

PUNJAB VIDHAN SABHA

BILL NO.15-PLA-2020

SRI GURU TEG BAHADUR STATE UNIVERSITY OF LAW, PUNJAB

BILL, 2020

A

BILL

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

BE it enacted by the Legislature of the State of Punjab in the Seventy first Year of the Republic of India as follows:-

1. (1) This Act may be called Sri Guru Teg Bahadur State University of Law, Punjab Act, 2020. Short title  
and  
Commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

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

(i) "Academic Council" means the Academic Council of the University;

(ii) "Bar Council of India" means the Bar Council of India, constituted under the Advocates Act, 1961;

(iii) "Chancellor" means the Chancellor of the University;

(iv) "Executive Council" means the Executive Council of the University;

(v) "Finance Committee" means the Finance Committee of the University;

(vi) "Governor" means the Governor of the State of Punjab;

(vii) "Governing Council" means the Governing Council of the University as established under this Act;

(viii) "prescribed" means prescribed by statutes and regulations made by the University under this Act;

- (ix) "Registrar" means the Registrar of the University;
- (x) "State Bar Council" means the Bar Council of Punjab and Haryana, constituted under the Advocates Act, 1961;
- (xi) "State Government" means Government of the State of Punjab;
- (xii) "University" means Sri Guru Teg Bahadur State University of Law, Punjab, established under section 3; and
- (xiii) "Vice-Chancellor" means the Vice-Chancellor of the University.

Establishment  
of the  
University.

3. (1) There shall be established in the State of Punjab, a Law University by the name of Sri Guru Teg Bahadur State 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 Tarn-Taran 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 at all levels;
- (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, webinars, workshops and conferences;
- (4) to promote cultural, legal and ethical values with a view to promote and foster the rule of law, the objectives enshrined in the Constitution of India and to promote legal awareness in the community for achieving social and economic justice;
- (5) to improve the ability with a view to analyze 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 undertake study and training projects relating to law, legislation and judicial institutions; and
- (10) 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;
- (4) to hold examinations and to grant or confer degrees, titles, diplomas, certificates and other academic distinctions on persons and to withdraw any such degrees, titles, diplomas and other academic distinctions subjects to such conditions, as the University may determine;
- (5) to fix, demand and receive fees and such other charges as may be prescribed, to regulate the expenditure and to manage the accounts of the University;
- (6) to institute and maintain halls and hostels and to recognize places of residence for the students of the University and to withdraw such recognition;
- (7) 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;
- (8) to regulate the discipline among students and staff of the University and to take such disciplinary measures, as may be deemed necessary;

- (9) to make arrangements in respect of residence, discipline and teaching of women students;
- (10) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;
- (11) to create Professorship, Associate Professorships, Assistant Professorships, and any other teaching, non-teaching or research posts, required by the University and to make appointments against the posts so created;
- (12) to institute and award Fellowships, Scholarships, Prizes and Medals;
- (13) to provide for printing, reproduction and publication of research and other works and to organize exhibitions and to sponsor and undertake research in all aspects of law, justice and social development;
- (14) 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;
- (15) to cooperate 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;
- (16) 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;
- (17) to establish and maintain such libraries and reading rooms, as may appear convenient or necessary for the University;
- (18) to receive grants, subscriptions, donations and gifts to achieve the objects of the University and to accept grants of money, securities or property of any kind or description on such terms and conditions, as may be deemed expedient;
- (19) to purchase, take on lease, or accept as gift, 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;

- (20) 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;
- (21) 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;
- (22) to execute conveyances, transfers, re-conveyances, mortgages, leases, licenses 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;
- (23) to appoint in order to execute an instrument or transact a business of the University, any person as it may deem fit;
- (24) to enter into any agreement with the Central Government, State Government, the University Grants Commission or any other Authority for receiving grants;
- (25) 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;
- (26) 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;
- (27) 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;
- (28) 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;

- (29) to confer honorary degrees and other distinctions in the manner laid down in the regulations;
- (30) 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
- (31) 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.

Teaching in the University.

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.

(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.

The Chancellor.

7. (1) The Governor of Punjab shall be the Chancellor of the University.

(2) 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.

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

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

(5) 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.

(6) 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.

8. The following shall be the Authorities of the University, namely:-

Authorities  
of the  
University.

- (i) the Governing Council;
- (ii) the Executive Council;
- (iii) the Academic Council;
- (iv) the Finance Committee; and
- (v) such other authorities, as may be declared by the statutes from time to time to achieve the objectives of the University.

9. (1) The Governing Council shall be the supreme authority of the University and it shall consist of the following persons, namely:-

The Governing  
Council and  
its terms of  
office

- (a) the Vice-Chancellor ; Chairman
- (b) the Advocate General, Punjab; Member
- (c) the Chief Secretary to Government of Punjab; Member
- (d) the Legal Remembrancer and Secretary to Government of Punjab, Department of Legal and Legislative Affairs; Member
- (e) the Secretary to Government of Punjab, Department of Finance; Member
- (f) the Secretary to Government of Punjab, Department of Higher Education and Languages; Member
- (g) two persons from amongst retired judges of the Supreme Court of India or the Punjab and Haryana High Court to be nominated by the Chancellor on advice of the State Government; Members
- (h) two eminent persons in the disciplines of Law, Social Sciences and Humanities to be nominated by the Chancellor on advice of the State Government; Members
- (i) two Professors of Law from outside the University to be nominated by the Vice-Chancellor on advice of the State Government; Members

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| (j) | two Professors of the University to be nominated by the Vice Chancellor of the University;                  | Members |
| (k) | one member of Parliament from the State of Punjab to be nominated by the State Government;                  | Member  |
| (l) | two members of the Punjab State Legislative Assembly to be nominated by the State Government; and           | Members |
| (m) | the Chairman, Bar Council of Punjab and Haryana or his nominee from amongst the members of the Bar Council. | Member  |

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

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

(4) A member of the Governing Council shall cease to be a member before the expiry of his term, 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 Governing Council without obtaining the leave of the Chancellor.

(5) A member of the Governing Council other than an ex-officio member may resign from his membership by a letter addressed to the Chancellor and such resignation shall take effect as soon as he has accepted it.

**Powers and functions of the Governing Council.**

10. The Governing Council shall be the plenary authority of the University and shall formulate and review from time to time the 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:—

- (i) to consider and pass the annual report, financial statement and the budget estimates prepared by the Finance Committee and to adopt them with or without modification;
- (ii) to make statutes and regulations 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; and

- (iii) any other decision referred by the Academic Council or Finance Committee or that the Governing Council finds it necessary to be put before it.

11. (1) The Governing Council shall be convened at least once in a year. Meetings of the Governing Council. The meeting shall be held on such date, as be fixed by the Chairman, unless some other date has been fixed by the Governing Council in respect of any year.

(2) The Vice-Chancellor shall present a report on the working of the University together with a statement of receipts and expenditure, the balance sheet as audited, and the financial estimates to the Governing Council at its annual meetings.

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

(4) For every meeting of the Governing 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 Governing Council, shall form the quorum.

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

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

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

- (a) the Vice-Chancellor ;

Chairman

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|---|---------|
| (b) the Advocate General, Punjab;   | Member  |
| (c) the Legal Remembrancer and Secretary to Government of Punjab, Department of Legal and Legislative Affairs;                                      | Member  |
| (d) the Secretary to Government of Punjab, Department of Finance or his nominee not below the rank of Additional Secretary;                         | Member  |
| (e) the Secretary to Government of Punjab, Department of Higher Education and Languages or his nominee not below the rank of Additional Secretary ; | Member  |
| (f) the Chairman, Bar Council of Punjab and Haryana or his nominee from amongst the members of the Bar Council; and                                 | Member  |
| (g) three teachers not below the rank of Professor of the University to be nominated by the Vice-Chancellor by rotation for a period of one year.   | Members |

(2) A membership of a person, who has become a member of the Executive Council by reason of the office or appointment, he holds, 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 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 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 Chairman.

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

Powers and functions of the Executive Council.

13. (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 there

under. 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 a Selection Committee headed
- (ii) by the Vice-Chancellor;
- (iii) to prepare and present to the Governing 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;
- (iv) to manage and regulate the finances, accounts, investments, properties, business and all other administrative affairs of the University and for that purpose, constitute committees and delegate the powers to such committees or such officers of the University as it may deem fit;
- (v) 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;
- (vi) to transfer or accept transfers of any movable or immovable property on behalf of the University;
- (vii) 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;
- (viii) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;
- (ix) 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;
- (x) 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 ;

- (xi) 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;
- (xii) to select a common seal for the University; and
- (xiii) 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.

Meetings of  
the Executive  
Council.

14. (1) The meeting of the Executive Council shall be called at least 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.

(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 six 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 of the members shall prevail.

(5) 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.

(6) 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.

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

- (a) the Vice-Chancellor; Chairman
- (b) three persons from amongst the educationists of Members

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;

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| (c) | a nominee of the Bar Council of India;   | Member  |
| (d) | a nominee of the State Bar Council;  | Member  |
| (e) | two Professors of the University;  | Members |
| (f) | all the Heads of the Departments of the University;<br>and   | Members |
| (g) | two members of the teaching staff, one each<br>respectively representing the Associate and<br>Assistant Professors of the University, to be<br>nominated by the Vice-Chancellor for a period of<br>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.

16. 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 Governing 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 Governing 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.

Meeting of  
the Academic  
Council.

17. (1) The meetings of the Academic Council shall be called, as and when deemed necessary, but not less than two times during an academic year.
- (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) 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.

(5) If an urgent action, to be taken by the Academic Council becomes necessary, the Chairman of the Council may permit the business to be transacted by circulation of papers to the members of the 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.

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

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|---|----------|
| (a) the Vice-Chancellor ;   | Chairman |
| (b) the Secretary to Government of Punjab, Department of Finance or his nominee;  | Member   |
| (c) the Secretary to Government of Punjab, Department of Higher Education and Languages or his nominee; and   | Member   |
| (d) two other members to be nominated by the Governing Council from amongst its members of whom one shall be a teacher not below the rank of 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 Governing 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 and the Governing Council;
- (ii) to consider all proposals for new expenditure and to make recommendations to the Executive Council and the Governing

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 Governing Council; and
- (iv) to give its views and to make recommendations to the Governing 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 at least thrice in every year. At least 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.

(6) The accounts of the income and expenditure of the University shall be submitted once every year to the State Government for such examination and audit.

Officers of  
the University.

19. The following shall be the officers of the University, namely:-

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

The Vice-  
Chancellor.

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

(2) The Vice-Chancellor shall be appointed by the Chancellor on the advice of the State Government out of a panel of persons of national eminence, prepared through a transparent screening process recommended by the Committee so formed by the State Government to suggest such a panel:

Provided that the first Vice-Chancellor shall be appointed for a period of three years by the State Government.

(3) No person, who is an employee of the University, shall be nominated

as a Member of the Committee constituted under sub-section (2).

(4) The term of office of the Vice-Chancellor shall be three 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, on the advice of State Government require the Vice-Chancellor upon expiry his term has, to continue in office for such period, as may be specified by him, but not exceeding one year.

(5) Notwithstanding anything contained in sub-section (2), the Chancellor, on the recommendations of the State Government may, at any time, by an order in writing, remove the Vice-Chancellor from the office on the ground of incapacity, misconduct or violation of statutory provisions:

Provided that the no such order of removal shall be passed unless the Vice-Chancellor has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided further that where in the opinion of the Chancellor, it shall not be prudent for the Vice-Chancellor to continue on office during the pendency of such inquiry, he may, on the recommendations of the State Government, place the Vice-Chancellor under suspension and appoint such other person as deemed fit to discharge the functions of the Vice-Chancellor till the completion of such enquiry.

(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.

(7) When a vacancy occurs, or is likely to occur in the office of the Vice-Chancellor due to death, resignation or otherwise or if he is unable to perform his duties due to ill-health or any other cause, the State Government may designate a suitable person to perform the functions of the Vice-Chancellor until the new Vice-Chancellor assumes his office or until the existing Vice-Chancellor is able to attend to the duties of his office, as the case may be.

21. (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.

Powers and duties of the Vice-Chancellor.

(2) The Vice-Chancellor shall convene the meetings of the Governing

Council, the Executive Council, the Academic Council and the Finance Committee 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 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.

(4) The Vice-Chancellor shall be the competent authority to take disciplinary action against the persons mentioned in sub-section (3), in accordance with the prescribed procedure.

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

(6) 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:

Provided that if the action taken by the Vice-Chancellor is not approved by the 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.

The Registrar.

22. The Registrar, who shall be an academic or administrative person, not below the rank of a Professor and the corresponding designation of the administrative post 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.

23. The Registrar, shall,—

Powers and  
duties of the  
Registrar.

- (i) be the ex-officio Secretary of all the authorities, committees and other bodies of the University and shall also be the Convener 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 Committee 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.

24. (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.

25. The University shall comply with the provisions of reservations based on University Grants Commission and the National Law School System.

Reservation in  
appointments  
and admissions.

26. The annual report of the University shall be prepared and shall be submitted to the Governing Council for approval at its annual meeting on or before such date as may be prescribed by regulations.

Annual  
report.

27. The accounts of the income and expenditure of the University shall be submitted once every year to the State Government for such examination and audit, as the State Government may direct.

Annual  
account.

28. (1) The University shall receive or cause to receive such funds as may be allocated to it by the State Government.

Funds of the  
University.

(2) The University shall raise funds as may be necessary to carry out its functions through such fees including tuition fee and other charges as may be determined by the Executive Council and approved by the Governing Council.

(3) The University may receive such grants and funds including CSR funds as it may be eligible to receive under various schemes and programmes of Government of India, State Government, University Grants Commission and organizations of the Central and State Governments.

(4) All funds received by the University shall be credited into an account called the University Fund Account.

(5) The funds credited in the University Fund Account shall be spent with prior approval of the Finance Committee and in accordance with the financial regulations of the University.

(6) The Budget of the University shall be prepared by the Finance Committee and it shall be approved by the Governing Council on the recommendations of the Executive Council.

(7) The University shall establish a corpus fund with an initial grant of rupees ten crore from the State Government. Such a fund shall be invested to raise income to meet with the recurring cost of management of the University. The investment of the amount in the corpus fund shall be made as per the regulations of the University as approved by the State Government.

Statutes and regulations.

29. The first Statutes of the University shall be made by the Vice-Chancellor with the approval of the State Government. They shall be placed before the Governing Council in its first meeting, which may adopt them with or without modification. Subsequent statutes or modifications in the statutes shall be made by the Governing 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, shall be appointed by the State Government on the recommendations of the Vice-Chancellor. The said officers shall hold office for a period of three years. However, till the appointment of a regular Vice-Chancellor is made, the Administrative Secretary to Government of Punjab, Department of Higher Education, shall hold charge.

Honorary degree.

31. If the Academic Council recommends 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 Governing Council, by a resolution, decide that the same may be conferred on the person so recommended.

32. (1) The Governing 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 Governing Council, if such person has been convicted by a court of law for an offence, which in the opinion of the Governing Council, involves moral turpitude or if he has been guilty of gross misconduct. Withdrawal of degree or diploma.

(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 Governing Council, shall be immediately sent to the person concerned.

(4) Any person aggrieved by the decision taken by the Governing 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.

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. Discipline.

(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. No act or proceedings of the Governing 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.

35. 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 Indemnity against general proceedings.

- of the provisions of this Act, or the statutes or regulations made thereunder.
36. The provisions of this Act, statutes and regulations made thereunder, shall have overriding effect notwithstanding anything inconsistent therewith contained in any other State law or instrument having the force of law for the time being in force. In case of any ambiguity the decision of the State Government shall be final.
37. (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:
- 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.
38. The State Government may from time to time issue such directions as it deems necessary, to the University, and all such directions shall be binding on the University.

Overriding  
effect.

Power to  
remove  
difficulties.

Power  
to  
direct.

## **STATEMENT OF OBJECTS AND REASONS**

The Government proposes to establish and incorporate a World Class University for the development and advancement of legal education and for the purposes of imparting specialized and systematic instruction, training and research in systems of law. This University is being opened to provide world class education in the field of Law to the Youth of Punjab. This University will benefit the students of border areas of Punjab and will provide them an avenue to pursue Degrees in Legal Education. This University will also complement the legal education being provided by the other institutions in the state in the field of Law and Legal studies so as to maintain the highest standards at par with the best law Universities in the country, with an endeavour to match the International standards in the field of Law.

It is therefore, expedient to provide for the enactment of the " Sri Guru Teg Bahadur State University of Law Punjab Act, 2020.

**TRIPT RAJINDER SINGH BAJWA**

Higher Education & Languages,

Minister, Punjab.

**FINANCIAL MEMORANDUM**

The proposed University is going to be the first State University of Law and will be established on foundation of self-financing model. An initial grant of Rs.10 crore will be provided for establishment of Corpus fund. This Corpus fund will be invested as per statutes according to Government directions and revenue generated thereof will be utilized on recurring expenditure of University Administration. Punjab Govt. will provide Rs.2.50 crores to arrange for suitable accommodation, human resources; and consumables for the first academic session i.e.2020-21. From next year i.e. 2021-22 the University will incur on its recurring cost from the income generated through corpus fund, Tuition fees and other charges. From the year 2021-22 University will make arrangements for its recurring cost from its own resources. As far as Contribution towards University building and other basic structure is concerned, from year 2021-22 the minimum of 50% grant will be provided by the Govt. of Punjab and University will contribute rest from its own resources.

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**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Section 37 of the Sri Guru Teg Bahadur State University of Law Punjab Bill, 2020 empower the State Government to make rules to carry out the purposes of this Act. The powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

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The Governor has, in pursuance of clause (1) and (3) of Article 207 of the Constitution of India, recommended to the Punjab Legislative Assembly, the introduction and consideration of the Bill.

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**CHANDIGARH**  
**THE 27th AUGUST, 2020**

**SHASHI LAKHANPAL MISHRA**  
**SECRETARY.**

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**N.B. - The above Bill was published in the Punjab Government Gazette (Extraordinary), dated the 27<sup>th</sup> August, 2020 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).**