

**The University of Engineering and Technology Roorkee,  
Act, 2020**

**[now name has been changed to <sup>1</sup>{COER University Act,  
2020}]**

**[Uttarakhand Act No. 7 of 2021]  
(as amended by Uk. Act No. 14 of 2023)**

**An  
Act**

To establish and incorporate a Private University in the name of University of Engineering and Technology Roorkee with the objective of providing facilities of Education, Training and Research work in Technical Education, Higher Education, Management Education, Law Education, Social Science, General Science, Journals and related areas, sponsored by Seth Roshan Lal Jain Trust, 07 KM Roorkee Haridwar Road, Vardhmanpuram, Roorkee, District Haridwar registered under the Indian Trusts Act, 1882.

It is hereby enacted by the Uttarakhand State Legislative Assembly in the Seventy First Year of the Republic of India as follows;

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

<b>Short title and Commencement</b>	<b>1.</b>	<b>(1)</b>		This Act may be called the <sup>2</sup> [COER University] Act, 2020.
		<b>(2)</b>		It shall come into force on such date, as the State Government may by notification in the official Gazette, appoint.
<b>Definitions</b>	<b>2.</b>			In this Act, unless the context otherwise requires :-
			<b>(a)</b>	“Academic Council” means the Academic Council of the University;
			<b>(b)</b>	“Board of Governors” means the Board of

<sup>1</sup> Substituted by Uk Act No. 14 of 2023, Not. No. 173/XXXVI(3)/2023/11(01)/2023, dated May 02, 2023. W.e.f. 02.05.2023

<sup>2</sup> ibid

				Governors of the University;
			<b>(c)</b>	“Board of management” means board of management of the University;
			<b>(d)</b>	“Chancellor”, “Vice-Chancellor”, “ProVice-Chancellor”, “Registrar”, “Controller of Examination” and “Finance Officer” respectively means the “Chancellor”, “Vice-Chancellor”, “Pro Vice-Chancellor”, “Registrar”, “Controller of Examination” and “Finance Officer” of the University;
			<b>(e)</b>	“Finance committee” means the Finance committee of the University;
			<b>(f)</b>	“Authority” means the Authority of the University;
			<b>(g)</b>	“Statutory/Regulatory Body” means a body so constituted by the Central/State Government Act for setting and maintaining standards in the relevant areas of higher education, such as All India Council for Technical Education (AICTE), National Medical Commission (NMC), Dental Council of India (DCI), National Council for Teacher Education (NCTE), Central Council of Indian Medicine (CCIM) and Bar Council of India (BCI), etc.;
			<b>(h)</b>	“Government” means the Government of Uttarakhand;
			<b>(i)</b>	“Faculty” means faculty of the University.
			<b>(j)</b>	“State” means State of Uttarakhand;
			<b>(k)</b>	“Open and Distance learning” mode means a mode of providing flexible learning opportunities by overcoming separation of teacher and learner using a variety of media, including print, electronic, online and occasional interactive face-to-face meetings with the presence of an Higher Education Institution or Learner Support Services to deliver teaching-learning experiences, including practical or work experiences;
			<b>(l)</b>	“Employee” means employee appointed by

				the University and also includes teachers and other staff of the University.
			<b>(m)</b>	“Hall” or “Hostel” means a unit of residence for students maintained or recognized by the University ;
			<b>(n)</b>	“Permanent Resident” means any resident of the state who has the valid domicile/permanent resident certificate the state of Uttarakhand issued by the prescribed authority as per the rules framed by the State Government from time to time;
			<b>(o)</b>	Fee and Admission Regulatory Committee and its powers” means the Fee and Admission Regulatory Committee constituted under Section 4 of the Uttarakhand Unaided Private Professional Educational Institutions (Admission and Fee Regulation) Act, 2006 and the powers given to the committee in the said Act;
			<b>(p)</b>	“Sponsor Trust” means Seth Roshan Lal Jain Trust, 07 KM Roorkee Haridwar Road, Vardhmanpuram Haridwar Uttarakhand registered under the Indian Trust Act 1882;
			<b>(q)</b>	“Degree” means a degree specified under sub-section (3) of Section 22 of the University Grants Commission Act, 1956;
			<b>(r)</b>	“Statutes” and “Rules” mean, respectively the statues and Rules of the University;
			<b>(s)</b>	“Teacher” means a Professor, Associate Professor, Assistant Professor, Lecturer or such other person as may be appointed under norms of University Grants Commission for imparting instruction or conducting research in the University;
			<b>(t)</b>	“University Grant commission’ means University Grants Commission established under University Grants Commission Act, 1956;

			(u)	“University” means the <sup>3</sup> [COER University] established under this Act;
			(v)	“Visitor” means the Visitor of the University;
<p><b>CHAPTER- II</b> <b><u>The University and its Objects</u></b></p>				
Proposal for the establishment of the University	3.	(1)		The Sponsor Trust shall have the right to establish the <sup>4</sup> [COER University] in accordance with the provisions of this Act.
		(2)		Containing the proposal related to establishment of University along with documents has been presented to the State Government by the Sponsor Trust.
Establishment of the University	4.	(1)		A University in the name of <sup>5</sup> [COER University], shall be established by the sponsor Trust in Haridwar Uttarakhand.
		(2)		The University shall be a corporate body;
		(3)		The Headquarters of University shall be at 07 KM Roorkee Haridwar Road, Vardhmanpuram, Roorkee District Haridwar Uttarakhand;
		(4)		The Chancellor, the Vice-Chancellor, members of the Board of Governors, members of the Board of Management and the Academic Council for the time being holding office as such in the University so established, may sue and be sued in the name of the University.
		(5)		The land, building and other properties

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<sup>4</sup> IBID

<sup>5</sup> ibid

			acquired for the university shall not be used for any purpose, other than that for which the same is acquired.
		(6)	The University shall fulfill the minimum criteria in terms of all courses, faculty, land, building and any other infrastructural facilities, financial viability, etc., as laid down from time to time by the UGC and other concerned Statutory/Regulatory body.
		(7)	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 the University, except the properties of Sponsor Trust, shall stand transferred to and vested in the University.
		(8)	The University shall not offer its programmes through franchising arrangement with private coaching institutions even though the courses are to be conducted through distance mode.
		(9)	The University shall comply with the University Grants Commission (Establishment and Maintenance of Standards in Private Universities) Regulation, 2003 and amendments made therein from time to time.
		(10)	The University shall comply with the University Grants Commission (Open and Distance Learning) Regulation, 2017 and amendments made therein from time to time;
		(11)	The University shall award only such degrees as are specified by the University Grants Commission and published in the Official Gazette;
		(12)	The University shall conduct their first degree and Masters degree programmes in accordance with the regulations notified by the University Grants Commission in this

				regard.
<b>Conditions for the establishment of the University</b>	<b>5.</b>			The Sponsor Trust shall for the purposes of establishing the University under this Act shall fulfill the following conditions, namely.
			<b>(a)</b>	Have ownership of minimum 10 acres contiguous land for the university;
			<b>(b)</b>	Building construction on land mentioned in clause (a) of minimum of 20,000 sqm carpet area in which at least 50 percent, shall be for academic and administrative purposes;
			<b>(c)</b>	Equipments have been established in offices and laboratories of the building as specified in clause (b) worth of minimum rupees four crore;
			<b>(d)</b>	The university shall establish a permanent endowment fund in the name of the State Government Under section 45.
<b>Starting of the University</b>	<b>6.</b>		<b>(1)</b>	The State Government shall issue the authority letter after verifying the proposal along with documents received from the Sponsor Trust to the effect that all conditions referred to in section 5 has been fulfilled.
			<b>(2)</b>	The Sponsor Trust shall start the functioning of the University only after obtaining the authority letter for the commencement of the functioning of the University, by the State Government.
<b>University shall not be entitled for any financial Assistance etc</b>	<b>7.</b>			The University shall be self-financed and shall neither make a demand nor shall be entitled to any grant in-aid or any other financial assistance from the State Government or any other body or corporation owned or controlled by the State Government.
<b>No power to affiliate any institution</b>	<b>8.</b>			The University shall have no power to affiliate any college or institution for conducting courses leading to award of its diplomas, degrees or other qualifications.

<b>Objectives of the university</b>	<b>9.</b>	The objectives for which the University is established are as follows:-	
		(a)	To provide for extensive study, teaching, and research of all elements of Technical Education, Higher Education, Law Education, Social Science, General Science;
		(b)	To conduct the courses of Technical Education Management Education, Higher Education, Law Education, Social Science, General Science, Journalism etc; with the prior permission and to adhere to procedure and norms laid down by UGC and Statutory/Regulatory body and State Government;
		(c)	To promote research and innovations in the Technical, Management, Higher education, Journalism;
		(d)	To undertake external studies, extension programs and external field out activities to contribute to the development of society;
		(e)	To promote National integration, secularism, social and international harmony and engineering of ethics;
		(f)	To contribute to the promotion and development of economically and socially deprived class and provide to such students the opportunity to join mainstream.
		(g)	As required, doing all such works that is necessary, relevant and helpful for achieving all or any of the objectives of the University.
<b>Powers of the University</b>	<b>10.</b>	The University shall have the following powers, :-	
		(a)	To make education arrangements in all subjects pertaining to Technical Education, Management, Higher Education, Law Education, Social Science, General Science; Journalism and to provide for the promotion and dissemination of research and knowledge;
		(b)	To carry out all such activities as may be necessary or feasible for achieving the

				objects of the University;
			<b>(c)</b>	To hold examinations for, and to institute grant and confer degrees or other academic distinctions to, and on, persons, who-
			<b>(i)</b>	Have pursued a course of study in the University or in a distance education system; or
			<b>(ii)</b>	Have carried on research in the University or under its distance education system.
			<b>(d)</b>	To confer honorary degree or other academic distinctions in the manner and under condition laid down in the Statutes/provisions;
			<b>(e)</b>	To award fellowships, scholarships, and prizes etc. in accordance with the Statutes;
			<b>(f)</b>	To demand and receive such fee, bills and invoices and collect charges as may be fixed by the Statutes or rules, as the case may be;
			<b>(g)</b>	To make provisions for the advancement of education in Technical Education, Higher Education, Law Education, Social Science, General Science; Journalism and other areas mentioned in Section 9;
			<b>(h)</b>	To provide other extracurricular activities for students and employees apart from education;
			<b>(i)</b>	To make appointment of faculty, officers and employees in the University;
			<b>(j)</b>	To receive donations and gifts of any kind and to acquire, hold, manage maintain and dispose of any movable and immovable property, including trust and endowment properties for the purpose of the University with the prior permission of Sponsor Trust.
			<b>(k)</b>	To establish and maintain halls and to decide places of residence for students of the University;
			<b>(l)</b>	To supervise and control the residence, and regulate the discipline among the students and all categories of employees and to lay



				down the conditions of service of such employees, including their Code of Conduct;
			(m)	To create the necessary posts of the employees in the administrative, management and other sectors;
			(n)	To co-operate or collaborate with other Universities in such a manner and for such purposes as the university may determine from time to time.
			(o)	To provide distance education system and the manner in which distance education in relation to the academic programs of the University may be organized as per procedure and norms prescribed by University Grants Commission and other concerned Statutory/Regulatory body;
			(p)	To organize and conduct refresher courses, orientation courses, workshops, seminars, and other programs for teachers, lesson writers, evaluators and other academic staff;
			(q)	To determine standards of admissions to the University through specialized committees with the approval of Academic Council;
			(r)	To make special provision for students belonging to the state of Uttarakhand for admission in any course of the University;
			(s)	To do all such other acts whether incidental to the powers aforesaid or not, as may be necessary to pursue the objectives of the University;
			(t)	To prescribe courses for Bachelor Degree, Post Graduate and Research and to start the courses for diploma, certificates etc;
			(u)	To clearly set apart Academic Activities of the University from the activities the sponsor trust;
			(v)	To make arrangements for the preparation of instructional materials, including films, cassettes, tapes, video cassettes, CD, VCD

				and other software's;
			(w)	To recognize examinations, or periods of study (full or partial) at, other universities, Institutions or other places of higher learning as equivalent to examination or periods of study in the University and to withdraw such recognition at any time;
			(x)	To raise, collect, accept and get loan with the approval of the Board of Governors, with or without the security of property of the University for the purpose of the University;
			(y)	To enter into, carry out, vary or cease contracts;
<b>Access to all classes, castes, creed, and gender in the university</b>	<b>11.</b>	The University shall be open to all persons irrespective of class, castes, 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 require the University to admit in any course of Study a larger number of students than may be determined by the UGC and other concerned Statutory/Regulatory body.		
<b>National Accreditation</b>	<b>12.</b>	The University shall seek accreditation from the various national University accreditation bodies as per rules.		

### **CHAPTER-III**

#### **Officers of the University**

<b>Officers of the University</b>	<b>13.</b>	The following shall be the officers of University:		
		(a)	The Visitor;	
		(b)	The Chancellor;	
		(c)	The Vice-Chancellor;	
		(d)	The Pro Vice Chancellor;	
		(e)	The Dean of faculties;	
		(f)	The Registrar;	
		(g)	The Finance Officer; and	

			(h)	Such other officers as may be declared by the statutes as the officers of the University.
The Visitor	14.	(1)		The Governor of Uttarakhand shall be the Visitor of the University.
		(2)		The Visitor shall, when present, preside at the convocation of the University for conferring degree and diplomas.
		(3)		The Visitor shall have the following powers, namely:-
			(a)	To call for any record, paper or information relating to the affairs of the university.
			(b)	On the basis of the information received by the Visitor, if he is satisfied that any order, minutes or decision whether taken by any authority or University is not in conformity with the Act, Statutes, Regulation Ordinance or Rules he may issue such directions as he may deem fit in the interest of the University and the directions so issued shall be complied with by all concerned office bearers.
		(4)		Every proposal for the conferment of an honorary degree or distinction shall be subject to the approval of the Visitor.
The Chancellor	15.		(1)	Chairman of Sponsor Trust shall be the first Chancellor of the University, whose tenure shall be of three years. Thereafter Sponsor Trust with the prior concurrence of the Visitor, shall appoint Chancellor from amongst its members.
			(2)	The Chancellor shall have such powers as may be conferred on him by this Act or the Statutes made there under.
The Vice-Chancellor	16.	(1)		The Vice-Chancellor shall be appointed on such terms and conditions as may be prescribed by the Statutes for a terms of three years by the Chancellor from a panel of three

			persons recommended by the Committee constituted in accordance with the provisions of sub-section (2).
		<b>(2)</b>	The Committee referred to in sub-section (1) shall consist of the following persons, namely:-
		<b>(a)</b>	One member nominated by the Visitor;
		<b>(b)</b>	One member nominated by the Chancellor
		<b>(c)</b>	The Principal Secretary/Secretary to the State Government in the Higher Education Department;
		<b>(d)</b>	Four members nominated by the Board of Governors, one of them shall be nominated as the convener of the committee by the Board of Governors.
		<b>(3)</b>	The Committee shall, on the basis of merit prepare a panel of names of three persons suitable to hold the office of the Vice-Chancellor and forward the same to the Chancellor along with a concise statement showing the academic qualifications and other particulars of each person.
		<b>(4)</b>	The Vice-Chancellor shall be the Principal Executive and Academic Officer of the University who shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University.
		<b>(5)</b>	Where any matter other than the appointment of a teacher is of urgent nature requiring immediate action and the same could not be immediately dealt with by any officers 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 with prior approval of the Chancellor.
		<b>(6)</b>	The Vice-Chancellor shall exercise such other power and perform such other duties as may be laid down by the Statutes or the Rules.

		(7)		The Chancellor has power to remove the Vice-Chancellor after due enquiry. It shall be open to the Chancellor to suspend the Vice-Chancellor during enquiry keeping in view upon the seriousness of the charges, as he may deem fit.
Pro Vice-Chancellor	17.			A Pro Vice-Chancellor may be appointed by the Vice-Chancellor with prior approval of the Chancellor in such manner as may be prescribed by Statutes and shall exercise such power and perform such duties as may be prescribed by the Statutes.
Dean of Faculties	18.			Deans of faculties shall be appointed by the Vice-Chancellor in such manner as may be prescribed in the status and shall exercise such powers and perform such duties as may be prescribed by the Statutes.
The Registrar	19.	(1)		The Registrar shall be appointed by the Chancellor in such manner and on such term and conditions as may be prescribed by the Statutes.
		(2)		The Registrar shall enter into and sign all contracts on behalf of the University.
		(3)		The Registrar shall have the power to authenticate records on behalf of the University and shall exercise such other power and perform such other duties as may be prescribed or may be required by the Chancellor or the Vice-Chancellor from time to time.
		(4)		The Registrar shall be responsible for the due custody of the records and the common seal of University and shall be bound to place before the Chancellor, the Vice-Chancellor or any other authority, all such information and document as may be necessary for transaction of their business.

<b>The Finance Officer</b>	<b>20.</b>	The Finance Officer shall be appointed by the Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed.
<b>Other officers</b>	<b>21.</b>	The manner of appointment, terms and condition of service and power and duties of the officers of the University shall be such as may be prescribed.

## **CHAPTER-IV**

### **Authorities of the University**

<b>Authorities of the University</b>	<b>22.</b>	The following shall be the authorities of the University, namely:-	
		<b>(a)</b>	The Board of Governors;
		<b>(b)</b>	The Board of Management;
		<b>(c)</b>	The Academic Council;
		<b>(d)</b>	The Finance Committee; and
		<b>(e)</b>	Such other authorities as may be declared by the Statutes to be authorities of the University;
<b>The Board of Governors and its Power</b>	<b>23.</b>	<b>(1)</b>	The Board of Governors shall consist of:-
		<b>(a)</b>	The Chancellor - Chairman;
		<b>(b)</b>	The Vice Chancellor – Member-Secretary;
		<b>(c)</b>	Principal Secretary/Secretary to the State Government in the Higher Education Department;
		<b>(d)</b>	Five persons nominated by the Sponsor Trust;
		<b>(e)</b>	An officer amongst from the officers nominated in the institutes such as Central University, Indian Institute of Technology/Indian Institute of Management/Indian Institute of Science/Institute of National Ayurveda nominated by the Chancellor;
		<b>(f)</b>	Three teachers nominated by the Visitor;

			(g)	Three nominees of industries nominated by the Visitor.
		(2)		The Board of Governors shall be the chief governing body of the University & shall have the following powers, namely:--
			(a)	to determine policies to be followed by the University;
			(b)	to review decisions of the other authorities of the university if they are not in conformity with the provision of this Act, or the Statutes or the Rules;
			(c)	to approve the budget and annual report of the University;
			(d)	to make new or additional Statutes or Rules or amend or repeal, the earlier statutes and Rules;
			(e)	to take decision about voluntary winding up of the university;
			(f)	to approve proposals for submission to the State Government; and
			(g)	to take such decisions and steps as are found desirable for effectively carrying out the objectives of the University.
		(3)		The Board of Governors shall, meet at least three times in a year at such time and place as the Chancellor thinks fit.
<b>The Board of Management</b>	<b>24.</b>	(1)		The Board of Management shall consist of following members:-
			(a)	The Vice-Chancellor;
			(b)	An officer amongst from the officers nominated in the Indian Institute of Technology/Indian Institute of Management/Indian Institute of Science/Institute of National Ayurveda nominated by the Chancellor;
			(c)	Five Persons, nominated by the Sponsor Trust;
			(d)	Two Professor of the University, by rotation on the basis of seniority for a period of one year;
			(e)	Two Deans of the faculties nominated by the Chancellor;

			(f)	Principal secretary/Secretary to the Government in the Higher Education Department or person nominated by him not below the rank of Joint Secretary to the State Government. The Vice-Chancellor and the Registrar shall be the Chairperson.
			(g)	The Registrar shall be the Secretary of the Board of Management.
		(2)		The powers and functions of the Board of Management shall be such as may be prescribed
<b>The Academic Council</b>	<b>25.</b>	(1)		The Academic Council shall consist of following members:-
			(a)	the Vice-Chancellor—Chairman;
			(b)	the Registrar –Secretary;
			(c)	Such other members as may be prescribed in Statutes.
		(2)		The Academic Council shall be the Principal Academic body of the University and shall, subject to the provisions of this Act, and the Statutes and the Rules made thereafter, co-ordinate and exercise general supervision over the academic policies of the University
<b>The Finance Committee</b>	<b>26.</b>	(1)		The Finance Committee shall consist of:-
			(a)	the Vice-Chancellor—Chairman
			(b)	the Finance Officer;
			(c)	Principal Secretary/Secretary to the State Government in the Higher Education Department or person nominated by him not below the rank of Joint Secretary to the State Government;
			(d)	Such other member as may be the prescribed in the Statutes.
		(2)		The Finance Committee shall be the Principal financial body of the University who shall look after the financial matters and shall, subject to the provisions of this Act, Statutes and Rules, co-ordinate and exercise general supervision over



				the financial matters of the University.
<b>Other Authorities</b>	<b>27.</b>	The constitution, power and functions of the other Authorities of the University shall be such as may be prescribed in Statutes/Rules.		
<b>Proceeding not Invalidated on account of Vacancy</b>	<b>28.</b>	No act or proceeding of any authority of the University shall be invalid merely by reason of the existence of any vacancy in the constitution of the authority.		
<b>Fee</b>	<b>29.</b>	The fee of the courses run by the university shall be determined by the Admission and Fee Regulatory Committee.		

## **CHAPTER-V**

### **Statutes and Rules**

<b>Statutes</b>	<b>30.</b>	Subject to the provisions of this Act, the statutes may provide for any matter relating to the University and officers, employees as given below :-		
			<b>(a)</b>	The procedure for transaction of business of the Authorities of the University and the composition of bodies not specified in this Act;
			<b>(b)</b>	The operation of the permanent endowment fund, the general fund and the development fund;
			<b>(c)</b>	Appointment of the Chancellor, his powers and functions;
			<b>(d)</b>	The terms and conditions of appointment of the Vice-Chancellor, the Registrar and the Finance officer and their powers and functions;
			<b>(e)</b>	The mode of recruitment and the conditions of service of the other officers, teachers, faculty members and employees of the University;
			<b>(f)</b>	The procedure for resolving disputes between the University and its officers, teachers, faculty members, employees or students;
			<b>(g)</b>	Creation, abolition or restructuring of departments and faculties;
			<b>(h)</b>	The manner of co-operation with other Universities or Institutions of higher learning.

			(i)	The procedure for conferment of honorary of degrees;
			(j)	Provisions regarding grant of free education and scholarships;
			(k)	Number of seats in different courses and the procedure of admission of student to such courses including reservation of seats and procedure of reservation for students of Uttarakhand.
			(l)	Constitution of fellowships, scholarships, studentships, fee waiver, medals and prizes;
			(m)	procedure for creation and abolition of posts;
			(n)	other matters which may be prescribed.
<b>Statutes how to be made</b>	31.	The First statutes framed by the Board of Governors shall be submitted to the State Government for its approval within three months after the application of Act, which may, within three months from the date of receipt of the Statutes give its approval with or without modification.		
<b>Power to amend the Statutes</b>	32.	The Board of Governors may, with the prior approval of the State Government, make new or additional statutes or amend or repeal the Statutes.		
<b>Rules</b>	33.	Subject to the provisions of this Act, the Rules may be provided for all or any, of the following matters, namely:-		
			(a)	Admission of students in the University and their enrolment and continuance as such;
			(b)	The course of study to be laid down for all degrees and other academic distinctions of the University;
			(c)	Award degree and other academics distinctions;
			(d)	The conditions of the award of fellowships, scholarships, studentships, medals, and prizes;
			(e)	The conduct of examinations and the conditions and mode of appointment and duties of examining bodies examiners, invigilators, tabulators and moderators;
			(f)	Fee chargeable from students for various

				courses;
			(g)	The fee to be charged for admission to the examination, degrees and other academic distinctions of University;
			(h)	The conditions of residence of the students at the University ;
			(i)	To maintain discipline among the students of the University;
			(j)	All other matters as may be provided under the rules made under this Act.
Rules how to be made	34.	The First rules framed by the Board of Governors shall be submitted to the State Government for its approval within three months after the application of the Act, which may within three months from the date of receipt of the rules give its approval, with or without modification.		
Power to amend Rules	35.	The Board of Governors may, with the prior approval of the State Government, make new or additional rules or amend or repeal the rules.		

## **CHAPTER-VI**

### **Miscellaneous**

Service condition of employee	36.	(1)	Every employee shall be appointed under a written contract, which shall be kept in the University and a copy of which shall be furnished to the employee concerned.
		(2)	Disciplinary action against the students, employees, teachers and officers shall be governed by procedure prescribed in the Statutes.
		(3)	Any dispute arising out of the contract between the University and an employee shall, at the request of the employee, be referred to a tribunal of arbitration consisting of one member appointed by the Board of Management, one member nominated by the employee concerned and an Adjudicator appointed by the Chancellor.
		(4)	The decision of the tribunal in such matter shall be

			final.
		(5)	The procedure for regulating the work of the Tribunal shall be such as may be prescribed.
<b>Provision for Permanent Resident of Uttarakhand</b>	37.	(1)	For admission in various courses conducted by the University, minimum 40 percent seats shall be reserved for the permanent residents of the State of Uttarakhand. If the reserved seats for permanent residents remain vacant, than the vacant seats may be filled from amongst the other candidates.
		(2)	25 percent rebate shall be given to the permanent residents of Uttarakhand in the fees fixed for various courses conducted by the University, as mentioned in sub-section (1) above.
		(3)	All posts of Group 'C' and 'D' employees shall be filled by the permanent residents of State of Uttarakhand.
		(4)	The University shall follow the reservation policy of the State Government with regard to seats reserved under sub section (1) above, as amended from time to time.
<b>Right to appeal</b>	38.		Notwithstanding anything contained in the Act, Every employee or student of the University have a right to appeal within such time as may be prescribed, to the Board of Management against the decision and thereupon the Board of Management may confirm, modify, alter or cancel the decision appealed against.
<b>Provident fund and pension</b>	39.		The University shall constitute for the benefit of its employee such provident or pension fund and provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be prescribed.
<b>Disputes as to constitution of University authorities And bodies</b>	40.		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 University, the matter shall be referred to the Chancellor whose decision thereon shall be final.
<b>Constitution of Committee</b>	41		Whenever any authority of the University is given power by this Act or the statues to constitute Committee, such

		committees shall, save as otherwise provided, consist of any or all the members of the authority concerned and of such other person, if any, as the authority in each case thinks fit.
<b>Filling of causal Vacancies</b>	42.	Any causal vacancy among the members, other than ex-officio members of any Authority or body of the University shall be filled in same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling vacancy shall be a member of such authority or body for the remaining term for which the person whose place he/she fills would have been a member
<b>Protection of action taken in good faith</b>	43.	No suit or other legal proceeding shall lie against any officer or other employee of the University for anything, which is done or intended to be done in good faith in pursuance of the provisions of this Act, the Statutes or the Rules made there under.
<b>Transitional Provision</b>	44.	Notwithstanding anything contained in any other provision of this Act and the Statutes:-
		(a) The first vice-Chancellor, Pro-Vice-Chancellor, if any shall be appointed by the chancellor and the said officer shall hold office for a term of three years;
		(b) The first Registrar and the first Finance Officer shall be appointed by the Chancellor who shall hold office for a term of three years;
		(c) The first Board of Governors shall hold office for a term not exceeding three years;
		(d) The first Board of Management, the first Finance Committee and the first Academic council shall be constituted by the Chancellor for a term of three years.
<b>Permanent Endowment fund</b>	45.	The University shall establish a permanent endowment fund of Rs. Five Crores in the form of a Bank Guarantee of a Nationalized Bank pledged in the name of State Government of Uttarakhand whose tenure shall be five years and after that shall be renewed for five years again and the said Bank Guarantee shall be increased by 25 percent after every five years.

<b>General fund</b>	<b>46.</b>	<b>(1)</b>	The University shall establish a general fund to which the following amount shall be credited, namely:-
			<b>(a)</b> All fees which may be charged by the University;
			<b>(b)</b> All amount received from any other source;
			<b>(c)</b> All contributions made by the Sponsor Trust;
			<b>(d)</b> All contribution/donations made in this behalf by any other person or body, which are not prohibited by any law for the time being in force.
		<b>(2)</b>	The funds credited to the general fund shall be applied to meet all the recurring expenditure of the University.
<b>Development fund</b>	<b>47.</b>	<b>(1)</b>	The University shall so establish a development fund to which the following funds shall be credited, namely:-
			<b>(a)</b> Development fees which may be charged from students;
			<b>(b)</b> All amounts received from any other source for the purpose of the development of the University;
			<b>(c)</b> All contributions made by the sponsor Trust.
			<b>(d)</b> All contribution/donation made in this behalf by any other person or body which are not prohibited by any law for the time being in force; and
			<b>(e)</b> All incomes received from the permanent endowment fund.
		<b>(2)</b>	The funds credited to the development fund from time to time shall be utilized for the development of the University.
<b>Maintenance of fund</b>	<b>48.</b>		The funds established under sections 45, 46 and 47, shall subject to general supervision and control of the Board of Governors, be regulated and maintained in such manner as may be prescribed.
<b>Annual Report</b>	<b>49.</b>	<b>(1)</b>	The annual report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Board of Governors for its approval.

		(2)	The Board of Governors shall consider the annual report in its meeting and may approve the same with or without modification.
		(3)	A copy of the annual report duly approved by the Board of Governors shall be forwarded to Visitor and the State Government before 31 December subsequent to the closing of the financial Year in 31 March every year.
Account and Audit	50.	(1)	The annual accounts and balance sheet of the University shall be prepared under the direction of the Board of Management and all funds accrued to or received by the University from any source and all amount disbursed or paid shall be entered in the accounts maintained by the University.
		(2)	The annual accounts of the University shall be audited by an auditor, who is a member of the Institute of Chartered Accountants of India (ICAI), every year.
		(3)	A copy of the annual accounts and the Balance sheet together with the audit report shall be submitted to the Board of Governors before 31 December subsequent to the closing of the financial year in 31 March every year.
		(4)	The annual accounts, the balance sheet and the audit report shall be considered by the Board of Governors at its meeting and the Board of Governors shall forward the same to the Visitor and the State Government along with its observation thereon before the 31 <sup>st</sup> December every year.
		(5)	The direction of the State Government on the subject arising out of the accounts and audit report of the University shall be binding on the University.
Mode of proofing the University record	51.		A copy of any receipt, application, notice, order, proceeding or resolution of any authority or committee of the university or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the

			matters and transaction therein recorded as original thereof is produced.
<b>Dissolution of University</b>	<b>52.</b>	<b>(1)</b>	If Sponsor Trust proposes dissolution of the <sup>6</sup> [COER University] in accordance with the law governing its constitution or incorporation; it shall give at least three months prior notice in writing to the State Government.
		<b>(2)</b>	On identification of mismanagement, maladministration, in-discipline, failure in the accomplishment of the objects of University and economic hardships in the management systems of University, the State Government would issue directions to the management systems of university. If the directions are not followed within such time as may be prescribed by the State Government, the right to take direction for winding up of the University shall vest in the State Government after giving due opportunity of being heard to the management of the university.
		<b>(3)</b>	The manner of winding up of the University would be such as may be prescribed by the State Government in this behalf.
		<b>(4)</b>	On receipt of the notice referred to in subsection (1), the State Government shall acquire the administration of the university as per rules.
<b>Expenditure of the University during Dissolution</b>	<b>53.</b>	<b>(1)</b>	The expenditure for administration of the University during the taking over period of its management under section 52 shall be met out of the permanent endowment fund, the general fund or the development fund,
		<b>(2)</b>	If the funds referred to in-sub-section (1) are not sufficient to meet the expenditure of the University during the taking over period of its management, such expenditure may be met by disposing of the properties or assets of the University, by the State Government

<sup>6</sup> Substituted by Uk Act No. 14 of 2023, Not. No. 173/XXXVI(3)/2023/11(01)/2023, dated May 02, 2023. W.e.f. 02.05.2023



<b>Power to remove difficulties</b>	54	<b>(1)</b>	If any difficulty arises in giving effect to the provision of this Act, the State Government may, by a order published in the official Gazette, make such provision, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:  Provided that no order under sub-section (1) shall be made after the expiration of a period of three years from the commencement of this Act.
		<b>(2)</b>	Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before the State legislative Assembly.

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