

No. 301/XXXVI(3)/2021/12(1)/2020
Dated Dehradun, November 09, 2021

NOTIFICATION

Miscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Uttarakhand (The Uttar Pradesh State Council of Higher Education Act, 1995) (Amendment) Act, 2020 (Act No. 25 of 2021)'.

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 03 November, 2021.

The Uttarakhand (The Uttar Pradesh State Council of Higher Education Act, 1995 (Amendment) Act, 2020

(Uttarakhand Act No. 25 of 2021)

An

Act

further to amend the Uttar Pradesh State Council of Higher Education Act, 1995 (as applicable in the State of Uttarakhand) to the context of the State of Uttarakhand-

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

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| Short title & commencement | 1. | (1) This Act may be called the Uttarakhand (The Uttar Pradesh State Council of Higher Education Act, 1995) (Amendment) Act, 2020.
(2) It shall be deemed to have come into force from 28 February, 2014. |
| "Uttarakhand" shall be read in place of "Uttar Pradesh" | 2. | In the Uttar Pradesh State Council of Higher Education Act, 1995, (as applicable in the State of Uttarakhand) (hereinafter referred to as the principal Act) for the words "Uttar Pradesh", wherever they occur, the words shall be read as "Uttarakhand". |
| Amendment of Section 2 | 3. | After clause(h) of Section 2 of the principal Act, the following clause shall be inserted, namely:-
“(hh) “Prescribed” means prescribed by the Rules made under this Act.” |

- Substitution of Section 3
4. Section 3 of the principal Act shall be substituted as follows, namely:-
- "3 Establishment of Council of Higher Education:-
- (1) A council shall be established in the name of the Uttarakhand State Council of Higher Education.
- (2) The council shall be an advisory body."
- Substitution of Section 4
5. Section 4 of the principal Act shall be substituted as follows, namely:-
- "4 Constitution of Council- The following shall be the members in the Council, namely :-
- (a) Minister of Higher Education/ Minister of State (independent charge) Government of Uttarakhand *Chairperson - Ex. Officio*
- (b) Chief Secretary, Government of Uttarakhand *Vice Chairperson - Ex. Officio*
- (c) Additional Chief Secretary/ Principal Secretary/Secretary, Higher Education, Government of Uttarakhand *Member Secretary - Ex. Officio*
- (d) Chairman, University Grant Commission (U.G.C) or person nominated by him *Member*
- (e) Secretary, Ministry of Human Resource Development, Government of India or member nominated by him *Member*
- (f) Secretaries of the following Department in the State Government
- (i) Secretary to the Governor, Uttarakhand *Member*
- (ii) Secretary, Skill Development and Employment *Member*
- (iii) Secretary, Agriculture Education *Member*
- (iv) Secretary, Medical Education *Member*
- (v) Secretary, Technical Education *Member*
- (vi) Secretary, Ayush Education *Member*
- (vii) Secretary, Sanskrit Education *Member*
- (viii) Secretary, Law Department *Member*
- (ix) Secretary, Finance Department *Member*
- (g) Not exceeding five persons nominated by the state government from amongst the Vice Chancellors of the University established in the State of Uttarakhand *Members 3 from Government and 2 from Private Universities*
- (h) Director, Higher Education. *Member*
- (i) Three Eminent Educationists nominated by the State Government. *Members*
- (j) Two Eminent Industrialists from industrial area nominated by the State Government *Members*
- (k) Not exceeding two persons nominated by the State Government from amongst the principals of the Post Graduate Colleges established in the State of Uttarakhand. *Members 1 from Government and 1 from Private College*

Explanation: The post of the Chairperson is Ex. Officio which is not a office of profit. Any kind of honorarium, facilities etc. shall not be permissible to President/Chairperson.

Substitution of
Section 7

6. Section 7 of the principal Act shall be substituted as follows, namely:-
- "7. Terms and conditions of service of the President/Chairperson and nominated members:
- (1) The nominated member shall work during the pleasure of the Governor or till the attainment of age of 65 years, whichever is earlier.
 - (2) Any nominated member or co-opted member, as the case may be, may resign from his post by the letter duly signed, addressed to the State Government or the Council, but he/she shall remain in the post till the resignation is accepted by the State Government or by the Council, as the case may be.
 - (3) Subject to the provision of this section terms and conditions of the service of the nominated members shall be such as prescribed,
 - (4) The President/Chairperson shall exercise such powers and perform such duties as may be prescribed."

Amendment of
Section 11

7. The clause v of sub section(2) of Section 11 of the principal Act shall be substituted as follows, namely :-
- "v. Other functions :- To advise the State Government regarding Rashtriya Uchchatar Shiksha Abhiyan (RUSA) sponsored by Ministry of Human Resource Development Government of India and various schemes regarding higher education as operated by the State Government."

By Order,

HIRA SINGH BONAL,
Principal Secretary.