the method of election

to the aforesaid authorities;

- (c) make the first Statutes and Ordinance, under this Act approved to State Government.

first appointment of officers and teachers of the University

- 64.** (1) At any time after the passing of this Act until such time as the authorities of the University shall commence to exercise their functions—
- (a) any officer of the University may be appointed by the Vice-chancellor with the previous sanction of the Chancellor;
- (b) teachers of the University may be appointed by the Chancellor after considering the recommendations of an Advisory Committee consisting of Vice-chancellor the Director of Ayurved and Unani Service and such other person or persons, if any, as the Chancellor thinks fit to associate with them.
- (2) Any appointment made under sub-section (1) shall be for such period not exceeding three years and on such conditions as the appointing authority thinks fit;

Provided that no such appointment shall be made until financial provision has been made therefore.

Extraordinary powers of the first Vice-chancellor

- 65.** The Vice-chancellor appointed under section 62 shall have following powers until the executive council commences to exercise its functions—
- (a) with the previous approval of the Chancellor to make additional Statutes, to provide for any matter not provided for by the first Statutes;
- (b) to constitute provisional authorities and bodies and on their recommendations to make rules providing for the conduct of the work of the University;
- (c) subject to the control of the State Government to make such financial arrangements as may be necessary to enable this Act or any part thereof to be brought into force;
- (d) to appoint Committee as he may think fit, to discharge such of his functions as he may direction; and
- (e) generally to exercise all or any of the powers conferred on the executive council by or under the provisions of the Act.

Removal by State Government of difficulties at the Commencement of the Act

- 66.** If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by notification in the Official Gazette, make such order, consistent with provisions of this Act, as may appear to it to be necessary or expedient:

Provided that no such order shall be made after the expiry of three years from the commencement of this Act and order made shall be laid the State Legislative Assembly.
