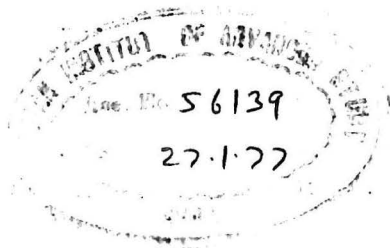


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THE HIMACHAL PRADESH UNIVERSITY ACT, 1970

(ACT No. 17 OF 1970)

AN

ACT

to establish and incorporate a University in Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-first Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Himachal Pradesh University Act, 1970.

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

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

- (1) "Academic Council" means the Academic Council of the University;
- (2) "Agricultural Complex" means the Agricultural Complex constituted under section 24 of this Act;
- (3) "Autonomous College" means the college, department or unit, as the case may be, declared as an Autonomous College by the University in accordance with the provisions of section 31;
- (4) "College" means an Institution maintained or admitted to its privileges by the University;
- (5) "Court" means the Court of the University;
- (6) "Executive Council" means the Executive Council of the University;
- (7) "Faculty" means a Faculty consisting of an allied group of subjects constituted by the Executive Council;
- (8) "Hall" or "Hostel" means a unit of residence for students of the University, provided, maintained or recognised by it;
- (9) "Management" means the Managing Committee or the Managing Board by whatever name it may be called managing a privately run college affiliated to the University;
- (10) "Prescribed" means prescribed by the Statutes, Ordinances or Regulations made under this Act;
- (11) "Principal" means the head of a college, by whatever designation he may be described, and includes, when there is no Principal,

The Act published in the Rajpatra dated the 25th July, 1970, vide Notification No. 6-10/70-LR, dated the 22nd July, 1970.

the person for the time being duly appointed to act as Principal, and in the absence of the Principal or the acting Principal, a Vice-Principal appointed as such;

- (12) "Registered Graduates" means graduates registered under the provisions of the Statutes;
- (13) "State Government" means the Lieutenant Governor of Himachal Pradesh;
- (14) "Statutes", "Ordinances" and "Regulations" means respectively the Statutes, Ordinances and Regulations of the University made under this Act and for the time being in force;
- (15) "Teachers" means teachers of the University who have been appointed or recognised by the Academic Council as Professors, Readers and Lecturers and shall include Professors, Readers and Lecturers and Officers appointed to man research and extension education;
- (16) "University" means the Himachal Pradesh University constituted under sub-section (1) of section 3.

3. Establishment and incorporation of the University.—(1) There shall be constituted in the Union territory of Himachal Pradesh University by the name of "Himachal Pradesh University".

(2) The first Chancellor, the first Vice-Chancellor of the University and the first Members of the Court, the Executive Council, the Academic Council and the Board of Management, and all persons who may hereafter become such Officers or Members so long as they continue to hold such office or membership are hereby constituted a body corporate by the name of "Himachal Pradesh University", with headquarters at Simla.

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

4. University open to all classes, castes and creeds.—The University shall be open to all persons of either sex and of whatever race, creed, caste or class, 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 admitted thereto, as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof except in respect of any particular benefication accepted by the University, where such test is made a condition thereof by any testamentary or other instrument creating such benefication:

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed in the Ordinances to those who have consented to receive it.

5. Objects.—The objects of the University shall be to disseminate and advance knowledge, wisdom and understanding by teaching and research and by the example and influence of its corporate Life and towards this and the University shall—

- (i) advance learning and knowledge by teaching and research and by extension programmes so as to enable a student to obtain advantages of University education;

- (ii) provide the right kind of leadership in all walks of life;
- (iii) promote in the students and teachers an awareness and understanding of the social needs of the country and prepare them for fulfilling such needs;
- (iv) take appropriate measures for promoting interdisciplinary studies in the University;
- (v) foster the composite culture of India and establish such departments or institutions as may be required for the study and development of the languages, arts and culture of India;
- (vi) make such provision for integrated courses in Humanities, Sciences and Technology in the educational programmes of the University;
- (vii) make provision for the education of the rural people of Himachal Pradesh in different branches of study, particularly agriculture, horticulture, rural industry and business, and other allied subjects.

6. Powers.—The University shall have the following powers, namely:—

- (1) to provide for instruction including the method of correspondence courses in such branches of learning as the University may, from time to time, determine, and to make provision for research and for the advancement and dissemination of knowledge and for extension education;
- (2) to organise and to undertake extra-mural teaching and extension services;
- (3) to admit to the privileges of the University colleges situated within the area comprising Himachal Pradesh and to withdraw any such privilege and to prescribe conditions therefor;
- (4) to hold examinations and grant diplomas and certificates to, and confer degrees and other academic distinctions on, persons and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;
- (5) to confer honorary degrees or other academic distinctions;
- (6) to create such teaching, administrative and other posts as the University may deem necessary, from time to time, and to make appointments thereto;
- (7) to institute and award Fellowships, Scholarships, Studentships, Exhibitions and Prizes;
- (8) to establish and maintain Colleges, Halls and Hostels, to recognise, guide, supervise and control Halls and Hostels not maintained by the University and other accommodation for the residence of the students, and to withdraw any such recognition;
- (9) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures as may be deemed necessary;
- (10) to make arrangements for promoting health and general welfare of the students and the employees of the University and of the colleges;
- (11) to determine and provide for examinations for admission into the University;
- (12) to recognise for any purpose, either in whole or in part, any institution or members or students thereof on such terms and

conditions as may, from time to time, be prescribed and to withdraw such recognition;

- (13) to co-operate with any other University, authority or association or any public or private body having in view the promotion of purposes and objects similar to those of the University for such purposes as may be agreed upon, on such terms and conditions as may, from time to time, be prescribed;
- (14) to enter into any agreement for the incorporation in the University of any institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act;
- (15) to demand and receive payment of such fees and other charges as may be prescribed from time to time;
- (16) to receive donations and grants and to acquire, hold, manage and dispose of any property, movable or immovable, including trust or endowed property within or outside Himachal Pradesh, for the purposes and objects of the University, and to invest funds in such manner as the University thinks fit;
- (17) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;
- (18) to provide for the printing, reproduction and publication of research and other work, including text books, which may be issued by the University;
- (19) to borrow, with the approval of the State Government, on the security of the University property, money for the purposes of the University;
- (20) to accord recognition to institutions and examinations for admission into the University;
- (21) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

7. Jurisdiction of the University.—(1) Save as otherwise provided by or under this Act, the powers conferred on the University shall be exercisable in the area constituting Himachal Pradesh.

(2) Notwithstanding anything contained in any other law for the time being in force, no educational institution situated within the territorial limits of the University shall be admitted to any privilege of any other University, incorporated by law in India, and any such privilege granted by any such other University to any such educational institution prior to the commencement of this Act, shall unless otherwise directed by the State Government be deemed to be withdrawn on the commencement of this Act, and any such institution shall be deemed to be admitted to the privileges of the Himachal Pradesh University.

(3) Where any institution or body established outside Himachal Pradesh seeks recognition from the University, then the powers and jurisdiction of the University shall extend to such institution or body subject to the laws in force in the State within which, and the rules and regulations of the University within whose jurisdiction, the said institution or body is situated.

8 Transfer of assets and liabilities and of employees of certain institutions to the University.—On the commencement of this Act, the assets and liabilities of the Panjab University Regional Centre for Post-Graduat

Studies, Simla and the Panjab University Evening College, Simla shall stand transferred to and shall vest in the University, in accordance with the terms and conditions mutually agreed to between the University and the Panjab University, Chandigarh. All officers and other employees of these institutions holding office as such immediately before the commencement of this Act, shall, on such commencement, become the officers and other employees of the University:

Provided that:—

- (1) such officers and employees of the above-mentioned institutions shall be allowed to exercise an option whether or not they wish their services to be taken over by the University;
- (2) the existing rights and service conditions of such employees who opt for service in the University shall be protected;
- (3) any service rendered by any such officer or other employee, before such transfer of his service to the University shall be deemed to be service rendered in connection with the administration of the University, on the condition that their leave, pension and provident fund and gratuity contribution in respect of the service rendered by them to the Panjab University, Chandigarh, shall be reimbursed to the University by the Panjab University, Chandigarh:

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

9. Visitation.—(1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, or any institution maintained by the University, or of a College, including the buildings, laboratories, record and equipment thereof and also of the examinations, teaching and other work conducted or done by it, or to cause an inquiry to be made in a like manner in respect of any matter connected with the administration and finances of the University, or the institution maintained by it.

(2) The Chancellor shall, in every case, give notice of his intention to cause an inspection or an inquiry to be made, to the University in the case of the University or an institution maintained by it, or the Management in the case of a College, and the University or the Management of the College, as the case may be, shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry.

(3) In case of inspection or inquiry relating to the University or an institution maintained by it, the Chancellor may communicate to the Vice-Chancellor the result of such inspection or inquiry together with his views thereon and advice regarding the action to be taken, and the Vice-Chancellor shall place the same before the Executive Council.

(4) In case of inspection or inquiry relating to a College or institution, the Chancellor may communicate to the Management of such College or institution the result of such inspection or inquiry together with his views thereon and advice regarding the action to be taken.

(5) The Vice-Chancellor or the Management, as the case may be, shall communicate to the Chancellor the action, if any taken or proposed to be taken upon the result of such inspection or inquiry.

(6) Where the Executive Council or the Management of the College or institution, as the case may be, does not take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council or the Management of the College or institution, as the case may be, issue such direction as he may deem fit and the University or the Management of the College or institution shall comply with such directions.

10. Officers of the University.—The following shall be the officers of the University:—

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Dean of the Agricultural Complex;
- (iv) the Dean of Faculties;
- (v) the Registrar;
- (vi) the Finance Officer; and
- (vii) such other persons in the service of the University as may be declared by the Statutes to be the officers of the University.

11. The Chancellor.—(1) The Lieutenant Governor of Himachal Pradesh shall be the Chancellor of the University.

(2) The Chancellor shall, by virtue of his office, be the Head of the University, and the President of the Court and shall when present, preside over the meetings of Court and at any convocation of the University.

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

12. The Vice-Chancellor.—There shall be a Vice-Chancellor appointed in the manner prescribed by the Statutes who shall be the principal executive and academic officer of the University and shall be *ex-officio* Chairman of the Executive Council, the Academic Council, the Finance Committee and the Board of Management and shall in the absence of the Chancellor preside at any convocation of the University for conferring degrees and also at any meeting of the Court.

13. Dean of the Agricultural Complex.—There shall be a Dean of the Agricultural Complex who shall be appointed in such manner and who shall exercise such powers and perform such duties as may be prescribed by the Statutes.

14. Dean of Faculty.—There shall be a Dean for each Faculty who shall be appointed in such manner and exercise such powers and perform such duties as may be prescribed by the Statutes.

15. Registrar.—There shall be a Registrar who shall be the Secretary of the Court, the Executive Council and the Academic Council and who shall be appointed in such manner and exercise such powers and perform such duties as may be prescribed by the Statutes.

16. Finance Officer.—There shall be a Finance Officer who shall be the Secretary of the Finance Committee and who shall be appointed in such manner and exercise such powers and perform such duties, as may be prescribed by the Statutes.

17. Powers and duties of other Officers.—The appointment, conditions of service and powers, functions and duties of officers of the University other

than the Chancellor shall be such as may be prescribed by the Statutes and the Ordinances.

18. Authorities of the University.—The following shall be the authorities of the University:—

- (1) the Court;
- (2) the Executive Council;
- (3) the Academic Council;
- (4) the Board of Management;
- (5) the Faculties;
- (6) the Finance Committee; and
- (7) such other Boards and Committees as may be declared by the Statutes to be the authorities of the University.

19. The Court.—There shall be a Court and its constitution and the term of office of its members shall be, as prescribed by the Statutes.

20. Powers and functions of the Court.—Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:—

- (1) to review from time to time the broad policies and programmes of the University and to suggest measures for the improvement and development of such policies and programmes;
- (2) to consider and pass resolutions on the annual report and the annual accounts together with the audit report of the University; and
- (3) to exercise all the powers of the University not otherwise provided for by this Act or the Statutes.

21. Executive Council.—(1) The Executive Council shall be the executive body of the University and its constitution and the term of office of its members other than *ex-officio* members shall be prescribed by the Statutes.

(2) It shall be in charge of the general management and administration (including the revenue and property) of the University.

(3) Subject to the provisions contained in section 26, the Executive Council may delegate such of its powers and functions in respect of the Agricultural Complex to the Board of Management as it may deem fit.

22. Academic Council.—(1) The Academic Council shall be the academic body of the University.

(2) The constitution of the Academic Council and the term of office of its members shall be as laid down in the Statutes.

(3) The Academic Council shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance of standards and methods of instruction, evaluation, education, examination and research in the University, prescribe courses of study and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

(4) The Academic Council shall have the right to advise the Executive Council on all academic matters.

23. Faculties.—(1) The University shall constitute such Faculties and each Faculty shall have such departments of study as may be prescribed.

(2) The constitution and powers of Faculties shall be, as prescribed by the Statutes.

24. Agricultural Complex.—There shall be an Agricultural Complex and it shall consist of:—

- (a) the Himachal Pradesh Agricultural College, Solan;
- (b) the Agricultural College at Palampur pertaining to the Panjab Agricultural University, Ludhiana;
- (c) the Research Stations, Extension Centres, Extension Education Units and any other property of the Panjab Agricultural University, Ludhiana, located in Himachal Pradesh;
- (d) the Research Stations and Extension Education units which may be transferred, from time to time, by the State Government to the University; and
- (e) any other college or institution that may be declared hereafter by the Statutes as Part of the Agricultural Complex.

25. Board of Management.—There shall be a Board of Management for the Agricultural Complex and its constitution and term of its members other than *ex-officio* members shall be prescribed by the Statutes.

26. Powers of the Board of Management.—The Board of Management shall exercise such powers and functions as may be prescribed by the Statutes.

27. Agricultural Education, Agricultural Research and Extension Education Programme.—The Board of Management shall be responsible for programmes of agricultural education, agricultural research and extension education in Himachal Pradesh, shall carry out its functions in this behalf, and have functional and financial autonomy, as may be prescribed by the Statutes to enable the Agricultural Complex to develop on the integrated pattern of research, education and extension.

28. Finance Committee.—There shall be a Finance Committee and its constitution, the term of office of its members other than *ex-officio* members and its powers and functions shall be as laid down in the Statutes.

29. Accounts.—(1) The accounts of the University shall once at least in every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor General of India, or any person authorised by him in this behalf.

(2) The accounts, when audited shall be published in the “Rajpatra, Himachal Pradesh”, and a copy of the accounts together with the audit report shall be submitted by the Registrar to the Chancellor.

30. Correspondence Courses.—The Executive Council may, on the recommendation of the Academic Council, provide for instruction to be imparted through correspondence courses for various examination in subjects and courses, as laid down in the Ordinances and admit students to these examinations and award degrees, diplomas, certificates and other

distinctions in accordance with the provisions laid down in the Statutes and Ordinances.

31. Autonomous College.—(1) The University may grant, in the manner prescribed in the Statutes, to a college, department or unit, which satisfies the conditions laid down in the Statutes in this behalf, the privilege of varying for the students receiving instruction in such college, department, or unit, the courses of study prescribed by the University and holding examination in the course so varied and such college, department or unit shall be declared in the manner prescribed in the Statutes to be an Autonomous College.

(2) The extent to which the courses may be varied and the manner of holding examinations conducted by such college or department as the case may be, shall be determined in each case by the University.

32. Conditions for affiliation.—The conditions of affiliation of a college shall be as may be prescribed.

33. Examinations and admissions.—Students shall be eligible for admission to the various courses of study instituted by the University and shall be admitted to examinations for various degrees, diplomas, certificates and other distinctions as prescribed.

34. Selection Committee.—(1) There shall be Selection Committees for the appointment of teachers and other employees of the University.

(2) The constitution, powers and functions of the Selection Committees and the procedures to be followed in making appointments shall be such as may be prescribed by the Statutes.

35. (1) Subject to the provisions of this Act, the Statutes and Ordinances, every salaried officer or teacher shall be appointed under a written contract which shall be lodged with the University and a copy thereof shall be furnished to the persons concerned.

(2) Any dispute arising out of a contract between the University and any of its officers or teachers shall, at the request of the officer or teacher concerned or at the instance of the University, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor, and the decision of the Tribunal shall be final.

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

(2) Where any such pension, insurance or provident fund has been so constituted or where any such pension, insurance, or provident fund has been constituted by a College under rules which have been approved by the State Government, the State Government may declare that the provisions of the Provident Fund Act, 1925 (19 of 1925), shall apply to such fund as if it were a Government Provident Fund.

37. Annual report.—(1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at its annual meeting.

(2) The Court may communicate its comments thereon to the Executive Council.

38. Statutes.—Subject to the provisions of the Act, the Statutes may provide for or any of the following matters, namely:—

- (a) the constitution, powers and duties of the Court, the Executive Council, the Academic Council, the Board of Management and other authorities of the University and such other bodies as may be deemed necessary to constitute from time to time;
- (b) the election and continuance in office of the members of the said bodies, including the continuance in office of the first members, and the filling of vacancies of members, and all other matters relative to those bodies for which it may be necessary or desirable to provide;
- (c) the appointment, powers and duties of the officers of the University;
- (d) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the officers, teachers and other employees of the University;
- (e) the conferment of honorary degrees and other distinctions;
- (f) the withdrawal of Degrees, Diplomas, Certificates and other academic distinctions;
- (g) the establishment and abolition of Faculties, Department, Halls, Hostels, Colleges and Institutions;
- (h) the conditions under which colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges;
- (i) the institution of Fellowships, Scholarships, Studentships, Exhibitions, Medals and Prizes; and
- (j) all other matters which by this Act are to be or may be provided for by the Statutes.

39. Statutes how to be made.—(1) The first Statutes shall be made by the Government and a copy thereof shall be laid before the Himachal Pradesh Legislative Assembly.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner herein-after provided in this section:

Provided that the Executive Council shall not make any Statute or any amendment of a Statute affecting the status, powers or constitution of any existing authority of the University, until such authority has been given an opportunity of expressing an opinion on the proposal, and any opinion so expressed shall be in writing and shall be considered by the Executive Council.

(3) Every Statute or addition to the Statutes or any amendment or repeal of the Statutes shall require the approval of the Chancellor, who may

assent thereto or with hold assent or remit to the Executive Council for re-consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Chancellor.

40. Ordinances.—(1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

- (a) the admission of students, the courses of study and the fees therefor, the qualifications, pertaining to degrees, diplomas, certificates and other academic distinctions, the conditions for the grant of Fellowships, Scholarships, awards and the like;
- (b) the conduct of examinations, including the term of office and appointment of examiners, and the conditions of residence of students and their general discipline;
- (c) the management of colleges and institutions maintained by the University;
- (d) the giving of religious instruction;
- (e) the emoluments and the terms and conditions of service of the teachers of the University;
- (f) the supervision and inspection of colleges and other institutions, admitted to the privileges of the University;
- (g) any other matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

(2) The first Ordinances shall be made by the State Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

41. Regulations.—(1) An authority of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for:—

- (a) laying down the procedure to be followed at its meetings and the number of members required to form quorum;
- (b) providing for all matters which by this Act, the Statutes, or the Ordinances are to be provided for by the Regulations; and
- (c) providing for any other matter solely concerning such authority and not provided for by this Act, the Statutes and the Ordinances.

(2) The Regulations made by any authority of the University shall provide for the giving of notice to its members of the dates of meetings and the business to be transacted thereat and for the keeping of record of the proceedings of such meetings.

(3) The Executive Council may direct any authority of the University, other than the Court, to cancel or amend, in such form as may be specified in the direction, any Regulation made by such authority and such authority shall cancel or amend the Regulation accordingly:

Provided that an authority of the University if dissatisfied with any such direction may appeal to the Chancellor who, after obtaining the views of the Executive Council, may pass such orders as he thinks fit.

42. Casual Vacancies.—All 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 conveniently may be, by the person or body who appointed or elected the member whose place has become vacant, and the person appointed or elected to a casual vacancy shall be member of such authority or body for the residue of the term for which the person whose place he fills could have been a member.

43. Proceedings of the University authorities and bodies not invalidated by vacancies.—No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

44. Removal from membership and withdrawal of Degrees, Diploma etc.—The Chancellor may, on the recommendation of not less than two thirds of the members of the Executive Council, remove any person from the membership of any authority or body of the University who has been convicted of an offence which, in the opinion of the Executive Council, involves moral turpitude or who is guilty of scandalous conduct or has behaved in a manner unbecoming of a member of such authority or body, and may on any of the aforesaid grounds withdraw from any person, any degree, diploma or certificate conferred or granted by the University:

Provided that before taking any action under this section, the member or the person concerned shall be afforded reasonable opportunity of making a representation against the proposed action.

45. Disputes.—If any question arises whether any person has been duly appointed or elected 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.

46. Transitional powers.—Notwithstanding anything contained in this Act, the first members of the Court, the Executive Council, the Academic Council and the Board of Management shall be nominated by the Chancellor for a term of three years.

47. Transitory provision.—Notwithstanding anything contained in this Act or in the Statutes or Ordinances, any student of a college who immediately before the commencement of this Act was studying for a degree, diploma or certificate of the Panjab University, Chandigarh and the Panjab Agricultural University, Ludhiana, shall be permitted by the Himachal Pradesh University to complete his course for the degree, diploma, or certificate and the Himachal Pradesh University or the College, as the case may be, shall provide for the instruction of such student in accordance with the prospectus of studies of the Panjab University, Chandigarh or the Panjab Agricultural University, Ludhiana, as the case may be, and he shall be admitted to the examination concerned of the Himachal Pradesh University.

48. Removal of difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the 'Rajpatra, Himachal Pradesh' make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the commencement of this Act.

FIRST STATUTES OF THE HIMACHAL PRADESH UNIVERSITY

(As Amended upto 30th November, 1973)

1. **Vice-Chancellor.**—(1) The Vice-Chancellor shall be appointed by the Chancellor form a panel of not less than three persons recommended by a Committee, as constiuted under sub-clause (2).

(2) The Committee referred to in sub-clause (1) shall consist of three persons, two of whom shall be persons not connected with the University or an institution recognised by, or associated with, the University nominated by the Executive Council and one member shall be a person nominated by the Chancellor. The Chancellor shall appoint one of the three person to be Chairman of the Committee:

Provided that if the Chancellor does not approve of any of the persons so recommended, he may call for fresh recommendations:

Provided further that the appointment of the first Vice-Chancellor shall be made by the Chancellor for a term of five years and the third proviso to sub-clause (4) of the Statute shall not be applicable to the person so appointed:

Provided, however, that till the appointment of the first Vice-Chancellor, the Chancellor shall exerise the powers and perform the duties of the Vice-Chancellor.

(3) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(4) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office and shall, on the expiration of this term of office, be ineligible for re-appointment to that office:

Provided that, notwithstanding the expiry of the said period of five years, he shall continue in office until his successor is appointed and enters upon his office:

Provided further that the Chancellor may direct that a Vice-Chancellor, whose term of office has expired, shall continue in office for such period, not exceeding one year, as may be specified in the direction:

Provided, however, a person appointed as Vice-Chancellor shall retire from office, if during the term of his office, he completes the age of 65 years.

(5) There shall be paid to the Vice Chancellor a salary of two thousand five hundred rupees per mensem and he shall be entitled without payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(6) The Vice-Chancellor shall not be entitled to the benefits of the University Provident Fund or to to any other allowance:

The first Statutes published in the Rajpatra (Extra ordinary) dated the 7th August, 1970 vide notification No. 4-2/69-Sectt-Edu-I, dated the 1st August, 1970.

Provided that where any employee of the University is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the Provident Fund and the contribution of the University shall be limited to what he had been contributing immediately as Vice-Chancellor.

(7) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Executive Council.

(8) The Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him on active service:

(9) The Vice-Chancellor shall also be entitled, on medical grounds or otherwise than on medical ground, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he will be entitled to leave under sub-clause (8).

(10) The Vice-Chancellor shall be entitled to medical aid, as may be laid down by the Executive Council.

(11) If the office of the Vice-Chancellor becomes vacant, the functions of his office shall, until some person is appointed under clause (1) to the vacant office, be performed by one of the Deans to be nominated by the Chancellor.

(12) If the Vice-Chancellor is unable to perform his functions owing to absence due to illness or any other cause the Chancellor may appoint any person to discharge the duties of the Vice-Chancellor, till such time as the Vice-Chancellor is able to resume his duties.

2. Powers and duties of Vice-Chancellor.—(1) The Vice-Chancellor shall have general responsibility for maintaining and promoting the efficiency and good order of the University.

(2) It shall be the duty of the Vice-Chancellor to see that the provisions of the Act, these Statutes, the Ordinances and the Regulations are duly observed and the decisions taken by the authorities of the University are implemented.

(3) The Vice-Chancellor shall have power to convene or cause to be convened meetings of the Court, the Executive Council and the Academic Council and the Board of Management and other authorities of the University and shall perform all such acts as may be necessary to carry out the provisions of the Act, these Statutes and the Ordinances.

(4) The Vice-Chancellor shall be entitled to be present at and to address any meeting of any authority or body or committee of the University, but shall not be entitled to vote thereat, unless he is a member of such authority or body or committee.

(5) If, in the opinion of the Vice-Chancellor any emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary, and shall report the same at the next.

meeting of the authority, which, in the ordinary course, would have dealt with the matter :

Provided that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Executive Council.

3. Deans of Faculties.—(1) Every Head of a Department of Studies who is a Professor shall by rotation according to seniority, for a period of two years, act as the Dean of the Faculty :

Provided that the Dean of the Agricultural Complex shall be *ex-officio* Dean of the Faculty of Agriculture and Forestry :

Provided further that if in any Faculty there is no Professor, the senior most Reader shall act as the Dean and if there is no Reader, the Vice-Chancellor shall act as the Dean.

(2) The Dean of each Faculty shall be the executive officer of the Faculty, and shall preside at its meetings.

(3) The Dean shall have the right to be present and to speak at any meeting of any committee of the Faculty but not to vote thereat, unless he is a member of the committee.

4. Registrar.—(1) The Registrar shall be a whole-time salaried officer of the University and he shall be appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose on such terms and conditions, as may be prescribed by the Ordinances :

Provided that a person appointed as Registrar shall retire from office when he completes the age of 60 years :

Provided further that the first Registrar shall be appointed by the Chancellor for a term not exceeding five years.

(2) When the office of the Registrar is vacant or when the Registrar is by reason of illness or absence for any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Registrar shall be the *ex-officio* Secretary of the Court, the Executive Council and the Academic Council but shall not be deemed to be a member of any of these authorities.

(4) The Registrar shall—

- (a) be the custodian of the records, the common seal and such other properties of the University as the Executive Council shall commit to his charge;
- (b) conduct the official correspondence of the Court, the Executive Council and the Academic Council;
- (c) supply to the Chancellor copies of the agenda of meetings of the authorities of the University, as soon as they are issued and the

minutes of the meetings of the authorities ordinarily within a month of the holding of the meetings;

- (d) represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representatives for the purpose;
- (e) enter into agreements or contracts, and vary, revoke or cancel them for and on behalf of the University;
- (f) accept for and on behalf of the University any trust, request, donation or transfer of any movable or immovable property;
- (g) perform such other duties as may be specified in these Statutes, or prescribed by the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

(5) (a) The Registrar shall have power to take disciplinary action against the employees upto the post of Assistant and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing the penalty of the withholding of increment.

(a) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of her inquiry, make a report to the Vice-Chancellor along with his recommendations, for such action as the Vice-Chancellor deems fit:

Provided that an appeal shall lie to the Executive Council against the order of the Vice-Chancellor imposing the penalty of dismissal.

5. Finance Officer.—(1) The Finance Officer shall be a whole-time salaried officer of the University and he shall be appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose, on such terms and conditions as may be prescribed by the Ordinances:

Provided that the Executive Council if it deems fit obtain on deputation for a fixed term the services of an officer, from the office of the Comptroller and Auditor General of India.

(2) When the office of the Finance Officer is vacant or when the Finance Officer, is by reason of illness or absence for any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Finance Officer shall—

- (a) exercise general supervision over the funds of the University and shall advise it as regard its financial policy;
- (b) be responsible for the proper maintenance of the accounts of the University; and

- (c) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding Rs. 10,000 without the previous approval of the Executive Council.

(4) Subject to the control of the Executive Council the Finance Officer shall—

- (a) hold and manage the property and investments including trust and endowed property for furthering any of the objects of the University;
- (b) see that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for one year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;
- (c) be responsible for the preparation of annual accounts and the budget of the University for the next financial year and for presentation of the same to the Executive Council;
- (d) keep a constant watch on the state of the cash and bank balances and on the state of investments;
- (e) watch the progress of collection of revenue and advise on the methods of collection employed;
- (f) see that the registers of buildings, land, furniture and equipment are maintained up-to-date and that the stock checking of equipment and other consumable material in all office, teaching departments, the agricultural complex, colleges and institutions maintained by the University is conducted at regular intervals, or as may be required from time to time;
- (g) call for from any office or department or college or institution under the University any information or returns that he may consider necessary to discharge his financial responsibilities.

(5) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for the same.

6. Other officers of the University.—(1) The following shall also be the officers of the University:—

- (a) Librarian;
- (b) Dean of Students' Welfare;
- (c) Dean of Studies (Non Agricultural).

7. Librarian.—(1) (a) The Librarian shall be appointed by the Executive Council on the recommendation of the Selection Committee constituted for the purpose and shall be a whole time salaried officer of the University.

(b) The terms and conditions of service and the duties and powers of the Librarian shall be regulated by the Ordinances.

(2) **Dean of Students' Welfare.**—(a) The Dean of Students' Welfare shall be appointed from amongst the employees of the University who are or who

have been teacher of the University, not below the rank of Reader, by the Executive Council on the recommendation of the Vice-Chancellor.

(b) The Dean shall be a whole-time employee of the University, shall hold office for a term of three years and shall be eligible for re-appointment:

Provided that the Executive Council shall be competent to appoint any eligible teacher of the University to discharge the duties of the Dean in addition to his normal duties.

(c) The person who is appointed as Dean of Students' Welfare shall continue to hold his lien on his substantive post, provided he is a serving teacher.

(d) When the office of the Dean of the Students' Welfare is vacant or when the Dean of Students' Welfare is, by reason of illness or absence for any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

8. The Court.—(1) The Court shall consist of—

- (i) Chancellor;
- (ii) Vice-Chancellor;
- (iii) Deans of all Faculties;
- (iv) Ten Heads of Departments of Studies in the University, including the teaching and research Departments of the Agricultural Complex:

Provided that five shall be from the Agricultural Complex and five from the other departments of Studies in the University by rotation according to seniority.

- (v) Six representatives of teachers of the University, two Professors, two Readers and two Lecturers by rotation on the basis of Seniority:

Provided that one teacher in all the above three categories shall be from the Agricultural Complex and one from the other departments of Studies of the University;

- (vi) Principals of all affiliated colleges and colleges maintained by the University;
- (vii) Fifteen representatives of teachers of affiliated colleges and colleges maintained by the University, seven by election and eight by rotation according to seniority as under:—

A. BY ELECTION IN ACCORDANCE WITH THE SYSTEM OF PROPORTIONAL REPRESENTATION BY MEANS OF SINGLE TRANSFERABLE VOTE

(1) Four from among those teaching subjects assigned to the Arts Faculty:

Provided that two shall be from among those with more than ten years' service and two with less than ten years' service.

(2) Three from among those teaching subjects assigned to the Science Faculty:

Provided that one shall be with more than ten years' service and two with less than ten years' service.

B. BY ROTATION ACCORDING TO SENIORITY

(1) Three from among those teaching subjects assigned to the Arts Faculty:

Provided that one shall be with more than ten years' service and two with less than ten years' service.

(2) Two from among those teaching subjects assigned to the Science Faculty:

Provided that one shall be with more than ten years' service and one with less than ten years' service.

(3) One from among those teaching subjects assigned to the Commerce Faculty:

Provided that a teacher with more than ten years' service will hold office alternatively with teacher with less than ten years' service.

(4) One from among the teachers of medical colleges affiliated to the University:

Provided that a teacher with more than ten years' service will hold office alternatively with a teacher with less than ten years' service.

(5) One from among those teaching in Colleges of Education affiliated to the University:

Provided that a teacher with more than ten years' service will hold office alternatively with a teacher with less than ten years' service.

Notes.—(1) For the purpose of giving effect to these provisions the term 'teachers' will include all Senior Lecturers, Lecturers or Junior Lecturers, by whatever designation they may be called, irrespective of their pay-scales, and a joint seniority list thereof will be maintained for the purpose.

(2) The term of each teacher representative whether by election or by rotation, will be two year, and a teacher with less than ten years' service will complete his term, even if during the term his service exceeds ten years.

(3) The date on which the length of service will be computed for the purpose of this Statute will be the 22nd of July of the year concerned.

(4) Whenever a person/the requisite number of persons belonging to either the category of more than ten years' service or less than ten years' service is/are not available the rest or all shall be taken from the other category.

(5) The first to take office in the categories 3, 4 and 5 will be one with more than ten years' service.

(6) For the purpose of election as provided in (vii) (A) above, there will be a common electoral college consisting of all the teachers, teaching subjects assigned to the Faculties of Arts and Science,

but there shall be reservation of seats for teachers, teaching subjects assigned to the Faculties of Arts and Science respectively, as provided therein.

- (viii) The remaining members of the Executive Council and the Board of Management, who are not otherwise members of the Court.
- (ix) Five representatives of the Himachal Pradesh Legislative Assembly by election from amongst its own members to be elected in the manner as the Speaker of the said Assembly may direct:

Provided that they are not members of the Executive Council.

- (x) Five representatives to be elected by the Registered Graduates in accordance with the system of proportional representation by means of single transferable vote.
- (xi) Ten student members as under:—

- (1) One student member elected from among themselves by the Research and M. Phil Students of the University.
- (2) One student from among those studying in part II Class of the Master's degree course in any Faculty in the Simla Campus of the University obtaining the highest percentage of marks in the last University examination (1st and 2nd Semesters combined):

Provided that for this purpose the Faculties will be grouped as under:—

Group I—Arts, Education, Commerce and Law.

Group II—Science:

Provided further that the student representative from each Group will hold office alternatively, and the first to hold office will be from Group I.

- (3) The most academically outstanding student to be nominated by the Dean of Agricultural Complex, studying for the Master's degree or the Bachelor's degree in the Agricultural Complex from among the students of the Palampur and Solan Campuses combined of the Agricultural Complex of the University:

Provided that the post-graduate student will hold office alternatively with the under-graduate student, beginning with the post-graduate student.

- (4) (i) One student representative from the undergraduate colleges in the Faculties of Arts, Science and Commerce, studying in the Final year of the Bachelor's degree course, getting the highest percentage of marks in the Second Year of the Bachelor's degree examination of the University (both the Semesters combined):

Provided that for this purpose Arts and Commerce Faculties will be taken together in the Group and the Science Faculty in the other Group:

Provided further the representative from one Group will hold office alternatively with the representative of the other Group, the first to hold office will be from the Arts and Commerce Group.

- (ii) One student studying in the Final Year class of the M.B.B.S. degree course in the affiliated Medical Colleges, getting the highest percentage of marks in the M. B. B. S. (Second Professional Examination) of the University;

OR

One student studying in the M. Ed. Class in colleges of Education affiliated to the University or a University Division, getting the highest percentage of marks in the first degree examination:

Provided that the representatives of the M.B.B.S. students and B. Ed. students will be a member in alternate years, beginning with the representative of the B.Ed. students.

- (5) Secretary of the Students' Council referred to in Statute 15-A.
- (6) Two student members to be elected in accordance with the system of proportional representation by means of single transferable vote from among themselves by an electoral college, consisting of student Vice-Presidents and Secretaries of each Student Central Association formed in accordance with the constitution prescribed by the Executive Council of the University Campus at Simla, the Palampur Campus of the Agricultural Complex, the Solan Campus of the Agricultural Complex, and of the affiliated colleges or colleges maintained by the University.
- (7) Two student members to be elected in accordance with the system of proportional representation by means of single transferable vote from among themselves by an electoral college, consisting of one student member each, representing recognised subject societies, cultural societies and sports clubs in the Student Central Association, referred to in 6 above.

- (xii) (1) Not more than 25 persons to be nominated by the Chancellor:

Provided that in making nominations due regard shall be paid to different interests, professions and learnings, including *ex-officio* representation to the different departments of the State Government concerned with the University:

Provided further that one member so nominated shall be a person connected with the management of the privately managed affiliated colleges and one shall be a teacher of an associated institution imparting instruction up to the Shastri and/or Acharya Degree:

Provided, however, that no employee of the university or of an affiliated college or associated institution, except as provided in the second proviso above, shall be eligible to be a member under this category.

- (2) When an elected member of the Court becomes an *ex-officio* member before the expiry of his term, he shall cease to be an elected member.

- (3) A member of the Court shall hold office for a period of three years except in the case of student members who shall hold office for one year or till the end of the academic year in which they become member whichever is earlier, and in the case of teacher members, as provided in the Note to (vii) B. 5 above.

(4) Thirty-five members of the Court shall form the quorum.

9. Meetings of the Court.—(1) An annual meeting of the Court shall be held on a date fixed by the Executive Council and at such annual meeting the Court shall consider the report of the working of the University during the previous year together with a statement of the receipts and expenditure and the audit report and the budget for the next financial year shall be considered as presented by the Executive Council.

(2) The copies of the annual report shall be supplied to the members at least 15 days before the meeting.

10. Executive Council.—(1) The Executive Council shall consist of the following:—

- (i) Vice-Chancellor.
- (ii) Deans of all Faculties.
- (iii) One of the Associate Deans of the Palampur and Solan Campuses of the Agricultural Complex by rotation on the basis of seniority.
- (iv) Two Professors of the University by rotation on the basis of seniority:

Provided that one shall be from among the Professors of Agricultural Complex and the other from among the Professors in the other Departments of Studies in the University.

- (v) Three Principals of affiliated colleges/colleges maintained by the University by rotation on the basis of seniority.
- (vi) Three members to be elected by the Academic Council from among its teacher members:

Provided that two shall be from among the teachers of affiliated colleges/colleges maintained by the University and one shall be a University appointed teacher.

- (vii) Two members, none of whom shall be an employee of the University or a college affiliated to or institution recognised by the University to be elected by the Court from amongst its members in accordance with the system of proportional representation by means of single transferable vote.
- (viii) Three persons to be nominated by the Chancellor.

(2) The term of the office of members of Executive Council other than the *ex-officio* members shall be three years.

(3) Seven members of the Executive Council shall form the quorum.

11. Powers of the Executive Council.—Subject to the provisions of the Act, these Statutes and the Ordinances, the Executive Council, shall in addition to any other powers vested in it, have the following powers:—

- (i) to appoint such Professors, Readers, Lecturers, and other members of the teaching and research staff as may be necessary, on the recommendation of the Selection Committees, constituted for the purpose, and to provide for the filling of temporary vacancies therein;
- (ii) to fix the emoluments and define the duties and conditions of service of Professors, Readers, Lecturers and other members of the teaching and research staff:

Provided that no action shall be taken by the Executive Council in respect of the number, the qualifications and the emoluments of teachers otherwise than after consideration of the recommendations of the Academic Council;

- (iii) to create administrative, ministerial and other necessary posts and to make appointments thereto in such manner, as may be laid down in the Ordinances;
- (iv) to regulate and enforce discipline among the members of the teaching, administrative, ministerial and other staff of the University, in accordance with these Statutes and the Ordinances;
- (v) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University and for that purpose appoint such agents as it may think fit;
- (vi) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares, or securities, as it may, from time to time, think fit; or in the purchase of immovable property in India, with the like powers of varying such investments, from time to time;
- (vii) (a) to accept on behalf of the University any trust, bequest, donation or transfer of any movable or immovable property to the University; and
(b) to transfer any movable or immovable property on behalf of the University;

Provided that no immovable property of the University shall, except with the prior sanction of the State Government, be transferred by the Executive Council by way of mortgage, sale, exchange, gift or otherwise, nor shall any money borrowed or advance taken on the security thereof;

- (viii) to provide buildings, premises, furniture, apparatus and other facilities needed for carrying on the work of the University;
- (ix) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (x) to entertain, adjudicate upon and if it thinks fit, to redress, any grievances of the salaried officers, the teaching staff and other employees of the University who may for any reason feel aggrieved:

Provided that, in matters of discipline and punishment, where the final power has been vested in the Vice-Chancellor or any other officer of the University, no appeal shall lie to the Executive Council;

- (xi) to fix the fees, emoluments and travelling and other allowances of the examiners and moderators appointed by the Academic Council;
- (xii) to select a common seal for the University and provide for the custody and use thereof;
- (xiii) to institute fellowships, scholarships, exhibitions, studentships, medals and prizes;
- (xiv) to delegate any of its powers to the Vice-Chancellor, Registrar, or such other officer of the University or to a person appointed by it as it may deem fit.

12. Academic Council.—(1) The Academic Council shall consist of the following:—

- (i) Vice-Chancellor.
- (ii) Deans of all Faculties.
- (iii) Associate Deans of the Palampur and Solan Campuses of the Agricultural Complex.
- (iv) Director of Research in the Agricultural Complex, if any.
- (v) Director of Extension Education in the Agricultural Complex, if any.
- (vi) Ten Heads of Departments of Studies other than Deans in the University by rotation on the basis of seniority.
- (vii) University Librarian, if he is not below the rank of a Reader.
- (viii) Five Professors other than Deans and Heads of Departments in the Departments of Studies in the University by rotation on the basis of seniority.
- (ix) Five Readers in the Departments of Studies of the University other than Heads of Departments of Studies by rotation on the basis of seniority.
- (x) Five Lecturers in the Departments of Studies in the University by rotation on the basis of seniority:

Provided that the teachers in categories (vi), (viii) to (x) shall be from the Departments of Studies other than those forming part of the Agricultural Complex.

- (xi) Ten Principals of affiliated colleges including colleges maintained by the University by rotation on the basis of seniority.
- (xii) Fifteen teachers of affiliated colleges including colleges maintained by the University—seven by election in accordance with the system of proportional representation by means of single transferable vote and eight by rotation according to seniority as under:—

A. BY ELECTION

- (1) Four from among those teaching subjects assigned to the Arts Faculty;

Provided that two shall be from among those with more than ten years' service and two with less than ten years' service.

- (2) Three from among those teaching subjects assigned to the Science Faculty;

Provided that one shall be with more than ten years' service and two with less than ten years' service.

B. BY ROTATION ACCORDING TO SENIORITY

- (1) Three from among those teaching subjects assigned to the Arts Faculty;

Provided that one shall be with more than ten years' service and two with less than ten years' service.

(2) Two from among those teaching subjects assigned to the Science Faculty:

Provided that one shall be with more than ten years' service and the other with less than ten years' service.

(3) One from among those teaching subjects assigned to the Commerce Faculty:

Provided that a teacher with more than ten years' service shall hold office alternately with a teacher with less than ten years' service, beginning with the teacher with more than ten years' service.

(4) One from among those teaching subjects assigned to the Medical Faculty:

Provided that a teacher with more than ten years' service shall hold office alternately with a teacher with less than ten years' service, beginning with the teacher with more than ten years' service.

(5) One from among those teaching in Colleges of Education:

Provided that a teacher with more than ten years' service will alternate with a teacher with less than ten years' service, beginning with the teacher with more than ten years' service.

Note.—1. For the purpose of giving effect to these provisions the term 'teachers' will include all Senior Lecturers, Lecturers or Junior Lecturers, by whatever designation they may be called, irrespective of their pay-scales, and a joint seniority list thereof will be maintained for the purpose.

2. The same teacher in any of the categories referred to in sub-clause (xii) will not be a member of the Court and the Academic Council at the same time, and the senior teacher in any of the above categories shall be member of the Academic Council, while the teacher next in seniority to him in any of the above categories shall be a member of the Court:

Provided that anyone who has served as a member of either of these two authorities for a term will not be eligible for the membership of the other body in the following term.

3. If there is no teacher or a sufficient number of teachers in either category of more than ten years' service or of less than ten years' service all or the rest shall be taken from the other category.

4. The date from which the length of service will be computed, will be the 22nd July of the year concerned.

5. A teacher with less than ten years' service will be allowed to complete his term, even if during his term his service exceeds ten years.

6. For the purpose of election as provided in (xii) (A) above, there will be a common electoral college consisting of all the teachers, teaching subjects assigned to the Faculties of Arts and Science, but there shall be reservation of seats for teachers, teaching subjects assigned to the Faculties of Arts and Science respectively, as provided therein.

(xiii) Five persons not being employees of the University or a college affiliated to or an institution recognised by the University, to be nominated by the Chancellor.

- (xiv) Five persons not being employees of the University or a college affiliated to or an institution recognised by the University, to be co-opted by the Academic Council:

Provided that the persons so co-opted shall be of the rank of Professor in a University or an institute of higher learning or research:

Provided further that no two of them shall belong to the same discipline or profess the same subject.

(2) All members of the Academic Council, other than *ex-officio* members, shall hold office for a term of two years.

(3) Twenty-five members of the Academic Council shall form the quorum.

(4) Subject to the provisions of the Act, these Statutes and the Ordinances, the Academic Council shall in addition to all other powers vested in it have the following powers and duties:—

- (a) to exercise general supervision over the academic policies of the University, and to give directives regarding methods of instruction, co-operative teaching among colleges, evaluation of research or improvements in academic standards;
- (b) to bring about inter-Faculty co-ordination to establish or appoint committees or boards, for taking up projects on an inter-Faculty basis;
- (c) to consider matters of general academic interest either on its own initiative or referred to it by a Faculty or Executive Council and to take appropriate action thereon;
- (d) to frame regulations and rules in consonance with the Statutes and Ordinances regarding the academic functioning of the University, discipline, residence, admissions, award of fellowships and studentships, fee concessions, corporate life, attendance, etc.;
- (e) to recommend to the Executive Council the draft of new Ordinances or draft amendments to the existing Ordinances relating to—
 - (i) the qualifications of teacher;
 - (ii) student participation in University/College Affairs and governance;
 - (iii) management of colleges and other institutions founded or maintained by the University and the supervision and inspection of colleges and other institutions, admitted to the privileges of the University;
 - (iv) degrees, diplomas, certificates and other academic distinctions to be awarded by the University, qualifications for the same, the duration of the courses of study and other essential features of such courses and the type and nature of examination for such degrees, diplomas or certificates;
 - (v) the conduct of examinations, including the terms of office and the manner of appointment and the duties of examining bodies, examiners and moderators;

- (vi) the admission of the students to the University and their enrolment, the maintenance of discipline among the students, the conditions regarding the residence of students;
- (vii) the conditions of award of fellowships, scholarships, student-ships, exhibitions, medals and prizes;
- (viii) the fees to be charged for courses of study and for admission to the examinations, degrees and diplomas of the University;
- (ix) remuneration to be paid to examiners, moderators and tabulators, etc.;
- (x) creation, composition and functions of other bodies, committees, or boards necessary or desirable for improving the academic life of the University;
- (xi) special arrangements, if any, for the residence, discipline and teaching of women students:

Provided that if the Executive Council disagrees with the Academic Council, it may adopt the draft in an amended form or reject it by a two-thirds majority of the members present and voting; and if the two-thirds majority is not available, the matter shall be referred to the Chancellor, whose decision shall be final.

13. Faculties.—(1) (i) The University shall have such faculties as may be prescribed by these statutes.

(ii) On the enforcement of the Act, the University shall have the following Faculties:—

- (i) Agriculture and Forestry;
- (ii) Arts;
- (iii) Medical Science;
- (iv) Science;
- (v) Education;
- (vi) Law;
- (vii) Commerce and Business Administration.

(iii) Each Faculty shall consist of such departments of study as may be assigned to it by the Ordinances.

(iv) No department shall be established or abolished except by the Statutes.

(v) Each department shall consist of the following members:—

- (i) teachers of the department concerned;
- (ii) persons appointed to conduct research in the department;
- (iii) Dean of the Faculty concerned;
- (iv) such other persons as may be members of the department in accordance with the provisions of the Ordinances;
- (v) each department shall have a head who may be a Professor or, if there is no Professor, a Reader and whose duties, functions and terms and conditions of appointment shall be prescribed by the Ordinances:

Provided that if there is no Professor or Reader in a department, the Dean of the Faculty concerned shall act as the Head of the Department:

Provided further that if there is more than one Professor or, as the case may be, Reader in any department, the Head of the Department, shall be appointed by the Vice-Chancellor.

(2) Except in the case of the Faculty of Agriculture and Forestry and in the case of the Faculty of Medical Science, each Faculty shall consist of the following members, namely:—

- (a) Dean of the Faculty;
- (b) Heads of Departments of Studies in the Faculty;
- (c) All Professors in the Faculty;
- (d) One Reader and one Lecturer from each Department of Study by rotation on the basis of seniority;
- (e) Four teachers of colleges concerned with the Faculty by rotation on the basis of seniority;

Provided that two shall be teachers with more than ten years' service, and two with less than ten years' service. If, however, one or more eligible teachers are not available from one of these categories the remaining or all the representatives shall be taken from the other category.

(3) The composition of the Faculty of Medical Science shall be as under:—

- (i) Dean of the Faculty;
- (ii) Heads of all the teaching departments in the affiliated Medical College;
- (iii) All Professors and Associate Professors in the affiliated Medical College, if not already members under (ii) above;
- (iv) Four Assistant Professors/Lecturers in the affiliated Medical College by rotation on the basis of seniority;
- (v) Director, Central Research Institute, Kasuali;
- (vi) Head of the Bio-Sciences Department of the University.

(4) All members of Faculty other than *ex-officio* members shall hold office for a term of two years.

(5) Faculties shall have such powers and shall perform such duties as may be assigned to them by these Statutes and Ordinances. They shall also consider and make such recommendations to the Academic Council on any question pertaining to their respective spheres of work, as may appear to them necessary or on any matter referred to them by the Academic Council.

14. Finance Committee.—(1) The Finance Committee of the University shall consist of the following members:—

- (i) Vice-Chancellor;
- (ii) Dean of the Agricultural Complex;
- (iii) One Dean of Faculty other than the Dean of the Faculty of Agriculture, by rotation on the basis of seniority;

- (iv) One nominee of the Executive Council;
- (v) Three nominees of the Chancellor.

(2) Four members of the Finance Committee shall form the quorum.

(3) All members of the Finance Committee other than *ex-officio* members, shall hold office for a term of three years.

(4) The Vice-Chancellor shall preside at the meetings of the Finance Committee.

(5) The Finance Committee shall meet at least twice every year to examine accounts and scrutinise proposals for expenditure.

(6) The annual accounts and financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval with or without amendments.

(7) The Finance Committee shall fix limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of University (which in the case of productive works, may include the proceeds of loans). No expenditure shall be incurred by the University in excess of the limits so fixed.

(8) No expenditure other than that provided for in the budget shall be incurred by the University without the approval of the Finance Committee.

15. Boards of Studies.—(1) There shall be Boards of Studies for different subjects or groups of subjects.

(2) The constitution, the powers and functions of the Boards of Studies shall be as prescribed by the Ordinances.

15-A.—(A) There shall be a Students' Council, and it shall consist of—

- (i) The Student Vice-President and Secretary of the Students' Central Association of the University Campus at Simla.
- (ii) The student Vice-Presidents of the Students Central Associations of the Palampur and Solan Campuses of the Agricultural Complex.
- (iii) The Secretaries of the Students' Advisory Committee of the various Divisions of Studies of the Simla Campus of the University.
- (iv) Student Vice-Presidents of the Students Central Associations of the affiliated colleges and colleges maintained by the University.

Note.—The Students' Central Associations, referred to in (i) to (iv) above shall have a constitution as approved by the Executive Council.

- (v) Ten Students, nominated by the Sports and Co-curricular Activities Council of the University as approved by the Executive Council from among those who have distinguished themselves in inter-University or University meets as under:—

- (a) Five from among those who have distinguished themselves in co-curricular activities, such as debate, declamation, music, drama, National Service Scheme, etc.

(b) Five from among those who have distinguished themselves in Sports and National Cadet Corps.

- (vi) One student obtaining the highest percentage of marks in the University examination of Part-II Class (3rd and 4th Semesters combined) from each Faculty studying for the Bachelor's degree course, from among those who are on the rolls of affiliated colleges and colleges maintained by the University in the final year of the Bachelor's degree class:

Provided that for this purpose the Arts and Commerce Faculties shall be taken to be one unit:

Provided further that for representation from the Medical Faculty the student shall be on the rolls of the Final Year Class and the percentage of marks to be taken into consideration will be the marks obtained in the Second Professional Examination of this University:

Provided however, that in the case of the Education Faculty the student shall be from among the students on the rolls of the B.Ed. Class in either an affiliated College of Education or a University Division, and the basis of representation shall be the percentage of marks obtained by him in the Bachelor's Degree.

- (vii) One student on the rolls of the Final Year of the Master's Degree course in each division in any Faculty of the University obtaining the highest percentage of marks in the First Year of the University examination (First and Second Semesters combined)/course of the First Year of the Master's degree course:

Provided that for this purpose the Solan and Palampur campuses of the Agricultural Complex shall be treated as a Division and the student shall be nominated by the Dean of the Agricultural complex for his most outstanding performance in Part-I of the Master's degree course, as determined by the Dean of the Agricultural Complex.

Note.—A student-member of the Students' Council, belonging to any of the categories (i) to (vii), shall continue to be a member of the Students' Council, even after the expiry of the academic year for which he became a member of the Students' Council, till such time as his successor is elected, nominated or appointed, as the case may be, from the constituency referred to in the categories (f) to (vii) above, but not beyond the end of the month of September, of the year following the academic year for which he had become such a member, provided that such a student-member is still on the rolls of a Department of Studies of the University or of a College or institution affiliated to or maintained by the University.

- (viii) Five teachers nominated by the Vice-Chancellor:

Provided that two will be from the teachers of the University and three will be from among the teachers of affiliated colleges or colleges maintained by the University:

Provided further that one teacher shall be the Dean of Students' Welfare in the University, if there is any.

(B) The Chairman of the Students' Council shall be either the Vice-Chancellor or a teacher nominated by him.

(C) The Council shall have a Secretary, and a Joint-Secretary who shall be elected by the student-members from among themselves by a single majority vote.

(D) The Students' Council would have a Standing Committee consisting of the Chairman, Secretary, Joint Secretary, three student-members and one teacher-member. The teacher-member will be nominated by the Vice-Chancellor and the student-members will be elected by the members of the Students' Council among themselves by a single majority vote:

Provided that the Council may have such other office-bearers as are approved from time to time by the Executive Council.

(E) The powers and functions of the Students Council shall be:—

(i) To make recommendations to the Executive and Academic Councils on matters—

- (a) affecting the academic work of the students, such as the structure of courses, the pattern of instruction;
- (b) the corporate life of the University in so far as it affects the students;
- (c) the co-curricular and extra-curricular activities of the University;
- (d) all such matters as are referred to it by the Executive Council or the Vice-Chancellor.

(ii) Ordinarily all rules affecting discipline, welfare, sports, literary and departmental societies, management of student homes, non-resident students centres, extension work, social work, students health, N.S.S., N.C.C., etc., shall be placed before the Students' Council for obtaining its views, which will then be communicated to the Academic and Executive Councils, as the case may be, for decision.

(iii) The Council shall have the right to communicate its views, observations and recommendations to the Vice-Chancellor or any authority of the University in respect of any matter which concerns the students:

Provided that the Chairman of the Council shall have the power to decide whether a matter falls within the purview of the Council or not.

(iv) The Council shall have the right to administer such funds as may be placed at its disposal for the discharge of its functions by the Executive Council in accordance with the rules, framed by the said Executive Council.

(F) The meetings of the Council shall ordinarily be held three times each year and not more than six months shall elapse between two meetings.

Extra-ordinary meetings may, however, be held if requisitioned by not less than half the members of the Council or when the Chairman calls such a meeting.

(G) The student members of the Council shall be paid T.A. and D.A. as is admissible to members of the authorities of the University.

(H) Twenty members of the Council shall form the quorum.

16. Affiliation privileges of the University.—(1) Colleges and other institutions within the limits of Himachal Pradesh may be admitted to such privileges of the University, as the Executive Council may decide on the following conditions, namely:—

- (i) Every such College or institution shall have a regularly constituted management consisting of not more than twenty persons approved by the Executive Council and including among others, at least two nominees of the University and three representatives of the teaching staff, of whom the Principal of that College or institution shall be one. The rules relating to the composition and personnel of the management and those relating to other matters affecting the management of the College shall conform to the Statutes and the Ordinances of the University and the conditions of Government grants to colleges. Such rules and the personnel will require the approval of the Executive Council:

Provided that the colleges and institutions admitted to the privileges of the University under section 7 of the Act shall adopt the rules, regarding the constitution of the management within one year of enforcement of the Act:

Provided further that the said condition shall not apply in the case of colleges and institutions maintained by Government which shall, however, have an Advisory Committee which shall consist of among others, at least three teachers including the Principal of the College or institution, and two representatives of the University.

- (ii) Every such College or institution shall satisfy the Executive Council on the following points, namely:—

- (a) the suitability and adequacy of its accommodation and equipment for teaching;
- (b) the qualifications and adequacy of its teaching staff and the conditions of their service;
- (c) the arrangements for the residence, welfare, discipline and supervision of its students;
- (d) that adequate financial provision has been made for the continued maintenance of the College; and
- (e) such other matters as are essential for the maintenance of the standards of University education.

- (iii) No college or institution shall be admitted to any privileges of the University except on the recommendations of the Academic Council made after considering the report of a Committee of Inspection appointed for the purpose by the Academic Council.

- (iv) Organisations/Colleges and institutions desirous of admission to any privileges of the University shall be required to intimate their intention to do so in writing so as to reach the Registrar not later than the date, as may be provided in the Ordinances.

- (v) A College may not, without the previous permission of the Executive Council, suspend instruction in any subject or course of study which it is authorised to teach and teaches.

(2) Appointments to the teaching staff of such college or institution shall be made on the recommendation of a Selection Committee as provided by the Ordinances:

Provided that the provisions of this clause shall not apply in the case of colleges and institutions maintained by the Government.

(3) Every such college or institution shall be inspected at least once in every two academic years by a Committee appointed by the Academic Council and the report of that Committee shall be submitted to the Academic Council which shall forward the same to the Executive Council with the recommendation, as it may deem fit. The Executive Council, after considering the report and the recommendations of the Academic Council shall forward a copy of the report to the management of the College or institution with such remarks, if any, as it may deem necessary for suitable action.

(4) The Executive Council may, after consulting the Academic Council, withdraw any privileges granted to a College or institution if any time it considers that the College or institution is not fulfilling the requisite conditions:

Provided that before any privileges are so withdrawn the management shall be given an opportunity to represent to the Executive Council why such action should not be taken.

(5) Subject to the conditions set forth above, the Ordinances may prescribe such other conditions as may be considered necessary and also the procedure for the admission of colleges and institutions to the privileges of the University and for the withdrawal of those privileges.

17. Selection Committees.—(1) Save as provided in the Statutes, relating to the Agricultural Complex, there shall be Selection Committee for making recommendations to the Executive Council for appointment to the posts of Professors, Readers, Lecturers, Registrar, Controller of Examinations, Finance Officer and Librarian.

(2) Every Selection Committee shall consist of the Vice-Chancellor, who will be the Chairman thereof, and in addition, the Selection Committees for making recommendations for appointment to a post specified in column 1 of the Table below shall have as its members the persons specified in the corresponding entry in column 2 of the said Table:

TABLE

| Name of post 1 | Membership of the Selection Committee 2 |
|---------------------------------|---|
| Professor, Reader, Lecturer. | (i) Two experts nominated by the Chancellor. (ii) (a) The Head of the Department concerned, if he is a Professor. (b) For Lecturer's post, the Head of the Department concerned, if he is not below the rank of a Reader. |

| 1 | 2 |
|---|--|
| | (iii) One person not in the employment of the University, nominated by the Vice-Chancellor for his special knowledge of or interest in the subject concerned. |
| Registrar, Controller of Examinations, Finance Officer. | (i) One person nominated by the Chancellor. (ii) Three members of the Executive Council nominated by it. |
| Librarian | (i) One person nominated by the Chancellor. (ii) Three persons not connected with the University, who have special knowledge of the subject of Library Science, to be nominated by the Executive Council. |

(3) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

(4) Save as otherwise provided in these Statutes and Ordinances, if the Executive Council is unable to accept any recommendation made by the Selection Committee, it may remit the same to the Selection Committee for re-consideration and if the difference is not resolved, the Executive Council shall record its reasons and submit the case to the Chancellor for final orders.

(5) *Special mode of appointment.*—Notwithstanding anything contained in these Statutes:—

- (a) the Executive Council may invite a person of high academic distinction and professional attainment to accept a post of Professor or Reader in the University, as the case may be, on such terms and conditions as it may deem fit and on the person agreeing to do so, appoint him to the post:

Provided that the Vice-Chancellor may invite suitable persons from among the Senior Lecturers/Lecturers/Junior Lecturers working in affiliated colleges or the University colleges to work in the University in the capacity of a Lecturer for a period not exceeding three years;

- (b) the Executive Council shall also have power to make appointment of persons selected in accordance with the procedure laid down in sub-clauses (2) and (3) as teacher for a fixed tenure on such conditions as it deems fit to impose.

18. Provident Fund.—(1) The teachers, officers, clerical staff and other employees of the University shall be entitled to either of the following Retirement Benefits for which they shall have to opt at the time of entry into service of the University:—

- (a) General Provident Fund-cum-Pension-cum-Gratuity;
(b) Contributory Provident Fund-cum-Gratuity.

(2) The rules relating to Retirement Benefits shall be the same as laid down in the "Central Universities Retirement Benefit Rules, 1967" published by the University Grants Commission, 1970:

Provided that wherever the words "University or Central Universities, Government of India, Ministry of Finance and Visitor" occur in these rules

they will mean respectively "Himachal Pradesh University, Himachal Pradesh Government, Department of Finance, Himachal Pradesh Government and Chancellor of the Himachal Pradesh University".

19. Disqualifications.—(1) Notwithstanding the provision of section 44 of the Act, a person shall be disqualified for being chosen as, and for being a member of any of the Authorities of the University:—

- (a) if he is of unsound mind or is a deaf, mute or suffers from contagious leprosy;
- (b) if he is an undischarged insolvent;
- (c) if he has been convicted by a Court of Law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in sub-clause (1), the question shall be referred for the decision of the Chancellor and his decision shall be final, and no suit or other proceeding shall lie in any court of law against such decision.

20. Honorary Degrees.—(1) All proposals for the conferment of Honorary Degrees shall be made by the Academic Council to the Executive Council, and shall require the assent of the Court before submission to the Chancellor for confirmation:

Provided that, in cases of urgency, the Chancellor may act on the recommendation of the Executive Council only.

(2) Any Honorary Degree conferred by the University may with the previous approval of two-thirds of members of the Court and the sanction of the Chancellor, be withdrawn by the Executive Council.

21. Removal of Teachers.—(1) Where there is an allegation of misconduct against a teacher the Vice-Chancellor may, if he thinks fit by order in writing place the teacher under suspension and shall forthwith report to the Executive Council the circumstances in which the order was made:

Provided that the Executive Council may if it is of the opinion that the circumstances of the case do not warrant the suspension of the teacher revoke that order.

(2) Notwithstanding anything contained in the terms of his contract or service or of his appointment, the Executive Council shall be entitled to remove a teacher on grounds of misconduct.

(3) Save as aforesaid, the Executive Council shall not be entitled to remove a teacher except for good and sufficient cause and after giving three months' notice in writing or payment of three months' salary in lieu of notice if the teacher is confirmed and one months' salary if he is still temporary.

(4) No teacher shall be removed under clause (2) or under clause (3) until he has been given a reasonable opportunity of showing cause against the action to be taken in regard to him.

(5) The removal of a teacher shall require a two-thirds majority of the members of the Executive Council present and voting.

(6) The removal of a teacher shall take effect from the date on which the order of removal is made:

Provided that where a teacher is under suspension at the time of his removal, the removal shall take effect on the date on which he was placed under suspension.

(7) Notwithstanding anything contained in these Statutes, the teacher shall be entitled to resign by giving three months' notice in writing to the Executive Council if he is confirmed and one month's notice if he is not.

22. Removal of employees other than teachers.—(1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee of the University, other than a teacher, may be removed by the authority which is competent to appoint the employee:—

- (a) if he is of unsound mind, or is a deaf, mute or suffers from contagious leprosy;
- (b) if he is an undischarged insolvent;
- (c) if he has been convicted by a Court of Law of any offence involving moral turpitude and sentenced in respect thereof;
- (d) if he is otherwise guilty of misconduct.

(2) No such employee shall be removed under clause (1) until he has been given a reasonable opportunity to show cause against the action proposed to be taken in regard to him.

(3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1) he shall be given three months' notice in writing or paid three months' salary in lieu of notice.

(4) Notwithstanding anything contained in these Statutes, an employee of the University not being a teacher shall be entitled to resign:—

- (i) in the case of a permanent employee only after giving three month's notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof;
- (ii) in any other case, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof.

23. Maintenance of discipline among students of the University.—(1) All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may, delegate all or such of his powers as he deems proper to such other person as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline, as may seem to him appropriate, the Vice-Chancellor may

in the exercise of his powers aforesaid, order or direct that any student or students be expelled from any college or institution maintained by the University or department or be for a stated period, rusticated or be not, for a stated period, admitted to a course or courses of study in any such college or institution or department or be fined in a sum of rupees that may be specified, or be debarred from taking an examination or examinations for one or more years or that the results of student or students concerned in the examination or examinations in which he has or they have appeared be cancelled.

(4) The Principals or, as the case may be, the heads of the colleges, institutions or departments shall have the authority to exercise all such disciplinary powers over the students in their respective colleges, institutions, and departments as may be necessary for the proper conduct of such colleges, institutions or departments.

(5) Without prejudice to the powers of the Vice-Chancellor, detailed rules of discipline and proper conduct shall be framed. The Principals, or as the case may be, the heads of colleges, institutions and departments may frame such supplementary rules as they deem necessary for the aforesaid purposes. Every student shall provide himself with a copy of these rules.

24. Seniority, Eligibility for the Membership of University Bodies.—

(1) Save as otherwise specifically provided in these Statutes and Ordinances, whenever, in accordance with these Statutes, any person is to hold an office or be a member of any Authority of the University by rotation, according to seniority such seniority shall be determined according to the length of continuous service of such person in his grade or post, as the case may be, and in accordance with such other principles as the Executive Council may from time to time prescribe.

Explanation.—‘Continuous service’ means service without a break, and will be reckoned from the date of joining as teacher in the category for which the seniority list is to be maintained.

For the purpose of representation to teachers of affiliated colleges and colleges maintained by the University, a joint seniority list will be maintained as under:—

- (i) Teachers who have been working in the colleges situated in the areas, constituting Himachal Pradesh, prior to the enforcement of the Punjab Re-organisation Act, 1966.
- (ii) Teachers who have been working in the colleges, situated in the areas, which merged with Himachal Pradesh on the enforcement of Punjab Re-organisation Act, 1966.
- (iii) Teachers working in the colleges, maintained by the Punjab Government, who were allocated to the Himachal Pradesh Government in pursuance of the provisions of the Punjab Re-organisation Act, 1966.

(2) It shall be the duty of the Registrar to prepare and maintain, in respect of such class of persons to whom the provisions of this Statute apply, a complete and up-to-date seniority list in accordance with the provisions of the foregoing clause.

(3) If two or more persons have equal length of continuous service in a particular grade or post, or the relative seniority of any person or persons is otherwise in doubt, the Registrar may on his own motion, and shall, at the request of any such person, submit the matter to the Executive Council whose decision thereon shall be final.

(4) Notwithstanding anything contained in these Statutes no person who is not ordinarily resident in India shall be eligible to be an officer of the University or a member of any Authority of the University.

25. Registered Graduates.—(1) The Executive Council shall maintain a register on which any graduate of the Himachal Pradesh University who has taken any degree of any Faculty not less than one year before registration, shall, subject to the payment of an initial fee of such amount as may be prescribed by the Ordinances, be entitled to have his name entered on application made within one year from the date on which he becomes so entitled:

Provided that if such application is made after the expiry of the said period, the applicant shall be entitled to have his name entered on payment of the said initial fee and of such further sum as may be prescribed by the Ordinances.

(2) The name of any graduate entered on the register shall, subject to the payment of an annual fee of such amount as may be prescribed by the Ordinances, be retained, thereon, and, in case of default, shall be removed therefrom, but shall, at any time, be re-entered upon payment of all arrears:

Provided that a graduate whose name has already been entered on the register may at any time compound for all subsequent payments of the annual fee by paying the sum prescribed in this behalf by the Ordinances.

(3) Any person who had graduated in any Faculty of the University of the Panjab at Lahore before the year 1948 or of the Panjab University, Chandigarh, Punjab, before the date on which the University confers its own degrees shall on application made and on payment of such fees and on complying with such conditions as may be prescribed by the Ordinances, be entitled to have his name entered in the register of graduates of the Himachal Pradesh University.

(4) No person other than a graduate whose name is entered on the said register shall be qualified or entitled to vote or be elected under clause 8(1)(c).

26. Ordinances how made.—(1) The first Ordinances shall be made by the State Government.

(2) The first Ordinances may be amended, repealed or added to at any time by the Executive Council provided that:—

(a) no Ordinance shall be made affecting the conditions of residence or discipline of students, except after consultation with the Academic Council;

(b) no Ordinances shall be made,—

(i) affecting the admission or enrolment of students or prescribing examinations to be recognised as equivalent to the University examinations; or

- (ii) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or a course of study, unless a draft of such Ordinance has been proposed by the Academic Council.

(3) The Executive Council shall not have power to amend any draft proposed by the Academic Council under clause (2) but may reject the proposal or return the draft to the Academic Council for re-consideration, either in whole or in part, together with any amendments which the Executive Council may suggest.

(4) Where the Executive Council has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may, within two months of the date of such rejection, appeal to the Chancellor and he may, by order, either accept wholly or in part or reject the proposed Ordinance and his order shall be final.

(5) All Ordinances made by the Executive Council shall be submitted, as soon as may be, to the Chancellor.

(6) The Chancellor may, by order, direct that the operation of any Ordinance shall be suspended until he has had an opportunity of exercising his power of disallowance, and any order of suspension under this clause shall cease to have effect on the expiration of one month from the date of such order.

(7) The Chancellor may, within three months after any Ordinance has been submitted to him signify to the Executive Council his disallowance of the Ordinance, and from the date of receipt by the Executive Council of intimation of such disallowance, the Ordinance shall cease to have effect.

27. Committees.—The Court, the Executive Council or the Academic Council, the Board of Management and any other Authority of the University may appoint boards or committees or members of the authority, making such appointment and of such other persons (if any) as that authority in each case may think fit; and any such board or committee may deal with any subject assigned to it subject to subsequent confirmation by the authority which appointed it.

28. Elected Chairman to preside where provision made in Statutes.—Where, by the Act, the Statutes, or the Ordinances, no provision is made for a Chairman to preside over a meeting of any University Authority, Board or Committee, or when the Chairman so provided for is absent the members present shall elect one from among themselves to preside at the meeting.

29. Resignation.—(1) Any member, other than an *ex-officio* member, of the Court, the Executive Council, the Board of Management, the Academic Council or any other Authority of the University or Committee may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

(2) Any officer of the University (whether salaried or otherwise) may resign his office by letter addressed to the Registrar:

Provided that such resignation shall take effect only on the date from which the same is accepted by the authority competent to fill the vacancy.

30. Dean of Agricultural Complex.—The Dean of Agricultural Complex shall be a whole time officer of the University and shall be appointed by the Executive Council on the advice of the Board of Management on such terms and conditions as may be prescribed by the Ordinances. For this purpose a Selection Committee constituted under Statute 37 shall make recommendations to the Board of Management:

Provided, however, the first Dean of the Agricultural Complex shall be appointed by the Chancellor for a term not exceeding three years:

Provided further that in the absence of the Dean of Agricultural Complex the Vice-Chancellor may direct any person to perform the functions of the Dean, till such time as the vacancy in the office of the Dean has been filled up.

31. Powers and duties of the Dean of the Agricultural Complex.—Subject to the provisions of the Act and the Statutes, the Dean of the Agricultural Complex shall have the following powers and duties:—

- (a) The Dean of the Agricultural Complex shall be *ex-officio* Dean of the Faculty of Agriculture and Forestry and shall be the administrative and academic head of the Agricultural Complex; he shall act as the liaison officer between the University and other agencies and State and Central Governments/Organisations in matters concerning the Agricultural Complex.
- (b) He shall be responsible for the administration of the resident teaching programme and for the development, improvement and evaluation of curricula and teaching procedures designated to develop in the students of the colleges of the Agricultural Complex professional competence, character and qualities of leadership, as laid down by the Faculty of Agriculture and Forestry.
- (c) He shall be responsible for the guidance and co-ordination of the research programme in the Agricultural Complex.
- (d) He shall supervise and control the field activities of the extension subject matter specialists in respect of units forming part of the Agricultural Complex or those that may be transferred to it, by the Government.
- (e) He shall be responsible for inter-departmental co-ordination as between one College of the Complex and another.
- (f) He shall be responsible for the presentation of the budget of the Agricultural Complex as recommended by the Finance Committee to the Board of Management.

32. Other Officers of the University in the Agricultural Complex.—(1) The following shall also be officers of the University:—

- (a) Director of Research;
- (b) Director of Extension Education;
- (c) Associate Deans of the Agricultural complex.

(2) The Director of Research, the Director of Extension Education and the Associate Deans shall be appointed by the Executive Council on the

advice of the Board of Management on such terms and conditions as may be prescribed by the Ordinances. For this purpose a Selection Committee constituted under Statute 37 shall make recommendations to the Board of Management.

(3) The terms and conditions of their appointment, and duties, shall be as may be prescribed by the Ordinances:

Provided that the duties of the posts of Director of Research and/or Director of Extension Education may be combined with the duties of Dean of Agricultural Complex or Associate Dean or that one person may be appointed to perform the duties of Director of Research and Director of Extension Education.

33. Faculty of Agriculture and Forestry.—(1) The Faculty of Agriculture and Forestry shall consist of:—

- (a) Dean of the Agricultural Complex.
- (b) Associate Deans of the Agricultural Complex.
- (c) Director of Research, Agricultural Complex.
- (d) Director of Extension Education, Agricultural Complex.
- (e) All Heads of Departments in the Agricultural Complex.
- (f) All Professors in the Agricultural Complex other than the Heads of Departments.
- (g) One Reader and and Lecturer from each Department of Studies in the Agricultural Complex by rotation according to seniority.
- (h) Two representatives of the Academic Council.
- (i) Not more than five scientists to be nominated by the Vice-Chancellor.

(2) Subject to the provisions of these Statutes and the Ordinances, the Faculty of Agriculture and Forestry shall, in addition to all other powers, duties and functions assigned to a Faculty, have the following powers, duties and functions in relation to the Agricultural Complex:—

- (a) to formulate, modify and revise the courses of study, curricula and syllabi and prescribe text books, teaching methods and aids;
- (b) to prescribe admission requirements, the admission procedures and appoint committees to regulate and control admission and duration of academic sessions;
- (c) to lay down the system of examinations; evaluation and moderation; holding of examinations or evaluation tests; and recommend to the Board of Management, who in turn shall recommend to the Executive Council, the fixation of the fees, of examiners emoluments and travelling and other expenses;
- (d) to promote the health and welfare of the students within the jurisdiction of the Agricultural Complex;
- (e) to make recommendations to the Board of Management who in turn shall make recommendations to the Executive Council, regarding (i) starting, organising and abolition of colleges, departments, specialised centres and institutes; (ii) creation or abolition of teaching, research or extension education posts; (iii) granting and conferring degrees, academic distinctions, diplomas and certificates; and (iv) drafting of Statutes and

Ordinances relating to the Agricultural Complex; provided that in respect of matters for which the Executive Council has delegated its powers to the Board of Management, it shall not be necessary for the Board to make its recommendations to the Executive Council; and

- (f) to perform, in relation to academic matters concerning the Agricultural Complex, such other powers, as may be prescribed under these Statutes and these Ordinances.

34. The Board of Management.—(i) The Board of Management shall consist of the following:—

- (a) Vice-Chancellor.
- (b) Agricultural Production Commissioner.
- (c) Director of Agriculture, Himachal Pradesh.
- (d) Director of Horticulture, Himachal Pradesh.
- (e) Director of Animal Husbandry, Himachal Pradesh.
- (f) Chief Conservator of Forests, Himachal Pradesh.
- (g) Two members of the Executive Council elected by the said Executive Council.
- (h) Director of Research of Agricultural Complex.
- (i) Director of Extension Education of Agricultural Complex.
- (j) Both the Associate Dean of the Agricultural Complex.
- (k) One Professor from the Departments of Studies in the Agricultural Complex by rotation according to seniority.
- (l) Four scientists one of whom shall be a nominee of the Indian Council of Agricultural Research nominated by the Chancellor.
- (m) Two progressive farmers nominated by the Chancellor.
- (n) The Dean of Agricultural Complex (Member-Secretary).

(ii) The term of office of members of the Board of Management other than the *ex-officio* members shall be 3 years.

(iii) Five members of the Board of Management shall form the quorum.

35. Powers and functions of the Board of Management.—Subject to the provisions of the Act and the Statutes, the Board of Management shall have the following powers and duties:—

- (i) The Board shall administer funds placed at its disposal by the Executive Council for the purposes approved by the Executive Council.
- (ii) The Board shall have powers to negotiate on behalf of the Executive Council for acquiring land, water-rights, etc., in the name of the University for the purpose of implementation of its functions and such agreements shall be submitted to the Executive Council for confirmation.
- (iii) The Board may acquire in the name of the University such property as it may deem necessary for the proper functioning of the Complex subject to the approval of the Executive Council.

- (iv) The Board shall consider the budget pertaining to the Agricultural Complex as prepared by the Finance Committee and submit its recommendations to the Executive Council.
- (v) The Board may appoint such Committees as it may deem necessary for the due performance of its functions.
- (vi) The Board shall prepare the annual report containing a review of the progress made in different spheres of activities of the Agricultural Complex for the Annual Report of the University.
- (vii) The Board may recommend to the Executive Council the integration in the Agricultural Complex, Technical and Extension Education Units of public or private organisations in Himachal Pradesh.
- (viii) The Board may make provision subject to the approval of the Executive Council, as defined in Statute 11 for teaching and training and research in such branches of learning and courses of study as are recommended by the Faculty of Agriculture and Forestry within the budgetary provision.
- (ix) The Board shall make recommendations to the Executive Council for the institution, maintenance and award of scholarships, studentships, medals, prizes, etc., in respect of the Agricultural Complex.
- (x) The Board shall exercise such other powers as may be delegated to it by the Executive Council.
- (xi) The Board may delegate any of its powers to the Dean or such other officer of the Agricultural Complex or to a person appointed by it, as it may deem fit.

36. Subject to the provisions of the Act and these Statutes, the Board of Management shall carry out its financial functions in the manner prescribed by the Ordinances.

37. **Selection Committee.**—(1) Every Selection Committee for teaching, research or extension education post not below the rank of Lecturer or an equivalent research or extension education post in the Agricultural Complex shall consist of this Vice-Chancellor, who shall be the Chairman thereof, the Dean of the Agricultural Complex except when the post is that of the Dean of Agricultural Complex, two persons nominated by the Chancellor, one person nominated by the Indian Council of Agricultural Research and one person nominated by the Vice-Chancellor, not in the employment of the University, for his special knowledge or interest in the subject concerned. For the post of Professor, Reader and Lecturer, in addition to the above, the Head of the Department, if he is a Professor,

(2) The procedure to be followed by a Selection Committee in making recommendation shall be laid down in the Ordinances.

(3) Save as otherwise provided in these Statutes and Ordinances, the Board of Management will forward the recommendation of the Selection Committee with such advice as it may deem necessary to the Executive Council if there is a difference of opinion between the Selection Committee and the Board of Management the decision of the Executive Council

shall be final. In the event of difference of opinion between the Board of Management and the Executive Council the matter shall be referred to the Chancellor whose decision shall be final.

38. Conditions of service.—(1) Notwithstanding anything contained in the provisions of section 35 of the Act, every employee of the Agricultural College, Palampur and Research and Extension Education Centres of the Panjab Agricultural University, Ludhiana, transferred to the University vide section 5 (3) of the Haryana and Panjab Agricultural Universities Act No. 16 of 1970 of the Parliament shall on the commencement of this Act, holding office as such immediately before the commencement of this Act, shall become the employees of the University:

Provided that—

- (a) such employees of the above-mentioned institutions shall be allowed to exercise an option whether or not they wish their services to be taken over by the University;
- (b) the existing rights and service conditions of such employees who opt for service in the University shall be protected;
- (c) any service rendered by any such employee before such transfer of his service to the University shall be deemed to be service rendered in connection with the administration of the University, on the condition that their leave, pension and provident fund and gratuity contribution in respect of the service rendered by them to the Panjab Agricultural University, Ludhiana shall be reimbursed to the University by the Panjab Agricultural University, Ludhiana.

In the event of any dispute or difficulty in the matter of implementation of the provisions of sub-clauses (a), (b) and (c) the matter shall be referred to the Central Government whose decision shall be final.

(2) The employees of the Himachal Pradesh Government posted in Himachal Pradesh College of Agriculture, Solan and the Research and Extension Education Centres to be transferred to the University from time to time become the employees of the University on such terms and conditions as may be agreed upon between the State Government and the University:

Provided that such employees of either of the categories mentioned in sub-clauses (1) and (2) shall be offered an option as to whether they would like to opt for either of the two retirement benefits applicable to the entrants in the service of the University.

39. General.—The Executive Council shall on the advice of the Board of Management provide the Dean of the Agricultural Complex with adequate assistance to enable him to discharge the administrative and financial functions assigned to him for this purpose, the Executive Council shall designate specifically members of the staff of the University who will be directly responsible to the Head of the Agricultural Complex.

