

## **Punjabi University Act, 1961**

**35 of 1961**

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## **Punjabi University Act, 1961**

**35 of 1961**

AN ACT to establish and incorporate a University for the

advancement of Punjabi studies and development of Punjabi language as a medium of instruction or otherwise for the providing of instruction in humanistic and scientific subjects and generally for the promotion of higher education and research. BE IT enacted by the Legislature of the State of Punjab in the Twelfth Year of the Republic of India as follows:

### **1. Short Title And Commencement :-**

- (1) This Act may be called the Punjabi University Act, 1961.
- (2) It shall come into force on such date as the State Government may, by notification, appoint.

### **2. Definitions :-**

In this Act and in all Statutes, Ordinances and Regulations made hereunder, unless the context otherwise requires:

- (a) "College" means an institution maintained by or admitted to the privileges of the University under this Act;
- (b) "Principal" means the head of a College, and includes, when there is no Principal, the person for the time being duly appointed to act as Principal, and in the absence of the Principal or the acting Principal, a Vice-Principal duly appointed as such;
- (c) "Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University made by or under this Act;
- (d) "Teachers" includes Professors, Readers, Lecturers and other persons imparting instruction in the University or in any college;
- (e) "University" means the Punjabi University as incorporated under this Act.

### **3. Incorporation Of The University :-**

- (1) The first Chancellor and the first Vice-Chancellor of the University and the first members of the Senate, the Syndicate and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "The Punjabi University."
- (2) The University shall have perpetual succession and a common seal with power to acquire, hold and dispose of property, and to contract, and may by the said name sue and be sued.
- (3) The University shall be located at such place as the State

Government may, by notification, specify.

#### **4. Powers And Duties Of The University :-**

The University shall exercise the following powers and perform the following duties, namely:

- (1) to make provision for imparting education in the humanities, sciences, learned professions and such other branches of learning and courses of study as it may think fit and to make provision for research and for the advancement and dissemination of knowledge;
- (2) to promote Punjabi studies, to provide for research in Punjabi literature, to undertake measures for the development of Punjabi Language and to progressively adopt it as a medium of instruction and examination for as many subjects as possible;
- (3) to Institute and confer degrees, diplomas and other academic distinctions;
- (4) to hold examinations and to grant and confer degrees, diplomas and other distinctions to and on persons who -
  - (a) shall have pursued a course of study in the university or in one of its institutions, unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Regulations and shall have passed the examination prescribed by the University; or
  - (b) shall have carried on research under conditions prescribed by the Ordinances and Regulations;
- (5) to confer honorary degrees in the manner laid down by the Statutes;
- (6) to institute professorships, readerships, lecturerships and any other teaching posts required by the University and to appoint persons to such professorships, readerships, lecturerships and other posts;
- (7) to institute and award fellowships, scholarships, studentships, exhibitions and prizes in accordance with the Statutes and Ordinances;
- (8) to institute and maintain Halls and Hostels;
- (9) to supervise and control the residence and discipline of the students of the University and to make arrangements for promoting their health and general welfare;
- (10) to organize University laboratories, libraries, museums and other equipment for teaching and research;
- (11) to demand and receive such fees and other charges as may be prescribed by the Ordinances;
- (12) to hold and manage trusts and endowments which may be created in favour of the University;

- (13) to institute and manage:
- (a) Printing and Publication Departments,
  - (b) University Extension Boards,
  - (c) Information Bureaux, and
  - (d) Employment Bureaux;
- (14) to make special provision for the spread of University education among classes and communities which are educationally backward;
- (15) to make provision for:
- (a) the maintenance of National Cadet Corps or other similar training corps,
  - (b) physical and military training,
  - (c) students associations, and
  - (d) sports and athletic clubs;
- (16) to prepare, translate and publish, and to assist other bodies and individuals in the preparation, translation and publication of books, journals, periodicals and any other material in Punjabi or other languages;
- (17) to create administrative, ministerial and other necessary posts and to make appointments thereto;
- (18) to receive gifts, donations or benefactions from Government and to receive bequests, donations and transfers of moveable or immoveable property from testators donors or transferors, as the case may be;
- (19) to frame Statutes, Ordinances or Regulations for all or any of the aforesaid purposes; and to alter, modify or rescind the same and;
- (20) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

## **5. Territorial Exercise Of Powers :-**

- (1) The State Government may, by notification, specify the limits of the area in which the University shall exercise its powers.
- (2) Notwithstanding anything contained in any other law for the time being in force, no educational institution beyond the limits of the area specified under sub-section (1) shall be associated with or admitted to any privileges of the University.
- (3) Notwithstanding anything contained in any other law for the time being in force, any educational institution situated within the limits of the area specified under sub-section (1) shall, with effect

from such date as may be notified in this behalf by the State Government, be deemed to be associated with and admitted to the privileges of the University and shall cease to be associated in any way with, or be admitted to any privileges of the Panjab University; and different dates may be appointed for different institutions;

Provided that:

(a) any student of any such institution affiliated to the Panjab University before the said date, who was studying for any degree and diploma examination of the said University shall be permitted to complete his course in preparation therefor and the University shall hold for such students examination in accordance with the curricula of study in force in the Panjab University for such period as may be prescribed by the Statutes or Ordinances or Regulations; and

(b) any such student may, until any such examination is held by the University, be admitted to the examination of the Panjab University and be conferred the degree, diploma or any other privileges of that University for which he qualifies on the result of such examination.

## **6. University Open To All Irrespective Of Religion, Race, Caste, Sex Or Place Of Birth :-**

(1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma, or other academic distinction or course of study on grounds only of religion, race, caste, sex, place of birth or any of them : Provided that the University may maintain any college or institution exclusively for women either for education, instruction or residence or reserve for women or members of classes and communities which are educationally backward, places for purposes of admission as students in any college or institution maintained or controlled by the University.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to religion, race, caste, sex or place of birth in order to entitle him to be admitted as a teacher or to hold any office in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privileges of the University or benefaction thereof.

## **7. Officers Of The University :-**

The following shall be the officers of the University, namely:

(i) the Chancellor,

- (ii) the Vice-Chancellor,
- (ii-a) Omitted
- (iii) the Registrar,
- (iv) the Deans of the Faculties, and
- (v) such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

## **8. Appointment, Duties And Powers And Conditions Of Service Of Officers Of The University :-**

Subject to the provisions of this Act, the mode of appointment of the officers of the University, their powers and duties, the terms and conditions of their service and the filling of casual vacancies in such offices shall be provided for by the Statutes and Ordinances.

## **9. Chancellor :-**

The Governor of Punjab shall be the Chancellor of the University.

### **9A. Appointment, Powers, Duties And Conditions Of Service Of Vicechancellor :-**

(1) The Vice-Chancellor shall be appointed by the Chancellor on the advice of the State Government.

(2) The Vice-Chancellor shall hold office for a term of three years which may be extended by the Chancellor, on similar advice, for such further periods not exceeding three years at a time, as he may deem fit.

(3) The Chancellor shall determine the amount of remuneration and other conditions of service of the ViceChancellor: Provided that such terms and conditions shall not be altered to the disadvantage of the Vice-Chancellor during his term of office.

(4) In the event of the Vice-Chancellor being not in position on account of illness, absence on leave or in any other contingency, the Chancellor may, on the advice of the State Government, appoint any person to act as Vice-Chancellor for the disposal of business during the period the ViceChancellor is not in position. The person temporarily appointed to discharge the functions of the Vice-Chancellor shall hold office during the pleasure of the Chancellor who shall also determine the emoluments or allowances payable to the person so appointed.

(5) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise control over its affairs in accordance with the Statutes and Regulations and give effect to the decisions of the authorities of the University. He shall be ex-officio Chairman of the Senate, the Syndicate, the Academic

Council and the Finance Committee and shall in the absence of the Chancellor, preside at any convocation of the University. He shall be entitled to be present at and address any meeting of any authority or other body of the University.

(6) The Vice-Chancellor shall have the power of convening meetings of the Senate, the Syndicate and Academic Council. He may delegate this power to any other officer of the University.

(7) It shall be the duty of the Vice-Chancellor to ensure that the Act, Statutes, Ordinances and Regulations are faithfully observed and he shall have all powers necessary for this purpose.

(8) If, in the opinion of the Vice-Chancellor an emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary and shall report the same for confirmation at the next meeting to the authority which, in the ordinary course, would have dealt with the matter:

Provided that if the action taken by the Vice-Chancellor is not approved by authority concerned, he may refer the matter to the Chancellor whose decision thereon shall be final:

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Chancellor.

(9) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and Ordinances.

**9AA.** Omitted :-

**9B.** Appointment, Powers, Duties And Conditions Of Service Of Registrar :-

(1) The Registrar shall be appointed by the Syndicate and shall be a whole-time administrative officer of the University. The terms and conditions of service of the Registrar shall be such as may be prescribed: Provided that the term of office of the Registrar shall be four years or up to the age of sixty years whichever expires earlier: Provided further that nothing herein shall be deemed to affect the term of office of the Registrar holding office immediately before the commencement of the Punjabi University (Amendment) Act, 1969, to his disadvantage.

(2) The Registrar shall be ex-officio Secretary of the Senate, the Syndicate, the Academic Council and the Finance Committee.

(3) It shall be the duty of the Registrar:

(a) to be custodian of the records, common seal and such other property of the University as the Syndicate shall commit to his charge;

(b) to keep the minutes of all meetings of the Senate, the Syndicate, the Academic Council and the Finance Committee;

(c) to conduct the official correspondence of the Senate, the Syndicate and the Academic Council;

(d) to arrange for and superintend the examinations of the University;

(e) to supply to the Chancellor copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of meetings of the authorities ordinarily within a month of the holding of the meeting;

(f) to perform such other duties as may from time to time be assigned to him by the Syndicate.

#### **10. Authorities Of The University :-**

The following shall be the authorities of the University, namely:

(i) the Senate,

(ii) the Syndicate,

(iii) the Academic Council,

(iv) the Faculties,

(v) the Boards of Studies, and

(vi) such other authorities as may be declared by the Statutes to be the authorities of the University.

#### **11. Senate :-**

(1) On and with effect from the commencement of the Punjabi University (Amendment) Act 1969, the Senate as it existed immediately before such commencement shall stand dissolved and the new Senate shall consist of the Chancellor, the Vice-Chancellor and the following other persons, namely :

Ex-officio Fellows

(i) all ex-Vice-Chancellors of the Punjabi University;

(ii) the Chief Justice of the High Court having jurisdiction in the state of Punjab;

(iii) the Chief Minister, Punjab;

(iv) the Education Minister, Punjab;

(v) the Secretary, Education Department, Punjab;



- (vi) the Advocate-General, Punjab;
- (vii) the Director, Public Instruction, Punjab;
- (viii) the Dean, Academic Affairs and Students Welfare;
- (ix) the Director, Languages Department, Punjab. Ordinary Fellows
- (i) Six Deans of Faculties, of whom three shall be Professors, by rotation according to age;
- (ii) four Heads of University Departments of Studies who are not Deans, of whom two shall be Professors by rotation, according to age;
- (iii) six Principals of Colleges admitted to the privileges of the University, of whom three shall be Principals of Government Colleges, by rotation according to age:  
Provided that no Principal who has attained the age of sixty years shall be eligible to be or continue as a Fellow:
- (iv) one Reader and one Lecturer with at least five years post graduate teaching experience, by rotation, according to age;
- (v) one nominee of each Trust, Institution or Corporation donating to the University one lac rupees or more or transferring property of like value, for life time;
- (vi) every person donating one lac rupees or more or transferring property of like value, for life time;
- (vii) eighteen persons to be nominated by the Chancellor on the advice of the State Government for their distinguished work in education or in any other sphere of literary or public activity;
- (viii) three persons to be co-opted by the Senate;
- (ix) three person nominated to the Syndicate by the Chancellor on the advice of the State Government for the period they remain members of the Syndicate;
- (x) three persons nominated by the State Government from amongst the members of the Punjab Legislative Assembly;
- (xi) one teacher having a minimum experience of seven years in teaching from each college having sixty or more teachers on its staff and admitted to the privileges of the University, by rotation, according to age, beginning with the youngest;
- (xii) six persons having a minimum experience of seven years in teaching from amongst teachers of colleges having less than sixty teachers each on their staff and admitted to the privileges of the University of whom three shall be teachers of Government colleges, by rotation, according to age, beginning with the youngest;
- (xiii) two persons from amongst officers, who are in the grade not lower than the grade of University Lecturer, of the following Departments by rotation according to age:

- (a) Department of Development of Punjabi Language;
  - (b) Linguistics Department;
  - (c) Department of Religious Studies;
  - (d) Department of Literary Studies;
  - (e) Department of Punjab Historical Studies;
  - (xiv) two persons to be nominated by the State Government from amongst ex-soldiers not below the rank of the Commissioned Officer;
  - (xv) six students nominated by the State Government out of whom one shall be from amongst women, one from amongst members of Scheduled Castes, one from amongst such backward Classes as have been or are notified by the State Government and two on the basis of academic record;
- Provided that no student shall be nominated or shall continue as Fellow, if -
- (a) he is not on the rolls of the University or of any college admitted to the privileges of the University;
  - (b) he had passed the High School Examination more than six years, or Higher Secondary Examination more than five years prior to the date of nomination;
  - (c) he has not been on the rolls of the University or of any College admitted to the privileges of the University continuously for a period of not less than one year preceding the date of nomination;
  - (d) he has failed in any annual examination held by the University or College;
  - (e) he has been punished by any authority of the University or College for misconduct; or
  - (f) he has been convicted by a Court for an offence involving moral turpitude.
- (2) Save as otherwise provided in this Section an Ordinary Fellow shall hold office for a period of two years.
- (3) An Ordinary Fellow may, by letter addressed to the Chancellor, resign his office.
- (4) Where an Ordinary Fellow fails to attend any meeting of the Senate during a continuous period of one year, the Chancellor may declare that the office of such Fellow has fallen vacant.
- (5) The Chancellor may, on the recommendation of the Vice-Chancellor, cancel the Fellowship of any person who ceases to hold the office by virtue of which he became such a Fellow.
- (6) When a vacancy occurs in the Senate by resignation or death of a Fellow or otherwise the vacancy shall be filled in the manner provided in sub-Section (1):

Provided that the person who fills such vacancy shall hold office for the unexpired period of the term for which the person in whose place he became a Fellow would have otherwise continued in office.

(7) Subject to the provisions of this Act, the Senate shall have the following powers and functions, namely:

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University:

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report thereon;

(c) to advise the Chancellor in respect of any matter which may be referred to it for advice; and

(d) to perform such other duties and exercise such other functions as may be assigned to it by this Act or the Statutes or by the Chancellor.

(8) An annual meeting of the Senate shall be held on a date to be fixed by the Vice-Chancellor. At such annual meeting, a report of the working of the University during the previous year together with a statement of the receipts and the expenditure, the balance sheet and the financial estimates shall be presented.

(9) Special meetings of the Senate may be convened by the Vice-Chancellor, as and when necessary: Provided that a special meeting of the Senate shall be called if one-third of the members of the Senate or twenty five members, whichever number is less, make a requisition in writing in this behalf.

## **12. Syndicate :-**

(1) On and with effect from the 27th June, 1969, the Syndicate shall consist of the following members, namely:

(i) the Vice-Chancellor, -ex-officio;

(i-a) Omitted

(ii) the Secretary, Education Department, Punjab, -ex-officio;

(iii) the Director, Public Instruction, Punjab, -ex-officio;

(iv) the Dean, Academic Affairs and Students Welfare, -ex-officio;

(v) the Director, Languages Department, Punjab, -ex-officio;

(vi) three persons from amongst Deans of Faculties who are members of the Senate, by rotation according to age;

(vii) two persons from amongst Heads of Departments, other than Deans, who are members of the Senate, by rotation according to age;

(viii) three persons from amongst Principals of colleges, other than Deans of Faculties, who are members of the Senate, by rotation

according to age;

(ix) three persons to be nominated by the Chancellor on the advice of the State Government;

(x) three persons elected by the Senate from amongst its members.

(2) The members of the Syndicate, other than ex-officio members shall hold office for a period of one year - Provided that the term of office of the three persons elected by the Senate under clause (x) of sub-section (1) as it existed immediately before the commencement of the Punjabi University (Amendment) Act, 1969, shall be one year from the date of commencement of the Punjabi University (Amendment) Act, 1970, excluding the period during which they have already been members of the Syndicate after the aforesaid election.

(3) A member of the Syndicate may, by letter addressed to the Chancellor, resign his office.

(4) When a vacancy occurs in the office of member of the Syndicate by resignation or death of a member or otherwise the vacancy shall be filled in the manner provided in subsection (1):

Provided that the person who fills such vacancy shall hold office for the unexpired portion of the term for which the person in whose place he becomes a member would have otherwise continued in office;

(5) The Syndicate shall be the principal executive body of the University and shall have the management and administration of the revenue and property of the University and be responsible for the conduct of all administrative affairs of the University not otherwise provided for.

### **13. The Academic Council :-**

The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation and be responsible for the maintenance of standards of instruction, education and examination within the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes. It shall have the right to advise the Syndicate on all academic matters.

### **14. Powers And Duties Of The Authorities Of The University :-**

Subject to the provisions of this Act, the constitution, powers and duties of the authorities of the University shall be provided for by

the Statutes.

**15. Statutes :-**

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

- (a) the constitution, powers and duties of the Senate, the Syndicate, the Academic Council and such other bodies as may be deemed necessary to constitute from time to time;
- (b) the appointment, powers and duties of the officers of the University;
- (c) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the officers, teachers and other employees of the University;
- (d) the conferment of honorary degrees;
- (e) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (f) the establishment and abolition of faculties, departments, halls, hostels, colleges and institutions;
- (g) the conditions under which colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges;
- (h) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes; and
- (i) all other matters which by this Act are or may be provided for by the Statutes.

**16. The Making, Amendment, Repeal And Operation Of Statutes :-**

- (1) On the commencement of this Act, the Statutes of University shall be those set out in the schedule.
- (2) The Syndicate may, from time to time, make new or additional Statutes or may amend or repeal the Statutes, and
- (3) Omitted.
- (4) Omitted.
- (5) Omitted.
- (6) Every new Statute or addition to the Statute or any amendment or repeal of Statute shall require the approval of the Chancellor who may sanction, disallow or remit for further consideration.

**17. Ordinances :-**

Subject to the provisions of this Act and the Statutes, the

Ordinances may provide for all or any of the following matters, namely:

- (a) the admission of students to the University and their enrolment as such;
- (b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
- (c) the degrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications for the same, and the means to be taken relating to the granting and obtaining of the same;
- (d) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;
- (e) the conditions for the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (f) the conduct of examinations, including the terms of office and manner of appointment and the duties of the examining bodies, examiners and moderators;
- (g) the maintenance of discipline among the students of the University;
- (h) the conditions of residence of students at the University;
- (i) the emoluments and the terms and conditions of service of teachers of the University;
- (j) management of colleges and other institutions founded or maintained by the University;
- (k) the supervision and inspection of colleges and other institutions, admitted to privileges of the University; and
- (l) all other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

### **18. Making Of Ordinances, Etc :-**

(1) Ordinances shall be made, amended, repealed or added to by the Syndicate: Provided that no Ordinance shall be made-

- (a) affecting the admission or enrolment of students or prescribing examinations to be recognized as equivalent to the University examinations, or
- (b) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examinations or any course of study, unless a draft of such Ordinance has been proposed by the Academic Council.

(2) The Syndicate shall not have the power to amend any draft proposed by the Academic Council but may return it to the

Academic Council for reconsideration, either in whole or in part, together with any amendments which the Syndicate may suggest, or reject it after it has been submitted for the second time.

(3) Omitted.

### **19. Regulations :-**

(1) The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances:

(a) laying down the procedure to be observed at their meeting and the number of members required to form a quorum; and

(b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of the meetings.

### **20. Annual Report :-**

The annual report of the University shall be prepared under the direction of the Syndicate, and shall be submitted to the Senate on or before such date as may be prescribed by the Statutes, and shall be considered by the Senate at its annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate.

### **21. Annual Accounts :-**

The accounts of the incomes and expenditure, of the University shall be submitted once in every year to the Government for such examination and audit as the Government may direct. The accounts when audited shall be published in the Punjab Government Gazette.

### **22. Acts Or Proceedings Of University Authorities And Bodies Not Invalidated By Vacancies :-**

No act done, or proceeding taken, under this Act by any authority or other body of the University, shall be invalid merely on the ground -

(a) of any vacancy or defect in the constitution of the authority or body, or

(b) of any defect or irregularity in election, nomination or appointment of a person acting as a member thereof, or

(c) of any defect or irregularity in such act or proceeding, not affecting the merits of the case.

### **23. Disputes As To Constitution Of University Authorities And Bodies :-**

If any question arises whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

### **24. Special Temporary Powers Of Government :-**

If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in first giving effect to the provisions of this Act, the Government may, at any time before any authority of the University has been constituted, by order make any appointment or do anything, consistent so far as may be with the provisions of this Act, which appears to it necessary or expedient for the purposes of removing the difficulty, and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.