

PART I

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

Notification

The 25th April, 2006

No. 12-Leg./2006.—The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 18th April, 2006 and is hereby published for general information :—

**THE RAJIV GANDHI NATIONAL UNIVERSITY
OF LAW, PUNJAB ACT, 2006**

(Punjab Act No. 12 of 2006)

AN

ACT

to establish and incorporate a University for the development and advancement of legal education and for the purposes of imparting specialised and systematic instruction, training and research in systems of law and for the matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in the Fifty-seventh Year of the Republic of India as follows :—

1. (1) This Act may be called the Rajiv Gandhi National University of Law, Punjab Act, 2006. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

- (a) “Academic Council” means the Academic Council of the University;
- (b) “Academic Planning Board” means the Academic Planning Board of the University;
- (c) “Bar Council of India” means the Bar Council of India, constituted under the Advocates Act, 1961 ;
- (d) “Chancellor” means the Chancellor of the University;
- (e) “Chief Justice” means the Chief Justice of the Punjab and Haryana High Court including the acting Chief Justice;
- (f) “Executive Council” means the Executive Council of the University;
- (g) “Finance Committee” means the Finance Committee of the University;
- (h) “General Council” means the General Council of the University;

- (i) "prescribed" means prescribed by statutes and regulations made under this Act ;
- (j) "Registrar" means the Registrar of the University ;
- (k) "State Bar Council" means the Bar Council of Punjab and Haryana, constituted under the Advocates Act, 1961 ;
- (l) "State Government" means Government of the State of Punjab ;
- (m) "University" means the Rajiv Gandhi National University of Law, Punjab, established under section 3 ;
- (n) "Vice-Chancellor" means the Vice-Chancellor of the University ; and
- (o) "Visitor" means the Visitor of the University.

Establishment of
the University.

3. (1) There shall be established in the State of Punjab, a University by the name of the Rajiv Gandhi National University of Law, Punjab.

(2) The University shall be a body corporate by the name, specified in sub-section (1), and shall have perpetual succession and a common seal. It shall have the power to acquire, hold and dispose of property both movable and immovable and shall sue and be sued by the said name.

(3) The headquarters of the University shall be at Patiala or at such place, as may be specified by the State Government by notification in the Official Gazette.

Objects of the
University.

4. The objects of the University shall be,—

- (1) to evolve and impart comprehensive legal education including distant and continuing legal education at all levels to achieve excellence ;
- (2) to organize advanced studies and promote research in all branches of law ;
- (3) to disseminate legal knowledge and legal processes and their role in national development by organizing lectures, seminars, symposia, workshops and conferences ;
- (4) to promote cultural, legal and ethical values with a view to promote and foster the rule of law and the objectives enshrined in the Constitution of India ;

- (5) to improve the ability with a view to analyse and present for the benefit of the public, contemporary issues of public concern and their legal implications ;
- (6) to liaise with institutions of higher learning and research in India and abroad ;
- (7) to publish periodicals, treatises, study books, reports, journals and other literature on all subjects relating to law ;
- (8) to hold examinations and confer degrees and other academic distinctions ;
- (9) to promote legal awareness in the community for achieving social and economic justice ;
- (10) to undertake study and training projects relating to law, legislation and judicial institutions ; and
- (11) to do all such things as are incidental, necessary or conducive to the attainment of all or any of the objectives of the University.

5. The University shall have the following powers and functions to be exercised and performed by or through its various officers and authorities, namely :—

Powers and
functions
of the University.

- (1) to administer and manage the University, and such centres for study, research, education and instructions as are necessary in furtherance of the objects of the University ;
- (2) to provide for instruction in all branches of knowledge or learning pertaining to law and allied subjects as the University may deem fit ;
- (3) to make provisions for research and for the advancement and dissemination of knowledge of law including through distance learning and continuing education programmes ;
- (4) to confer degrees, titles, diplomas, certificates and other distinctions ;
- (5) to hold examinations and to grant or confer degrees, titles, diplomas and other academic distinctions on persons and to withdraw any such degrees, titles, diplomas and other academic distinctions subject to such conditions, as the University may determine ;

- (6) to fix, demand and receive fees and other charges as may be prescribed ;
- (7) to institute and maintain halls and hostels and to recognize places of residence for the students of the University and to withdraw such recognition ;
- (8) to establish special centres, specialized study centres or other units for research and instructions as are in the opinion of the University necessary in furtherance of its objects ;
- (9) to regulate the discipline of the students and staff of the University and to make arrangements for promoting their health and general welfare ;
- (10) to make arrangements in respect of residence, discipline and teaching of women students ;
- (11) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto ;
- (12) to regulate and enforce discipline among the employees of the University and to take such disciplinary measures, as may be deemed necessary ;
- (13) to institute Professorships, Associate Professorships, Assistant Professorships, Readerships, Lecturerships and any other teaching, academic or research posts, required by the University ;
- (14) to appoint persons as Professors, Associate Professors, Assistant Professors, Readers, Lecturers, Teachers, Researchers and other employees of the University ;
- (15) to institute and award Fellowships, Scholarships, Prizes and Medals ;
- (16) to provide for printing, reproduction and publication of research and other works and to organize exhibitions ;
- (17) to sponsor and undertake research in all aspects of law, justice and social development ;
- (18) to co-operate with any other organizations in the matter of education, training and research in law, justice, social development and allied subjects for such purposes, as may be agreed upon, on such terms and conditions, as the University may from time to time, determine ;

- (19) to co-operate with institutions of higher learning in any part of the world having objects wholly or otherwise similar to those of the University by exchange of teachers and scholars and generally in such manner, as may be conducive to the common objects of the University ;
- (20) to regulate the expenditure and to manage the accounts of the University ;
- (21) to establish and maintain within the premises of the University or elsewhere such Schools, Colleges and Study Halls, as the University may consider necessary and adequately furnish the same ;
- (22) to establish and maintain such libraries and reading rooms, as may appear convenient or necessary for the University ;
- (23) to receive grants, subventions, subscriptions, donations and gifts to achieve the objects of the University ;
- (24) to purchase, take on lease, or accept as gifts, or otherwise any land or building or works, which may be necessary or convenient for the purpose of the University on such terms and conditions, as it may deem necessary and proper and to construct or alter and maintain any such land and building or works ;
- (25) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms and conditions, as it may deem necessary and proper without prejudice to the interests and objects of the University ;
- (26) to draw and accept, to make and endorse, to discount and negotiate Government of India and other promissory notes, bills of exchange, cheques or other negotiable instruments ;
- (27) to execute conveyances, transfers, reconveyances, mortgages, leases, licences and agreements in respect of property, movable or immovable including the State Government securities belonging to the University or to be acquired for the University ;
- (28) to appoint in order to execute an instrument or transact a business of the University, any person as it may deem fit ;

- (29) to give up and cease from carrying on any classes or departments of the University ;
- (30) to enter into any agreement with the Central Government, State Government, the University Grants Commission or any other Authority for receiving grants ;
- (31) to accept grants of money, securities or property of any kind or description on such terms and conditions, as may be deemed expedient ;
- (32) to raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions, as it may think fit, and to pay out of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed or debt made ;
- (33) to invest the funds of the University or moneys entrusted to the University in or upon such securities or deposits and in such manner, as it may deem fit and from time to time, transpose any investments ;
- (34) to make such statutes, regulations and other instruments, as may from time to time, be considered necessary for regulating the affairs and the management of the University and its properties and to alter, modify and to rescind them ;
- (35) to constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed, pension, insurance, provident fund and gratuity and other schemes, as it may deem fit and to make such grants as it may think proper for the benefit of the staff of the University and to aid in the establishment and support of associations, institutions, funds and trusts for the benefit of the staff and the students of the University ;
- (36) to confer honorary degrees and other distinctions in the manner laid down in the regulations ;
- (37) to delegate all or any of its powers to the Vice-Chancellor or any Committee or to any one or more members of its body or its officers ; and

(38) to do all such other acts and things, as the University may consider necessary, conducive or incidental to the attainment or enlargement of the aforesaid objects or any of them.

6. (1) All teaching in connection with the degrees, diplomas and certificates of the University, shall be conducted in accordance with the regulations made under this Act. Teaching in the University.

(2) The courses and curricula and the authorities responsible for organizing the teaching of such courses and curricula shall be such, as may be prescribed.

7. (1) The Chief Justice of India or his nominee, who shall be a senior judge of the Supreme Court, shall be the Visitor of the University. Visitor.

(2) The Visitor when present, shall preside over the convocations of the University and the meetings of the General Council.

8. (1) The Chief Justice of the High Court of Punjab and Haryana shall be the Chancellor of the University and in his absence, the acting Chief Justice of the High Court of Punjab and Haryana shall discharge the functions of the Chancellor. The Chancellor.

(2) The Chancellor, in the absence of the Visitor, shall preside over the convocations of the University and meetings of the General Council.

(3) The Chancellor may cause an inspection, to be made by such person or persons as he may direct, of the University, its buildings, libraries and equipments and of any institution maintained by the University, and also of the examinations, teaching and other work conducted or done by the University and cause an inquiry to be made in the like manner in respect of any matter connected with the administration and finances of the University.

(4) The Chancellor may offer such advice to the University, as he may deem appropriate with reference to the result of such inspection or inquiry.

(5) The University shall communicate to the Chancellor, the action taken or proposed to be taken on such advice.

(6) In case of differences among the authorities or officers of the University on any matter, which cannot be otherwise resolved, the decision of the Chancellor shall be final.

(7) The Chancellor may invite a person or persons of eminence in law and legal education to advise the University in relation to the affairs of the University as and when he deems it necessary.

Authorities of the
University.

9. The following shall be the Authorities of the University, namely :—

- (i) the General Council ;
- (ii) the Executive Council ;
- (iii) the Academic Council ;
- (iv) the Academic Planning Board ;
- (v) the Finance Committee ; and
- (vi) such other authorities, as may be declared by the statutes from time to time.

General Council
and its terms of
office.

10. (1) The General Council shall be the supreme authority of the University and it shall consist of the following persons, namely :—

- (a) the Chancellor ; .. Chairman
- (b) the Vice-Chancellor ; .. Member
- (c) the Attorney General of India ; .. Member
- (d) the Chairman, Bar Council of India or his nominee from amongst the members of the Bar Council of India ; .. Member
- (e) the Chief Secretary, Government of Punjab ; .. Member
- (f) the Secretary to Government of Punjab, Department of Finance ; .. Member
- (g) the Secretary to Government of Punjab, Department of Higher Education ; .. Member
- (h) the Legal Remembrancer and Secretary to Government of Punjab, Department of Legal and Legislative Affairs ; .. Member
- (i) the Advocate General, Punjab ; .. Member
- (j) the Chairman, Bar Council of Punjab and Haryana ; .. Member
- (k) two persons from amongst the sitting or retired judges of the High Court of Punjab and Haryana, to be nominated by the Chancellor ; .. Members

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| (l) | two pre-eminent persons in the disciplines of Social Sciences and Humanities, to be nominated by the Chancellor ; | .. Members |
| (m) | two pre-eminent persons in legal or educational field, to be nominated by the Chancellor ; and | .. Members |
| (n) | all Professors of the University. | .. Members |

(2) A person, who has become a member of the General Council by reason of office or appointment he holds, his membership shall be terminated, when he ceases to hold that office or appointment.

(3) The term of office of the nominated members of the General Council shall be three years.

(4) A member of the General Council shall cease to be a member, if he resigns or becomes of unsound mind, or becomes insolvent or is convicted of a criminal offence involving moral turpitude. A member, other than the Vice-Chancellor or Professor, shall also cease to be member, if he accepts a full time appointment in the University or if he not being an *ex officio* member, fails to attend three consecutive meetings of the General Council without obtaining the leave of the Chancellor.

(5) A member of the General Council other than an *ex officio* member, may resign his office by a letter addressed to the Chancellor and such resignation shall take effect as soon as it has been accepted by him.

(6) Any vacancy of the nominated member in the General Council shall be filled by nomination by the nominating authority and on expiry of the period of the vacancy, such nomination shall cease to be effective.

11. The General Council shall be the plenary authority of the University and shall formulate and review from time to time the board policies and programmes of the University and devise measures for the improvement and development of the University and shall also have the following powers and functions, namely :—

Powers and
functions of the
General Council.

- (i) to consider and pass the annual report, financial statement and the budget estimates prepared by the Executive Council and to adopt them with or without modification ; and

- (ii) to make statutes concerning the administration of the affairs of the University including prescribing the procedures, to be followed by the authorities and the officers of the University in the discharge of their functions.

Meetings of the
General Council.

12. (1) The meeting of the General Council shall be called at least once in a year. An annual meeting of the General Council shall be held on such date, as be fixed by the Executive Council, unless some other date has been fixed by the General Council in respect of any year.

(2) A report of the working of the University during the previous year, together with a statement of receipts and expenditure, the balance sheet as audited, and the financial estimates shall be presented by the Vice-Chancellor to the General Council at its annual meetings.

(3) The meeting of the General Council shall be called by the Chancellor or by the Vice-Chancellor either on his own or at the request of not less than ten members of the General Council.

(4) For every meeting of the General Council, fifteen days notice shall be given to every member before the date of the meeting.

(5) One half of the members, existing on the rolls of the General Council, shall form the quorum.

(6) Each member shall have one vote and, if there is equality of votes on any question to be determined by the General Council, the person presiding over the meeting shall, in addition, have a right of casting vote.

(7) In case of difference of opinion among the members, the opinion of majority of members shall prevail.

(8) If an urgent action, to be taken by the General Council becomes necessary, the Vice-Chancellor, may permit the business, to be transacted by circulation of papers to the members of the General Council. The action so proposed to be taken, shall not be taken, unless agreed to by a majority of members of the General Council. The action so taken, shall be intimated forthwith to all the members of the General Council. In case, the authority concerned fails to take decision, the matter shall be referred to the Chancellor. whose decision shall be final.

13. (1) The Executive Council shall consist of the following persons, The Executive Council.
namely :—

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| (a) the Vice-Chancellor ; | .. Chairman |
| (b) the Chairman of the Bar Council of India or his nominee from amongst its members ; | .. Member |
| (c) the Chairman of State Bar Council ; | .. Member |
| (d) the Secretary to Government of Punjab, Department of Finance ; | .. Member |
| (e) the Secretary to Government of Punjab, Department of Higher Education ; | .. Member |
| (f) the Legal Remembrancer and Secretary to Government of Punjab, Department of Legal and Legislative Affairs ; | .. Member |
| (g) the Advocate General, Punjab ; | .. Member |
| (h) two Professors of Law outside the University, to be nominated by the Vice-Chancellor ; and | .. Members |
| (i) three teachers of the University, to be nominated by the Vice-Chancellor of whom, two shall be from amongst the Professors and one from amongst the Associate Professors of the University by rotation for a period of one year. | .. Members |

(2) A person, who has become a member of the Executive Council by reason of the office or appointment, he holds, his membership shall be terminated, when he ceases to hold that office or appointment.

(3) The term of office of the nominated members of the Executive Council shall be three years.

(4) A member of the Executive Council shall cease to be member, if he resigns or becomes of unsound mind or becomes insolvent or is convicted of a criminal offence involving moral turpitude. A member other than the Vice-Chancellor or teachers, shall also cease to be a member, if he accepts a full time appointment in the University or if he being a teacher fails to attend three consecutive meetings of the Executive Council without the leave of the Vice-Chancellor.

(5) A member of the Executive Council other than an *ex-officio* member, may resign his office by a letter, addressed to the Vice-Chancellor and such resignation shall take effect as soon as it has been accepted by him.

(6) Any vacancy of the nominated member in the Executive Council shall be filled by nomination by the respective nominating authority and on expiry of the period of vacancy, such nomination shall cease to be effective.

Powers and
functions of the
Executive
Council.

14. (1) The Executive Council shall be the Chief Executive Authority of the University, and as such, it shall have all powers, necessary to administer the University, subject to the provisions of this Act and the statutes made thereunder. The Executive Council may make regulations for that purpose and also with respect to matters mentioned in sub-section (2).

(2) The Executive Council shall have the following powers and functions, namely :—

- (i) to recommend the names of three persons to the Chancellor for appointment as Registrar on the recommendations of the Selection Committee constituted for that purpose by it which is headed by the Vice-Chancellor ;
- (ii) to prepare and present to the General Council at its annual meetings, a report on the working of the University, a statement of accounts and budget proposals for the ensuing academic year ;
- (iii) to manage and regulate the finances, accounts, investments, properties, business and all other administrative affairs of the University and for that propose, constitute committees and delegate the powers to such committees or such officers of the University as it may deem fit ;
- (iv) to invest any money belonging to the University, including any unapplied income, in such stock, funds, shares or securities, as it may think fit, from time to time ;
- (v) to transfer or accept transfers of any movable or immovable property on behalf of the University ;

- (vi) to enter into, vary, carryout and cancel contracts on behalf of the University and for that purpose to appoint such officers, as it may think fit ;
- (vii) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University ;
- (viii) to entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the officers, the teachers, the students and the employees of the University ;
- (ix) to create teaching, administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify the minimum qualifications for appointment to such posts on such terms and conditions of service, as may be prescribed ;
- (x) to appoint examiners and moderators, and if necessary to remove them and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council ;
- (xi) to select a common seal for the University ; and
- (xii) to exercise such other powers and to perform such other duties, as may be considered necessary or imposed on it by or under this Act.

15. (1) The meeting of the Executive Council shall be called atleast once in four months. For every meeting of the Executive Council, fifteen days' notice shall be given to every member before the date of meeting.

Meetings of the
Executive
Council.

(2) The meeting of the Executive Council shall be called by the Registrar under the instructions of the Vice-Chancellor or at the request of not less than five members of the Executive Council.

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

(4) In case of differences of opinion among the members, the opinion of the majority shall prevail.

(5) Each member of the Executive Council shall have one vote and if there is equality of votes on any question, to be determined by the Executive Council, the Chairman of the Executive Council or as the case may be, the Member presiding over that meeting shall, in addition, have a right of casting vote.

(6) Every meeting of the Executive Council shall be presided over by the Vice-Chancellor and in his absence, by a member, chosen by the members present.

(7) If an urgent action, to be taken by the Executive Council becomes necessary, the Vice-Chancellor, may permit the business, to be transacted by circulation of papers to the members of the Executive Council. The action so proposed to be taken, shall not be taken unless agreed to by a majority of members of the Executive Council. The action so taken, shall be forthwith intimated to all the members of the Executive Council. In case, the authority concerned fails to take decision, the matter shall be referred to the Chancellor, whose decision shall be final.

The Academic
Council.

16. (1) The Academic Council shall consist of the following persons, namely :—

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| (a) the Vice-Chancellor ; | .. Chairman |
| (b) three person from amongst
the educationists of repute
or men of letters or members
of the legal profession,
practicing in the High Court
and Supreme Court, who are
not in the service of the
University, to be nominated
by the Chancellor ; | .. Members |
| (c) a nominee of the Bar Council
of India ; | .. Member |
| (d) a nominee of the State Bar
Council ; | .. Member |
| (e) all Professors of the
University ; | .. Members |
| (f) all the Heads of the Departments
of the University ; and | .. Members |

- (g) two members of the teaching staff, one each respectively representing the Associate and Assistant Professors of the University, to be nomination by the Vice-Chancellor for a period of one year on rotation. .. Members

(2) The term of the members other than *ex officio* members and those whose term is specified in clause (g) of sub-section (1), shall be three years.

17. Subject to the provisions of this Act, the statutes and regulations, and overall supervision of the Executive Council, the Academic Council shall manage the academic affairs and matters of the University and in particular, shall have the following powers and functions, namely :—

Powers and
functions of
the
Academic
Council.

- (i) to report on any matter referred or delegated to it by the General Council or the Executive Council ;
- (ii) to make recommendations to the Executive Council with regard to the creation, abolition or classification of teaching posts in the University and the emoluments payable and the duties attached thereto ;
- (iii) to formulate, modify or revise schemes for the organization of the faculties, and to assign to such faculties their respective subjects, and also to report to the Executive Council as to the expediency of the abolition or sub-division of any faculty or the combination of one faculty with another ;
- (iv) to recommend arrangements for the instruction and examination of persons, other than those, enrolled in the University ;
- (v) to promote research within the University and to require from time to time, reports on such research ;

- (vi) to consider proposals submitted by the faculties ;
- (vii) to suggest policies for admissions to the University ;
- (viii) to recommend recognized diplomas and degrees of other Universities and institutions and to determine their equivalence in relation to the certificates, diplomas and degrees of the University ;
- (ix) to fix, subject to any conditions accepted by the General Council, the time, mode and conditions of competition for Fellowships, Scholarships and other prizes and to recommend award for the same ;
- (x) to make recommendations to the Executive Council in regard to the appointment of examiners and if necessary, their removal and fixation of their fees, emoluments and travelling and other expenses ;
- (xi) to recommend arrangements for the conduct of examinations and the dates for holding them ;
- (xii) to declare or review the result of the various examinations or to appoint committees or officers to do so, and to make recommendations regarding the conferment or grant of degrees, honours, diplomas, licences, titles and marks of honour ;
- (xiii) to recommend stipends, scholarships, medals and prizes and to make other awards in accordance with the regulations and such other conditions, as may be attached to the awards ;
- (xiv) to approve or revise lists of prescribed or recommended text books and to publish the same and syllabus at the prescribed courses of study ;
- (xv) to approve such forms and registers, from time to time, as are required by the regulations ; and
- (xvi) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the regulations made thereunder.

(2) One half of the existing members of the Academic Council shall form the quorum for a meeting.

(3) In case of difference of opinion among the members, the opinion of the majority of the members shall prevail.

(4) Each member of the Academic Council, including the Chairman of the Academic Council, have right to one vote and if there be an equality of votes on any question to be determined by the Academic Council, the Chairman of the Academic Council, or as the case may be, the member presiding over the meetings, shall in addition, have a right of casting vote.

(5) Every meeting of the Academic Council shall be presided over by the Vice-Chancellor and in his absence, by a member, chosen in the meeting to preside on the occasion.

(6) If an urgent action, to be taken by the Academic Council, becomes necessary, the Chairman of the Academic Council, may permit the business to be transacted by circulation of papers to the members of the Academic Council. The action proposed to be taken, shall not be taken unless agreed to, by a majority of the members of the Academic Council. The action so taken, shall forthwith be intimated to all the members of the Academic Council. In case, the authority concerned fails to take decision, the matter shall be referred to the Chancellor, whose decision shall be final.

19. (1) The Academic Planning Board shall consist of the following persons, namely :—

The Academic
Planning Board.

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|-----|-----------------------------------------------------------------------------|----|----------|
| (a) | the Vice-Chancellor ; | .. | Chairman |
| (b) | two Directors of Law Universities, to be nominated by the Vice-Chancellor ; | .. | Members |
| (c) | two eminent Professors of Law, to be nominated by the Vice-Chancellor ; | .. | Members |
| (d) | the Attorney General of India ; | .. | Member |
| (e) | the Solicitor General of India ; and | .. | Member |
| (f) | the Chairman, Bar Council of India. | .. | Member |

(2) The meeting of the Academic Planning Board shall be called once in a year to develop plans on the future programmes of the University and recommend the same for the consideration of the Academic Council and Executive Council. It shall also recommend long term plans on different activities of the University as and when found necessary.

The Finance
Committee.

20. (1) The Finance Committee constituted by the Executive Council, shall consist of the following persons, namely :—

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| (a) | the Vice-Chancellor ; | .. | Chairman |
| (b) | the Secretary to Government
of Punjab, Department of
Finance ; and | .. | Member |
| (c) | three other members, to be
nominated by the Executive
Council from amongst its
members of whom one
shall be a Professor. | .. | Members |

(2) The members of the Finance Committee, other than the Vice-Chancellor and Professor, shall hold office so long as they continue as members of the Executive Council.

(3) The Finance Committee shall perform the following functions and duties, namely :—

- (i) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Executive Council ;
- (ii) to consider all proposals for new expenditure and to make recommendations to the Executive Council ;
- (iii) to consider the periodical statement of accounts and to review the finances of the University, from time to time; and to consider re-appropriation statements and audit reports and to make recommendations to the Executive Council; and
- (iv) to give its views and to make recommendations to the Executive Council on any financial question affecting the University either on its own initiative or on reference from the Executive Council or the Vice-Chancellor.

(4) The meeting of the Finance Committee shall be called atleast thrice in every year. Atleast three members of the Finance Committee shall form the quorum.

(5) The Vice-Chancellor shall preside over the meetings of the Finance Committee, and in his absence, a member, elected at the meeting, shall preside. In case of difference of opinion among the members, the opinion of the majority of the members present, shall prevail.

21. The following shall be the officers of the University, namely:—

Officers of the University.

- (i) the Vice-Chancellor ;
- (ii) the Registrar ;
- (iii) the Head of the Department ; and
- (iv) such other officers as may be prescribed.

22. (1) The Vice-Chancellor, who shall be an academic person and an outstanding scholar in law, be a whole-time officer of the University.

The Vice-Chancellor.

(2) The Vice-Chancellor, shall be appointed by the Chancellor from out of a panel of not less than three persons recommended by a Committee, constituted under sub-section (3) :

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

(3) The Committee referred to in sub-section (2), shall consist of three members of whom, one shall be nominated by the Executive Council, one by the Chairman, University Grants Commission, constituted under University Grants Commission Act, 1956 and one by the Chancellor from amongst the retired or serving Judges of the Supreme Court of India or Chief Justice of High Court of Punjab and Haryana. The person nominated by the Chancellor, shall be the Convenor of the Committee.

(4) No person, who is an employee of the University, shall be nominated as a Member of the Committee constituted under sub-section (3).

(5) The term of office of the Vice-Chancellor, shall be five years from the date on which he enters upon his office, or until he attains the age of seventy years, whichever is earlier, and he shall be eligible for reappointment for further terms till he attains the age of seventy years :

Provided that the Chancellor may, require the Vice-Chancellor after his term has expired, to continue in office for such period, as may be specified by him, but such period shall not exceed in any case the period of one year.

(6) The emoluments and other conditions of service of the Vice-Chancellor shall be such, as may be prescribed and shall not be varied to his disadvantage after his retirement.

(7) When a vacancy occurs, or is likely to occur in the office of the Vice-Chancellor due to death, resignation of otherwise or if he is unable to perform

his duties due to ill-health or any other cause, the Chancellor shall have the authority to designate a Professor of the University to perform the functions of the Vice-Chancellor until the new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

Powers and duties
of the Vice-
Chancellor.

23. (1) The Vice-Chancellor shall ensure that the provisions of this Act, statutes and regulations are duly observed, and he shall have all such powers, as are necessary for that purpose.

(2) The Vice-Chancellor shall convene the meetings of the General Council, the Executive Council, the Academic Council and shall perform all such other acts, as may be necessary to give effect to the provisions of this Act.

(3) The Vice-Chancellor shall preside over the meetings of the General Council in the absence of the Chancellor.

(4) The Vice-Chancellor shall be the competent authority to appoint the teachers, librarians, finance officer and other officers in consultation with the Chancellor on the recommendations of the Selection Committee, appointed by the Executive Council for that purpose in accordance with the specified guidelines.

(5) The Vice-Chancellor shall be the competent authority to take disciplinary action against the persons mentioned in sub-section (4), in accordance with the prescribed procedure.

(6) The Vice-Chancellor shall have all powers relating to the maintenance of proper discipline in the University.

(7) If in any emergency, which in the opinion of the Vice-Chancellor, requires immediate action to be taken, he shall take such action, as he deems necessary and shall, at the earliest possible, report the action to the authority or other body, as the case may be, for confirmation in the next meeting of the authority, which in the ordinary course would have dealt with the matter.

The Registrar.

24. The Registrar, who shall be an academic person, not below the rank of a Professor and he shall be a whole-time officer of the University and shall be appointed by the Chancellor on the recommendation of the Selection Committee, constituted by the Executive Council and headed by the Vice-Chancellor on such terms and conditions of service, as it may specify, subject to the provisions of statutes and regulations.

Powers and duties
of the Registrar.

25. The Registrar shall,—

- (i) be the *Ex Officio* Secretary of all the authorities, committees and other bodies of the University and shall also be the Convenor of all the meetings. He shall note and maintain the minutes of meetings ;
- (ii) be the principal adjutant of the Vice-Chancellor in all matters pertaining to the administration of the University. The Executive Council, may entrust to him special responsibilities and powers ;

- (iii) have the power to appoint with the approval of the Vice-Chancellor, the non-teaching staff including employees of the last grade service and contingent staff in pursuance of the recommendations of the Selection Committee, appointed for that purpose, in the prescribed manner. He shall be the competent authority to take disciplinary action against such employees in accordance with such procedure, as may be prescribed ;
- (iv) comply with all directions and orders of the Executive Council and the Vice-Chancellor ; and
- (v) be the custodian of records, common seal and such other property of the University, as the Executive Council shall commit to his charge.

26. (1) There shall be a Head for each of the Department in the University.

Heads of the
Departments.

(2) The powers, functions, appointments and conditions of service of the Heads of the Departments shall be such, as may be prescribed.

27. (1) Subject to the regulations made under this Act, every officer or employee of the University shall be appointed in accordance with a written contract, which shall be lodged with the University and a copy thereof shall be furnished to the officer or employee concerned.

Other officers
and employees.

(2) Any dispute arising out of a contract between the University and any of its officers or employees shall, at the request of the officer or the employee concerned or at the instance of the University, be referred to the Tribunal for arbitration consisting of three members, appointed by the Executive Council in accordance with such manner, as may be prescribed.

28. The Executive Council shall constitute various Selection Committees for appointment to the posts of officers and non-teaching staff including the last grade service and contingent staff. The procedure for appointment of members of Selection Committees and the procedure to be adopted by such Committees, shall be such, as may be prescribed.

Selection
Committees.

29. (1) The first Statutes of the University shall be made by the Vice-Chancellor with the approval of the Chancellor. They shall be placed before the General Council in its first meeting, which may adopt them with or without modifications. Subsequent statutes or modifications in the statutes shall be made by the General Council.

Statutes and
Regulations.

(2) The first regulations of the University shall be made by the Vice-Chancellor with the approval of the Chancellor. They shall be placed before the Executive Council at its first meeting, which may adopt them with or without modifications. Subsequent regulations or modification in the regulations shall be made by the Executive Council.

Appointment of
first Vice-
Chancellor and
first Registrar.

30. Notwithstanding anything contained in this Act and the statutes, the first Vice-Chancellor shall be appointed by the State Government. The first Registrar, who shall be an academic person in law, shall be appointed by the Chancellor on the recommendations of the Vice-Chancellor. The said officers shall hold office for a period of five years. However, till the appointment of a regular Vice-Chancellor is made, the Secretary, Department of Higher Education, Punjab, shall hold charge.

Honorary
degree.

31. If not less than two-third of the members of the Academic Council recommend that a honorary degree or academic distinction be conferred on any person on the ground that he is, in their opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the General Council may, by a resolution, decide that the same may be conferred on the person so recommended.

Withdrawal
of degree or
diploma.

32. (1) The General Council may, on the recommendation of the Executive Council, withdraw any distinction, degree, diploma or privilege conferred on, or granted to, any person by a resolution passed by the majority of the total membership of the General Council and by a majority of not less than two thirds of the members of the General Council present and voting at the meeting, if such person has been convicted by a court of law for an offence, which in the opinion of the General Council, involves moral turpitude or if he has been guilty of gross misconduct.

(2) No action under sub-section (1), shall be taken against any person, unless he has been given an opportunity of being heard against the action proposed to be taken.

(3) A copy of the resolution passed under sub-section (1), by the General Council, shall be immediately sent to the person concerned.

(4) Any person aggrieved by the decision taken by the General Council, may appeal to the Chancellor within a period of thirty days from the date of receipt of such resolution.

(5) The decision of the Chancellor in appeal, shall be final.

Discipline.

33. (1) The Vice-Chancellor shall be the final authority for the maintenance of discipline among the students of the University. His directions in this behalf shall be carried out by the Heads of Departments, hostels and institutions.

(2) Notwithstanding anything contained in sub-section (1), the punishment of debarring a student from an examination or rustication from the University or a hostel or an institution shall, on the report of the Vice-Chancellor, be considered and imposed by the Executive Council :

Provided that no such punishment shall be imposed without giving the student concerned a reasonable opportunity of being heard against the action proposed to be taken against him.

34. Every student of the University, shall reside in a hostel maintained or recognized by the University or under such conditions, as may be prescribed. Residence of students.
35. No act or proceeding of the General Council, the Executive Council or any other authority or officer or body of the University, shall be invalidated or questioned on the ground merely of the existence of any vacancy or defect in the constitution thereof. Acts or proceedings not to be invalidated by vacancies.
36. No suit, prosecution or other legal or administrative proceedings shall lie against the University or any authority or officer or employee of the University for anything, which is in good faith done or intended to be done in pursuance of the provisions of this Act, or the statutes or regulations made thereunder. Indemnity against general proceedings.
37. The provisions of this Act, statutes and regulations made thereunder, shall have over-riding effect notwithstanding anything inconsistent therewith contained in any other State law or instrument having the force of law for the time being in force. Over-riding effect.
- 38 (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by an 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 for removing the difficulty : Power to remove difficulties.
- Provided that no order shall be made under this section, after the expiry of a period of two years from the date of commencement of this Act.
- (2) Every order made under this section, shall be laid, as soon as may be, after it is made, before the State Legislature.
39. Whenever the University receives funds from any Government, the University Grants Commission or other agencies sponsoring a scheme, to be executed by the University, notwithstanding anything contained in this Act or the regulations— Sponsored Schemes.
- (i) the amount received, shall be kept by the University separately from the University Fund and utilised only for the purpose of the scheme ; and
 - (ii) the staff required to execute the scheme, shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization.

HARBANS SINGH,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.