

PUNJAB VIDHAN SABHA

BILL NO.20-PLA-2021

THE SARDAR BEANT SINGH STATE UNIVERSITY BILL, 2021

(Bill as passed by the Punjab Vidhan Sabha)

The following Bill was passed by the Punjab Vidhan Sabha:-

A

BILL

to provide for the establishment and incorporation of a University for the advancement of education and development thereof in the State of Punjab and for the matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Sardar Beant Singh State University Act, 2021. 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.
 - (a) "Academic Council" means the Academic Council of the University;
 - (b) "authorities" means the authorities of the University;
 - (c) "Board" means the Board of Governors of the University;
 - (d) "Board of Studies" means the Board of Studies of the University;
 - (e) "campus" means the campus of the Beant College of Engineering and Technology as on the date of coming into force of this Act;
 - (f) "Chancellor" means the Chancellor of the University;
 - (g) "Chairman" means the Chairman of the Board;
 - (h) "employee" means any person appointed by the University,

and includes teachers and other academic staff of the University;

- (i) "Finance Committee" means the Finance Committee of the University;
- (j) "Planning Board" means the Planning Board of the University;
- (k) "Registrar" means the Registrar of the University;
- (l) "regulations" means the regulations of the University made under this Act;
- (m) "School" means a School of Studies of the University;
- (n) "State Government" means the Government of the State of Punjab;
- (o) "student" means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;
- (p) "teachers" means Professors, Associate Professors, Assistant Professors and such other persons as may be designated as such by the regulations for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University;
- (q) "University" means the Sardar Beant Singh State University established under this Act; and
- (r) "Vice-Chancellor" means the Vice-Chancellor of the University.

Establishment
and incorpora-
tion of the
University.

- 3. (1) There shall be established a University by the name of the Sardar Beant Singh State University.
- (2) The headquarter of the University shall be at Gurdaspur.
- (3) The first Vice-Chancellor, the first members of the Board of Governors, the Academic Council and the Planning Board 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 Sardar Beant Singh State University.

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. The University shall perform the following functions, namely:-

Powers and
functions of
the University.

(a) to make provisions for providing, upgrading and promoting technical education and training and research in Technical Education and to create entrepreneurship and a conducive environment for the pursuit of the technical education in close cooperation with the industry;

(b) to generate and maintain resources through consultancy services, testing services, continuing education programmes, national and international collaborations and transfer of intellectual property rights;

(c) to institute and confer degrees, diplomas, certificates and other academic distinctions;

(d) to hold examinations and to grant and confer degrees, diplomas, certificates and other distinctions to and on persons who,-

(i) shall have pursued a course of study in the University and shall have passed the examinations prescribed by the University; and

(ii) shall have carried on research under conditions prescribed by the regulations;

(e) to confer honorary degrees in the manner laid down by the regulations;

(f) to institute Professorships, Associate Professorships, Assistant Professorships and any other teaching posts required by the University and to appoint persons to such Professorships, Associate Professorships, Assistant Professorships and other posts;

- (g) to institute and award fellowships, scholarships, studentships, exhibitions and prizes in accordance with the provisions of the regulations;
- (h) to institute and maintain Halls and Hostels;
- (i) to supervise and control the residence and discipline of the students of the University and to make arrangement for promoting their health and general welfare;
- (j) to organise laboratories, libraries, museums and to provide such other equipment for teaching and research as is required;
- (k) to demand and receive such fees and other charges as may be prescribed by regulations;
- (l) to hold and manage trusts and endowments which may be created in favour of the University;
- (m) to institute and manage,-
 - (i) Printing and Publication Departments;
 - (ii) University Extension Boards;
 - (iii) Information Bureau; and
 - (iv) Employment Bureau;
- (n) to make special provisions for the spread of technical education amongst classes and communities which are educationally backward;
- (o) to make provisions for,-
 - (i) the maintenance of National Cadet Corps or other similar organizations;
 - (ii) physical and military training; and
 - (iii) sports and athletic clubs;
- (p) to create administrative, ministerial and other necessary posts and make appointments thereto;
- (q) to receive gifts, donations or benefactions from the State

Government or the Central Government and to receive bequests, donations and transfer of moveable or immovable property from testators, donors or transferors, as the case may be; and

- (r) to do all such other acts whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the University.

5. The University shall exercise its jurisdiction within its campus. Jurisdiction.
6. (1) The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to hold any post or any other office in the University or be admitted as a student in the University, or to graduate thereat, or to enjoy or exercise any privilege thereof. University open to all classes, castes and creeds.
- (2) Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.
7. The following shall be the officers of the University, namely:- Officers of the University.
- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Registrar; and
- (iv) such other persons in the service of the University, as may be declared by the regulations to be the officers of the University.
8. The Governor of Punjab shall be the Chancellor of the University. Chancellor.
9. (1) 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: Appointment, powers, duties, conditions of service and removal of the Vice-Chancellor.
- Provided that the first Vice-Chancellor shall be appointed for a period of three years by the State Government.

(2) The Vice-Chancellor shall hold office for a term of three years, which may be extended for another three years by the Chancellor, on the advice and recommendations of the State Government.

(3) The Chancellor shall determine the amount of remuneration and other conditions of service of the Vice-Chancellor:

Provided that such terms and conditions shall not be altered to the disadvantage of the Vice-Chancellor during his term of office.

(4) 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 no such order shall be made by the Chancellor 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 during the pendency of any inquiry, the Chancellor may, on the recommendations of the State Government, place the Vice-Chancellor under suspension.

(5) In case the office of the Vice-Chancellor becomes vacant due to death, resignation, expiry of term, illness or such other cause, the Chancellor, on the recommendations of the State Government may appoint any person to perform the functions of the Vice-Chancellor until a new Vice-Chancellor is appointed.

(6) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general control over its affairs in accordance with the regulations and give effect to the decisions of the authorities of the University.

(7) The Vice-Chancellor shall have the power of convening meetings of the Academic Council.

(8) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the regulations are faithfully observed and he shall have all powers necessary for this purpose.

(9) 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 with the approval of the Chairman 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 where any such action taken by the Vice-Chancellor is not approved by the authority concerned, he may refer that 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 an appeal to the Board, within a period of thirty days from the date on which he receives notice of such action.

10. (1) The Registrar shall be appointed by the Board on the recommendations of the Vice-Chancellor for a period of three years, which may be extended by another term of three years.

Appointment, powers, duties and conditions of service of the Registrar.

(2) The terms and conditions of service of the Registrar shall be such, as may be determined by the Board.

(3) The Registrar shall be the ex-officio Secretary of the Board and the Academic Council.

(4) It shall be the duty of the Registrar to,-

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

(b) keep the minutes of all meetings of the Board and the Academic Council;

(c) conduct the official correspondence of the Board and the Academic Council;

(d) arrange for and superintend the examination of the University;

(e) supply to the Chancellor, copies of the agenda of the meetings of the authorities as soon as they are issued,

and minutes of the meetings of the authorities ordinarily within a period of one month of the holding of the meetings; and

- (f) perform such other duties, as may from time to time, be assigned to him by the Vice-Chancellor or the Board.

Appointment, powers, duties of the officers and their terms of office etc.

11. (1) Subject to the provisions of this Act, the powers and duties of the officers of the University other than the Chancellor, the Vice-Chancellor and the Registrar, the terms for which they shall hold office and the filling of casual vacancies in such offices, shall be provided for by the regulations.

(2) The mode of appointments, terms and conditions of service and the functions of the officers of the University, other than the Chancellor, the Vice-Chancellor and the Registrar, shall also be provided for by the regulations, in so far as they are not provided herein.

Authorities of the University.

12. The following shall be the authorities of the University, namely:-

- (a) the Board of Governors;
- (b) the Academic Council;
- (c) the Faculties;
- (d) the Board of Studies;
- (e) the Planning Board;
- (f) the Finance Committee; and
- (g) such other authorities, as may be declared by regulations to be the authorities of the University.

Board of Governors.

13. (1) The Board shall consist of a Chairman, twelve ex-officio members (including the Vice-Chairman) and six nominated members.

(2) The Minister-in-Charge of the Department of Technical Education and Industrial Training, Punjab shall be the Chairman.

(3) The Administrative Secretary to Government of Punjab, Department of Technical Education and Industrial Training shall be the

Vice-Chairman. In the absence of the Chairman, the Vice -Chairman shall act as Chairman.

(4) (a) The Chairman shall ordinarily preside over the meetings of the Board.

(b) The Chancellor shall preside over the convocation of the University and if he is unable to preside over the same, then the Chairman shall preside over the convocation.

(5) (a) The Chancellor shall, on the advice of the State Government, nominate the following members of the Board for a period of three years and they shall be eligible for re-nomination for another term of the same period, namely:-

(i) two members from amongst the eminent Industrialists;

(ii) two members from amongst the eminent educationists; and

(iii) two heads of the departments by rotation from amongst the heads of the departments of the University.

(b) The following shall be the Ex-officio members, namely:-

(i) Vice-Chancellor, the Sardar Beant Singh State University;

(ii) Vice-Chancellor, the IK Gujral Punjab Technical University;

(iii) Administrative Secretary to Government of Punjab, Department of Higher Education;

(iv) Administrative Secretary to Government of Punjab, Department of Finance;

(v) Member of the Punjab Legislative Assembly from Gurdaspur assembly constituency;

- (vi) Member of the Punjab Legislative Assembly from Dinanagar assembly constituency;
- (vii) Director, Indian Institute of Management, Amritsar;
- (viii) Director, Indian Institute of Technology, Ropar;
- (ix) Vice-Chairman, University Grants Commission, New Delhi or his nominee;
- (x) President of the Confederation of Indian Industry or his nominee; and
- (xi) President of the PHD Chamber of Commerce and Industries or his nominee.

(6) When a vacancy occurs in the Board due to the resignation or death of a member or otherwise, the same shall be filled in the manner provided in sub-section 5:

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.

(7) The Board shall be the supreme authority of the University and shall have the following powers and functions, namely:-

- (a) to superintend and control the affairs of the University;
- (b) to approve academic programmes;
- (c) to frame and approve regulations;
- (d) to create Departments/Centres/Schools/Boards of Studies for running various academic programmes;
- (e) to create posts of faculty and staff positions in the University;

- (f) to approve the University budget;
- (g) to administer and control the funds of the University and to authorize the opening and operation of the Bank Accounts;
- (h) to accept, transfer and otherwise control the moveable, immovable and intellectual property of the University;
- (i) to decide upon the form and use of common seal of the University;
- (j) to appoint such committees as may be required for the efficient functioning of the University;
- (k) to approve the emoluments and terms and conditions of service of the faculty and staff of the University; and
- (l) to approve the performance of works and services on contract.

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

(9) Special meeting of the Board may be convened by the Chairman as and when necessary.

(10) The members of the Board shall be entitled to such allowances, if any, and the sitting fee from the University as may be provided in the regulations, but no member, other than the persons referred to in sub-clause (iii) of clause (a) and sub-clause (i) of clause (b) of sub-section (5) of this section, shall be entitled to any salary.

(11) Six members, including the Chairman, shall constitute a quorum at any meeting of the Board.

(12) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.

(13) Each member of the Board, including the Chairman, shall have one vote. If there shall be equality of votes on any question to be determined by the Board, the Chairman shall, in addition, have the power to exercise a casting vote.

(14) Every meeting of the Board shall be presided over by the Chairman and, in his absence the Vice-Chairman shall preside over the meeting.

(15) Any resolution, except such which is placed before the meeting of the Board, may be adopted by circulation among all its members. Any resolution so circulated and adopted by a majority of the members, who have given their approval or disapproval of such resolution, shall be as effective and binding as if such resolution had been adopted in a meeting of the Board:

Provided that for any decision by such circulation at least four members of the Board must support the resolution in writing.

Academic
Council.

14. (1) The Academic Council shall be the Academic Body of the University and shall, subject to the provisions of this Act and regulations, have control and be responsible for the maintenance of standard of instructions, 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 regulations. It shall have the right to advise the Board on all academic matters.

(2) The Academic Council shall consist of the following members, namely:-

- (i) the Vice-Chancellor; : Chairman
- (ii) the Dean of Faculties; : Member
- (iii) all the Heads of the : Members
Departments/ Schools of
the University;
- (iv) the Principals of three : Members
colleges situated in the State
to be nominated by the Board;

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|--------|--|---------|
| (v) | Director, Indian Institute of Technology, Ropar (Punjab); | Member |
| (vi) | Director, Department of Technical Education and Industrial Training, Punjab; | Member |
| (vii) | two eminent industrialists to be nominated by the Board; and | Members |
| (viii) | two eminent educationists to be nominated by the Board. | Members |

The nomination of members mentioned at serial numbers (iv), (vii) and (viii), shall be for a period of two years.

15. (1) The Planning Board shall consist of,-

Planning Board.

- (a) the Vice-Chancellor;
- (b) the Administrative Secretary to Government of Punjab, Department of Finance or his nominee;
- (c) the Administrative Secretary to Government of Punjab, Department of Higher Education or his nominee;
- (d) the Administrative Secretary to Government of Punjab, Department of Technical Education and Industrial Training or his nominee;
- (e) the Director, Department of Technical Education and Industrial Training or his nominee;
- (f) not more than ten persons of high standing in public life, education and industry who shall be appointed by the State Government; and
- (g) the Registrar shall be the Secretary to the Planning Board.

(2) The recommendations of the Planning Board shall be implemented after they are approved by the appropriate authorities of the University.

(3) The Planning Board shall advise on the planning and development of the University, particularly in respect of the standard of education and research in the University.

Finance Committee. 16. (1) The Finance Committee shall consist of the following members, namely:-

- | | | | |
|-------|---|---|----------------------|
| (i) | Vice-Chancellor; | : | Chairman |
| (ii) | Administrative Secretary to
Government of Punjab,
Department of Finance; | : | Member |
| (iii) | Administrative Secretary to
Government of Punjab, Department
of Technical Education and Industrial
Training; | : | Member |
| (iv) | Director, Department of Technical
Education and Industrial Training,
Punjab; and | : | Member |
| (v) | Registrar. | : | Member-
Secretary |

(2) The Finance Committee shall advise the Board on all financial matters.

(3) All matters having financial implications shall firstly be approved by the Finance Committee and only thereafter, be placed before the Board of Governors, for consideration.

Powers and duties of the authorities of the University.

17. Subject to the provisions of this Act, the constitution, the powers and duties of the authorities of the University, other than the Board and the Academic Council, shall be provided for by the regulations.

Making, amendment, repeal and operations of regulations.

18. (1) The first regulations of the University shall be made by the State Government and shall be notified in the Official Gazette.

(2) The Board may, from time to time, make new or additional regulations or may amend or repeal the regulations:

Provided that the Board shall not propose the draft of amendment of the regulations affecting the status, powers or constitution of any existing authority of the University, until such authority has been given an opportunity of expressing an opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the Board.

(3) Every new regulation or any addition or any amendment or repeal of regulation shall require the approval of the State Government, which may approve, disallow or remit it to the Board for further consideration.

19. Subject to the provisions of this Act, the regulations may provide for Regulations. all or any of the following matters, namely:-

- (a) the constitution, powers and duties of the Academic Council and such other authorities, as may be deemed necessary to constitute from time to time;
- (b) the appointments, powers and duties of the officers of the University;
- (c) the constitution of gratuity and provident fund and the establishment of an insurance scheme for the benefit of the officers 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 constitution of faculties, departments, halls, hostels, centres and schools;
- (g) the conditions under which schools and centres may be admitted to the privileges of the University and the withdrawal of such privileges;
- (h) the admission of students to the University and their enrolment as such;
- (i) the courses of study to be laid down for all degrees, diplomas and certificates of the University;

- (j) the degrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications for the same and the amounts to be taken relating to the granting and obtaining of the same;
- (k) the fees to be charged for the courses of study in the University and for admission to the examinations, degrees, diplomas and certificates of the University;
- (l) the conditions for the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (m) the conduct of examinations including terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (n) the maintenance of discipline amongst the students at the University;
- (o) the conditions of residence of students at the University;
- (p) the emoluments and terms and conditions of service of the officers and employees of the University;
- (q) the management of schools, and centres founded or maintained by the University;
- (r) the supervision and inspection of schools and centres admitted to the privileges of the University; and
- (s) all other matters, which by this Act are or may be provided for by the regulations.

Sub-regulations.

20. (1) The authorities may make sub-regulations consistent with this Act and regulations for all or any of the following matters, namely:-

- (a) laying down, the procedure to be observed at their meetings and the number of members required to form the quorum; and
- (b) providing for all matters which by this Act and regulations are to be specified.

(2) Every authority shall make sub-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 in the meetings and for the keeping of a record of the proceedings of the meetings.

21. The State Government may, from time to time, provide such amounts by way of grants for meeting the capital, recurring or other expenditure of the University, as it may deem fit. Corpus of Funds.

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

23. 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. The accounts when audited, shall be published in the Official Gazette of the State Government. Annual account.

24. No act done, or proceedings taken under this Act by any authority or any other body of the University shall be invalid merely on any of the following grounds, namely:- Acts or proceedings of authorities and bodies not invalidated by vacancies.

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

(b) defect or irregularity in nomination or appointment of a person acting as a member thereof; and

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

25. If any question arises whether a person has been duly nominated or appointed or is entitled to be a member of any authority or body of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final. Disputes about constitution of authorities and bodies.

26. (1) The State Government shall have the powers to make a reference to the University with regard to any matter of policy or in respect of any act done by the University in contravention with the provisions of this Act or the regulations made thereunder. Powers of the State Government.

(2) The University shall report to the State Government about the

action, if any, as it proposes to take or has taken upon the reference made under sub-section (1), and shall submit an explanation to the State Government, if it fails to take action.

(3) If, the University fails to take action on such reference to the satisfaction of the State Government within a reasonable time, it may after considering explanation submitted by the University, issue such directions consistent with this Act, as the State Government may consider necessary and the University shall comply with such directions.

(4) The State Government may, at any time, arrange for an inspection or inquiry into the affairs of the University by such authority or person as it may specify, to satisfy about the proper and effective functioning of the University and also upon any matter connected with the administration and finances of the University.

(5) The University may authorize any person to represent it on the inspection or inquiry referred to in sub-section (4).

(6) On receipt of the report of inspection or inquiry referred to in sub-section (4), the State Government may examine the same and give such directions, as it may consider necessary, to the University.

(7) The Vice-Chancellor shall within a period of thirty days from the date of receipt of the directions given under sub-section (6), send an intimation to the State Government about the action taken by the University in pursuance of the said directions.

(8) On the expiry of the period specified in sub-section (7), the State Government may, after considering the intimation, if any, received from the Vice-Chancellor, issue such directions to the University, as it may consider necessary and the University shall comply with such directions.

Communica-
tion of
resolution to
the State
Government.

27. Every resolution passed by the University shall be communicated to the State Government within a period of thirty days from the date of passing such resolution.

28. If in the opinion of the State Government, resolution of the University is not in public interest, or is not in conformity with the provisions of this Act or the regulations made thereunder, it may, by an order in writing, suspend the implementation of such resolution:

Powers of the State Government to suspend or cancel the resolution of the University.

Provided that the resolution, the implementation of which is suspended by the State Government, shall not be cancelled without giving a reasonable opportunity to the University to explain its position.

29. The State Government may issue such directions to the University, as in its opinion are necessary or expedient for carrying out the purposes of the Act or regulations made thereunder or in public interest, and the University shall be bound to comply with all such directions.

State Government to give directions.

30. 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 giving effect to the provisions of this Act at the first stage, the State Government may at any time, before any authority of the University has been constituted, by order make any appointments or do anything so far as it may be consistent with the provisions of this Act, which appears to it necessary or expedient for the purpose of removing the difficulty. Every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.

Power of the State Government to remove difficulties.

CHANDIGARH:
THE 22ND MARCH, 2021

SHASHI LAKHANPAL MISHRA,
SECRETARY.