



# **FIRST STATUTES, 2024**

**of**

# **UPES**

Pursuant to

**The Uttarakhand Private University Act, 2023 (Act No. 02 of 2024)**

**THE FIRST STATUTES, 2024**  
**OF**  
**UPES**  
**PURSUANT TO**  
**THE UTTARAKHAND PRIVATE UNIVERSITY ACT, 2023**  
**( as made by Board of Governors on 24 September 2024 )**

In exercise of the power conferred by sub-section (1) of Section 36 of The Uttarakhand Private University Act, 2023 (Act No. 02 of 2024), the Board of Governors of UPES is pleased to make the following ‘first Statutes’ for UPES, Dehradun, Uttarakhand.

**CHAPTER – I**

**1.1 Preliminary**

1.1.1 **UPES**, a university, which is now deemed incorporated and established under “The Uttarakhand Private University Act, 2023 (Act No. 02 of 2024)” of state Government of Uttarakhand, India, was hitherto established under the University of Petroleum and Energy Studies Act, 2003, [Act No. 15 of 2003] as amended vide University of Petroleum & Energy Studies (Amendment) Act, 2009 (Act No. 06 of 2010) read with University of Petroleum and Energy Studies (Amendment) Act, 2018 (Act No. 24 of 2018).and University of Petroleum and Energy Studies (Amendment) Act, 2022 (Act No. 19 of 2022).

1.1.2 These “Statutes” may be called the “**First Statutes, 2024 of UPES**”.

1.1.3 These “Statutes” shall come into force on 1<sup>st</sup> April 2025.

**1.2 Definitions**

In these Statutes, unless the context requires otherwise,

- (i) “**Act**” means “The Uttarakhand Private University Act, 2023”.
- (ii) “**Board of Governors**” means the Board of Governors of UPES.
- (iii) “**Board of Management**” means the Board of Management of UPES.
- (iv) “**He**” includes **She**, and “**His/Him**” includes Her.
- (v) “**University**” means UPES
- (vi) “**Visitor**” means the Visitor of UPES

All words and expressions used herein or defined in the Act shall have the same meanings as are assigned to them in the Act. Definitions specified in the Act shall apply unless the context requires otherwise.

**CHAPTER – II**

**2.1 Officers of the University {Chapter IV of the Act}**

**THE PRESIDENT (Section 17)**

2.1.1 The existing Chancellor of the university hitherto called as University of Petroleum and Energy Studies,

shall continue as per terms of his appointment without any change therein and, however, now shall be called as President of the University. However, his tenure shall be maximum of 05 (five) years from the date he was initially appointed. The successive presidents, as and when vacancy arises, shall be appointed by following such procedure and on such emoluments, terms and conditions, as may be prescribed in each case.

2.1.2 The terms and conditions of the appointment of the President shall be prescribed by the Hydrocarbons Education and Research Society.

2.1.3 The President shall be the Head of the University, in general have overall charge of the conduct of the affairs of the University, through the resolutions of the Board of Governors, and the provisions of the Act, the Statutes and the Ordinances.

2.1.4 The President shall, in particular,

- (i) represent the Visitor and preside over the Convocation in his absence;
- (ii) be the ex-officio Chairman of the Board of Governors
- (iii) have the power to approve the appointment of the Vice Chancellor, from a panel of three persons as recommended by the Search-cum-Selection Committee set up as specified in sub-Section (4) of Section 18 of the Act.
- (iv) be the Appellate Authority for hearing the appeals against the orders of the Vice- chancellor passed by him as Disciplinary Authority in respect of teachers or non-faculty.
- (v) have the power to approve or withhold approval of any urgent action to be undertaken by Officers of the University;
- (vi) have the power to approve or withhold approval of the delegation of the Vice Chancellor's powers;
- (vii) have the power to remove the Vice Chancellor as specified by Sub-Section (5) (d) of Section 17 read with Section 18(6) of the Act.
- (viii) have the power to appoint his nominees on the Authorities and Committees as specified in the Act, Statutes and Ordinances of the University;
- (ix) have the power, as Chairman of the Board of Governors, to order the review of the action taken by other Authorities of the University, if they do not conform to the provisions of the Act, the Statutes or the Ordinances, as specified in Section 27(4) (c) of the Act.
- (x) have the power to give policy directions for the development and growth of the University and to enhance the image and the status of the University.

## **2.2 THE VICE CHANCELLOR – (Section 18)**

2.2.1 The Vice Chancellor shall be appointed by the President from a panel of three persons to be recommended by a Search-cum-Selection Committee as specified in Section 18(4) of the Act. In order to be considered by the Committee, each person must

- (i) hold a Ph D qualification in any of the branches of learning as the university may specify under Section 10 (a) of the Act.
- (ii) have post-qualification experience of at least 10 years.
- (iii) be an accomplished academician or educational administrator or professional from industry,

business and research, with a track record of at least 10 years in teaching, training, consulting and has published research papers in reputed journals and other publications in any of the branches of learning as the university may specify under Section 10 (a) of the Act. If the President does not approve any of the persons so recommended, he shall record the reasons of disagreement and call for a fresh panel only one more time.

- 2.2.2 The Vice Chancellor shall be a whole-time salaried officer of the University, on such emoluments and terms and conditions, as may be approved by the President.
- 2.2.3 The Vice Chancellor being the principal academic and executive head of the University as specified in Section 19 (1) of the Act shall exercise general supervision and control over the affairs of the University and its constituent Schools/Colleges/Institutions. He shall give effect to the decisions of all the Authorities of the University in letter and spirit and ensure that they are not contradictory in nature and practice. He shall:
- (i) Preside over the convocation of the University in the absence of the Visitor and the President.
  - (ii) be responsible for the maintenance of the discipline in the University, and shall be the Disciplinary Authority in respect of all disciplinary matters concerning faculty and non-faculty employees;
  - (iii) ensure faithful observance of the provisions of the Act, the Statutes and the Ordinances, and shall, without prejudice, to the powers of the President, possess all such powers as may be necessary in that behalf;
  - (iv) have the power to convene, or cause to be convened, meetings of the Board of Management, the Academic Council and the Finance Committee, and all other such Committees, Boards or Bodies of which he is the Chairperson;
  - (v) issue notice for the Meeting of the Board of Governors, under direction of the President.
  - (vi) delegate such powers as deemed necessary to any other officer of the University with the prior approval of the President.
- 2.2.4 Other terms and conditions of appointment of the Vice Chancellor shall be as specified in Section 18(3) of the Act.
- 2.2.5 The Vice Chancellor shall have the powers to make ad-hoc appointments for a period not exceeding three years of such persons, other than faculty, as may be considered necessary for proper functioning of the University or running special projects, with prior approval of the President.
- 2.2.6 The Vice Chancellor shall be empowered to grant leave to any officer of the University and make necessary arrangements for the discharge of the functions of such an officer during the period of his absence.
- 2.2.7 If the office of the Vice Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other reason, the Pro-Vice Chancellor shall perform the duties of the Vice Chancellor, until the vacancy is filled up on regular basis.

Provided that such an interim arrangement shall not exceed a period of one year from the date such an

arrangement is made.

## **2.3 THE PRO-VICE CHANCELLOR – (Section 20)**

2.3.1 The Pro-Vice Chancellor, with his substantive position as Professor, shall be appointed by the President on the recommendation of the Vice Chancellor

2.3.2 The Pro-Vice Chancellor must

- (i) hold a Ph. D qualification, in any of the branches of learning as the university may specify under Section 10 (a) of the Act.
- (ii) have post-qualification experience of at least 10 years.
- (iii) be an accomplished academician or educational administrator or professional from industry, business and research, with a track record of at least 10 years in teaching, training, consulting in any of the branches of learning as the university may specify under Section 10 (a) of the Act.

If the President does not approve of the recommended person, he shall record the reasons of his disagreement in writing and shall call for fresh recommendations.

2.3.3 The Pro-Vice Chancellor shall be a salaried officer of the University, on such emoluments and terms and conditions, as may be approved by the President.

2.3.4 The Pro-Vice Chancellor shall assist the Vice Chancellor in such matters as may be specified by the Vice Chancellor, from time to time, and shall exercise such powers and perform such duties as may be assigned or delegated to him by the Vice Chancellor.

2.3.5 The Pro-Vice Chancellor shall, in the absence of the Vice Chancellor, exercise the powers and perform the duties of the Vice Chancellor.

## **2.4 THE DEAN/PRINCIPAL/DIRECTOR (Section 21)**

2.4.1 The Dean/Principal/Director of each Constituent School/Colleges of the University shall be appointed by the Vice Chancellor from amongst the Professors of the respective constituent School/colleges of the University or from the education sector, on such emoluments and terms and conditions, as may be approved by the Vice-chancellor.

2.4.2 The Deans of Constituent School/Colleges shall cease to hold office on attaining the age of superannuation.

2.4.3 The Dean shall be the Head of all academic and research programs in the Constituent School/College and shall be responsible for the conduct and maintenance of standards of teaching and research in the Constituent School/College. The Deans shall have such other functions as may be entrusted to them by the Vice Chancellor.

2.4.4 When the office of the Dean is vacant or where the Dean is unable to perform his duties due to illness, absence or any other reason, the Vice Chancellor may authorize a professor to perform the functions of the Dean during such period. Such a period should not exceed more than six months.

## **2.5 The Registrar (Section 22)**

- 2.5.1 The Registrar shall be appointed by the President on the recommendations of a selection committee prescribed under clause 4.5 of Statutes read with section 36 (3) (c) of the Act and shall be a whole-time salaried officer of the University, whose terms and conditions of appointment and emoluments, would be approved by the President.
- 2.5.2 The Registrar must
- (i) be a master's degree in any discipline with at least 55% of the marks or its equivalent grade of 'B' in the UGC 7-point scale.
  - (ii) have at least 15 years of experience as Assistant Professor, or
  - (iii) Comparable experience in research establishment and/or other institutions of higher education, or
  - (iv) 15 years of administrative experience, of which 8 years shall be as Deputy Registrar or an equivalent post.
- 2.5.3 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 for the duration of such absence, subject to the prior approval of the President.
- 2.5.4 The Registrar shall:
- (i) by virtue of his office, be the member secretary in the Board of Management and the Academic Council, and shall be a member of Finance Committee;
  - (ii) conduct the official correspondence of the University and all or any of its Authorities;
  - (iii) supply, to the President, 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.
  - (iv) represent the University in suits or proceedings by or against the University, sign power of attorney, verify pleadings and swear affidavits; and
  - (v) perform such other duties and functions as may be specified in the Statutes or as may be prescribed by the Ordinances or as may be required from time to time by the President or the Vice Chancellor.

## **2.6 The Finance Officer (Section 23)**

- 2.6.1 The Finance Officer shall be appointed by the President on the recommendation of a Selection Committee as prescribed under clause 4.5 of the Statutes and shall be a salaried officer of the University, whose terms and conditions of appointment and emoluments would be approved by the President.
- 2.6.2 The Finance Officer must:

- (i) be a graduate in any discipline;
- (ii) have a professional qualification in accounting or finance such as CA from Institute of Chartered Accountants of India, or CS from Institute of Company Secretaries of India, or CMA from Institute of Cost and Works Accountants of India or CFA from Institute of Chartered Financial Analysts of India.
- (iii) have post-qualification experience of at least 10 years.

2.6.3 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 for the duration of such absence, subject to the prior approval of the President.

2.6.4 The Finance Officer shall:

- (i) exercise general supervision of the funds of the University and advise it as regards its financial policy; and
- (ii) perform such other functions as may be assigned to him by the Board of Management, President or Vice Chancellor or as may be prescribed by the Statutes or the Ordinances.

2.6.5 Subject to the direction of the Board of Management, the Finance Officer shall:

- (i) be the ex-officio Secretary of the Finance Committee; **(Section 23.2)**
- (ii) hold and manage the property, investments and endowed property for furthering any of the objects of the University;
- (iii) see that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a particular year are not exceeded and that all moneys are expended on the purposes for which they are received or allotted;
- (iv) be responsible for the preparation of the annual accounts and the budget of the University for the next financial year and for their presentation to the Finance Committee;
- (v) keep a constant watch on the state of the cash and bank balances, and on the state of investments;
- (vi) watch the progress of collection of revenue and advise on the methods of collection employed;
- (vii) have the accounts of the University regularly audited by the auditors appointed for the purpose; and
- (viii) call for, from any office under the University, any information that he may consider necessary, with prior approval of the President, to discharge his financial responsibilities.

## 2.7 The Controller of Examinations (Section 24)

- 2.1.2 The Controller of Examinations shall be appointed by the President on the recommendation of a Selection Committee as prescribed under clause 4.5 of the Statutes and shall be a salaried officer of the University, whose terms and conditions of appointment and emoluments would be approved by the President.
- 2.1.3 The Controller of Examinations must
- (i) be a master's degree in any discipline with at least 55% of the marks or its equivalent grade of 'B' in the UGC 7-point scale.
  - (ii) have at least 15 years of experience as Assistant Professor, or
  - (iii) Comparable experience in research establishment and/or other institutions of higher education, or
  - (iv) 15 years of administrative experience, of which 8 years shall be as Deputy Registrar or an equivalent post.
- 2.1.4 When the office of the Controller of Examinations is vacant or when the Controller of Examinations 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 for the duration of such absence, subject to the prior approval of the President.
- 2.1.5 The Controller of Examinations shall:
- (i) be the principal officer in charge of conducting examinations at university.
  - (ii) Shall be responsible for managing the examination process, which includes overseeing the conduct of exams, coordinating the evaluation process, and preparing results.
  - (iii) shall arrange for and superintend the examinations of the University in the manner prescribed by the Ordinances.
  - (iv) shall be the member secretary of the Board of Examinations, and a permanent invitee to the Academic Council.
  - (v) perform such other functions as may be assigned to him by the Board of Management, President or Vice Chancellor or as may be prescribed by the Statutes or the Ordinances.

### **CHAPTER – III**

#### **3.1 Authorities of the University (Section 26)**

##### **3.1.1 The Board of Governors (Section 27)**

The Board of Governors, the Principal Governing Authority of the University, and:

- (a) shall control the functioning of the university by using all such powers as prescribed in the Act or in these Statutes or Ordinances or Regulations;
- (b) shall approve all proposals before they are submitted to the State Government.

- (c) One-half of the members of the Board of Governors, including the Chairman, shall constitute the quorum at the Meeting.
- (d) All members of the Board of Governors, other than the ex-officio members, shall hold office for a term of three years.

### **3.2 The Board of Management (Section 28)**

- 3.2.1 The Vice Chancellor shall be the Chairperson of the Board of Management, and the Registrar shall be the member secretary of the Board of Management.
- 3.2.2 The Board of Management shall, from time to time, meet at least three times in a year at such time and place as the Vice Chancellor thinks fit.
- 3.2.3 The Registrar shall issue notice for the Meeting of the Board of Management, under the direction of the Vice Chancellor.
- 3.2.4 One-half of the members of the Board of Management, including the Chairman, shall constitute the quorum at the Meeting.
- 3.2.5 Every member of the Board of Management, other than the ex-officio members, shall hold office for a term of three years, each. The term of the nominated three Deans and two Professors shall be on the basis of seniority & rotation or on the basis of simple rotation, as prescribed under Section 28 (2) (e) and (f), respectively.
- 3.2.6 Subject to the provisions of the Act and the Statutes, the Board of Management shall, in addition to all other powers vested in it, have the following powers, duties and functions, namely, to:
  - (i) cause to prepare the annual accounts and financial estimates of the University, through the Finance Committee, and after review, recommend them to the Board of Governors;
  - (ii) to make appointments of such Professors, Associate Professors, Assistant Professors and Lecturers as may be necessary, on the recommendations of the Committees constituted for the purpose, and to provide for filling temporary vacancies therein, provided that no appointment of the rank of Associate Professor and above shall be made without the prior approval of the President;
  - (iii) to prescribe for emoluments and define the duties, functions and conditions of service of Professors, Associate Professors, Assistant Professors and Lecturers;
  - (iv) to create and make appointments to administrative, non-academic and other posts;
  - (v) to accept on behalf of the University any bequest, donation or transfer of any movable or immovable property to the University in consonance with Section 10(w) of the Act;
  - (vi) to provide for the buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University;

- (vii) to approve entering into, amend, carry out or cancel contracts on behalf of the University and to make such Ordinances as may be required towards this objective;
- (viii) to entertain, adjudicate upon, and if it thinks fit, to redress, any grievances of the serving salaried officers, the teaching staff and other employees of the University who may for any reason feel aggrieved;
- (ix) to make Ordinances to govern the appointment and removal of examiners and moderators, and to fix their fees, emoluments and travelling and other allowances after consulting the Academic Council;
- (x) to select a common seal for the University and provide for the custody and use of the seal;
- (xi) to frame Ordinances for institution and grant of University fellowships, studentships, medals and prizes;
- (xii) to carry out all such activities as may be necessary or feasible in furtherance of the objects of the University; and
- (xiii) to delegate any of its powers to the Vice Chancellor, the Registrar or such other officer of the University or to a Committee appointed by it as it may deem fit.

### **3.3 The Academic Council (Section 29)**

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

| <b>Category</b>                                                                                                                                                                                                                                | <b>Description</b>     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Vice Chancellor                                                                                                                                                                                                                                | Ex-officio Chairperson |
| Pro-Vice Chancellor                                                                                                                                                                                                                            | Ex-officio Member      |
| Registrar                                                                                                                                                                                                                                      | Member Secretary       |
| Two professors other than deans by rotation in order of seniority                                                                                                                                                                              | Member                 |
| One member from amongst the Heads of Constituent Colleges/Schools to be nominated by the Vice Chancellor                                                                                                                                       | Member                 |
| Dean/Principal/Director                                                                                                                                                                                                                        | Ex-officio member      |
| Five Distinguished Academicians nominated by the Vice Chancellor                                                                                                                                                                               | Member                 |
| Twelve Management Professionals or Academicians from Humanities, Social Sciences, Natural Sciences, Engineering, Technology, Medical, Dental and Health Science, Law and Formal Science and other Academician to be nominated by the President | Member                 |
| Permanent Special. Invitee from Bar Council of Uttarakhand                                                                                                                                                                                     | Member                 |

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- 3.3.2 The Academic Council shall, from time to time, meet at least twice a year at such time and place as the Vice Chancellor thinks fit.
- 3.3.3 The Registrar shall issue notice for the Meeting of the Academic Council, under the direction of the Vice Chancellor.
- 3.3.4 One-third of the members of the Academic Council, including the Chairperson, shall constitute the quorum at its Meeting.
- 3.3.5 Every member of the Academic Council, other than the ex-officio members, shall hold office for a term of three years.
- 3.3.6 The Academic Council shall be the principal academic authority of the University and shall subject to the provisions of these Statutes, the Ordinances and Regulations, determine, co-ordinate and exercise general supervision over the academic policies of the University.
- 3.3.7 Subject to the provisions of the Act and these Statutes, the Academic Council shall, in addition to all other powers vested in it, have the following powers, duties and functions, namely, to:
- (i) Prescribe admission and examination procedures for the students of the University;
  - (ii) Prescribe and sanction the number of academic programs in the University and their intake for each academic year.
  - (iii) Consider for recommendation to the Board of Governors, proposals for the creation or merger or division of the Academic departments and Centres of the University;
  - (iv) Approve curricula and syllabi for the courses and studies in various departments and Centres of the University and Constituent Colleges/Schools.
  - (v) Frame the Ordinances for academic matters including the structure of student evaluation, conduct of examination and declaration of results;
  - (vi) Recommend to the Board of Management the rates of remuneration and allowances for the examination work;
  - (vii) Review and monitor the standards of instruction, education, training and research carried on or imparted in the University;
  - (viii) Constitute and co-ordinate the working of the Deans of Constituent Colleges/Schools, and scrutinize and approve their proposals in regard to the scheme of teaching and examination in the University;
  - (ix) Scrutinize and approve the recommendations of the examiners of the Ph.D candidates;
  - (x) Promote research within the University and to requisition from time-to-time reports on such research;

- (xi) Advise and recommend to the Board of Management regarding the number, qualifications and emoluments of teachers for its approval;
- (xii) Approve recognition and equivalence of the certificates, diplomas and degrees of other Universities and Institutions;
- (xiii) Consider and make recommendations on such matters as may be referred to it by the Board of Governors or the Board of Management;
- (xiv) Perform in relation to academic matters all such duties as may be necessary for properly carrying out the provisions of the Act, the Statutes and the Ordinances;
- (xv) Maintain contact with employer organizations with a view to assess their current and changing needs, the pattern of education required, therefor, which should be imparted by the University and take necessary action.
- (xvi) To promote the health, welfare and industry interactions of students and to constitute a Council of Students Affairs consisting of such number of teachers and students as may be prescribed by the Ordinances to advise the Academic Council on such matters.
- (xvii) To promote the existing Center of Continuing Education as center of excellence for accessing quality blended education through "On-line Distance Learning Mode".
- (xviii) To promote the existing project 'Runway', a Start-up Incubator Program of UPES.
- (xix) To establish R&D center to promote research and innovations in such branches of learning as the university may specify under Section 10 (a) of the Act.

### **3.4 The Board of Examinations (Section 30)**

- 3.4.1** The composition, powers and functions of the Board of Examinations, as may be deemed necessary, shall be prescribed by the Board of Management as and when needed, through extant Regulations.

### **3.5 The Board of Studies (Section 31)**

- 3.5.1** The composition, powers and functions of the Board of Studies, as may be deemed necessary, shall be prescribed by the Board of Management as and when needed, through extant Regulations.

### **3.6 The Planning Board (Section 32)**

- 3.6.1** The composition of the Planning Board, shall be as follows:

| <b>Category</b>            | <b>Description</b>          |
|----------------------------|-----------------------------|
| President                  | Ex-officio Chairman         |
| Vice Chancellor            | Ex-officio Member Secretary |
| Pro-Vice Chancellor        | Ex-officio Member           |
| Director-HR                | Ex-officio Member           |
| Finance Officer            | Ex-officio Member           |
| Registrar                  | Ex-officio Member           |
| A nominee officer from the | Member                      |

|                                                                                                                       |                   |
|-----------------------------------------------------------------------------------------------------------------------|-------------------|
| Institution of Eminence/ Institution of national importance (as maintained by MHRD, GOI), nominated by the President) |                   |
| Three Nominees of HERS                                                                                                | Member            |
| Dean/Principal/Director                                                                                               | Ex-officio Member |

#### **Terms of Reference:**

- 3.6.2 The Planning Board shall be the principal Planning Body of the University, which shall ensure that the infrastructure and academic support system meet the norms of the University Grants Commission and other Regulatory Bodies.
- 3.6.3 One-half of the members of the Planning Board, including the Chairperson, shall constitute the quorum at its Meeting.
- 3.6.4 The Board shall have, minimum of 1 (one) meeting in a year.
- 3.6.5 The term of the Board shall be 3 years
- 3.6.6 The Board may invite other officials as invitee as may be deemed necessary

#### **3.7 The Finance Committee (Section 33)**

The composition of the Finance Committee, shall be as follows:

| <b>Category</b>                                                                                                                                                         | <b>Appointment</b>                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Vice Chancellor                                                                                                                                                         | Ex-officio Chairman                  |
| Pro-Vice Chancellor                                                                                                                                                     | Ex-officio Member                    |
| Nominee of the President                                                                                                                                                | Member                               |
| Nominee of the Board of Governors                                                                                                                                       | Member                               |
| One Dean (by rotation) on the basis of seniority                                                                                                                        | Member                               |
| Principal Secretary/ Secretary to the State Government in the Higher Education Department or his nominee not below the rank of Joint Secretary to the State Government. | Ex-officio Nominee of the Government |
| Finance Officer                                                                                                                                                         | Ex-officio Member Secretary          |

#### **Terms of Reference:**

- 3.7.1 The Finance Committee shall be Principal Financial Authority for policy making and management of financial matters of the University.
- 3.7.2 The Finance Committee shall, from time to time, meet at least four times in a year, and at least once every calendar quarter, at such time and place as the Vice Chancellor thinks fit.
- 3.4.3. The Finance Officer shall issue notice for the Meeting of the Finance Committee, under the direction of the Vice Chancellor.
- 3.4.4 One-half of the members of the Finance Committee, including the Chairperson, shall form the quorum at its meeting.
- 3.4.5 Every member of the Finance Committee, other than ex-officio members, shall hold office for a term of three years each.
- 3.4.6 The annual accounts and financial estimates of the University prepared by the Finance Officer shall be presented before the Finance Committee for consideration and comments, and thereafter, they shall be submitted to the Board of Management for review, with or without amendments.

### **3.8 Other Authorities of University (Section 34)**

The Board of Management and the Academic Council may, independent of each other, appoint such Committees, as may be deemed necessary, consisting of members of the authority making such appointment and nominate such other persons, as that authority in each case may think fit.

Each Committee will deal with the subject assigned to it, and its recommendations may be considered, subject to subsequent confirmation by the authority which appointed it.

### **3.9 Elected Chairman to preside over where no such provision exists in the Statutes concerning any Authority or Committee {Section 36 (3) (a)}**

If the Act, the Statutes or the Ordinances of the University do not provide for a Chairman to preside over the meetings of any Authority or Committee of the University, or when its Chairman is absent, its members present shall elect one among themselves to preside at those meetings.

### **3.10 Resignation and Superannuation {Section 36 (3) (r)}**

- 3.10.1 Any member other than an ex-officio member of the Board of Governors, the Board of Management, the Academic Council, the Finance Committee or any other authority of the University or Committee, may resign by a letter addressed to the Registrar, and the resignation shall take effect as soon as the letter is received by the Registrar.
- 3.10.2 Any officer of the University (whether salaried or otherwise) may resign his office by a letter addressed to the Vice Chancellor, as provided in the terms of his appointment, provided that such resignation shall take effect only on the date from which the said letter is accepted by the Authority competent to fill the vacancy.

3.10.3 All employees of the University, except those on contract, shall retire on attaining the age of 62 years.

### **3.11 Disqualifications {Section 35 (1)}**

3.11.1 A person shall be disqualified for being a member of any authorities or bodies of the University, if he:

- (a) is of unsound mind and stands so declared by a competent medical board;
- (b) is an undischarged insolvent;
- (c) has been convicted of any offence involving moral turpitude;
- (d) has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere;
- (e) has any motive of profit from University except salary or any other authorized emoluments;
- (f) applies funds of the University for his personal use.

3.11.2 If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause 3.11.1, the question shall be referred for the decision of the President and his decision thereupon shall be final.

## **CHAPTER – IV**

### **4.1 Honorary Degrees {Section (36) (3) (k)}**

Any proposal for the conferment of an honorary degree or distinction shall be made by the Academic Council to the Board of Governors and shall require the approval of the Visitor before confirmation.

### **4.2 Withdrawal or cancellation of Degrees {Section (36) (3) (l)}**

The Academic Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw or cancel any degree or academic distinction conferred on, or any certificate of diploma granted to, any person by the University for good and sufficient cause:

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice as to why such resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Academic Council.

### **4.3 Teachers at the University {Section (36) (3) (d) (e)}**

4.3.1 Teachers at the University shall be of two classes, namely:

- (i) Appointed teachers of the University;
- (ii) Recognized teachers of the University;
- (iii) Term based teachers and other academic and administrative staff for undertaking a joint project.

4.3.2 Appointed teachers at the University shall be employees of the University as Professors, Senior Associate Professors, Associate Professors, Assistant Professors and Lecturers at such emoluments and terms & conditions, as may be prescribed from time to time.

4.3.3 Recognized teachers at the University shall be the educational stalwarts and persons of academic eminence honored and or appointed by President from other institutions / Energy Organizations as Honorary Professors, Adjunct Professors, Distinguished Professors and / or Professors Emeritus of the University.

4.3.4 Term based teachers and other academic and administrative staff for undertaking a joint project, would be appointed by the Vice-chancellor on such terms and conditions, duration and emoluments, as may be prescribed from time to time.

4.3.5 No person shall be appointed or recognized as a teacher at the University except on the recommendation of a Selection Committee constituted for the purpose.

4.3.6 The qualifications of recognized teachers at the University and emoluments, should be as may be prescribed by the relevant Ordinances approved by Board of Management, from time to time.

4.3.7 All applications or CVs for the recognition of teachers at the University shall be made in such a manner as may be laid down by the Board of Management in this behalf.

4.3.8 The period of recognition of the teacher at the University shall be determined by the Ordinances made in that behalf. A person in the service of a recognized institution recognized as a teacher at the University otherwise than as a Professor or Associate Professor shall continue to be recognized so long as he is in the service of the recognized institution.

#### **4.4 Creation and Abolition of Posts {Section 36 (3) (p)}**

Posts in the Academic departments and faculties posts shall be created and or abolished on the recommendation of the Academic Council with the approval of the Board of Management. Non-academic posts, strictly need- based, shall be created with the approval of the Board of Management. Services shall be outsourced as far as feasible. When a post is abolished, which involves termination of service of an employee, a fair notice period specified by Board of Management or, salary in lieu thereof, shall be given.

#### **4.5 Selection Committees {Section (36) (3) (d)}**

4.5.1 There shall be Selection Committees for making recommendations to the Board of Management for appointment to the posts of Professor, Associate Professor, Assistant Professor, Lecturer, and to the President for appointment to the post of Registrar, Finance Officer, Librarian and other staff members of the University. All the Selection Committee minutes and the appointments are to be approved by the President before issuing any appointment orders.

4.5.2 Every Selection Committee shall consist of the Vice Chancellor who shall be the Chairperson thereof, and person/s nominated by the Board of Management in the Selection Committee for making recommendations. For appointment to a post specified in the first column of the Table below, the Committee shall also have the persons specified in the corresponding entry in the second column of the said Table.

| <b>Post</b>                      | <b>Composition of the Selection Committee</b>                                                                                  |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>Professor Level and Above</b> | Invite One Expert on the Selection Panel. All appointments to be approved by President and ratified by the Board of Management |

|                                                     |                                                                                                                                                                                                                                                       |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Associate Professor and below up to Lecturer</b> | The Internal Selection Committee of UPES comprising Dean, HoD/Cluster Head, Professor from the respective discipline All appointments to be approved by President and ratified by the Board of Management                                             |
| <b>Registrar/Finance Officer</b>                    | 1) Pro-Vice Chancellor 2) Three members of the Board of Management nominated by the Vice Chancellor.                                                                                                                                                  |
| <b>Librarian</b>                                    | 1) Pro-Vice Chancellor 2) One Dean of a School nominated by the Vice Chancellor. 3) Two experts, who are not otherwise employees of the University, with special knowledge of the subject of Library Science, to be nominated by the Vice Chancellor; |
| <b>Other Staff</b>                                  | 1) Pro-Vice Chancellor or the Registrar 2) Two employees of the University who shall be nominated by the Vice Chancellor.                                                                                                                             |

4.5.3 The recommendations of the Selection Committee strictly on the basis of merit will take into consideration the regulations issued, from time to time, by the University Grants Commission, to the extent it is applicable with regard to appointment and promotion of Professors, Associate Professors, Assistant Professors, Lecturers and administrative posts of the University. The Selection Committee may recommend a panel of at least three names in order of merit in case of each selection.

4.5.4 The criterion to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

4.5.5 If the Board of Management is unable to accept any recommendation made by the Selection Committee, the Board of Management shall record its reasons and submit the case to the President, whose decision in the matter shall be final.

#### **4.6 Conditions of Service of Teachers, other academic, administrative and non-academic employees {Section 36 (3) (f)}**

4.6.1 Every teacher and salaried employee, as are mentioned in these Statutes, shall be appointed under a written contract on such terms and conditions and emoluments as may be agreed to between the parties, which shall be lodged with the University. A copy thereof shall be furnished to the employee or teacher concerned.

4.6.2 The terms and conditions of appointment shall inter-alia include provisions for retirement benefits such as Provident Fund and Gratuity, as may be applicable.

4.6.3 All posts at the University shall normally be filled by advertisement but the Board of Management shall have the power to decide, on the recommendation of the Vice Chancellor, that a particular post be filled by invitation or by contractual appointment or by promotion from amongst the members of the staff of the University.

4.6.4 Selection Committees for filling the post in the University (other than the post on contract basis) by advertisement or by promotion from amongst the members of the staff of the University shall be constituted in the manner laid down in these Statutes.

#### **4.7 Removal of Services of Teachers {Section (36) (3) (f)}**

Notwithstanding the provision of Section (36) (3) (p) of the Act regarding abolition of the post, the

services of a teacher may be removed under the following provisions:

- 4.7.1 Where an allegation of misconduct against a teacher, warranting removal of his services, has been established during departmental proceedings held as per the procedure laid down in the extant regulations governing conduct, discipline and appeal. During or before commencement of such departmental proceedings, the Vice-Chancellor, if he thinks fit, may place the teacher under suspension and shall report to the Board of Management the circumstances under which the order was made:
- 4.7.2 Where there is documentary evidence through the performance evaluation system of the University that the teacher is not performing academic duties, in line with the performance standards instituted by the University.
- 4.7.3 Where it is found, according to procedures laid down in the Ordinances of the University that the teacher:
- a) is found to be of unsound mind; or
  - b) is found to be an undischarged insolvent; or
  - c) has applied to be adjudicated as an insolvent and his application is pending; or
  - d) has been convicted by a court of law of any criminal offence or an offence involving moral turpitude; or
  - e) is otherwise guilty of misconduct; or
  - f) does not meet the performance standards covered by the performance evaluation system of the university.

Provided that no teacher of the University shall be removed from his office for reasons mentioned in sub-clause (a), sub-clause (b) and sub-clause (c), unless a resolution to the effect is passed by the Board of Management by a majority of its members present and voting.

- 4.7.4 No such teacher shall be removed under sub-clause (4.7.3) (d) to (f) until he has been given a reasonable opportunity to show cause against the action proposed to be taken in regard to him.
- 4.7.5 Where the removal of a teacher is for a reason other than that specified in sub-clause (d) or sub-clause (e) of clause (4.7.3), he shall be given three months' notice in writing or paid three months' salary in lieu thereof.
- 4.7.6 Notwithstanding anything contained in the terms of his contract of service or of his appointment, the Board of Management shall be entitled to remove the services of a teacher, on the grounds of misconduct. Save as aforesaid, the Board of Management shall not be empowered to remove the services of a teacher, except after giving three months' notice in writing or payment of three months' salary in lieu thereof.
- 4.7.7 No teacher shall be removed under sub-clause (4.7.1) or under sub-clause (4.7.2) above until he has been given a reasonable opportunity to show cause against the action proposed to be taken in regard to him. 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.
- 4.7.8 Notwithstanding anything contained in these Statutes, a teacher shall be entitled to resign by giving three months' notice in writing to the Vice-Chancellor.

#### **4.8 Removal of services of employees other than a Teacher {Section (36) (3) (f)}**

Notwithstanding the provision of Section (36) (3) (p) of the Act regarding abolition of the post, the services

of an employee may be removed under following provisions:

4.8.1 Where an allegation of misconduct against an employee, warranting removal of his services, has been established during departmental proceedings held as per the procedure laid down in the extant regulations governing conduct, discipline and appeal. During or before commencement of such departmental proceedings, the Vice-Chancellor, if he thinks fit, may place the employee under suspension and shall report to the Board of Management the circumstances under which the order was made:

4.8.2 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 was competent to appoint the employee if, according to procedures laid down in the Ordinances of the University that he

- a) is found to be of unsound mind; or
- b) is found to be an undischarged insolvent; or
- c) has applied to be adjudicated as an insolvent and his application is pending; or
- d) has been convicted by a court of law of any criminal offence or an offence involving moral turpitude; or
- e) is otherwise guilty of misconduct; or
- f) does not meet the performance standards covered by the performance evaluation system of the university.

Provided that no employee of the University shall be removed from his office for reasons mentioned in sub-clause (a), sub-clause (b) and sub-clause (c), a resolution to the effect is passed by the Board of Management by a majority of its members present and voting.

4.8.3 No such employee shall be removed for the reasons mentioned under sub-clause (4.8.2) (d) to (f) until he has been given a reasonable opportunity to show cause against the action proposed to be taken in regard to him.

4.8.4 Where the removal of an employee is for a reason other than that specified in sub-clause (d) or sub-clause (e) of clause (4.8.2), he shall be given three months' notice in writing or paid three months' salary in lieu thereof.

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

4.8.5.1 In the case of an employee not on probation, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof;

4.8.5.2 In the case of an employee on probation and in other cases, 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.

4.8.6 Notwithstanding anything contained in the terms of contract of the service or of employment, the Vice Chancellor shall have the power to waive the notice period and direct the payment of his salary in lieu of such notice period.

#### **4.9 Procedure for resolution of disputes or appeal by employee {Section 36 (3) (h) and (j)}**

- 4.9.1 Any dispute arising out of a contract between the University and those mentioned in clause (4.9.1) shall be referred to the Vice-Chancellor. The Vice-Chancellor shall decide the dispute within 03 (three) months from the date of its reference after giving an opportunity of hearing to the employee. Provided that the orders issued consequent to a disciplinary action against the employee under extant conduct, discipline and appeals regulations and the cases of voluntary resignations, shall not be treated as 'dispute' for this purpose.
- 4.9.2 Appeal can be preferred by an aggrieved employee against the order of the disciplinary authority as per the extant provisions contained in the university regulations governing conduct, discipline and Ordinances.
- 4.9.3 Appeal can be preferred by an aggrieved student against the order of the disciplinary authority as per the provisions contained in the regulations governing maintenance of discipline among students.

#### **4.10 Establishment, merger and abolition of departments {Section 36 (3) (n)}**

- 4.10.1 To put the non-academic resources to optimal use, the Board of Management would have powers to establish, merge and abolish various departments. The rationale behind such a decision should also inter-alia include possible consequences if the merger or abolition does not take place.

### **CHAPTER - V**

#### **5.1 Convocation (Section 40)**

- 5.1.1 A Convocation for conferring its degree, diploma and other academic distinctions may be held by the University not more than once in a year on such date and at such time as the Board of Management may appoint.
- 5.1.2 The Governor of Uttarakhand, when present, shall preside over the convocation of the university. In the absence of Governor or President, the Vice-chancellor shall preside over the convocation.
- 5.1.3 The special convocation may be held by the University with the prior approval of the President.
- 5.1.4 The convocation shall consist of the persons specified in Section 26 as constituting the authorities of the University.
- 5.1.5 A local convocation may be held at each constituent school on such date and such time as the Dean may, with the prior approval of the Vice Chancellor in writing, appoint.
- 5.1.6 Combined convocations may be held by two or more schools in the manner prescribed in concerning regulations.
- 5.1.7 The procedure to be observed at the convocation referred to in this Chapter and other matters connected therewith shall be such as may be laid down in the concerned regulation.

5.1.8 Where the University **or** any constituent college/School, does not find it convenient to hold the convocation in accordance with Statutes 5.1.1 to 5.1.6, the degree, diplomas and other academic distinctions may be dispatched to the candidates concerned by registered post.

## **CHAPTER – VI**

### **6.1 Institution and condition for award of fellowships, scholarships, stipends, medals and prizes**

**6.1.1** Awards, Fellowships, Scholarships, Stipends, Medals, Prizes and other recognitions shall be instituted as recommended by the Academic Council and approved by the Board of Management.

**6.1.2** The eligibility criteria of the awards and other recognitions, their values and, where required, their tenure, and the methodology and procedure for the selection of Awardees shall be approved by the Board of Management, on the recommendation of the Academic Council.

## **CHAPTER – VII**

### **7.1 Maintenance of discipline among Students {Section 10(t) and 36 (3) (o)}**

7.1.1 All powers relating to discipline and disciplinary action in relation to students shall vest in the Vice Chancellor.

7.1.2 The Vice Chancellor may delegate all or such of his powers, as he deems proper to the Dean and to such other persons as he may specify in this behalf, with the approval of the President of the University.

7.1.3 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 issue order to direct that any student or students be expelled from the University or be fined 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.

### **7.2 Fees for various Courses (Section 10 (q), Section 36 (3) (r) and Section 52)**

7.2.1 The fees chargeable and any increase in the fee after each semester from students for various courses of studies shall be determined by the Board of Management on recommendations of a Fee Fixation Committee, as under: -

Vice Chancellor  
Two Members of BOM, UPES  
Member Academic Council, UPES  
External Member related to Programs  
External Member related to Accounts

*Head*

7.2.2 The fees recommended by the Fee Fixation Committee shall be presented through the Finance Committee in the following meeting of the Board of Management, whose consent and direction shall be taken in

this regard.

### **7.3 Seats in Courses of Studies {Section 36 (3) (r)}**

- 7.3.1 The Academic Council shall recommend to the Board of Management the number of seats in each course of study with its syllabus, for approval.
- 7.3.2 The minimum 25% of seats in each course of studies shall be reserved for the permanent residents of the State of Uttarakhand. Provided that the reservation policy of the State Government shall be applicable for admission for seats reserved for permanent residents of Uttarakhand. **(Section 13 (1)).**
- 7.3.3 In tuition fee of various courses 25% rebate shall be given to the permanent residents of the State of Uttarakhand. **(Section 13 (2)).**

## **CHAPTER – VIII**

### **8.1 Process of dissolution/winding up of the university {Section 36 (3) (q) read with Section 54}**

- 8.1.1 If the Sponsor Body proposes dissolution of the University in accordance with the law governing its constitution or incorporation, it shall give at least twelve months' notice in writing to the State Government of Uttarakhand.
- 8.1.2 On identification of mismanagement, maladministration, in-discipline, failure in the accomplishment of the objectives of University and economic hardships in the management systems of University, the State Government would issue directions to the management systems of university. If the directions are not followed within such time as may be prescribed by the State Government, the right to take direction for winding up of the University shall vest in the State Government after giving due opportunity for hearing to the management systems of the university.
- 8.1.3 The manner of winding up of the University would be as may be prescribed by the State Government in this behalf.
- 8.1.4 On receipt of the notice referred to in sub-section 8.1, the State Government shall make such arrangements in such manner as may be prescribed for administration of the University, from the date of dissolution of the University and until the last batch of students in regular program of the university complete their program/studies.

### **8.2 Expenditure of the University during dissolution (Section 55)**

- 8.2.1 The expenditure for administration of the University during the taking over period of its management under Clause 8.1, shall be met out of the permanent endowment fund, the general fund or the development fund.
- 8.2.2 If the funds referred to in Clause 8.2.1 are not sufficient to meet the expenditure of the University, such expenditure may be met by disposing of the properties or assets of the University, by the State Government.

## **CHAPTER – IX**

### **9.1 Ordinances how made, Power to amend Statutes (Section 37)**

- 9.1.1 The Board of Management shall not make, amend or repeal any Statute affecting the powers or constitution of any authority of the university until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes

and any opinion in writing on the proposed changes and any opinion so expressed shall be considered by the Board of Management.

- 9.1.2 The Board of Management shall have powers to make such Ordinances as provided under Section 37 of the Act.