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THE HIMACHAL PRADESH TECHNICAL UNIVERSITY ACT, 2014

(ACT NO. 2 OF 2015)¹

(Received the assent of the Governor on the 18th January, 2015 and published in the Rajpatra, Himachal Pradesh, dated 23rd January, 2015, pp. 5761-5811).

An Act to re-enact the law providing for establishment, incorporation and regulation of Technical University in the State of Himachal Pradesh and for matters connected therewith or incidental thereto.

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

CHAPTER-I

PRELIMINARY AND DEFINITIONS

1. Short title.- This Act may be called the Himachal Pradesh Technical University Act, 2014.

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

- (a) “Academic Council” means the Academic Council of the University;
- (b) “Board” means the Board of Governors of the University;
- (c) “Board of Studies” means the Board of Studies of the University;

1. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see the Rajpatra, Himachal Pradesh, dated 10th December, 2014, pp. 4899 and 4923.

- (d) “Chancellor” and “Vice-Chancellor” means respectively, the Chancellor and the Vice-Chancellor of the University;
- (e) “College” means an affiliated college, autonomous college and constituent college or any other college by whatever name called;
- (f) “Department” means a Department of Studies of the University;
- (g) “employee” means any person other than teacher appointed by the University;
- (h) “Faculty” means a Faculty consisting of allied group of subjects constituted by the Board;
- (i) “Finance Committee” means the Finance Committee of the University;
- (j) “Government” means the State Government of Himachal Pradesh;
- (k) “Hostel” means a unit of residence for the Students maintained or recognized by the University in accordance with the conditions prescribed;
- (l) “Head” means the Head of Schools or Departments or Centres of the University or affiliated to recognized by the University as the case may be;
- (m) “Institution” means an institution, organization, training centre or other establishment providing teaching, research, experimentation of practical training in engineering, technology, physical and social science and includes a polytechnic;
- (n) “notification” means a notification published in the Himachal Pradesh Rajpatra and the word notified shall be construed accordingly;
- (o) “prescribed” means prescribed by Statutes, Ordinances or Regulations of the University made under this Act;
- (p) “Registrar” means the Registrar of the University;
- (q) “Schedule” means the Schedule appended to this Act;
- (r) “Student” means a person who is admitted to a College or Institution and is borne on the attendance register;
- (s) “Statutes”, “Regulations” and “Ordinances” means respectively, the Statutes, Regulations and Ordinances made by the University under this Act;
- (t) “Teachers” includes Directors, Professors, Readers, Associate Professors, Assistant Professors, Lecturers in a college or University and such other persons giving instructions in a

college or University as may be declared by the Statutes to be teachers;

- (u) “Teachers of the University” means Teachers appointed by the University to impart instructions or guide research in the University and the Constituent Colleges; and
- (v) “University” means the Himachal Pradesh Technical University, as constituted under this Act.

CHAPTER- II

THE UNIVERSITY

3. Establishment and incorporation of the University.- (1) There shall be a University by the name of “Himachal Pradesh Technical University” with the Headquarter at Hamirpur.

(2) The University shall be a teaching and affiliating University comprising of Affiliated, Autonomous and Constituent Colleges and shall consist of a Chancellor, a Vice-Chancellor, Board of Governors and an Academic Council.

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

(4) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, him.

4. Objects of the University.- Subject to such law as may be made by Parliament as to co- ordination and determination of standards in Institutions for higher education or research and scientific and Technical Institutions or subject to such directions as may, from time to time, be given in regard thereto by or on behalf of the Central Government, the objects of the University shall be-

- (a) to develop the knowledge of science, engineering and technology, management and environment by teaching, research, experimentation or practical training or such other means as the University may deem fit for the advancement of quality of life of the mankind;
- (b) to supply the required skilled manpower of appropriate kind and quality to meet the needs of society and national development plans;
- (c) to develop patterns of teaching and training at various levels of educational accomplishment so as to set high standards of education in science, engineering and technology;
- (d) to derive benefits from the ever growing scientific and technological knowledge in different parts of the world and to advance frontiers of knowledge by research, innovation, invention and product development;

- (e) to establish close linkage with Industry to make teaching, training and research in the University relevant to the needs of society and industry at national and international level;
- (f) to establish, maintain and manage Colleges, Schools, Departments, Centers of Research and other Institutions necessary to carry out the objects of the University;
- (g) to affiliate or recognize Colleges or Institutions within and outside the State of Himachal Pradesh; and
- (h) to function as a leading resource Centre for knowledge management and entrepreneurship development in the area of Science and Technology.

5. Power of the University.- Subject to the provisions of this Act and such conditions as may be prescribed by the Statutes, the Ordinances and the Regulations, the University shall exercise the following powers and discharge the functions namely:-

- (a) to establish and manage such Schools/Departments or Centres of Excellence for education and research as are necessary for the furtherance of the objects of the University;
- (b) to frame Statutes, Ordinances and Regulations for carrying out the objects of the University in accordance with the provisions of this Act;
- (c) to provide for education, research and training in such branches of Engineering and Technology, Sciences, Pharmacy, Management and Arts, as the University may deem fit, for the advancement and dissemination of knowledge in such branches;
- (d) to seek collaborations with other academic Institutions or Universities on mutually acceptable terms and conditions;
- (e) to seek collaborations with Industry for providing, upgrading and promoting technical education and training and research;
- (f) to promote continuous innovation in the instructional system to achieve international standards in content delivery;
- (g) to prescribe course of study and curricula to respond to short and long term needs of the users by building flexibility in the system and delivery methodologies;
- (h) to help devise schemes for effective and continuous evaluation of Students performance, to ensure uniformity and promote Students trust in the system;
- (i) to prescribe the qualifications and eligibility conditions for admitting Students to different courses offered by the University;
- (j) to hold examinations and confer degrees, diplomas,

certificates and other distinctions or titles on persons subject to such conditions as the University may determine, and to withdraw or cancel such degrees, diplomas, certificates and other distinctions or titles as may be prescribed;

- (k) to confer honorary degrees or other distinctions on persons as may be prescribed;
- (l) to institute and award Fellowships, Scholarships, Exhibitions and Prizes as may be prescribed;
- (m) to prescribe conditions under which a person may be deprived of any degree, diploma, certificate or other distinction awarded to him by the University;
- (n) to take special measures for spreading educational facilities among the educationally backward strata of the society;
- (o) to provide for dual degrees vis-à-vis other Universities on reciprocal basis within and outside the country as per instructions of the State Government, Government of India and University Grants Commission;
- (p) to create or abolish, administrative, academic and non-teaching posts as the University may deem necessary, from time to time, and to make appointments thereto;
- (q) to prescribe, subject to provisions of this Act, the terms and conditions of service, including the rules of conduct and discipline, and the emoluments for the posts of Teachers, Officers and employees of the University;
- (r) to determine salaries, remunerations, honoraria to the Faculty and employees of the University in accordance with the norms specified by the University Grants Commission and other Regulatory Bodies from time to time;
- (s) to regulate and enforce discipline among Students and employees of the University and to take such disciplinary measures as may be deemed necessary;
- (t) to create fund out of donations and contributions from private sources with attendant obligations and engagements not inconsistent with the objects or standing of the University;
- (u) to prescribe fees and other charges for admission to various courses, examinations and other services rendered by the University and to demand and receive the same so prescribed;
- (v) to receive donations, gifts 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 and to make grants and advances for furthering its objects and to invest funds in such manner as the University deems fit;

- (w) to raise or accept loans from Central or State Government or the University Grants Commission and also from other resources;
- (x) to implement Right to Information Act, 2005 and Himachal Pradesh Educational Institutions (Prohibition of Ragging) Act, 2009 in the University and its Affiliating Institutes/Colleges;
- (y) to delegate any of its powers to any other Officer or Authority of the University; and
- (z) to do such other things as the University may consider necessary, conducive or incidental to the attainment of all or any of the objects of the University.

6. Territorial exercise of the powers.- The territorial limits in which the University shall exercise powers and perform its duties shall be the whole of the State of Himachal Pradesh and other regions outside the State of Himachal Pradesh as may be decided by the Board of Governors from time to time subject to any Regulation and Statutes.

7. University open to all races, castes, creeds or classes.- The University shall be open to persons of either sex and of whatever race, caste, creed, or class and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, Students, teachers or workers or in any other connection whatsoever.

8. Power to establish Constituent Colleges of Institutions.- (1) The University shall have the power to establish and maintain such Constituent Colleges or Institutions, Off-campus Centres, Off-shore Campuses and Study Centres as may be decided by the Board from time to time.

(2) The University shall exercise control over the Constituent Colleges, Off-campus Centres, Off-shore Campuses and Study Centres in respect of academic, financial and administrative matter as prescribed by the Ordinances.

9. Power of affiliation.- The University shall have power to affiliate or otherwise as its privilege to admit and recognize any other College or Institution as may be prescribed by the Ordinances.

CHAPTER-III

OFFICERS OF THE UNIVERSITY

10. Officers of the University.- The following shall be the Officers of the University, namely:-

- (a) The Chancellor;
- (b) The Vice-Chancellor;
- (c) The Registrar;
- (d) The Controller of Examinations;

- (e) The Finance Officer;
- (f) The Deans; and
- (g) Such other persons as may be declared by the Statutes to be the Officers of the University.

(2) The mode of appointment, powers and terms and conditions of service and the functions of the Officers of the University, other than the Chancellor and the Vice-Chancellor shall be as prescribed in the Schedule.

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

(2) The Chancellor shall be the Head of the University and shall, when present, preside over convocation of the University.

(3) The Chancellor shall exercise such other powers and perform such other duties as may be conferred on him by this Act or the Statutes.

12. The Vice-Chancellor.- (1) Person of the highest level of competence, integrity, morals and institutional commitment shall be appointed as Vice-Chancellor of the University as per the norms of University Grants Commission or Regulations.

(2) The Vice-Chancellor shall be appointed by the Chancellor on the recommendations of the State Government from a panel of three persons recommended by the Search Committee referred to in sub-section (3) of this section and such panel shall not contain the name of any member of the Search Committee.

(3) For the purpose of sub-section (2) the Search Committee shall consist of following members to recommend the names for appointment as Vice-Chancellor, namely:-

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| (a) | a nominee of the Chancellor to be recommended by the Government who shall be a person of eminence in the field of Engineering/Technology not below the rank of Professor | Chairperson; |
| (b) | a representative of the State Government not below the rank of Secretary to the Government of Himachal Pradesh | Member; |
| (c) | The Director, Indian Institute of Technology located within the State | Member; and |
| (d) | The Registrar, Himachal Pradesh Technical University | Member
Secretary. |

(4) The process for preparing a panel shall begin at least three months before the probable date of occurrence of the vacancy of the Vice-Chancellor.

(5) The Search Committee while preparing the panel, shall adopt a transparent, objective and competitive selection process by giving proper

weightage to the academic excellence, exposure to higher education system, academic and administrative experience which must be reflected while including such persons in the panel.

(6) The Vice-Chancellor shall be appointed for a period of three years or till he attains the age of 65 years, whichever is earlier, and shall, subject to the provisions of this section, be eligible for re- appointment for a further period not exceeding three years.

(7) The Vice-Chancellor shall not be removed from his office except by an order of the Chancellor passed on the ground of willful omission or refusal to carry out the provisions of this Act, or abuse of the powers vested in him and after due enquiry ordered by the Government by such person, who is or has been a Judge of a High Court or the Supreme Court, as may be appointed by the Chancellor in which the Vice-Chancellor shall have an opportunity of making his representation against such removal:

Provided that where the enquiry is conducted by a person who is or has been a Judge of High Court or the Supreme Court the report of such an enquiry shall be forwarded to the Government and the Chancellor shall act in accordance with the advice tendered by the Government on consideration of the report while exercising his powers.

(8) When the Vice-Chancellor is unable to exercise his powers, perform his functions and discharge his duties owing to absence, illness or any other cause the Registrar shall act as Vice-Chancellor of the University.

(9) When the post of the Vice-Chancellor falls permanently vacant, either by resignation or otherwise, the vacancy shall be filled by the Chancellor by appointing another person as the Vice-Chancellor and the Vice-Chancellor so appointed shall hold office for a full term of three years.

(10) The Chancellor shall determine the amount of remuneration and other terms and conditions of service of the Vice-Chancellor:

Provided that terms and conditions of service shall not be altered to the disadvantage of the Vice-Chancellor during the term of office.

(11) It shall be competent for the Chancellor to accept the resignation of the Vice-Chancellor.

(12) It shall be the duty of the Vice-Chancellor to ensure that the provisions of the Act and the Regulations are strictly observed and he shall have all powers necessary for this purpose.

13. Powers and Functions of the Vice-Chancellor.- (1) The Vice-Chancellor shall be the Principal Academic and Executive Officer of the University. He shall in the absence of the Chancellor preside over the convocation of the University and shall confer degrees on persons entitled to receive them.

(2) The Vice-Chancellor, by virtue of his office, shall be the member and Chairperson of the Board and Academic Council and also the Chairperson of any other Authority or Body of the University of which he may be a

member, but shall not be entitled to vote thereat except in case of tie.

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

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

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

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

(7) The Vice-Chancellor may take on behalf of the University such action as he may deem expedient in any matter which in his opinion, is either urgent or of an emergent nature and shall report the same for confirmation at the next meeting of the Authority or Body which, in the ordinary course, would have dealt with the matter:

Provided that if the action taken by the Vice-Chancellor is not approved by the Authority or Body concerned, the matter shall immediately be referred to the Chancellor whose decision thereon shall be final:

Provided further 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 Board.

(8) If the Vice-Chancellor is of the opinion that any decision of any Authority of the University is beyond the power of the Authority conferred by the provisions of this Act, the Statutes or the Ordinances or that any decision taken is not in the interest of the University, the Authority concerned may be asked to review its decision within sixty days of such decision and if the Authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period, the matter shall be referred to the Chancellor, whose decision thereon shall be final.

14. The Registrar, the Controller of Examinations, the Finance Officer and the Deans.- (1) The Registrar, the Controller of Examinations, the Finance Officer and the Deans shall be whole time Officers of the University and shall be appointed by the Board in the manner as specified in the Schedule.

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

CHAPTER- IV**AUTHORITIES OF THE UNIVERSITY**

15. Authorities of the University.- The following shall be the Authorities of the University, namely:-

- (a) Board of Governors;
- (b) Academic Council;
- (c) Finance Committee;
- (d) Building and Works Committee;
- (e) Board of Studies;
- (f) Selection Committee; and
- (g) Such other Authorities as may be established under the Statutes.

16. Board of Governors.- (1) The Board of Governors shall be the Chief Executive Body of the University to be constituted by the Chancellor of the University and shall consist of a Chairperson who shall be the Vice-Chancellor of Himachal Pradesh Technical University, six ex-officio members and seven nominated members as under:-

Ex- Officio members:

- (a) The Vice-Chancellor, Chaudhary Sarwan Kumar, Himachal Pradesh Krishi Vishvavidyalaya, Palampur, District Kangra, (Himachal Pradesh);
- (b) The Secretary, Technical Education, Government of Himachal Pradesh, or his nominee not below the rank of Special Secretary (Technical Education) to the Government of Himachal Pradesh;
- (c) The Secretary, Finance Department, Government of Himachal Pradesh, or his nominee not below the rank of Special Secretary (Finance) to the Government of Himachal Pradesh;
- (d) The Director, National Institute of Technology, Hamirpur, (Himachal Pradesh);
- (e) The Director, National Institute of Technical Teachers Training and Research, Chandigarh;
- (f) The Director, Technical Education, Vocational and Industrial Training; and

Nominated members:

- (g) Two eminent representatives of Industry to be nominated by the State Government amongst the professional bodies like CII (Confederation of Indian Industries) or FICCI (Federation of Indian Chambers of Commerce and Industry) or ASSOCHAM (The Associated Chambers of Commerce and

Industry of India) or NASSCOM (The National Association of Software and Services Companies);

- (h) Two eminent Academicians or Technologists or Scientists to be nominated by the State Government;
 - (i) One Dean, by rotation to be nominated by the Vice-Chancellor; and
 - (j) Two Members of the Himachal Pradesh Legislative Assembly, elected by the State Legislature.
- (2) The Registrar shall be the ex- officio Member Secretary of the Board.
- (3) The Board shall ordinarily meet not less than four times during a calendar year.
- (4) The meetings of the Board shall be convened by the Chairperson.
- (5) The one-third members amongst the notified members of the Board shall form the quorum.
- (6) The member of the Board shall be entitled to such allowances, if any, and the sitting fee from the University as may be provided in the Regulations.

17. Powers and functions of the Board of Governors.- (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and control of the affairs of the University and shall exercise all the powers of the University, and shall have the powers to review the acts of the Academic Council, the Finance Committee and other Committees or Authorities constituted by the University.

(2) Without prejudice to the provisions of sub- section (1) the Board shall have the following powers and functions namely:

- (a) to create School of Studies or Departments or Centres or Specialized Laboratories or Colleges as may be specified in the Ordinances for running various academic programmes;
- (b) to institute courses of study in the University;
- (c) to make, modify or repeal the Statutes and approve all Rules and Regulations;
- (d) to consider, modify and approve or cancel the Ordinances;
- (e) to consider and approve the Annual Report, Annual Statement and Accounts, and the Annual Budget of the University;
- (f) to consider and take decisions on the recommendations of the Finance Committee;
- (g) to create and abolish the posts of Officers, Teachers and employees as may be necessary;
- (h) to make appointment of Officers, Teachers and employees, as

may be necessary, on the recommendations of the Selection Committee constituted for the purpose;

- (i) to specify the procedure for appointment of Temporary Teaching and Non-Teaching Staff against the sanctioned posts;
- (j) to make appointments to temporary vacancies of any Teaching and Non-Teaching Staff;
- (k) to appoint Visiting Professors and Chaired Professors to the Schools or Departments or Centres of the University on the recommendations of the Academic Council;
- (l) to approve the emoluments, terms and conditions of appointment of Officers, Teachers and employees of the University;
- (m) to accept, transfer and otherwise control the moveable, immoveable and intellectual property of the University;
- (n) to institute and approve Contributory Provident Fund or General Provident Fund for the benefit of Officers, Teachers and employees of the University as the case may be;
- (o) to decide upon the form and use of common seal of the University;
- (p) to appoint such Committees as may be required for the efficient functioning of the University;
- (q) to delegate any of the powers to the Vice-Chancellor, Registrar, Deans or any other Officer, employee or any Authority of the University or to a Committee appointed by it; and
- (r) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by or under this Act or the Regulations for achieving the objects of the University.

18. Terms of office and vacancies among members of the Board.-

(1) The term of a nominated member of the Board shall be three years from the date of his nomination.

(2) The ex-officio member shall continue to be a member so long as he holds the office by virtue of which he is the member of the Board.

(3) Any vacancy in the Board occurring before the next reconstruction or before the expiry of the prescribed period shall be filled in the same manner as provided in sub-section (1) of section 16 and such a member shall hold office for the remainder of the terms of the member in whose place he is nominated.

(4) The member shall be eligible for re-nomination for the next term.

(5) Any member may resign from his office by writing under his hand addressed to the Chairperson of the Board and his resignation shall take effect from the date it is accepted by the Chairperson of the Board.

19. Academic Council.- (1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Act, have control over the academic affairs of the University.

The Academic Council shall consist of the following members, namely:-

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| (a) | Vice-Chancellor. | Chairperson |
| (b) | All Deans of the University. | Member |
| (c) | One Head from each School or Department or Centre of the University. | Member |
| (d) | Principals- <i>cum</i> - Directors of Constituent Colleges or Institution. | Member |
| (e) | One Principal- <i>cum</i> - Director from Affiliated Government Colleges by rotation, in order of seniority, to be nominated by the Vice-Chancellor. | Member |
| (f) | One Principal or Director from Affiliated Private Colleges by rotation, in order of seniority, to be nominated by the Vice-Chancellor. | Member |
| (g) | Two Eminent Industrialists to be nominated by the Vice-Chancellor, and | Member |
| (h) | Two Professors or Associate Professors from other reputed Universities or Institutions to be nominated by the Vice-Chancellor. | Member |

(2) The Registrar shall be the *ex-officio* Member Secretary of the Academic Council.

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

Provided that no person shall be or continue to be a member of the Academic Council in more than one capacity and, whenever a person becomes a member of the Academic Council in more than one capacity, he shall, within two weeks thereof choose the capacity in which he desires to be a member of the Academic Council and shall vacate the other seat.

(4) The Academic Council shall ordinarily meet not less than four times during a calendar year.

(5) The meetings of the Academic Council shall be convened by the Chairperson.

(6) The one-third members amongst the notified members of the Academic Council shall form the quorum.

20. Powers and functions of the Academic Council.- (1) The Academic Council shall have general control of teaching, research and examinations and shall be responsible for the maintenance of standards thereof by the Schools or Departments or Centres and other Colleges or Institutions controlled and maintained by the University.

(2) The Academic Council, to achieve the objects of the University, shall have under its control, a Curriculum Development Cell, a Faculty Development Committee, Examination Committee and Industrial Liaison Policy Unit, the composition and functions of which shall be as defined by the Regulations.

(3) In particular and without prejudice to the generality of the foregoing powers, the Academic Council shall have powers-

- (a) to make Ordinances and Regulations consistent with this Act and the Statutes relating to all academic matters and to amend and repeal such Ordinances and Regulations;
- (b) to make recommendations to the Board with regard to creation of posts of the Teachers and the abolition thereof;
- (c) to make recommendations to the Board for the institution of Visiting Professors and Chaired Professors, their duties and emoluments thereof;
- (d) to make recommendations to the Board regarding the institution of Post-Graduate teaching and research;
- (e) to recommend to the Board, the Faculty Development Programmes on the recommendation of the Faculty Development Committee or otherwise;
- (f) to assess and lay down standards of accommodation, equipment, apparatus, library maintenance and other physical facilities required for each School or Department or Centre and Affiliated College or Institution;
- (g) to consider the reports of various Committees constituted related to academic matters, inspection of Institutions for maintaining standards of education etc. and to advise the Board on the follow up action to be taken for the implementation of the reports;
- (h) to delegate to the Vice-Chancellor or any of the Committees of the Academic Council, any of its powers; and
- (i) to exercise such other powers and perform such other functions as may be conferred or entrusted to it by or under the provisions of this Act or referred to it by the Vice-Chancellor or the Board.

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

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| (a) | The Vice-Chancellor | Chairperson; |
| (b) | The Secretary to the Government of Himachal Pradesh, Department of Finance or his nominee not below the rank of Special Secretary (Finance) to the Government of Himachal Pradesh; | Member; |
| (c) | The Secretary to the Government of Himachal Pradesh, Department of Technical Education, Vocational and Industrial Training or his nominee not below the rank of Special Secretary (Technical Education) to the Government of Himachal Pradesh; | Member; |
| (d) | Two members of the Board to be nominated by the Chairperson of the Board' | Member; and |
| (e) | The Finance Officer shall be the ex-officio Member-Secretary of the Finance Committee. | Member Secretary |

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

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

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

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

- (a) to examine the Annual Accounts and Budget Estimates of the University and to advise the Board thereon;
- (b) to examine the Annual Audit and Action Taken Reports;
- (c) to review the financial position of the University and to make recommendations to the Board on all matters relating to the finances of the University;
- (d) to examine and make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the Budget, or which involves expenditure in excess of the amount provided in the Budget;
- (e) to consider all proposals relating to the revision of pay scales,

fixation of honorarium to members of various Committees, travelling allowance, fee for various courses to be charged from the Students and remuneration to experts, paper setters, examiners, evaluators, etc.; and

- (f) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Regulations.

22. Building and Works Committee.- There shall be Building and Works Committee and its constitution and powers shall be as defined by the Statutes.

23. Board of Studies.- A separate Board of Studies shall be attached to each Faculty of teaching. The constitution and functions of the Board of Studies shall be prescribed by the Statutes.

24. Selection Committee.- There shall be Selection Committees for various categories of posts and its constitution and method of selection shall be as defined by the Statutes.

25. Functions of the Selection Committee.- (1) The Selection Committee shall make its recommendations to the Board in the matters of selection of persons for appointment of Officers, Teachers and employees of the University.

(2) If the Board does not accept the recommendations of the Selection Committee, it shall refer the recommendations back to it with reasons for reconsideration and if the Board does not accept the reconsidered views of the Selection Committee, the matter shall be referred to the Chancellor with reasons, and the decision of the Chancellor thereon shall be final.

26. Letter of appointment of Officers and employees.- (1) Every Officer, Teachers and employee of the University shall, on appointment as such, be provided with a letter of appointment containing such terms and conditions of appointment as may be prescribed in the Regulations governing service matters of the University.

(2) An Officer or an employee of the University shall be on probation for a period of one year in the first instance. In case his appointment has been continued for over a period of one year he shall be deemed to be on probation for a period of one year commencing from the date of his first appointment within a continuous period of two years:

Provided that it shall be competent for the Board to extend the period of probation for a period not exceeding one year.

(3) On satisfactory completion of probation, the incumbent appointed for the post shall be confirmed by a written order.

(4) If, on the expiry of the prescribed period or extended period of probation, the Board decides that the Officer or employee is not suitable for continuance in the post to which he has been appointed, it shall discharge him from service after giving him a reasonable opportunity of being heard.

27. Removal of employees.- (1) Where there is an allegation of serious misconduct against a Teacher or any other employee of the University, the Vice-Chancellor may, in case of Teacher, or the Authority competent to appoint (hereinafter referred to Appointing Authority) in case of any other employee, as the case may be, by order in writing, place such Teacher or other employee, as the case may be, under suspension and shall forthwith report to the Board the circumstances under which the order was made.

(2) Notwithstanding anything contained in the terms of contract appointment or any other terms and conditions of service of the employee, the Board in respect of Teacher, and the Appointing Authority, in respect of other employees, as the case may be, shall have the power to remove the Teacher or other employee, as the case may be, on grounds of mis-conduct.

(3) Save as aforesaid, the Board, or the Appointing Authority, as the case may be, shall not be entitled to remove any Teacher or any other employee except for a justified cause and after giving three months' notice to the person concerned or payment of three months' salary to him in lieu thereof.

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

(5) The removal of Teacher or other employee shall take effect from the date on which the order of removal is made.

(6) Notwithstanding anything contained in the foregoing provisions of this Act, the Teacher or other employee may resign,-

- (a) if he is a permanent Teacher or employee, only after giving three months notice in writing to the Board or the Appointing Authority, as the case may be, or by paying three months salary in lieu thereof; and
- or
- (b) if he is a temporary Teacher or employee only after giving one month notice to the Board or the Appointing Authority, as the case may be, or by paying one month salary in lieu thereof:

Provided that such resignation shall take effect only from the date on which the resignation is accepted by the Board or the Appointing Authority, as the case may be.

CHAPTER-V

FUNDS OF THE UNIVERSITY, ACCOUNTS, AUDIT AND INSPECTIONS

28. The University Fund.- (1) The University shall establish a fund to be called the University Fund to which shall be credited:-

- (a) any contribution or grant or loan received from the State Government and the Central Government;

- (b) the income of the University from all sources including income from fees and other charges;
- (c) all moneys received by the University by way of bequest, donations, gifts, endowments and other grants, if any;
- (d) all moneys received by the University in any other manner or from any other source.

(2) All funds of the University shall be deposited in such banks or invested in such manner as decided by the Vice-Chancellor.

(3) The funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions by or under this Act.

29. Accounts and Audit.- (1) The University shall maintain proper accounts and other relevant records and prepare Annual Statement of Accounts, including Income and Expenditure and the Balance Sheet in such form as may be specified by notification, by the State Government.

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

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

(4) The accounts of the University certified by the Chartered Accountant or firm so appointed or any other person authorized in this behalf, together with audit report thereon shall be placed before the Board and the Board may issue such instructions to the University in respect thereof as it deems fit and the University shall comply with such instructions.

30. Submission of Annual Report.- (1) The University shall prepare Annual Report for each financial year containing such particulars as the Board may specify and shall submit to the Board on or before such date as may be prescribed.

(2) The copy of the Annual Report approved by the Board shall be submitted to the Government and the Government shall cause the same to be laid before the State Legislature in accordance with such provisions as may be laid down by the Government.

31. Contributory Provident Fund or General Provident Fund.- The University shall, with the approval of the Board institute Contributory Provident Fund or General Provident Fund for the benefit of its Officers, Teachers and employees and shall be governed by the provisions of the Provident Funds Act, 1925 as specified by the Statutes.

32. Inspection.- (1) The State Government shall have the right to cause an inspection, to be made by such person or persons as it may direct the

University, its buildings, laboratories, libraries, museums, press establishments, workshops, equipments, any College or Institution maintained by, or affiliated to the University, works conducted or done by the University or the Institution, and any income, expenditure, properties, assets and liabilities of the University, and of any College or Institution maintained by or affiliated to the University.

(2) The State Government shall, in every such case of inspection or enquiry, give previous notice to the University, or to such College or Institution, of its intention to cause such inspection or enquiry.

(3) The State Government shall communicate to the Board or to such College or Institution, as the case may be, its views on the results of such inspection or enquiry, and may, after considering the opinion of the Board or of such College or Institution, thereon, advise the University or such College or Institution regarding the action which the State Government considers fit to be taken by the University or such College or Institution in the matter concerned and the University or such College or Institution shall report to the State Government within such time, as the State Government may direct the action which is proposed to be taken by the University to give effect to such advice of the State Government.

(4) The State Government may, after considering the report referred to in sub-section (3), advise the University or such College or Institution, as the case may be, to take such further action in the matter concerned as may be specified in that behalf by the State Government.

CHAPTER-VI

STATUTES, ORDINANCES AND REGULATIONS

33. Statutes.- Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-

- (a) the procedure at the meetings of the Authorities including the quorum for the transaction of the business at such meetings;
- (b) the authenticity of the orders or decisions of the University;
- (c) the constitution, the powers and the functions of the Authorities of the University in so far as these have not been specifically provided for in this Act;
- (d) the appointment, the powers and the functions of the Officers of the University in so far as these have not been specifically provided for in this Act;
- (e) the appointment, qualifications and the method of selection of members of the Faculty and employees of the University in so far as these have not been specifically provided for in this Act;
- (f) general terms and conditions of service of the permanent and contract employees of the University;

- (g) leave rules for the Teachers and other employees of the University;
- (h) the constitution of pension, insurance, gratuity and provident fund for the benefit of Officers, Teachers and other employees of the University;
- (i) the holding of convocation to confer degrees, titles, diplomas, certificates and other academic distinctions;
- (j) conferment of honorary degrees;
- (k) transfer of assets and liabilities of employees of certain Institutions to the University; and
- (l) All other matters which under this Act are required to be, or may be, prescribed by Statutes.

34. Power to make Statutes.- (1) The First Statutes of the University with regard to matters set out in section 33 shall be made and notified by the Government.

(2) The Board may, from time to time, make Statutes in addition to the First Statutes referred to in sub- section (1) and may amend or repeal Statutes hereinafter in the manner provided in this section:

Provided that nothing in the First Statutes referred to in sub- section (1) or in any Statutes made by the Board under this sub- section shall affect 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 Board.

(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 withhold assent or remit to the Board for reconsideration with his suggestions. In case the Board passes it again in the same form and manner and if the Chancellor is satisfied that it is not in the interests of the University, he may disallow such Statute, amendment or repeal.

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

- (a) the admission of Students to the University and the Colleges or Institutions;
- (b) to prescribe the courses of study for all degrees, diplomas and other courses and the conditions under which the Students shall be admitted thereto;
- (c) to formulate, modify and revise curriculum of various courses;
- (d) to design a system to conduct examinations, evaluation, assessment and grading of Student's performance;

- (e) to promote collaboration between Industries and other Academic Institutions or Universities;
- (f) the duties and functions of Heads of the Schools or Departments or Centres;
- (g) the maintenance of discipline amongst the Students of the University;
- (h) the conditions of award of Fellowships, Scholarships, Studentships, Stipends, Medals and Prizes to the Students; and
- (i) All other matters which under this Act or the Statutes are required to be carried out or may be prescribed for by, an Ordinance.

(2) Save as otherwise provided in this section, the Ordinances shall be made by the Academic Council.

(3) The Ordinances so made or amended by the Academic Council shall have effect from such date as it may direct, but every Ordinance so made shall be submitted to the Board for its consideration in its next meeting.

(4) The Board shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall, from the date of such resolution, stand modified accordingly or cancelled, as the case may be.

36. Regulations.- The Authorities of the University shall make Regulations consistent with this Act and the Statutes for all or any other matters which by this Act, Statutes and Ordinances are to be provided for by Regulations and also for any other matter solely concerning such Board.

CHAPTER-VII

MISCELLANEOUS AND TRANSITORY PROVISIONS

37. Delegation.- (1) The Vice-Chancellor may, subject to the provisions of this Act, delegate such powers or duties conferred or imposed by or under this Act as may be prescribed by the Statutes to an Officer of the University under his direct administrative control.

Subject to the provisions of this Act,-

- (a) the Board may delegate any of its powers or duties, conferred or imposed by or under this Act to-
 - (i) the Vice-Chancellor; or
 - (ii) a Committee constituted from amongst its own members; or
 - (iii) a Committee appointed in accordance with the Statutes.
- (b) The Finance Committee may delegate any of its powers or duties, conferred or imposed by or under this Act to-
 - (i) the Vice-Chancellor; or

(ii) a Committee constituted from amongst its own members.

38. 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 of various degrees, diplomas, certificates and other distinctions as may be prescribed by the Regulations.

39. Making amendment, repeal and operations of Regulations.-
(1) The Authorities of the University may make Regulations consistent with the provisions of this Act and the Statutes in the manner prescribed for conduct of their own business and that of the Committees, if any, appointed by them, not provided by this Act or the Statutes.

(2) The Authorities of the University may, from time to time, make new or additional Regulations or may amend or repeal the existing Regulations:

Provided that the Authorities of the University shall not propose the draft of amendment of the Regulations affecting the status, powers, constitution of any existing Authority of the University until such Authority has been given an opportunity of expressing an opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the Authorities of the University.

40. Annual report.- The Annual Report of the University shall be prepared and submitted by the Board to the Government, which shall, as soon as may be, cause the same to be laid before the State Legislature.

41. Annual Accounts.- A copy of the Annual Accounts together with the Audit Report, shall be submitted to the Government, which shall, as soon as may be, cause the same to be laid before the State Legislature.

42. Association of other persons with the Board of Governors.- The Board may associate with itself in such manner and for such purpose as may be determined by Regulations, any person whose assistance or advice it may require in complying with any of the provisions of this Act.

43. Constitution of Committees by Authorities of the University.- Every Authority of the University shall have power to appoint Committees which may, unless otherwise provided in this Act, consist of such members of the Authority and such other persons as it may think fit.

44. Disputes about constitution of Authorities and bodies.- If any question arises whether a person has been duly nominated or appointed or is entitled to be a member of any Authority or Body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

45. Removal from membership of an Authority.- The Board shall remove any person from membership of any Authority on the ground that such person was convicted of an offence involving moral turpitude.

46. Absorption of employees.- (1) All Teachers and other employees from the Central Government, Central University or Autonomous Bodies of Central Government, State Government/State Government Departments/State

University or Autonomous Bodies of State Government, Public Sector Undertakings appointed/taken on secondment basis in public interest in the University shall be allowed to exercise option whether or not they wish their services to be taken over by the University. However, the final right to entertain the option for permanent absorption in the University will remain with the Board.

(2) Where an employee of Central Government/Central University/Autonomous Body of Central Government including a Statutory Body is permanently absorbed in the University, such of the past services rendered by him as would have counted for retirement benefits in that Government/Organization shall count for retirement benefits payable by the University subject to the following:

- (a) The transfer is with the consent of the parent Government/Organization and is in public interest.
- (b) The employee has not opted to receive pro-rata retirement benefits from the parent Government/Organization.
- (c) The Central Government/Autonomous Bodies of Central Government including a Statutory Body, discharges its pension liability, paying in lump sum, by a one time payment, the pro-rata pension/service gratuity/terminal gratuity and retirement gratuity for the services up to the date of absorption in the University.
- (d) In case the employee is on Provident Fund or Contributory Pension scheme the accumulations in the Provident Fund or Contributory Pension Scheme account and the capitalized value of gratuity, if any, is transferred by the parent Government/Organization to the University at the time of permanent absorption. If, however, the employee has opted, within one year of permanent absorption, for counting past service rendered in the parent body as qualifying for pension by foregoing employers share of Provident Fund or Contributory Pension Scheme contribution with interest, such accumulations along with capitalized value of gratuity, if any, be transferred by the parent Organization to the University at the time of permanent absorption.

(3) When an employee of State Government/State Government Department/State University/Autonomous Bodies of State Government or Public Sector Undertaking is permanently absorbed in the University, his/her past services shall be counted for retirement benefits payable by the University provided that the transfer is certified to be in public interest of which the Board of the University shall be the sole judge, subject to the following:-

- (a) The transfer is with the consent of the State Government/Department/State University/Autonomous Bodies of State Government or Public Sector Undertaking;

- (b) The State Government/Department/State University/Autonomous Bodies of State Government or Public Sector Undertakings concerned pays to the University at the time of his permanent absorption in the University, the capitalized value of the retirement benefits in respect of past service of the employee in that Organization; and
- (c) In case the employee in question is on Provident Fund or Contributory Provident Fund Scheme, the accumulations in his Provident Fund or Contributory Provident Fund account shall be transferred by parent department to the University at the time of permanent absorption.

47. Power to remove difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date on which this Act received the assent of the Governor.

48. Transitional provisions.- Notwithstanding anything contained in this Act,-

- (a) the Board immediately before the commencement of this Act shall continue to so function until a new Board is constituted for the University under this Act, but on the constitution of a new Board under this Act, the members of the Board holding office before such constitution shall cease to hold office; and
- (b) the Academic Council constituted before the commencement of this Act shall be deemed to be the Academic Council constituted under this Act, until Academic Council is constituted under this Act, but on the constitution of a new Academic Council under this Act, the members of the Academic Council holding office before such constitution shall cease to hold office.

49. Repeal and Savings.- (1) The Himachal Pradesh Technical University (Establishment and Regulation) Act, 2010 (Act No. 16 of 2010) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the Act so repealed, which is not inconsistent with the provisions of this Act shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act was in force at the time such thing was done or action was taken and shall continue to be in force, unless and until superseded by anything done or any action taken under this Act.

THE SCHEDULE

OFFICERS OF THE UNIVERSITY

1. The Registrar.- (1) The Registrar shall be appointed by the Board on the recommendations of the Selection Committee constituted for the purpose as defined in the Statutes.

(2) The term and conditions of service of the Registrar shall be such as may be determined by the Board:

Provided that the Registrar shall retire on attaining the age of sixty years.

(3) The Registrar shall be ex- officio Member Secretary of the Board and the Academic Council.

2. Powers and functions of the Registrar.- The Registrar shall-

- (a) be custodian of the records, the common seal and such other property of the University ^[1]as the Board may commit to his charge;
- (b) issue notice to convene meetings of the Board, Academic Council and any Committees appointed by the Authorities;
- (c) issue and keep the minutes of all the meetings of the Board, the Academic Council and any other Committees appointed by the Authorities;
- (d) conduct the official correspondence of the Board, the Academic Council and any other Committees appointed by the Authorities;
- (e) place before the Board and other Authorities of the University all such information or documents as may be necessary for transaction of its business;
- (f) represent the University in suits or proceedings by or against the University, sign Powers of Attorney and verify pleadings or depute his representative for the purpose; and
- (g) perform such other duties as may be assigned to him by the Vice-Chancellor or the Board from time to time.

3. The Controller of Examinations.- (1) The Controller of Examinations shall be appointed on tenure basis for a period of three years by the Board on the recommendations of the Selection Committee constituted for the purpose as defined in the Statutes, which can be extended for another term.

(2) The terms and conditions of the Controller of Examinations shall be such as may be determined by the Board:

Provided that the Controller of Examinations shall retire on attaining the age of sixty years.

(3) He shall discharge his functions under the superintendence,

direction and guidance of the Vice-Chancellor.

4. Powers and Functions of the Controller of Examinations.- The powers and functions of the Controller of Examinations shall be-

- (a) to postpone or cancel examination, in part or in whole, in the event of malpractices or if the circumstances so warrant, and take disciplinary action or initiate any civil or criminal proceedings against any person or a group of persons or a College or an Institution alleged to have committed malpractices;
- (b) to take disciplinary action where necessary against the candidates, Paper Setters, Examiners, Moderators, or any other persons connected with examinations and found guilty of malpractices in relation to the examinations;
- (c) to review from time to time, the results of University examinations and forward reports thereon to the Academic Council;
- (d) to prepare and announce in advance the Academic Calendar and schedule of examinations;
- (e) to conduct examinations;
- (f) to arrange for the setting of papers with strict regard to secrecy;
- (g) to arrange for evaluation and re- evaluation of answer scripts and declaration and publication of results of all the examinations and tests within the prescribed schedule;
- (h) to review the system of examinations in order to enhance the level of impartiality and objectivity; and
- (i) perform such other duties as may be assigned to him by the Vice-Chancellor or the Board from time to time.

5. The Finance Officer.- (1) The Finance Officer shall be appointed by the Board on the recommendations of the Selection Committee constituted for the purpose for a period of three years in the first instance.

(2) The terms and conditions of service of the Finance Officer shall be such as may be determined by the Board:

Provided that the Finance Officer shall retire on attaining the age of sixty years.

(3) The Finance Officer shall be ex-officio Member Secretary of the Finance Committee.

6. Powers and Functions of the Finance Officer.- (1) The Finance Officer shall-

- (a) exercise general supervision over the funds of the University and advise the Board and the Finance Committee as regards its

financial policies; and

- (b) perform such other financial functions as may be assigned to him by the Vice-Chancellor or the Board from time to time:

Provided that the Finance Officer shall not incur any expenditure exceeding Rs. three lakhs or such other amount as may be fixed by the Board without prior approval of the Competent Authority.

(2) Subject to the control of the Vice-Chancellor and the Board, the Finance Officer shall-

- (a) ensure compliance of financial Rules and Regulations as prescribed by the University;
- (b) be responsible for proper and timely investment of University funds with the approval of the Vice-Chancellor;
- (c) be responsible for getting internal and external audit of the books of accounts of the University;
- (d) see that the limits fixed by the Finance Committee for recurring and non- recurring expenditure for a year are not exceeded and the money is expended or spent for the purposes for which it was granted or allotted;
- (e) be responsible for the preparation of the Annual Accounts and the Budget of the University and for their presentation to the Board after they have been considered by the Finance Committee;
- (f) keep a constant watch on the cash and bank balances and investments;
- (g) watch the progress of collection of revenues and advise on the methods of collection employed;
- (h) bring to the notice of the Vice-Chancellor any unauthorized expenditure or any other financial irregularity and suggest appropriate action against the defaulters;
- (i) seek any information or report from any office of the University, including Constituent Colleges that he may consider necessary for the performance of his functions; and
- (j) perform such other financial functions as may be assigned to him by the Vice-Chancellor or the Board from time to time.

(3) Any receipt given by the Finance Officer or by the person or persons duly authorized in this behalf by the Board shall be a sufficient discharge for payment of moneys to the University.

7. The Deans.- (1) There shall be a Dean of each Faculty to deal with other matters such as planning and development, academic affairs, industrial research, development and consultancy, Students welfare and alumni affairs as the Vice-Chancellor or Board deems it necessary.

(2) Every Dean shall be appointed by the Vice-Chancellor from amongst the Professors of the University for a period of three years on rotational basis:

Provided that, initially, if there is no Professor in the University, the Deans shall be appointed by the Vice Chancellor on secondment basis from reputed Institutions/Universities.

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