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PUNJAB VIDHAN SABHA SECRETARIAT

Notification

The 11th December, 2009

No. 24-PLA-2009/56.—The Guru Ravidas Ayurved University, Punjab Bill, 2009 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly) :—

Bill No. 24-PLA-2009

THE GURU RAVIDAS AYURVED UNIVERSITY, PUNJAB BILL, 2009

A BILL

to establish and incorporate a University in the State of Punjab to be known as the Guru Ravidas Ayurved University, for the purposes of teaching, affiliating and ensuring proper and systematic instruction, training and research in Ayurved, Yoga and Naturopathy, Unani, Siddha and Homoeopathy and for the matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in the Sixtieth Year of the Republic of India, as follows :—

CHAPTER-I PRELIMINARY

1. (1) This Act may be called the Guru Ravidas Ayurved University, Punjab Act, 2009. Short title and commencement.

Definitions.

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

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

- (a) "Academic Council" means the Academic Council of the University ;
- (b) "academic course" means a course of study in any discipline of Ayurved, Yoga and Naturopathy, Unani, Siddha and Homoeopathy, prescribed by the University, according to its syllabus and curriculum ;
- (c) "affiliated college" means a college affiliated to the University ;
- (d) "appointed date" means the date, appointed under sub-section (2) of section 1 ;
- (e) "approved institution" means a hospital, health centre or such other institution, recognized by the University as an institution in which a person may undergo training, required by a course of study before the award of any degree or other qualification, laid down by the University ;
- (f) "Ayurved" means the Ashtang Ayurved whether supplemented or not by such modern system of medicine, as the Central Council of Indian Medicine or University may declare by notification from time to time ;
- (g) "AYUSH" means the Ayurved, Yoga and Naturopathy, Unani, Siddha and Homoeopathy including all their branches concerning preventive, promotive, curative and rehabilitative services ;
- (h) "AYUSH course" means a course of all branches of AYUSH, namely pre-clinical, para-clinical, clinical, para-medical and para-dental disciplines at the degree level and above and such other disciplines, as may be prescribed ;
- (i) "Board of Management" means a Board, constituted under section 24 to manage the affairs of the University ;
- (j) "Council" means a professional council pertaining to the Health Services relating to Ayurved, Yoga and Naturopathy, Unani, Siddha and Homoeopathy, constituted under any Central or State Act ;
- (k) "Dean" means the Dean of a Faculty of the University ;
- (l) "Department" means a unit set up for the purpose of imparting instructions for courses of study in AYUSH ;
- (m) "faculty" means the faculty of the University ;
- (n) "Government" means the Government of the State of Punjab in the Department of Medical Education and Research ;

- (o) "Homoeopathic System" means the Homoeopathic System of medicine founded by Dr. Hahnemann and includes the allied system of Bio-Chemistry founded by Dr. Schussler ;
- (p) "hostel" means a unit of residence for the students of the University, maintained or recognized by the University ;
- (q) "prescribed" means prescribed by the statutes, ordinances, rules or regulations made under this Act ;
- (r) "Principal" means the head of an affiliated college or university college ;
- (s) "Registrar" means the Registrar of the University ;
- (t) "section" means section of this Act ;
- (u) "Siddha System" means a system of medicine, which is basically therapeutic in nature ;
- (v) "statutes", "ordinances" and "regulations" means respectively, the statutes, ordinances and regulations of the University, made under this Act ;
- (w) "student" means a person enrolled in the University or any of its colleges for undergoing a course of study leading to a degree, diploma or certificate of the University ;
- (x) "teacher" includes principal, professor, reader, lecturer and such other person, imparting instruction in the University or an affiliated college ;
- (y) "Traditional System of Curing and Health Maintenance" means a system of curing and health maintenance, as practised traditionally in India and abroad, which includes curing and health maintenance through time-tested-tips (Totkas), Sanyasi Formulas and Dietry constituents recognized by the Council ;
- (z) "Unani" means the Unani System of Medicine relating to promotion of health and prevention of diseases ;
- (za) "University" means the Punjab Ayurved University established under section 3 ;
- (zb) "University area" means the area under the jurisdiction of the University ;
- (zc) "University Campus" means the area comprised within the local limits of the headquarters of the University or such other colleges and institutions, as may from time to time, be declared as such by the Government by notification in the Official Gazette ;
- (zd) "University College" means a college, established, attached with or administered by the University including the hospital attached thereto ; and
- (ze) "Yoga and Naturopathy" means a way of life, founded by Patanjali Rishi.

CHAPTER-II

ESTABLISHMENT OF THE UNIVERSITY

Establishment of
the University.

3. (1) There shall be established a University by the name of the Guru Ravidas Ayurved University, Punjab having jurisdiction in the whole of the State of Punjab.

(2) The University shall be a body corporate by the name, specified in sub-section (1), and shall have perpetual succession and 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 Hoshiarpur or at such place, as may be specified by the Government by notification in the Official Gazette.

Objects of the
University.

4. The objects of the University shall be,—

- (i) to establish uniformity in the standards of education in all faculties of AYUSH and various paramedical and para-dental disciplines, such as, nursing, medical laboratory technology, pharmacy, panch karma techniques, physiotherapy and speech therapy with a view to enhancing the quality of such education and consistently aiming to modernize, improve and achieve the highest standards of academic excellence at all levels ;
- (ii) to promote and carry research in various disciplines of AYUSH with special focus on social and economic relevance of such research, and with emphasis on occupational and environmental health issues, affecting the people ;
- (iii) to establish and develop study centres integrating all disciplines relevant to AYUSH, especially those, which are not presently included in the syllabi and curricula of undergraduate and postgraduate medical courses relating to AYUSH. These shall include, but not be restricted to, population sciences, health system and health services management, human resource development, educational technology, bio-informatics and telematics and continuing education in health sciences ;
- (iv) to promote the development and use of information technology as a part of technological infrastructure with a view to provide attractive and innovative facilities for studies in various modalities of information technology including telecommunications and access to INTERNET, LIBNET, MEDLARS and other networks ;
- (v) to enhance computer literacy amongst the health professionals, faculty and students ;

- (vi) to attain the highest standards of academic excellence by providing the necessary physical infrastructure and creating an intellectual environment conducive to free flow of ideas and meaningful exchange of information ;
- (vii) to frame and improve the courses in AYUSH ; and
- (viii) to conduct research and comparative study *vis-a-vis* other prevalent health sciences.

5. The University shall exercise and perform the following powers and functions, namely :—

Powers and
functions of the
University.

- (i) to formulate and implement syllabi and curricula for various academic courses of the University;
- (ii) to conduct or regulate the conduct of entrance examination for all academic courses of studies, instituted by the University in the prescribed manner;
- (iii) to standardize methods of evaluation and assessment and to hold examinations for awarding various degrees, diplomas and certificates as per regulations;
- (iv) to institute and confer degrees, diplomas, certificates and other academic distinctions;
- (v) to develop, upgrade and start new departments and study centres in AYUSH and allied specialities;
- (vi) to confer honorary degrees or other distinctions on such terms and conditions, as may be prescribed;
- (vii) to prescribe conditions under which the award of any degree, title, diploma and other academic distinction may be withheld;
- (viii) to institute, maintain and administer university colleges, hospitals and laboratories and institutions of research, libraries and other institutions, necessary to carry out the objectives of the University;
- (ix) to prescribe conditions for affiliation or recognition of colleges and institutions and to lay down conditions under which such affiliation or recognition may be withdrawn or suspended ;
- (x) to create, suspend or abolish posts of principals, professors, readers, lecturers and other teaching or non-teaching posts in the University and to make suitable appointments thereto;
- (xi) to institute and award Emeritus Professorships, Travelling or Visiting Professorships, Travelling Fellowships, scholarships, incentives, prizes or other forms of encouragement to study and research in the prescribed manner ;

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- (xii) to establish, maintain or recognize hostels for students and residential accommodation for the staff of the University;
 - (xiii) to institute and implement such measures, as may be necessary to secure the health and well being of the students and to maintain discipline ;
 - (xiv) to manage and control all immovable and movable property owned by the University or transferred to it on the appointed date or subsequent thereto, subject to the provisions of this Act ;
 - (xv) to accept, hold and manage any endowments, donations or funds, which may be vested in the University by way of grant, testamentary disposition or otherwise, and to invest such endowments, donations or funds in such manner, as the University may deem fit ;
- Provided that no donation from a foreign country, foreign foundation or any individual in such country or foundation shall be accepted by the University, without the approval of the Government ;
- (xvi) to borrow money with or without security for such purpose, as may be approved by the Government from the Central or any State Government, the University Grants Commission, Banks or other incorporated bodies, subject to the provisions of this Act ;
 - (xvii) to fix fees and demand and collect such fees ;
 - (xviii) to promote and conduct research in disciplines of AYUSH and health sciences and to undertake publication of works of merit ;
 - (xix) to co-operate with any other university, authority, institution, professional academy or association or any other public or private body within or outside India for the purposes and objects similar to those of the University on such terms and conditions, as may from time to time, be prescribed ;
 - (xx) to establish and maintain University libraries, research centres, museums, press and publication bureau ; and
 - (xxi) to do all such acts and things whether incidental to the aforesaid powers and functions or not, as may be necessary or desirable to further the objects of the University.

6. (1) No college in the State of Punjab imparting education in AYUSH shall, save with the consent of the University and the sanction of the Government, be associated with or seek admission to any privileges of any other University in India or abroad. Jurisdiction and admission to privileges.

(2) Any such privilege enjoyed from any other University before the appointed date by any affiliated college or approved institution, situated in the State of Punjab, shall be deemed to be withdrawn with effect from such date, as may be notified by the Government.

(3) With effect from the date, as notified under sub-section (2), all colleges and other educational institutions of AYUSH in the State of Punjab, previously admitted to the privileges of or affiliated to the Baba Farid University of Health Sciences or any other University, Council or affiliating body, shall be deemed to be admitted to the privileges, or affiliated to the University.

(4) The colleges and other educational and research institutions of AYUSH, situated in the Union Territory of Chandigarh, may also be granted affiliation and admitted to the privileges of the University by the Board of Management for the reasons, to be recorded in writing.

7. (1) No person shall be denied any office of the University, or membership of any of its authorities or admission to any degree, diploma or other academic distinction or course of study on the ground of caste, creed or gender. University shall be open to all.

(2) Subject to the provisions of sub-section (1), the University shall, in accordance with the special or general directions of the Government, reserve seats for the purpose of admission in any college or institutions, affiliated with or administered by the University.

8. (1) The Government may at any time, by notification, in the Official Gazette, transfer any Government college or hospital of AYUSH or Health Sciences to the University and from the date of such transfer, the said college or hospital, as the case may be, shall be a university college or hospital. Transfer of Government College to the University.

(2) When any Government college or hospital is transferred to the University under sub-section (1), the following consequences shall ensue, namely :—

- (i) all the assets including the properties and liabilities pertaining to the said college or hospital, as the case may be, shall stand transferred to and vest in the University ;

- (ii) all teaching and non-teaching employees of the Department of Medical Education and Research, serving in the transferred college or hospital, who are either permanent or temporary or on probation or on *ad hoc* basis or on contract, shall be taken by the University into its service, if found suitable by the University as per its regulations :

Provided that no person shall be taken by the University into its service, unless such employee gives his option in writing :

Provided further that the employees, found surplus to the requirement of the University or found ineligible for service of the University or not consenting for transfer to the University, and holding liens against permanent posts, shall be absorbed by the State Government elsewhere.

Inspection and control.

9. (1) The Chancellor on the advice of the Government, shall have the right to cause an inspection or enquiry, to be made by such person, as it may direct, of the affairs and properties of the University, its buildings, laboratories, libraries, museums, workshops and equipments, and of any college or institution, administered, affiliated, recognized or approved by the University, and also of examinations, teaching and other work conducted or done by the University or in respect of any other matter connected with the University.

(2) The Chancellor shall forward to the Vice-Chancellor, a copy of the inspection report for obtaining the views of the Board of Management thereon and on receipt of such views, the Chancellor may give such directions, as he considers necessary and fix a time limit for action, to be taken by the University.

(3) The Board of Management shall within the time limit fixed by the Chancellor, report to the Chancellor through the Vice-Chancellor, the action, which has been taken.

(4) Where the Board of Management does not within the fixed time limit, take action to the satisfaction of the Government, the Chancellor on the advice of Government, may, after considering explanation, if any, furnished or representation made by the Board of Management, issue such directions, as it may think fit, and the University shall comply with such directions.

(5) The Chancellor shall be the final appellate authority in such matters.

CHAPTER-III

OFFICERS OF THE UNIVERSITY

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

- (i) the Chancellor ;
- (ii) the Vice-Chancellor ;
- (iii) the Deans ;
- (iv) the Registrar ;
- (v) the Controller of Examinations ;
- (vi) the Finance Officer ; and
- (vii) such other officers of the University, as may be prescribed.

11. (1) The Governor of Punjab shall by virtue of his office, be the The Chancellor
Chancellor of the University.

(2) The Chancellor shall be the Head of the University and shall, when present, preside at the convocation of the University.

(3) Honorary degrees shall be conferred by the University upon any person with the approval of the Chancellor.

(4) The Chancellor shall exercise such other powers and perform such other duties, as may be conferred upon him under this Act or the statutes made thereunder.

12. (1) The Vice-Chancellor shall be a whole time and a resident officer The Vice-Chancellor.
of the University.

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

(3) The Vice-Chancellor shall be appointed preferably from amongst the serving or retired eminent professionals from the field of AYUSH.

(4) The Vice-Chancellor shall hold office for a term of three years and shall be eligible for re-appointment on the advice of the Government.

(5) 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.

(6) When any temporary vacancy occurs in the office of the Vice-Chancellor by reason of leave, illness or other causes, the Chancellor, on the advice of the Board of Management, shall make such arrangement for carrying on the duties of the Vice-Chancellor, as he may deem fit :

Provided that pending the making of such arrangement by the Chancellor, the Vice-Chancellor with the prior approval of Board of Management, may designate any person from amongst the Deans of the University, to be the in-charge of the current duties of the Vice-Chancellor for a period, not exceeding one month or till arrangements are made by the Chancellor, whichever is earlier.

Power and duties of
the Vice-
Chancellor.

13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University. He shall exercise all powers, necessary for the due maintenance of discipline in the University.

(2) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power, conferred on any authority of the University under this Act and shall inform such authority, the action taken by him on such matter and obtain ratification for the same :

Provided that, if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Chancellor, whose decision thereon shall be final.

(3) The Vice-Chancellor shall exercise such other powers and perform such other functions, as may be prescribed.

(4) The Vice-Chancellor shall convene meetings of the Senate, the Board of Management, the Academic Council and the Finance Committee :

Provided that the Vice-Chancellor may, by an order in writing, delegate the powers of convening any of the said meetings to any of the officers of the University.

(5) The Vice-Chancellor shall be the *ex-officio* Convener of the Board of Management and *ex-officio* Chairman of the Senate, Academic Council and Finance Committee and preside over the meetings of these bodies in the capacity of Chairman.

(6) The Vice-Chancellor shall ensure faithful observance of the provisions of this Act, the statutes and ordinances.

(7) The Vice-Chancellor shall be responsible for the presentation of the annual financial estimate of the University and the annual accounts and balance-sheet to the Board of Management.

(8) The Vice-Chancellor shall be responsible for the proper administration of the University and for the close coordination and integration of teaching, research and dissemination of knowledge.

14. The manner of appointment and powers and duties of the Deans of the University shall be such, as may be prescribed. The Deans.

15. (1) The Registrar, shall be the whole-time salaried officer of the University, appointed by the Board of Management, on such terms and conditions, as may be fixed by it. The Registrar.

(2) The Registrar shall be appointed,—

(a) from amongst the academicians in the field of AYUSH, who are not lower in rank than that of a professor of not less than five years' standing ; or

(b) from amongst the officers of the Government, who are not lower in rank than that of an Additional Secretary to the Government ;
or

(c) by transfer from amongst the Registrars of other Universities of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy, or medical or technical Universities in the country.

(3) The Registrar shall hold office for a period of four years and shall be eligible for re-appointment for a further period of four years :

Provided that no person appointed as Registrar, shall hold office after attaining the age of sixty years.

(4) The Registrar shall be the *ex-officio* Secretary of the Senate, the Academic Council and the Finance Committee, but shall not be deemed to be a member of any of these authorities.

(5) When the office of the Registrar falls vacant, or when by reason of illness, or any other reason, he is unable to perform the functions and discharge the duties of his office, the functions and the duties of his office shall be performed and discharged by such person, as the Vice-Chancellor, may designate.

(6) The Registrar shall,—

(i) manage the property and the investments of the University including trusts and endowed property in accordance with the decision of the Finance Committee and the Board of Management;

(ii) be the custodian of the records, the common seal and such other properties of the University, as the Board of Management shall commit to his charge ; and

(iii) issue all notices convening meetings of the Senate, the Board of Management, the Academic Council, the Finance Committee and of any other committee, appointed by the authorities of the University.

(7) The Registrar shall exercise such powers, perform such functions and discharge such duties, as may be prescribed.

(8) In all suits and other legal proceedings by or against the University, the pleadings, shall be signed and verified by the Registrar, and all processes in such suits and proceedings, shall be issued to and served on the Registrar.

Controller of
Examinations

16. (1) The Controller of Examinations shall be a whole-time officer, appointed by the Board of Management.

(2) The Controller shall be the in-charge of the conduct of examinations in the University and matters relating thereto and shall perform such other duties, as may be prescribed or as may be directed by the Vice-Chancellor.

(3) The salary and allowances and other conditions of service of the Controller of Examinations shall be such, as may be specified by the Board of Management.

17. (1) The Finance Officer, shall be a whole-time salaried officer of the University, appointed by the Board of Management. He shall hold office subject to such terms and conditions, as may be specified by the Board of Management. Finance Officer.

(2) The Finance Officer shall be responsible for the preparation of annual financial estimates, the annual statement of accounts and balance sheets, and shall exercise general supervision over the funds of the University, and exercise such other powers and perform such other functions, as may be assigned to him by the Board of Management or as may be prescribed.

(3) The emoluments and other conditions of service of the Finance Officer shall be such, as may be prescribed by the Board of Management or by the statutes or ordinances.

18. The manner of appointment, the powers and duties and the conditions of service of other officers of the University referred to in clause (vii) of section 10, shall be such, as may be prescribed. Other Officers

19. The officers of the University shall not be offered nor shall they accept any remuneration for any work in the University, save as may be provided by the statutes or other orders regulating their salaries, allowances and other conditions of service. Officers of the University not to accept remuneration other than that provided by statutes.

CHAPTER-IV

AUTHORITIES OF THE UNIVERSITY

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

(i) the Senate ;

(ii) the Board of Management ;

(iii) the Academic Council ;

(iv) the Planning Board ;

(v) the Finance Committee ;

(vi) the Faculties ; and

(vii) such other authorities, as may be declared by the statutes from time to time.

The Senate.

21. (1) The Senate will be an advisory body, and shall be constituted by the Chancellor on the advice of the Government, and shall consist of the following members, namely :—

- (i) the Vice-Chancellor ;
- (ii) the Secretary to Government-in-charge of Research and Medical Education or his nominee dealing with Education of AYUSH, not below the rank of Additional Secretary to the Government ;
- (iii) the Director or authority related to Education of AYUSH ;
- (iv) the Director of Ayurveda ;
- (v) the Director, Central Research Institute for Ayurveda, Patiala ;
- (vi) three members of the Punjab Legislative Assembly, to be nominated by the Government ;
- (vii) one person from the department of Finance, not below the rank of Additional Secretary ;
- (viii) four members from amongst the persons having special interest in AYUSH ;
- (ix) three Heads of AYUSH Colleges by rotation according to age for a period of two years ;
- (x) one Head of College of AYUSH, Nursing or Para-medical sciences by rotation according to age for a period of two years ;
- (xi) three Professors from amongst the Professors of AYUSH Colleges by rotation according to age for a period of two years ;
- (xii) one Professor from amongst the Professors of Homoeopathic Colleges of AYUSH by rotation according to age for a period of two years ;
- (xiii) one Professor or Head of the Department from amongst the Professors or Heads of the Department of Colleges of Nursing or Colleges of other Para-medical Sciences of AYUSH by rotation according to age for a period of two years ;

- (xiv) three teachers, other than the Professors, from amongst the Ayurved Colleges by rotation according to age for a period of two years ;
- (xv) one teacher, other than the Professor, from amongst the teachers of Homoeopathic Colleges by rotation according to age for a period of two years ;
- (xvi) one teacher, other than the Professor, from amongst the teachers of Colleges of AYUSH by rotation according to age for a period of two years ;
- (xvii) one teacher, other than the Professor or Head, from amongst the teachers of the Department of Colleges of Nursing and other Paramedical Sciences of AYUSH by rotation according to age for a period of two years ;
- (xviii) one person from amongst the reputed pharmaceutical and medical equipment manufacturers of the State of Punjab ;
- (xix) two persons from amongst the reputed educationists of the State of Punjab, who are members of Central Council of Indian Medicine, Central Council of Homoeopathy or any other statutory professional councils in the field of AYUSH ;
- (xx) one non-teaching official of the University for a period of two years ; and
- (xxi) two members from amongst the individuals or organizations, who have made donation to the University or its affiliated colleges or hospitals of an amount of not less than ten lac rupees either in cash or in kind, for a period of two years.

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(2) Notwithstanding anything contained herein, a member of the Senate shall cease to be a member, if he ceases to be a member of the parent body, to which he belonged or on his retirement from service.

22. (1) The meetings of the Senate shall be held at least twice a year on the dates, to be fixed by the Vice-Chancellor. One of such meetings, shall be annual meeting.

Meetings of the
Senate

(2) The report on the working of the University, done during the previous year, together with the statement of receipts and expenditure, the financial estimates and the audit report, shall be presented for consideration of the Senate at its meetings convened under sub-section (1).

(3) The Vice-Chancellor may, whenever he thinks appropriate, or upon a requisition in writing, signed by not less than one third members of the Senate, shall convene a special meeting of the Senate within a period of seven days after such requisition.

Powers and
functions of the
Senate.

23. Subject to the provisions of this Act, the Senate shall exercise and perform 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 their improvement and development of the University ;
- (b) to advise the Chancellor in respect of any matter, which may be referred to it for advice ; and
- (c) to perform such other duties and functions, as may be assigned to it under this Act or the statutes by the Chancellor.

The Board of
Management.

24. (1) The Board of Management shall be constituted by the Chancellor, on the advice of the Government and it shall consist of the following members, namely :—

- (i) the Vice-Chancellor ; .. *Ex-officio*
- (ii) the Chief Secretary to Government of Punjab ; .. *Ex-officio*
- (iii) the Secretary to Government of Punjab, Department of Medical Education and Research, dealing with AYUSH ; .. *Ex-officio*
- (iv) the Secretary to Government of Punjab, Department of Finance ; .. *Ex-officio*
- (v) the Director, Medical Education and Research (Ayurveda) ; .. *Ex-officio*
- (vi) three eminent public figures, to be nominated by the Government ; and .. *Members*

(vii) five eminent persons with recognized national and international contributions towards education and research in the field of AYUSH, of whom minimum three persons shall be from the State of Punjab, to be nominated by the Government.

.. Members

(2) The Chancellor on the advice of the Government, shall nominate the Chairman of the Board of Management from amongst its members.

(3) The Vice-Chancellor shall be the Convener of the Board of Management.

(4) The term of office of the Members of the Board of Management, including the Chairman, shall be five years, except in the case of *ex-officio* members, whose tenure, shall be co-terminus with the term of the offices, held by them.

(5) Five members of the Board of Management shall form the quorum for a meeting.

(6) The Chairman shall preside over the meetings of the Board of Management. In the absence of the Chairman, the Vice-Chancellor shall preside over such meetings.

(7) The first Board of Management shall be constituted by the Government within a period of one month from the date of commencement of this Act.

25. (1) The Board of Management shall be the Principal Executive Authority of the University.

Powers and functions of the Board of Management.

(2) Subject to such conditions, as may be prescribed, the Board of Management shall exercise and perform the following powers and functions, namely:—

(a) to hold, control and administer the property and funds of the University;

(b) to arrange for and direct the inspection of the affiliated colleges and recognized institutions;

- (c) to manage the colleges, departments, institutes of research or specialized studies, laboratories, libraries, museums and hostels maintained by the University ;
- (d) to supervise and control the admission, conduct and discipline of students of the University ;
- (e) to recommend to the Senate the conferment of honorary degrees and academic distinctions in the prescribed manner ;
- (f) to appoint examiners and to fix their remuneration to arrange for the conduct of and for publishing the result of the University examinations and other tests ;
- (g) to make, amend and cancel the ordinances ; and
- (h) to exercise such other powers and perform such other duties, as may be conferred or imposed on it by or under this Act and the statutes.

The Academic
Council.

26. (1) The Academic Council shall be the Principal Academic Body of the University and shall subject to the provisions of this Act, statutes and ordinances, exercise general supervision and control over the academic policies of the University and shall 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.

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

- (i) the Vice-Chancellor ;
- (ii) the Director, Research and Medical Education (AYUSH) ;
- (iii) the Deans of Faculties of the University ;
- (iv) the Heads of Colleges, affiliated to the University, not represented by the Deans of Faculties ; and
- (v) two eminent experts in AYUSH education from outside the University, to be nominated by the Government.

Powers and
functions of the
Academic
Council

27. (1) Subject to the provisions of this Act, the statutes and the ordinances, the Academic Council shall have the following powers, namely :—

- (a) to make regulations and to amend or repeal the same ;
- (b) to advise the Board of Management on the promotion of research in the University ; and
- (c) to suggest measures for review and innovations in academic and research programmes.

(2) The Academic Council shall ordinarily meet twice in a year. The Academic Council may, however, meet on such other occasions, as may be decided by the Vice-Chancellor.

(3) One-third of the total strength of the members of the Academic Council shall form the quorum, required for a meeting.

(4) The Vice-Chancellor shall preside over the meetings of the Academic Council. If the Vice-Chancellor cannot be present at a meeting of the Academic Council due to any reason, the senior-most Dean shall preside over the meeting.

28. The constitution, powers and functions of the Planning Board shall be such, as may be prescribed. The Planning Board.

29. The constitution, powers and functions of the Finance Committee shall be such, as may be prescribed. The Finance Committee.

30. The Faculties of the University, their constitution, functions and powers shall be such, as may be prescribed. The Faculties.

31. There shall be the Boards of studies attached to each Faculty of the University. The constitution and powers of the Boards of Studies shall be such, as may be laid down by the statutes. The Boards of studies.

CHAPTER-V

FINANCE AND ACCOUNTS

32. The University shall have a general fund, to which shall be credited,— General fund.

(a) its income from fees, endowments and grants and any other income accruing to the University ;

(b) contributions or grants from the Government on such conditions, as may be imposed by the Government ;

(c) grant from the Central Government, the University Grants Commission, International Donor Agencies like the World Health Organization and United Nations International Children's Emergency Fund ; and

(d) special fee and donations from Non-Resident Indians and students from other countries.

33. The University may have such other funds also, as may be prescribed. Other funds.

34. The University may, for any of the purposes, as may be prescribed, borrow money from a Bank or a Corporation or any other source. Power to borrow.
If the total borrowed amount exceeds twenty-five lac rupees, the prior approval of the Government shall be obtained for such borrowing.

Management of funds.

35. All funds of the University shall be managed in such manner, as may be prescribed.

Power of Government to direct audit.

36. The Government shall have power to order special audit of the accounts of the University by such Auditors, as it may direct.

Financial estimates.

37. (1) The Vice-Chancellor shall cause to be prepared on or before such date, as may be prescribed, financial estimates of the University for the ensuing year and submit the same to the Board of Management for approval.

(2) The Board of Management may approve the financial estimates with such modifications, as it deems fit, and no expenditure shall be incurred, except in accordance with the financial estimates, as approved by the Board of Management.

Annual accounts and audit.

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

Annual report.

39. The annual report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Senate on or before such date, as may be prescribed, and shall be considered by the Senate at its annual meeting.

CHAPTER-VI

STATUTES, ORDINANCES AND REGULATIONS

Statutes.

40. Subject to the provisions of this Act, the statutes may provide for all or any of the following matters, namely :—

- (a) the constitution, functions and powers of the authorities of the University and such other bodies, as may be declared, to be the authorities of the University from time to time ;
- (b) the continuance in office of the members of the said authorities or bodies and filling up of vacancies of members and all other matters relating to these authorities or bodies ;
- (c) the conferment of honorary degrees ;
- (d) the holding of convocations for conferring degrees ;
- (e) the withdrawal of degrees, diplomas, certificates and other academic distinctions ;

- (f) the establishment, maintenance and abolition of faculties, departments, hostels, colleges and institutions ;
- (g) the conditions of affiliation of colleges and those under which affiliation may be withdrawn ;
- (h) the institution of Emeritus Professorships, Visiting Professorships, fellowships, scholarships, studentships, medals and prizes ;
- (i) the procedure, to be followed at meetings of the authorities, including stipulations of quorum for transaction of business, where such stipulations are not already made in this Act ;
- (j) the classification and nomenclature of teachers and other posts of the University and its affiliated colleges ;
- (k) the acceptance and management of bequests, donations and endowments ; and
- (l) all other matters, in which statutes are required to be made under this Act.

41. (1) The Board of Management may from time to time, make statutes or may amend or repeal the same.

The making of statutes.

(2) Every statute or any amendment or repeal thereof, shall require the approval of the Chancellor, who on the advice of Government, may sanction, disallow or remit it for further consideration.

(3) No statute made by the Board of Management, shall be valid until approved by the Chancellor and it shall come into force on and with effect from the date of its approval or on such other date, as the Chancellor may specify.

42. Subject to the provisions of this Act and the statutes, the ordinances may provide for the following matters, namely :—

Ordinances.

- (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 procedure to be adopted for granting and obtaining of the same ;

- (d) the fees, to be charged for courses of study in the University and its affiliated colleges and for admission to the examinations, degrees and diplomas of the University;
- (e) the conditions for the award of fellowships, scholarships, studentships, 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 terms and conditions of service of teachers and non-teaching employees of the University;
- (j) the management of colleges and other institutions funded or administered by the University;
- (k) the supervision and inspection of colleges and other institutions admitted to the privileges of the University; and
- (l) all other matters, which by this Act or the statutes, are to be or may be provided.

Making of the
ordinances.

43. (1) The ordinances shall be made, amended or repealed by the Board of Management :

Provided that any ordinance affecting,—

- (a) the admission or enrolment of students, prescribing examinations or recognizing them as equivalent to the University examinations; or
- (b) the conditions, mode of appointment or duties of examiners or the conduct or standard of examinations or any course of study;

shall be made according to the recommendations of the Academic Council.

(2) If the Board of Management does not agree with the recommendations of the Academic Council, it may return the same for reconsideration of the Academic Council either in whole or in part, together with any amendment, which the Board of Management may suggest. The Board of Management may reject the recommendations of the Academic Council when these are made for the second time.

(3) Every ordinance made by the Board of Management, shall be submitted to the Chancellor for information.

44. (1) The authorities of the University may, make regulations consistent with this Act, the statutes and the ordinances in respect of the matters, which are within their powers. Regulations.

(2) The regulations may provide for,—

- (a) suitable recruitment procedure both for teaching and non-teaching posts;
- (b) conduct of University employees and disciplinary procedure, to be followed in case of misconduct and other lapses in the discharge of their duties;
- (c) giving of notice to the members of each authority of the dates of meetings and also for keeping the record of the proceedings of the meetings;
- (d) the procedure, to be followed at the meetings; and
- (e) all matters concerning such authority, not provided for under the statutes or the ordinances.

(3) Every regulation made under this section, shall come into force on and with effect from the date, specified by the Board of Management.

CHAPTER-VII

AFFILIATION OF COLLEGES AND RECOGNITION OF INSTITUTIONS

45. (1) The colleges related to various disciplines of AYUSH, located within the University area, may, on satisfying such conditions, as laid down by the statutes or the ordinances for the purpose of affiliation, be affiliated to the University. Affiliation of colleges.

(2) The rights conferred on a college by affiliation, may be withdrawn in whole or in part or may be modified, if the college has failed to comply with any of the provisions of the statutes or ordinances, governing the affiliation or if the affairs of the college are conducted in a manner, which is prejudicial to the interest of education.

Recognition of
institutions other
than colleges.

46. (1) Any institution situated within or outside the University area, which conducts research or studies, as specified by the University, may be recognized by the Board of Management as a recognized institution for such purposes and in such manner and subject to such conditions, as may be prescribed.

(2) Any such recognition may be withdrawn either in whole or in part or may be modified in such manner and for such reasons, as may be prescribed.

Inspection of
colleges and
reports

47. (1) Every affiliated college, shall furnish to the Registrar such reports, returns and other information, as the Board of Management may require, to enable it to judge the efficiency of the college or institution, as the case may be.

(2) The Board of Management shall cause every such college, to be inspected from time to time by one or more competent persons, authorized by it in this behalf.

(3) The Board of Management may call upon any college so inspected, to take within the specified period, such action, as may appear to be necessary in respect of the inspection, referred to in sub-section (2).

CHAPTER-VIII

APPOINTMENT OF EMPLOYEES OF THE UNIVERSITY

Appointment of
employees.

48. (1) While making appointments to various posts in the University, the University shall give priority to efficiency and economy without compromising on the quality of work, to be done by each employee.

(2) No excessive manpower shall be created, and wherever possible, the University shall appoint employees on contract basis, on such terms and conditions, as may be prescribed.

(3) The administrative work and maintenance of record, shall, as far as possible, be conducted by modern methods like computerization keeping in view the aspects of efficiency, economy and transparency.

(4) The method of selection and appointment, remuneration, terms and conditions of service of teaching and non-teaching employees of the University, not already laid down in this Act, shall be such as may be prescribed.

49. Notwithstanding anything contained in section 48, the Board of Management shall be competent to invite on the recommendation of the Vice-Chancellor, a person of high academic distinction and professional attainment to accept the post of Visiting Professor in the University on such terms and conditions, as may be mutually agreed upon between the Board of Management and such person for a period, not exceeding one year at a time.

Appointment of
Visiting
Professor.

CHAPTER-IX

GENERAL

50. No suit or other legal proceedings shall lie against any officer or employee of the University for anything, which in good faith is done or intended to be done in pursuance of any of the provisions of this Act, the statutes or the ordinances.

Protection of
action taken in
good faith.

51. No act done, or proceedings taken under this Act, by any authority of the University, shall be invalid merely on the ground,—

Proceedings of
the authorities of
University not
invalidated by
vacancies.

- (a) of any ambiguity or defect in the constitution of the authority; or
- (b) of any defect or irregularity in nomination or appointment of a person acting as a member thereof; or
- (c) of any defect or irregularity in such act or proceedings, not affecting the merits of the case.

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

Disputes as to
the constitution
of the authorities
or bodies of
University.

53. (1) It shall be the duty of the Vice-Chancellor to make arrangement for constituting the authorities of the University, other than the Board of Management, within a period of six months from the date of commencement of this Act or within such longer period, not exceeding one year, as the Government may by notification, direct.

Transitory
powers of the
first Vice-
Chancellor.

(2) The first Vice-Chancellor, with the approval of the Board of Management, may make such statutes and ordinances, as may be necessary for the functioning of the University.

(3) It shall be the duty of the first Vice-Chancellor to draft such Statutes, as may be immediately necessary and submit them to the Board of Management for approval.

(4) Notwithstanding anything contained in this Act, until such time, an authority is duly constituted under the Act, the first Vice-Chancellor, may constitute any committee temporarily, and appoint any officer to exercise and perform any of the powers and duties of such authority under this Act.

Vice-Chancellor
and other
officers to be
public servants.

54. The Vice-Chancellor, Registrar, Finance Officer and other employees of the University, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, statutes, ordinance or regulation, to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act XLV of 1860).

Continuance of
statutes,
ordinances and
regulations.

55. Until statutes, ordinances and regulations are made under this Act, the statutes, ordinances and regulations, framed under the relevant laws, and in force immediately before the commencement of this Act, shall, subject to such adaptations or modifications, as may be made therein by the Vice-Chancellor with the endorsement of the Board of Management and approval of Chancellor, in so far as they are not in-consistent with the provisions of this Act, be deemed to be the statutes, ordinances and regulations, made under this Act.

Saving as to
certain examina-
tions.

56. Notwithstanding anything contained in this Act, the statutes, ordinances or regulations,—

- (a) any student, who immediately before the commencement of this Act, was studying for degree or diploma or certificate in the Baba Farid University of Health Sciences in accordance with the regulations in force under the relevant Act under which that University was established, may, until such examinations are conducted by this University, be admitted to the examination of Baba Farid University of Health Sciences and be conferred the degree or diploma or certificate in AYUSH System of that University, for which he qualifies on the result of such examination ; and

- (b) if the Baba Farid University of Health Sciences has held any examination, the result of which has been published, but the degrees, diplomas or certificates relating thereto, have not been conferred or issued or the result of any such examination has not been published by the said University, then such examination shall be deemed to have been held by that University.

57. Save as otherwise provided in this Act, the provisions of this Act, the statutes, ordinances or regulations made thereunder, shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Over-riding
effect on other
laws

58. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order, published in the Official Gazette, make such provision, not inconsistent with the provisions of this Act, as may appear to it, to be necessary for removing the difficulty:

Power to remove
difficulties.

Provided that no such 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) No order made under sub-section (1), shall be questioned in a court of law on the ground that no difficulty as is referred to in the said sub-section, existed or was required to be resolved.

(3) Every order made under this section shall, as soon as may be, after its publication, be laid before the State Legislature.

STATEMENT OF OBJECT AND REASONS

In the State of Punjab, there are four Universities dedicated the development of the concerned sciences, namely Punjab Technical University at Jalandhar, Baba Farid University of Health Sciences, at Faridkot, Punjab Agriculture University, Ludhiana and Guru Angad Dev Veterinary Sciences University, Ludhiana.

There is no parallel system as far as the technology is concerned. However, in the field of Medical Sciences, there is a system of Indian Medicine parallel to that of the Modern System of Medicine, not only at National level, but also internationally, in the form of Ayurveda, Sidh, Unani, Yoga and Homoeopathy.

The Ayurvedic System of Medicine was founded by Acharya Dhanwantri Ji and both in Medicine and Surgery, the Ayurvedic System is well-established and includes 'Chark Rishi Ji' for Medical problems and the great 'Shushrat', the shining star in the field of Ayurvedic Surgery.

Similarly, in the method of Yoga, be Great Patanjli is known the world over. 'Sidh' system of Medicine has also developed to its glorious heights in this land of Himalayas.

The philosophy of Ayurved is entirely different from that of Modern Medicine, wherein the philosophical basis of disease is the cell of the organ, while in Ayurved the philosophy is that disease in the Human body is because of imbalance of inherent forces and the same manifest through some organ.

Similarly, system of Homoeopathic Medicine also takes into consideration the body as a whole, rather than different organs individually and its philosophical basis is also diametrically opposite to that of modern medicine.

Hence, it is required that independent research and development is carried out extensively in the theoretical as well as technical aspects of Ayurved, Sidh, Unani and Homoeopathic Systems of Medicine.

With this aim, the State of Punjab feels that this task of carrying out independent research and development of new Technologies for effective implementation of the ancient systems of Medicine and also for the theoretical and technological research in the field of Homoeopathy, as separate and Independent University is required to be established in the State.

Hence, this bill falls under the category of money bill Under Section 199 of the constitution of India and as such is being sent for the prior approval of His Excellency, the Governor of Punjab.

TIKSHAN SUD,
Medical Education and Research Minister, Punjab.

FINANCIAL MEMORANDUM

The University shall have a general fund, to which shall be credited,—

- (a) its income from fees, endowments and grants and any other income accruing to the University ;
- (b) contributions or grants from the Government on such conditions, as may be imposed by the Government ;
- (c) grant from the Central Government, the University Grants Commission, International Donor Agencies like the World Health Organization and United Nations International Children's Emergency Fund ; and
- (d) special fee and donations from Non-Resident Indians and Students from other countries.

The University may have such other funds also, as may be prescribed.

The University may, for any of the purposes, as may be prescribed, borrow money from a Bank or a Corporation or any other source. If the total borrowed amount exceeds twenty-five lac rupees, the prior approval of the Government shall be obtained for such borrowing.

All funds of the University shall be managed in such manner, as may be prescribed.

The Government shall have power to order special audit of the accounts of the University by such Auditors, as it may direct.

3036

PUNJAB GOVT GAZ. (EXTRA.), DEC 11, 2009
(AGHN 20, 1931 SAKA)

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 58 of the Guru Ravidas Ayurvedic University, Punjab Bill, 2009 empowers the State Government to make rules for carrying out the purposes of the Bill. The powers sought are necessary for the proper implementations of the provisions of the Bill and normal in nature.

CHANDIGARH:

The 11th December, 2009.

VED PARKASH,
Secretary.

PUNJAB VIDHAN SABHA SECRETARIAT

Notification

The 11th December, 2009

No. 25-PLA-2009/57.—The Baba Farid University, of Health Sciences (Amendment) Bill, 2009 is hereby published for general information under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly):—

Bill No. 25-PLA-2009

**THE BABA FARID UNIVERSITY OF HEALTH SCIENCES
(AMENDMENT) BILL, 2009**

A

BILL

further to amend the Baba Farid University of Health Sciences Act, 1998.

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

1. (1) This Act may be called the Baba Farid University of Health Sciences (Amendment) Act, 2009. Short title and commencement.
- (2) It shall come into force at once.
2. In the Baba Farid University of Health Sciences Act, 1998 (hereinafter referred to as the principal Act), in the preamble, the words “and Indian Systems of Medicine” shall be omitted. Amendment in preamble of Punjab Act 18 of 1998.
3. In the principal Act, in section 2,—Amendment in section 2 of Punjab Act 18 of 1998.
 - (a) in clause (1), the words “Indian Systems of Medicine” shall be omitted ; and
 - (b) clause (n) shall be omitted.
4. In the principal Act, in section 5, in clause (i), the words “Indian Systems of Medicine, Homocopathy” shall be omitted. Amendment in section 5 of Punjab Act 18 of 1998.
5. In the principal Act, in section 24, in sub-section (1), clauses (x), (xiv) and (xviii) shall be omitted. Amendment in section 24 of Punjab Act 18 of 1998.

STATEMENT OF OBJECTS AND REASONS

The State of Punjab feels that the task of carrying out independent research and development of new Technologies for effective implementation of the ancient systems of Medicine and also for the theoretical and technological research in the field of Homoeopathy, as separate and Independent University is required to be established in the State.

Hence this Bill.

TIKSHAN SUD,
Medical Education and Research Minister, Punjab.

CHANDIGARH:
The 11th December, 2009

VED PARKASH,
Secretary.
