

**THE UTTARAKHAND OPEN UNIVERSITY ACT, 2005**  
**(Uttarakhand Ac No. 23 of 2005) (as amended by Amendment Act No. 21 of 2018)**

to establish a University to be known as Uttarakhand Open University

**AN**  
**ACT**

Be it enacted in the Fifty-sixth year of the Republic of India by the Uttarakhand Legislative Assembly as follows:--

**CHAPTER-I**  
**Preliminary**

<b>Short title and commencement</b>	<b>1.</b>	(1) This Act may be called the Uttarakhand Open University Act, 2005.  (2) It shall come into force on such date as the State Government may by notification in the official gazette, appoint.
<b>Definition</b>	<b>2.</b>	In this Act (unless the context otherwise requires) -  (a) "Academic Council" and "Executive Council" mean respectively the Academic Council and the Executive Council of the University;  (b) "Board of Recognition" means the Board of Recognition of the University;  (c) "College" means a college or other academic Institutions established or maintained by, or admitted to the Privileges of the University;  (d) "Distance education system" means the system of imparting education through any means of communication, such as broadcasting, telecasting correspondence courses, seminars, contact programmes or the combination of any two or more of such means;  (e) "Finance Committee" means the Finance Committee of the University;  (f) "Other Backward Classes" means the backward classes of citizens specified in Schedule I of the Uttarakhand Public Service (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994 (as applicable in the State of Uttarakhand) as amended from time to time;  (g) "Planning Board" means the Planning Board of the University;  (h) "Prescribed" means prescribed by the Statutes;  (i) "School" means a school of studies of the University;  (j) "Statutes", "Ordinances" and "Regulations" means, respectively, the Statutes, Ordinances and Regulations of the University;  (k) "Student" means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;

		<p>(l) "Study Centre" means a centre established, maintained or recognized by the University for the purpose of advising, counseling or for rendering any other assistance required by the students;</p> <p>(m) "Regional Centre" means a centre established or maintained by the University for the purpose of coordinating and supervising the work of study centres anywhere in the State and for performing such other functions;</p>
		<p>(n) "Teacher" means a person employed for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University and includes a Principal or Director of a College;</p> <p>(o) "University" means the Uttarakhand Open University established under Section 3 of this Act;</p> <p>(P) "Employee" means any person appointed by the University and includes teachers and other academic staff of the University;</p> <p>(q) "Chancellor and Vice Chancellor" mean respectively the Chancellor and Vice Chancellor of the University.</p>
		<p><b>CHAPTER-II</b> <b>The University and its Objects</b></p>
<b>Establishment and incorporation of the University</b>	<b>3.</b>	<p>(1) There shall be established a University by the name of the Uttarakhand Open University.</p> <p>(2) The headquarters of the University shall be at Haldwani (Nainital) and it may establish or maintain colleges or Study Centres at such other places in the State as it may deem fit.</p> <p>(3) The Vice-Chancellor and the members of the Executive Council and Academic Council for the time being holding office as such in the University, shall constitute a body corporate by the name of the Uttarakhand Open University.</p> <p>(4) The University shall have perpetual succession and common seal and shall sue and be sued by the said name.</p>
<b>The Objects of the University</b>	<b>4.</b>	<p>The University shall promote dissemination of learning and knowledge through distance education systems including the use of any communication technology to provide opportunities for higher education to a large segment of the population and shall, in organizing its activities, have due regard to the objects specified in the first schedule.</p>
<b>Powers of the University</b>	<b>5.</b>	<p>The University shall have the following powers, namely :-</p> <p>(1) To provide for instruction in such branches of knowledge, technology, vocations and professions as the University may determine from time to time and to make provision for research as well as sponsored research;</p> <p>(2) To plan and prescribe courses of study for degrees, diplomas certificates or for any other purpose;</p>

	<p>(3) To hold examinations and confer degrees, diplomas, certificates or other academic distinctions or recognitions on persons who have pursued a course of study or conducted research in the manner laid down by the Statutes and Ordinances;</p> <p>(4) To confer honorary degrees or other distinctions in manner prescribed;</p> <p>(5) To determine the manner in which distance education in relation to the academic programmes of the University may be organized;</p>
	<p>(6) To institute professorships, readerships, lectureships and other academic positions necessary for imparting instruction or for preparing educational material or for conducting other academic activities, including guidance, designing and delivery of courses and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lectureships and other academic positions;</p> <p>(7) To co-operate with, and seek the co-operation of, other universities and institution of higher learning, professional bodies and organizations for such purposes as the University considers necessary;</p> <p>(8) To institute and award fellowships, scholarships, prizes and such other awards for recognition of merit as the University may deem fit;</p> <p>(9) To establish and maintain such Regional Centres, as may be determined by the University from time to time;</p> <p>(10) To establish, maintain or recognize Study Centres in the manner prescribed;</p> <p>(11) To provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes and other software;</p> <p>(12) To organise and conduct refresher courses, workshops, seminars and other programmes for teachers, lesson writers, evaluators and other academic staff;</p> <p>(13) To recognize examinations of, or periods of study whether in full or part, at other universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the University, and to withdraw such recognition at any time;</p> <p>(14) To make provisions for research, sponsored research and development in education technology and related matters;</p> <p>(15) To create administrative, ministerial and other necessary posts and to make appointments thereto;</p> <p>(16) "To receive benefactions, donations and gifts and to acquire, hold, maintain and dispose off any property movable or immovable, including Trust and Government property, for the purposes of the University;</p> <p>(17) To borrow, with the approval of the State Government whether on the security of the property of the University or otherwise, money for the purposes of the University; .</p>

		<p>(18) To enter into, carry out, vary or cancel contracts;</p> <p>(19) To demand and receive such fees and other charges as may be laid down by the Ordinances;</p> <p>(20) To provide, control and maintain discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their codes of conduct;</p> <p>(21) To appoint, either on contract or otherwise, visiting professors, emeritus professors, consultants, fellows, scholars, artists, course writers and such other person who may contribute to the advancement of the objects of the University;</p> <p>(22) To recognize persons working in other Universities, institutions or organizations as teachers of the University on such terms and conditions as may be laid down by the Ordinances;</p>
		<p>(23) To determine standards and specify conditions for the admission of students to courses of study of the University which may include examination, evaluation and any other methods of testing;</p> <p>(24) To make arrangements for the promotion of the general health and welfare of the employees;</p> <p>(25) To confer autonomous status on a college or Regional Centre in the manner prescribed in the statutes;</p> <p>(26) To do all such acts as may be necessary or incidental to the exercise of all or any of the powers of the University as are necessary and conducive to the promotion of all or any of the Objects of the University.</p>
<b>Territorial exercise of powers</b>	<b>6.</b>	Notwithstanding anything contained in any other law for the time being in force, the University shall in the exercise of its powers have Jurisdiction over the State of Uttarakhand.
<b>University open to all classes and creeds</b>	<b>7.</b>	<p>(1) The University shall be open to persons of either sex irrespective of class, race, caste or of creed, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University, or to hold any other office therein or admitted as a student in the University or to graduate there at, or to enjoy or exercise any privilege thereof.</p> <p>(2) Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of person belonging to the weaker sections of the society, and in particular of persons belonging to the Scheduled Castes or Scheduled Tribes or Other Backward Classes.</p>
		<p><b>CHAPTER-III</b> <b>Inspection and Inquiry</b></p>
<b>Inspection and Inquiry</b>	<b>8.</b>	(1) Subject to the provisions of sub-section 3 and 4 (The Chancellor shall have the right to cause any inspection to be made, by such person or persons as he may direct, of the University or of any Regional Centres or Study Centres) maintained by the University including its buildings, library, laboratories and equipments, and

		<p>also of the examinations instructions and other work conducted or done by the University and to cause an enquiry to be made in the like manner in respect of any matter connected with the administration and finances of the University.</p> <p>(2) The Chancellor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and the University, shall on receipts of such notice, have the right to make, within thirty days from the date of receipts of the notice or such other period as the Chancellor may determine, such representations to him as it may consider necessary.</p> <p>(3) After considering the representations, if any, made by the University, the Chancellor may cause to be made such inspection or inquiry as is referred to in sub- section (2).</p> <p>(4) Where an inspection or inquiry has been caused to be made by the person appointed by the Chancellor, the University shall be entitled to appoint a representative, who shall have the right to appear in person and to be heard on such inspection or inquiry.</p>
		<p>(5) The Chancellor may address the Vice Chancellor with reference to the results of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon as the Chancellor may be pleased to offer and on receipt of the address made by the Chancellor, the Vice Chancellor shall communicate forthwith to the Executive Council the results of the inspection or inquiry and the views of the Chancellor and the advice tendered by him upon the action to be taken thereon.</p> <p>(6) The Executive Council shall communicate through the Vice Chancellor to the Chancellor such action, as it proposes to take or has been taken by it upon the results of such inspection or inquiry.</p> <p>(7) If authorities of the University does not, within reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the authorities of the University issue such directions as he may think fit and the authorities of the University shall be bound to comply with such direction.</p> <p>(8) Without prejudice to the foregoing provisions of this section, the Chancellor, may, by an order in writing, annul any proceedings of the University which is not in conformity with this Act, the Statutes or the Ordinances:</p> <p style="padding-left: 40px;">Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made and, if any cause is shown within a reasonable time, he shall consider the same.</p> <p>(9) The Chancellor shall have such other powers as may be specified by the Statutes.</p>

<b>CHAPTER-IV</b>		
<b>Officers of the University</b>		
<b>Officers of the University</b>	<b>9.</b>	<p>The following shall be the officers of the University :--</p> <ul style="list-style-type: none"> <li>(a) The Chancellor;</li> <li>(b) The Vice Chancellor;</li> <li>(c) The Director;</li> <li>(d) The Registrar;</li> <li>(e) The Finance Officer;</li> <li>(f) The Examination Controller, and</li> <li>(g) Such other Officers as may be declared by the Statutes to be officers of the University.</li> </ul>
<b>The Chancellor</b>	<b>10.</b>	<ul style="list-style-type: none"> <li>(1) The Governor shall be the Chancellor of the University. He shall, by virtue of his office, be the Head of the University and shall when present preside over the convocation of the University.</li> <li>(2) Every proposal for the conferment of any honorary degree shall be subject to the confirmation of the Chancellor.</li> <li>(3) It shall be the duty of the Vice Chancellor to furnish such information or records relating to the administration of the affairs of the University as the Chancellor may call for.</li> <li>(4) The Chancellor shall have such other powers as may be conferred on him by or under this Act or the Statutes.</li> </ul>
<b>The Vice Chancellor</b>	<b>11.</b>	<ul style="list-style-type: none"> <li>(1) The Vice Chancellor shall be a whole-time salaried officer of the University and shall be appointed by the Chancellor in such manner, for such terms and on such emoluments and other conditions of service as may be prescribed by the Statutes : <ul style="list-style-type: none"> <li>Provided that the first Vice Chancellor of the University shall be appointed by the State Govt. and shall hold office for a term of three years.</li> </ul> </li> <li>(2) The Vice Chancellor shall be the Principal academic and executive officer of the University and shall exercise supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.</li> <li>(3) The Vice Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any officer or authority of the University by or under this Act and shall report to such officer or authority the action taken by him on such matter: <ul style="list-style-type: none"> <li>Provided that if the authority concerned is of the opinion</li> </ul> </li> </ul>

		<p>that such action ought not to have been taken, it may refer the matter to the Chancellor whose decision thereon shall be final:</p> <p>Provided further 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 Ninety days from the date on which such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice Chancellor.</p> <p>(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority is beyond the powers of the authority conferred by the provisions of this Act, Statutes or Ordinances or that any decision taken is not in the interests of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review its decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Chancellor whose decision thereon shall be final:</p> <p>Provided that the decision of the authority concerned shall remain suspended during the period of review of such decision by the authority or the Chancellor, as the case may be, under this sub-section.</p> <p>(5) The Vice Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.</p>
<b>The Director</b>	<b>12.</b>	Every Director shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes.
<b>The Registrar</b>	<b>13.</b>	<p>(1) <sup>1</sup>[The Registrar, Deputy Registrar and Assistant Registrar shall be appointed by the State Government through 'Centralised Service Rules' in such manner and on such terms and conditions as may be prescribed.]</p> <p>(2) The Registrar shall have the power to enter into and sign, agreements, authenticate records on behalf of the University.</p>
<b>The Finance Officer</b>	<b>14.</b>	The Finance Officer shall be appointed in such manner, on such emoluments and other conditions of service and shall exercise such powers and perform such functions as may be prescribed by the Statutes.

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1- Subs. by section 3 of UK Act no 21 of 2018.

<b>Other Officers</b>	<b>15.</b>	The manner of appointment, emoluments, powers and duties of the other officers of the University shall be such as may be prescribed by the Statutes.
		<b>CHAPTER-V</b> <b>Authorities of the University</b>
<b>Authorities of the University</b>	<b>16.</b>	The following shall be authorities of the University :-- (a) The Executive Council; (b) The Academic Council; (c) The Planning Board; (d) The Schools of Studies; (e) The Finance Committee; (f) Such other authorities as may be declared by the Statutes to be authorities of the University.
<b>The Executive Council</b>	<b>17.</b>	(1) The Executive Council shall be the principal executive body of the University. (2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be such as may be prescribed.
<b>The Academic Council</b>	<b>18.</b>	(1) The Academic Council shall be the principal academic body of the University and shall be subject to the provisions of this Act, the Statutes and Ordinances, have the control and general regulation of, and be responsible for, maintenance of standards of learning, education, instruction, evaluation and examination within the University and shall exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Statutes. (2) The constitution of the Academic Council and the term of office of its members shall be such as may be prescribed by the Statutes.
<b>The Planning Board</b>	<b>19.</b>	(1) There shall be constituted a Planning Board of the University which shall be the principal planning body of the University and shall also be responsible for the monitoring of the developments of the University on the lines indicated in the objects of the University. (2) The Constitution of the Planning Board, the term of office of its members and its powers and functions shall be as may be prescribed by the Statutes.
<b>The Schools of Studies</b>	<b>20.</b>	(1) There shall be such number of Schools of Studies as the University may determine from time to time. (2) The constitution, powers and functions of the Schools of Studies shall be such as may be prescribed by the Statutes.



<b>The Finance Committee</b>	<b>21.</b>	The constitution, powers and functions of Finance Committee shall be such as may be prescribed by the Statutes.
<b>Other Authorities</b>	<b>22.</b>	The constitution, powers and functions of the other authorities which may be declared by the Statutes to be authorities of the University shall be such as may be prescribed by the Statutes.
		<b>CHAPTER-VI</b> <b>University Fund</b>
<b>Establishment of University Fund</b>	<b>23.</b>	The University shall establish a Fund to be called the University Fund.
<b>Constitution of Fund</b>	<b>24.</b>	The following shall form part of or be paid into the University Fund; (a) any loan, contribution or grant by Central or State Government or any body corporate; (b) trusts, bequests, donations, endowments and other grants, if any; (c) the income of the University from all sources including income from fees and charges; (d) all other sums received by the University.
	<b>25.</b>	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.
	<b>26.</b>	Nothing in this section shall in any way affect any obligation accepted by or imposed upon the University by any declaration of trust executed by or on behalf of the University for the administration of any trust.
<b>Objects to which University Fund may be applied</b>	<b>27.</b>	The University Fund shall be applicable to the following purposes :-- (a) To the repayment of debts incurred by the University for the purposes of this Act and the Statutes, and the Ordinances and Regulations made thereunder; (b) To the upkeep of the property of the University including the departments, regional centres, study centres, and the hostels; (c) To the payment of cost of audit of the University Fund; (d) To the expenses of any suit or proceedings to which University is a party; (e) To the payment of salaries and allowances of the teaching and non-teaching staff of the University, Regional Centres, Study Centres and Departments maintained by the University and in furtherance of the purposes of this Act, Statutes and Ordinances and Regulations made thereunder and to the payment of other benefits; (f) To the payment of traveling and other allowances of the members of the authorities of the University in pursuance of any provisions of this Act and the Statutes, Ordinances and Regulations; (g) To the payment of fellowships, scholarships and other awards to the

		<p>students.</p> <p>(h) To the payment of any expenses incurred by the University in carrying out the provisions of this Act and the Statutes, Ordinances and Regulations made thereunder;</p> <p>(i) To the payment of any other expenses not specified in any of the preceding clauses declared by the Executive Council to be the expense for the purposes of the University.</p>
<b>Expenditure not to exceed the Limit</b>	<b>28.</b>	No expense shall be incurred by the University in excess of the limits for, total recurring and non-recurring expenditure for the year fixed by the Executive Council.
<b>No Expenses without Approval</b>	<b>29.</b>	No expenditure other than that provided for in the budget shall be incurred by the University without the previous approval of the Executive Council.
		<p><b>CHAPTER-VII</b>  <b>Statutes, Ordinances and Regulations</b></p>
<b>Statutes</b>	<b>30.</b>	<p>Subject to the provisions of this Act, the statutes may provide for all or any of the following matters relating to the University and shall in particular provide for :-</p> <p>(a) The manner of appointment of the Vice Chancellor, the term of his appointment, the emoluments and other conditions of his service and the powers and functions that may be exercised and performed by him;</p> <p>(b) The manner of appointment of Directors, Registrars, Finance Officer and other officers, the emoluments and other conditions of their service and the powers and functions that may be exercise and performed by each of the officers;</p> <p>(c) The constitution of the Executive Council and other authorities of the University, the terms of office of the members of such authorities and the powers and functions that may be exercised and performed by such authorities;</p> <p>(d) The appointment of teachers and other employees of the University, their emoluments and other conditions of service;</p> <p>(e) The principles governing the seniority of service of the teachers and other employees of the University;</p> <p>(f) The procedure in relation to any appeal or application for review by any employee or student of the University against the action of any officer or authority of the University, including the time within which such appeal or application for review shall be preferred or made;</p> <p>(9) The procedure for the settlement of disputes between the employees or students of the University and the University;</p> <p>(h) All other matters which by the Act are to be, or may be, provided by the Statutes;</p> <p>(i) Distance Education Council norms may be followed in delivery</p>

		system.
<b>Statutes how made</b>	<b>31.</b>	<p>(1) The first statutes of the University shall be made by the State Government by Notification.</p> <p>(2) The Executive Council may from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1) :</p> <p style="padding-left: 40px;">Provided that the Executive Council shall not make, or repeal any Statute affecting the status, powers or constitutions of any authority of the University until such authority has been given a reasonable opportunity to express its opinion in writing on the proposed changes and any opinion 50 expressed has been considered by the Executive Council.</p> <p>(3) Every new Statute or addition to a Statute or any amendment or repeal thereof shall require the approval of the Chancellor, who may assent to it or withhold his assent thereon or remit it to the Executive Council for further consideration.</p>
		<p>(4) A new Statute or a Statute amending or repealing an existing Statute shall not be valid unless it has been assented to by the Chancellor in the light of observation if any made by him.</p> <p>(5) Notwithstanding anything contained in the foregoing sub-sections, the Chancellor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years from the commencement of this Act.</p> <p>(6) Notwithstanding anything contained in the foregoing sub-sections, the Chancellor may direct the Executive Council to make provisions in the Statutes in respect of any matter specified by him, and if the Executive Council is unable to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes suitably.</p>
<b>Ordinance</b>	<b>32.</b>	<p>(1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matter which by this Act or the Statutes is to be or may be provided for by the Ordinance;</p> <p>(2) Without prejudice to the generality of the provisions of sub-section (1), the Ordinance shall provide for the following matters, namely ;-</p> <p style="padding-left: 40px;">-</p> <p style="padding-left: 40px;">(a) the admission of students, the courses of study and the fees thereof, the qualifications pertaining to degrees, diplomas, certificates and other courses, the conditions for the grant of fellowships, awards and the like,</p> <p style="padding-left: 40px;">(b) the conduct of examinations, including the terms and conditions and appointment of examiners; and</p> <p>(3) The first Ordinance shall be made by Vice Chancellor with the previous approval of the State Government and the Ordinances so</p>

		made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.
<b>Regulations</b>	<b>33.</b>	The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances in such manner as may be prescribed by the Statutes.
		<b>CHAPTER-VIII</b> <b>Annual Report and Accounts</b>
<b>Annual report</b>	<b>34.</b>	<p>(1) The annual report of the University shall be prepared under the directions of the Executive Council which shall include, among other matters, the steps taken by the University towards the fulfillment of its Objects.</p> <p>(2) The annual report so prepared shall be submitted to the Chancellor on or before such date as may be prescribed by the Statutes.</p> <p>(3) A copy of the annual report, prepared under sub-section (1) shall also be submitted to the State Government which shall, as soon as may be, cause the same to be laid before the State Legislature.</p>
<b>Account and Audit</b>	<b>35.</b>	<p>(1) The annual accounts and the balance sheet of the University shall be prepared under the direction of the Executive Council and shall, once at least every year, and at intervals of not more than fifteen months, be audited by the Directors, Local Funds Accounts, Uttarakhand or by such person or persons as the Chancellor may authorize in this behalf.</p> <p>(2) A copy of the accounts and balance sheet together with the audit report thereon shall be submitted to the Chancellor along with the observations, if any, of the Executive Council before the thirteenth of September every year. 'A copy of the accounts together with audit report shall also be submitted to State Government, which shall, as soon as, may be, cause the same to be laid before the State Legislature' .</p> <p>(3) Any observations made by the Chancellor on the annual accounts shall be brought to the notice of the Executive Council and the views of the Executive Council, if any, on such observations, shall be submitted to the Chancellor.</p>
<b>Surcharges</b>	<b>36.</b>	<p>(1) An officer specified in any of the clauses (b), (c), (d), (e) and (f) of section 9 shall be liable to surcharges for the loss, waste or misapplication of any money or property of the University, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct.</p> <p>(2) The procedure of surcharges and the manner of recovery of the amount involved in such loss, waste or misapplication shall be such as maybe prescribed by the Statutes.</p>

<b>CHAPTER-IX</b> <b>Conditions of Services of Employees</b>		
<b>Conditions of service of employees</b>	<b>37.</b>	<p>(1) 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, the Statutes and the Ordinances.</p> <p>(2) The contract referred to in sub-section (1) shall be lodged with the University and a copy of which shall be furnished to the employee concerned.</p>
<b>Tribunal of Arbitration</b>	<b>38.</b>	<p>(1) Any dispute arising out of a contract of employment referred to in section 36 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.</p> <p>(2) 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.</p>
<b>Provident and Pension Funds</b>	<b>39.</b>	<p>(1) The University shall constitute for the benefit of the employees and teachers such provident or pension funds or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.</p> <p>(2) Where any provident or pension fund has been so constituted, the State Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such funds, as that were a Government Provident Funds.</p>
<b>CHAPTER-X</b> <b>Miscellaneous</b>		
<b>Disputes to the constitution of the authorities and bodies</b>	<b>40.</b>	<p>If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.</p>
<b>Filling up of casual Vacancies</b>	<b>41.</b>	<p>All the casual vacancies among the members other than ex-officio members of any authority or other body of the University shall be filled, as soon as may be convenient, by the person or body, who appoints, elects, or co-opts the members whose place has become vacant and any person appointed, elected or co-opted to a casual</p>

		vacancy shall be member of such authority or body for the residue of the term for which the person whose place he fills would have been member.
<b>Proceedings of University authorities or bodies not Invalidated by Vacancies</b>	<b>42.</b>	No act or proceedings of any authority or any other body of the University shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.
<b>Protection of action taken in good faith</b>	<b>43.</b>	No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or the Statutes or the Ordinances.
<b>Staff of the University</b>	<b>44.</b>	(1) The University shall appoint such number of employees including academic staff as may be sanctioned by the State Government from time to time. The terms and conditions of service of the employees of the University shall be such as may be prescribed by the Statutes.  (2) The salaries and allowances payable to various categories of employee of the University shall be such as may be determined by the State Government from time to time.
		<b>CHAPTER-XI</b> <b>Miscellaneous and Transitional Provisions</b>
<b>Power to remove difficulties</b>	<b>45.</b>	(1) If any difficulty arises in giving effect to the provisions of this Act the State Government may, by order, make such provisions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty.  (2) No order under sub-section (1) shall be made after the expiration of the period of two years from the commencement of this Act.
<b>Transitional provisions</b>	<b>46.</b>	(1) Notwithstanding anything contained in this Act and the Statutes--  (a) the first Vice Chancellor, the first Registrar and the first Finance Officer shall be appointed by the State Government and they shall be governed by the terms and conditions of service specified by the Statutes:  Provided that the first Vice Chancellor shall be eligible for appointment in the manner specified in the Statutes for another term;
		(a) the Executive Council shall consist of not more than fifteen members who shall be nominated by the Chancellor and they shall hold office for a term of three years; and  (b) the first Planning Board shall consist of not more than ten members who shall be nominated by the Chancellor and they shall hold office for a term of three years.  (2) The Planning Board shall, in addition to the powers and functions

		<p>conferred on it by this Act, exercise the powers of the Academic Council until the Academic Council is constituted under the provisions of this Act and the Statutes, and in the exercise of such powers, the Planning Board may co-opt such members as it may decide.</p>
<p><b>Statutes, Ordinances and Regulations to be published in the official Gazette</b></p>	<p>47.</p>	<p>(1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.</p> <p>(2) Every Statutes, Ordinances or Regulations made under this Act, shall, as soon as, may, after it is made, be placed before the State Assembly and the provisions of sub-section (1) of section 23-A of the Uttar Pradesh General Clauses Act, 1904 (as applicable in the State of Uttarakhand) shall apply as they apply in respect of rules made by the State Government under any Uttarakhand Act. If the State Assembly agree in making any modification in the Statutes, Ordinances or Regulations or do not agree to approve the same, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the Statutes, Ordinances or Regulations.</p>

**THE SCHEDULE**  
(See Section 4)

**The Objects of the University**

1. The University shall endeavour through education, research, training and extension to play positive role in the development of the State, and based on the rich heritage of the State to promote and advance the culture of the people of Uttarakhand and its human resources and towards this end, it shall--
    - (a) strengthen and diversify the degree, diploma and certificate courses related to the needs of employment and necessary for building the economy of the country on the basis of its natural human resources;
    - (b) provide access to higher education for large segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields;
    - (c) promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunity for upgrading knowledge, training and skills in the context or innovations, research and discovery in all fields of human endeavours;
    - (d) provide an innovative system of University level education, flexible and open, in regard to method and pace of learning combination of courses, eligibility for enrollment age of entry, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in new fields of knowledge;
    - (e) contribute to the improvement of the educational system by providing a non-formal channel complementary to the formal system and encouraging transfer of credits and exchange of teaching staff by making wide use of texts and other software developed by the University;
    - (f) provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people;
    - (g) provide or arrange training of teachers required for such activities or institutions;
    - (h) provide suitable Post-graduate courses of study and promote research;
    - (i) provide the counseling and guidance to its students; and
    - (j) promote national integration and the integral development of the human personality through its policies and programmes.
  2. The University shall strive to fulfil the above objects by a diversity of means of distance and continuing education, and shall function in co-operation with the existing Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs.
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