



## The Haryana State Higher Education Council Act, 2018

Act 4 of 2018

Keyword(s):

College, Commission, Council, Higher Education, University Grant  
Commission

Amendment append: 12 of 2020

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### LEGISLATIVE SUPPLEMENT

	CONTENTS	PAGES
<b>PART-I</b>	<b>ACTS</b>	
	1. THE HARYANA STATE HIGHER EDUCATION COUNCIL ACT, 2018 (HARYANA ACT NO. 4 OF 2018).	29—33
	2. THE HARYANA GROUP D EMPLOYEES (RECRUITMENT AND CONDITIONS OF SERVICE) ACT, 2018 (HARYANA ACT NO.5 OF 2018).	35—43
<b>PART-II</b>	<b>ORDINANCES</b>	
	NIL	
<b>PART-III</b>	<b>DELEGATED LEGISLATION</b>	
	NIL	
<b>PART-IV</b>	<b>CORRECTION SLIPS, REPUBLICATIONS AND REPLACEMENTS</b>	
	NIL	

**PART I****HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 28th March, 2018

**No. Leg.7/2018.**— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 27th March, 2018 and is hereby published for general information:-

**HARYANA ACT NO. 4 OF 2018****THE HARYANA STATE HIGHER EDUCATION COUNCIL ACT, 2018****AN****ACT**

*to promote academic excellence and social justice by obtaining academic input for policy formulation and perspective planning, ensuring autonomy and greater accountability of all institutions of Higher Education in the State and guiding the growth of Higher Education in accordance with the socio-economic requirements of the State as per the requirement of Rashtriya Uchchatar Shiksha Abhiyaan and for matters connected therewith or incidental thereto.*

Be it enacted by the Legislature of the State of Haryana in the Sixty-ninth Year of the Republic of India as follows:-

- |  |                                      |
|--|--------------------------------------|
| <p><b>1.</b> (1) This Act may be called the Haryana State Higher Education Council Act, 2018.<br/>(2) It shall be deemed to have come into force with effect from the 28th February, 2018.</p>   | <p>Short title and commencement.</p> |
| <p><b>2.</b> In this Act, unless the context otherwise requires,-</p> <p>(a) “Chairperson” means the Chairperson of the Council;</p> <p>(b) “college” means a college or institution including autonomous college maintained or approved or affiliated to any University which provides facility of studying in syllabi from admission till examination;</p> <p>(c) “Commission” means the Haryana State Higher Education Commission constituted under section 12;</p> <p>(d) “Council” means the Haryana State Higher Education Council constituted under section 3;</p> <p>(e) “Higher Education” means any education stream whether financial, technical including research studies that leads to award of degree, diploma or certificate but does not include Medical, Agriculture, Animal Husbandry and Horticulture stream;</p> <p>(f) “institution” means an academic institution of Higher Education maintained by, or admitted to the privileges of the University;</p> <p>(g) “member” means a member of the Council and includes the Chairperson and Vice-Chairperson;</p> <p>(h) “prescribed” means prescribed by the rules framed under this Act;</p> <p>(i) “State” means the State of Haryana;</p> <p>(j) “State Government” means the Government of the State of Haryana in the administrative department;</p> <p>(k) “University” means any University established by an Act passed by the State Legislature;</p> <p>(l) “University Grants Commission” means the Commission established under the University Grants Commission Act, 1956 (Central Act 3 of 1956);</p> <p>(m) “Vice-Chairperson” means Vice-Chairperson of the Council.</p> | <p>Definitions.</p>                  |

Constitution of Council.

**3.** (1) The State Government shall, by notification in the Official Gazette, constitute the Haryana State Higher Education Council consisting of the following members, namely:-

- (a) an educationist with proven leadership qualities or a famous intellectual – Chairperson;
- (b) an education administrator of all India repute who is or has worked at least on the post of Professor or equivalent post – Vice-Chairperson;
- (c) Principal Secretary, Higher Education- Member Secretary;
- (d) State Project Director – Member;
- (e) a representative of Higher Education Department not below the rank of Deputy Director – Member;
- (f) a representative of Technical Education Department not below the rank of Deputy Director- Member;
- (g) a representative of Finance Department not below the rank of Joint Secretary – Member;
- (h) fifteen members from the field of art, science, technology, culture, social sector and industry and professional Education etc.- Member:

Provided that ten members of the Council shall be from the State and five members shall be from other States and shall be of national repute.

- (i) Vice-Chancellors of any three Universities of the State – Member;
- (j) two Principals of autonomous or affiliated colleges – Member;
- (k) one member nominated by the Ministry of Human Resource Development, Government of India – Member.

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

(3) The tenure of each nominated member shall be for a period of six years and one-third of the members shall retire after every two years. The Council shall nominate seven new members in every two years.

(4) The meeting of the Council shall be held once every three months.

(5) The quorum of the meeting of the Council shall be one-third of the total number of members including the Chairperson and the Member Secretary.

(6) The headquarter of the Council shall at such place, as may be specified by the State Government.

First Chairperson.

**4.** The first Chairperson of the Council shall be appointed by the State Government and shall continue as such till the Selection Committee selects a Chairperson under the provisions of this Act.

Advisory committee.

**5.** (1) There shall be an advisory committee consisting of three members who shall be reputed academician or famous intellectuals for the selection of Chairperson of the Council.

(2) Out of the said three members, two members shall be nominated by the Council and one member shall be nominated by the State Government.

(3)The member nominated by the State Government shall be the Chairperson of the Advisory Committee.

Chairperson.

**6.** (1) The tenure of the Chairperson shall be for a period of five years.

(2) The Chairperson may be removed by the State Government, if his work and conduct is found unsatisfactory.

Selection Committee.

**7.** The Selection Committee consisting of the following members shall select the Chairperson on the recommendation of the Advisory Committee, namely:-

- (a) the Speaker of the State Legislative Assembly;
- (b) the Chief Minister;
- (c) Leader of the Opposition in the State Legislative Assembly.

- 8.** (1) The Vice-Chairperson shall be appointed by a three member committee for a period of five years. The Chairperson of the Council shall be the Chairperson of this committee. One member of the committee shall be nominated by the Council and one member shall be nominated by the State Government. Vice-Chairperson.
- (2) The Vice-Chairperson may be removed on the recommendation of the Council.
- 9.** (1) The State Government shall remove a member if he,- Removal of member.
- (a) becomes an undischarged insolvent;
- (b) is convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude;
- (c) becomes of unsound mind and stands so declared by a competent court;
- (d) refuses to act or becomes incapable of acting;
- (e) is, without obtaining leave of absence from the Council, absent from three consecutive meetings of the Council.
- (2) On a controversy regarding the disqualification of a member, the decision of the Chief Minister shall be final.
- (3) No person shall be eligible to be nominated as a member of the Council unless he is a graduate.
- 10.** The duties and functions of the Council shall be,- Duties and functions of Council.
- (i) to implement the decisions of the Commission;
- (ii) to frame policy of Higher Education for the State (Future Planning, Annual Planning and Budget);
- (iii) to help the Higher Education Institutes of the State in planning and implementation;
- (iv) to coordinate between the top institutes of education, regulatory bodies and State Government;
- (v) to invigilate and implement the planning of Higher Education;
- (vi) to manage, frame information system and its maintenance;
- (vii) to collect data pertaining to Higher Education at Government level and institution level from time to time;
- (viii) to evaluate the institutions of Higher Education in the State in accordance with the key performance indicators framed by National Higher Education Mission and if required, make parameters;
- (ix) to plan and suggest measures for the continuous growth in teaching quality and research in the State;
- (x) to suggest reforms in examination system;
- (xi) to make syllabi contemporary and relevant;
- (xii) to encourage innovation in research;
- (xiii) to safeguard the autonomy of the institutions of Higher Education of the State;
- (xiv) to grant permission for the establishment of new institutions, colleges;
- (xv) to suggest measures to improve the procedures of the recognition;
- (xvi) to advice the State Government on investments in Higher Education;
- (xvii) to advice the universities in making Regulations and Acts;
- (xviii) to manage the amount received as contribution of National Higher Education Mission through the State Government;
- (xix) to make such procedures through which Grant in Aid of the State Government may be transferred to the institution of Higher Education;
- (xx) to make and follow a transparent procedure to transfer the financial aid to universities and colleges under National Higher Education Mission.

- Meetings of Council. **11.** (1) The meetings of the Council shall be held as per requirement. However, it shall be mandatory to convene at least one meeting in three months.
- (2) The Member Secretary of the Council shall convene the meeting of the Council on the advice of the Chairperson.
- (3) The quorum of the meeting of the Council shall be one-third members of the total members of the Council.
- Constitution of Commission. **12.** (1) The State Government may, by notification in the Official Gazette, constitute the Haryana State Higher Education Commission under the Chairmanship of the Education Minister, Haryana and such other members, as the State Government may deem fit.
- (2) The terms and conditions of the members of the Commission shall be such as may be specified in the notification.
- (3) The Commission shall make recommendations and suggestions for academic excellence in the State.
- Vacancy not to invalidate proceedings. **13.** No act or proceedings of the Council shall be invalid merely on the ground of the existence of any vacancy, absence of member or defect in the constitution of the Council.
- Resignation. **14.** Any member may forward a resignation letter to the Chairperson but shall remain as a member till he is informed in writing that his resignation has been accepted by the Chairperson.
- Allowances to members. **15.** The members shall be entitled to receive such travelling allowances, daily allowances, local expenses and participation fees, as may be specified by the State Government.
- Emergent vacancies. **16.** (1) If any emergent vacancy occurs due to death, resignation, retirement or any other reason, the State Government shall nominate or appoint a member.
- (2) The tenure of the new member shall be for the remaining tenure of that member against whom he is nominated or appointed.
- Annual account and audit. **17.** (1) The accounts of the Council and the annual report of accounts shall be maintained in such manner, as may be prescribed.
- (2) The accounts of the Council shall be audited by an Auditor appointed by the Council.
- (3) The Member Secretary shall be responsible for the publication of the annual report and make available the sealed copy of report to each member and presenting the same before the Council for approval.
- (4) Mistakes and irregularities pointed out by the Auditor shall be rectified by the Council following due procedure.
- (5) The audited report of the accounts of the Council shall be presented to the State Government within prescribed time limit alongwith the comments of the Council.
- (6) After receiving the annual accounts and audit report, the State Government shall present it before the State Legislature as soon as possible.
- Annual report. **18.** (1) The Council shall present the annual report of its activities every year before the State Government.
- (2) After receiving the annual report, the State Government shall present the same before the State Legislature at the earliest.
- Protection of action taken in good faith. **19.** No suit, prosecution or other legal proceedings shall lie against any public servant or the State Government in respect of any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.
- Officers and employees of Council. **20.** (1) The Council may appoint such officers and employees as may be deemed necessary for smooth functioning of the Council.
- (2) The terms and conditions of the service of the officers and employees of the Council shall be such, as may be prescribed.

- 21.** The members, officers and employees of the Council shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code, 1860 (45 of 1860). Members, officers and employees of Council to be public servants.
- 22.** The Council may make such regulations which are not in contradiction of the provision of this Act and which are essential for the function of the Council. Power to make regulations.
- 23.** The State Government may make rules to carry out the purposes of this Act. Power to make rules.
- 24.** (1) If any difficulties arise in giving effect to the provisions of this Act, the Government may, by order, make such provisions, which are not relevant to the provisions of this Act, which appear necessary or expedient. Power to remove difficulties.  
(2) Any order made under this section shall be placed before the State Legislature.
- 25.** (1) The Haryana State Higher Education Council Ordinance, 2018 (Haryana Ordinance No.3 of 2018), is hereby repealed. Repeal and saving.  
(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

KULDIP JAIN,  
SECRETARY TO GOVERNMENT HARYANA,  
LAW AND LEGISLATIVE DEPARTMENT.

**हरियाणा सरकार**

विधि तथा विधायी विभाग

**अधिसूचना**

दिनांक 08 जून, 2020

**संख्या लैज.13/2020.**— दि हरियाणा स्टेट हायर एजुकेशन काउन्सिल (अमेन्डमेन्ट) ऐक्ट, 2020, का निम्नलिखित हिन्दी अनुवाद हरियाणा के राज्यपाल की दिनांक 26 मई, 2020 की स्वीकृति के अधीन एतद्द्वारा प्रकाशित किया जाता है और यह हरियाणा राजभाषा अधिनियम, 1969 (1969 का 17), की धारा 4—क के खण्ड (क) के अधीन उक्त अधिनियम का हिन्दी भाषा में प्रामाणिक पाठ समझा जाएगा :—

**2020 का हरियाणा अधिनियम संख्या 12****हरियाणा राज्य उच्चतर शिक्षा परिषद् (संशोधन) अधिनियम, 2020**

हरियाणा राज्य उच्चतर शिक्षा परिषद् अधिनियम, 2018

को आगे संशोधित करने के लिए

अधिनियम

भारत गणराज्य के इकहत्तरवें वर्ष में हरियाणा राज्य विधानमण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. यह अधिनियम हरियाणा राज्य उच्चतर शिक्षा परिषद् (संशोधन) अधिनियम, 2020, कहा जा सकता है। संक्षिप्त नाम तथा प्रारम्भ।
2. हरियाणा राज्य उच्चतर शिक्षा परिषद् अधिनियम, 2018 (जिसे, इसमें, इसके बाद, मूल अधिनियम कहा गया है) की धारा 2 के खण्ड (च) में, अनुमति प्राप्त शब्दों के बाद, "सरकारी, सरकारी सहायता—प्राप्त, निजी महाविद्यालयों और विश्वविद्यालयों सहित" शब्द तथा चिह्न रखे जाएंगे। 2018 का हरियाणा अधिनियम 4 की धारा 2 का संशोधन।
3. मूल अधिनियम की धारा 3 में,—
  - (i) उप-धारा (1) में,—
    - (क) खण्ड (ग) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा, अर्थात् :—  
“(ग) राज्य परियोजना निदेशक – सदस्य सचिव;”;
    - (ख) खण्ड (घ) का लोप कर दिया जाएगा;
    - (ग) खण्ड (ङ) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा, अर्थात् :—  
“(ङ) अपर मुख्य सचिव/ प्रधान सचिव, उच्चतर शिक्षा विभाग, हरियाणा या उसका प्रतिनिधि, जो निदेशक, उच्चतर शिक्षा विभाग, हरियाणा की पदवी से नीचे का न हो – सदस्य;”;
    - (घ) खण्ड (च) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा, अर्थात् :—  
“(च) अपर मुख्य सचिव/ प्रधान सचिव, तकनीकी शिक्षा विभाग, हरियाणा या उसका प्रतिनिधि, जो निदेशक, तकनीकी शिक्षा विभाग, हरियाणा की पदवी से नीचे का न हो – सदस्य;”;
    - (ङ) खण्ड (ज) में,—
      - (I) अन्त में विद्यमान “।” चिह्न के स्थान पर, “:” चिह्न प्रतिस्थापित किया जाएगा; तथा
      - (II) निम्नलिखित परन्तुक रखा जाएगा, अर्थात् :—  
“परन्तु यह और कि राज्य सरकार, परिषद् के अध्यक्ष की सिफारिश पर, अतिरिक्त सदस्यों/ विशेष आमन्त्रितियों, जो अपेक्षित हों, को शामिल कर सकती है।”।
  - (ii) उप-धारा (4) का लोप कर दिया जाएगा;
  - (iii) उप-धारा (5) के स्थान पर, निम्नलिखित उप-धारा प्रतिस्थापित की जाएगी, अर्थात् :—  
“(5) अध्यक्ष सहित समिति के एक चौथाई सदस्य तथा व्यक्तिगत रूप से उपस्थित सदस्य सचिव, परिषद् की प्रत्येक बैठक की गणपूर्ति करेंगे :



परन्तु यदि बैठक के लिए नियत समय से पन्द्रह मिनट के भीतर, कोई गणपूर्ति नहीं है, तो बैठक स्थगित हो जाएगी। स्थगित बैठक उस दिन दो घन्टे बाद या अध्यक्ष द्वारा यथा विनिश्चित अनुसार हो सकती है। ऐसी स्थगित बैठक के लिए कोई भी गणपूर्ति आवश्यक नहीं होगी तथा उपस्थित सदस्य कारबार, जिसके लिए बैठक बुलाई गई थी, का संव्यवहार कर सकते हैं।”।

2018 का  
हरियाणा  
अधिनियम 4 की  
धारा 4 का  
संशोधन।

4. मूल अधिनियम की धारा 4 में, “चयन समिति” शब्दों के बाद, “राज्य सरकार द्वारा नियुक्त किए जाने वाले” शब्द रखे जाएंगे।

2018 का  
हरियाणा  
अधिनियम 4 की  
धारा 5 का  
संशोधन।

5. मूल अधिनियम की धारा 5 की उपधारा (1) में, “अध्यक्ष के चयन के लिए” शब्दों के स्थान पर, “अध्यक्ष की नियुक्ति हेतु चयन समिति के लिए कोई पैनल तैयार करते हुए” शब्द प्रतिस्थापित किए जाएंगे।

2018 का  
हरियाणा  
अधिनियम 4 की  
धारा 8 का  
संशोधन।

6. मूल अधिनियम की धारा 8 की उप-धारा (1) में, “सदस्यी समिति” शब्दों के बाद, “की सिफारिशों पर राज्य सरकार” शब्द जोड़े जाएंगे।

2018 का  
हरियाणा  
अधिनियम 4 की  
धारा 10 का  
संशोधन।

7. मूल अधिनियम की धारा 10 में,—

- (i) खण्ड (vii) के स्थान पर, निम्नलिखित खण्ड प्रतिस्थापित किया जाएगा, अर्थात् :—  
“(vii) सरकार तथा संस्था से, समय—समय पर, उच्चतर शिक्षा से संबंधित डाटा संग्रहण करना;”;
- (ii) खण्ड (xiv) में, “नई संस्थाओं, महाविद्यालयों” शब्दों तथा चिह्न के स्थान पर, “उच्चतर शिक्षा की नई संस्थाओं” शब्द प्रतिस्थापित किए जाएंगे।

2018 का  
हरियाणा  
अधिनियम 4 की  
धारा 11 का  
संशोधन।

8. मूल अधिनियम की धारा 11 में,—

- (i) उप-धारा (1) में, “तीन मास में कम से कम” शब्दों के स्थान पर, “वर्ष में दो बैठक छह मास में कम से कम एक बार” शब्द प्रतिस्थापित किए जाएंगे; तथा
- (ii) उप-धारा (3) का लोप कर दिया जाएगा।

2018 का  
हरियाणा  
अधिनियम 4 की  
धारा 15 का  
संशोधन।

9. मूल अधिनियम की धारा 15 में, “विहित की जाए” शब्दों के स्थान पर, “विनिर्दिष्ट की जाए और परिषद् द्वारा स्वीकार की जाए” शब्द प्रतिस्थापित किए जाएंगे।

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बिमलेश तंवर,  
सचिव, हरियाणा सरकार,  
विधि तथा विधायी विभाग।