



## The Talwara Township (Periphery Control) Act, 1961

Act 34 of 1961

**Keyword(s):**

**Agriculture, Road, Erect or Re-erect any Building,**

**DISCLAIMER:** This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

**THE TALWARA TOWNSHIP (PERIPHERY) CONTROL ACT,  
1961**

(PUNJAB ACT No. 34 OF 1961)

*Arrangement of sections*

SECTIONS

1. Short title, extent and commencement.
2. Definitions.
3. Declaration of controlled area.
4. Publication of plans of controlled area.
5. Restrictions in a controlled area.
6. Application for permission and the grant or refusal of such permission.
7. Appeal.
8. Compensation.
9. Arbitration for compensation.
10. Saving.
11. Prohibition on use of land in controlled area.
12. Offences and penalties.
13. Trial of offence.
14. Idemnity.
15. Exemption.
16. Power to make rules.
17. Repeal

THE TALWARA TOWNSHIP (PERIPHERY)  
CONTROL ACT, 1961.

(PUNJAB ACT NO. 34 OF 1961)

[Received the assent of the President of India on the 31st October, 1961, and first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, Part I, of the 1st November, 1961.]

| 1    | 2   | 3  | 4  |
|------|-----|--|--|
| Year | No. | Short title  | Whether affected by Legislation  |
| 1961 | 34  | The Talwara Township (Periphery) Control Act, 1961 | Amended by Punjab Act 25 of 1964 <sup>2</sup> .<br>Amended by Punjab Adaptation of Laws (State and Concurrent Subjects) Order, 1968.<br>Amended by the Adaptation of Punjab Laws Order, 1970.<br>Amended by Punjab Act 12 of 1972 <sup>3</sup> . |

*An act to check mushroom growth and ribbon-like development along roads of Talwara Township as well as its periphery.*

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

1. (1) This Act may be called the Talwara Township (Periphery) Control Act, 1961. Short title, extent and commencement.

(2) It extends to the area—

(a) adjacent to and within a distance of three miles all sides of the outer boundary of the land acquired for the Talwara Township ;  
and

<sup>1</sup>For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1961, page 1378.

<sup>2</sup>For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1964, pages 935—37.

<sup>3</sup>For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1972, page 1460.

(b) adjacent to and within a radial distance of three miles from the centre of the Beas Dam.

(3) It shall come into force at once.

Definitions.

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

(1) “agriculture” includes horticulture and the planting and upkeep of orchard ;

(2) “building” has the same meaning as is assigned to it in clause (2) of section 3 of the Punjab Municipal Act, 1911 (Act No. III of 1911) ;

<sup>1</sup>[(3) “Deputy Commissioner” means the Deputy Commissioner of the Hoshiarpur District and includes any person for the time being appointed by the State Government, by notification in the Official Gazette, to perform all or any of the functions of the Deputy Commissioner under this Act;]

(4) “Commissioner” means the Commissioner of the Jullundur Division, and includes any person for the time being appointed by the State Government, by notification, to perform all or any of the functions of the Commissioner under this Act ;

(5) “prescribed” means prescribed by rules made under this Act ;

(6) “road” means a metalled or unmetalled road, whether a thoroughfare or not, accessible to the public and maintained by the State Government or by a local authority ; and

(7) the expression “erect or re-erect any building” has the same meaning as is assigned to it in clause (5) of section 3 of the Punjab Municipal Act, 1911 (Act No. III of 1911).

<sup>1</sup>Substituted by Punjab Adaptation of Laws (State and Concurrent subjects) Order, 1968.

3. (1) The State Government may, by notification, declare the whole or any part of the area to which this Act extends to be a controlled area for the purpose of this Act. Declaration of controlled area.

(2) Not less than three months before making a declaration under sub-section (1), the State Government shall cause to be published in the Official Gazette, and in at least two newspapers printed in a language other than English, a notification stating that it proposes to make such a declaration, and copies of the notification or of the substance thereof shall be published by the Deputy Commissioner in such a manner as may be prescribed at his office and in the area desired to be controlled.

4. (1) The Deputy Commissioner shall within three months of the declaration under sub-section (1) of section 3 deposit at his office and at such other places as he considers necessary, plans showing the area declared to be controlled area for the purposes of this Act, signifying therein the nature of the restrictions applicable to the controlled area. Publication of plans of controlled area.

(2) The plans so deposited shall be in the form prescribed and shall be available for inspection by the public free of charge at all reasonable times.

5. Except as provided hereinafter, no person shall erect or re-erect any building, or make or extend any excavation or lay out any means of access to a road in the controlled area save in accordance with the plans and restrictions referred to in section 4 and with the previous permission of the Deputy Commissioner. Restrictions in a controlled area.

6. (1) Every person desiring to obtain the permission referred to in section 5, shall make an application in writing to the Deputy Commissioner in such form or containing such information in respect of the building, excavation or means of access to which the application relates as may be prescribed. Application for permission and the grant or refusal of such permission.

(2) On receipt of such application the Deputy Commissioner, after making such enquiry as he considers necessary, shall by order in writing either—

(a) grant the permission subject to such conditions, if any, as may be specified in the order, or

(b) refuse to grant such permission.

(3) When the Deputy Commissioner grants permission subject to conditions, or refuses to grant permission under sub-section (2), the conditions imposed or the grounds of refusal shall be such as are reasonable having regard to the circumstances of each case and the interest of the general public.

(4) The Deputy Commissioner shall not refuse permission to the erection or re-erection of a building, if such building is required for purposes subservient to agriculture, nor shall the permission to erect or re-erect any such building be made subject to any conditions other than those which may be necessary to ensure that the building will be used solely for such purposes.

(5) The Deputy Commissioner shall not refuse permission to the erection or re-erection of a building which was in existence on the date on which the notification under sub-section (1) of section 3 was made, nor he shall impose any condition in respect of such erection or re-erection unless he is satisfied after hearing the applicant that there is a probability that the building will be used for a purpose or is designed in a manner other than that for which it was used or designed on the date on which the said notification was made.

(6) If at the expiration of a period of three months after an application under sub-section (1) has been made to the Deputy Commissioner, no order in writing has been passed by the Deputy Commissioner, permission shall, without prejudice to the restrictions

signified in the plans under section 4, be deemed to have been given without the imposition of any conditions.

(7) The Deputy Commissioner shall maintain a register as may be prescribed with sufficient particulars of all cases in which permission is given or deemed to have been given or refused by him under this section, and the said register shall be available for inspection without charge by all persons interested and such persons shall be entitled to take extracts therefrom.

7. (1) Any person aggrieved or affected by an Appeal order of the Deputy Commissioner under sub-section (2) of section 6, granting permission subject to conditions or refusing permission, may within sixty days from the date of such order prefer an appeal to the Commissioner.

(2) The order of the Commissioner on appeal shall be final.

8. A person whose application has been refused Compensation or whose application has been granted subject to conditions under sub-section (2) of section 6, shall be entitled to claim compensation within three months of the order of the Deputy Commissioner under section 6 or the order of the Commissioner under section 7, if any, as the case may be, for any injury, loss or damage actually suffered on account of the order, in the manner hereinafter provided.

9. (1) An application for compensation shall lie to an arbitrator appointed by the State Government in this behalf. Arbitration. for compensation.

(2) Such arbitrator shall be a person who is or has been a District Judge or an Additional District Judge and he shall have all the powers of an arbitrator under the Indian Arbitration Act, 1940, and the provisions of the said Act shall, so far as may be, apply in relation to proceedings before him.

(3) In computing the compensation to be awarded, regard shall not be had to any consideration for advantages to be gained or improvements to be made in any land or building in the controlled area, with reference to their development or intended development in the future, or to increase in value as a result of the development of the Talwara Township.

(4) The arbitrator shall have power to reject the application after due enquiry or to make an award for compensation.

Saving.

10. Nothing in this Act shall affect the power of Government or any other authority to acquire land or to impose restrictions upon the use and development of land comprised in the controlled area under any other law for the time being in force, or to permit the settlement of a claim arising out of the exercise of powers under this Act by mutual agreement.

Prohibition on  
use of land in  
controlled area.

11. (1) No land within the controlled area shall, except with the permission of the State Government, be used for purposes other than those for which it was used on the date of notification under sub-section (2) of section 3, and no land shall be used for the purposes of a charcoal-kiln, pottery-kiln, lime-kiln, brick-kiln or brick-field except under and in accordance with the conditions of a licence from the Deputy Commissioner on payment of such fees and under such conditions as may be prescribed.

(2) The renewal of such licenses may be made annually on payment of such fees as may be prescribed.

(3) No person shall be entitled to claim compensation for any injury, damage or loss caused or alleged to have been caused by the refusal to issue or renew a licence except in case where such kiln was in existence at the time of notification under sub-section (2) of section 3, and in which case an application shall lie to the arbitrator within three months of the order of refusal in the manner provided in section 9.



12. (1) Any person who—

Offences and  
penalties.

- (a) erects or re-erects any building or makes or extends any excavation or lays out any means of access to a road in contravention of the provisions of section 5 or in contravention of any conditions imposed by an order under section 6 or section 7, or
- (b) uses any land in contravention of the provisions of sub-section (1) of section 11, shall be punishable with fine which may extend to five hundred rupees and in the case of a continuing contravention with a further fine which may extend to fifty rupees for every day after the date of the first conviction during which he is proved to have persisted in the contravention.

(2) Without prejudice to the provisions of sub-section (1), <sup>1</sup>[if the Deputy Commissioner, after making such enquiry as he considers necessary and after affording an opportunity of being heard to the person concerned, is satisfied that such person has committed a breach of the provisions of said sub-section he may pass an order requiring that person] to restore to its original state or to bring into conformity with the conditions which have been violated, as the case may be, any building or land in respect of which a contravention such as is described in the said sub-section has been committed, and if such person fails to do so within three months of the order, may himself take such measures as may appear to him to be necessary to give effect to the order and the cost of such measures shall be recoverable from such person as an arrear of land revenue.

13. No court inferior to that of a <sup>2</sup>[Judicial Trial of Magistrate] of the First Class shall be competent to <sup>offence.</sup> try any offence punishable under this Act.

14. No suit, prosecution or other legal proceeding <sup>Indemnity.</sup> shall lie against any person for anything which is in good faith done or intended to be done under this Act.

<sup>1</sup>Substituted by Punjab Act 13 of 1972, s. 2.

<sup>2</sup>Substituted for words "magistrate" by Punjab Act 25 of 1964.

**15. Nothing in this Act shall apply to—**

- (a) any building for residential purposes or solely for agricultural purposes in the abadi area of any village as defined in the revenue records ;
- (b) the erection or re-erection of a place of worship or a tomb or cenotaph or of a wall enclosing a grave-yard, place of worship, cenotaph or samadhi on land which is, at the time of the notification under sub-section (2) of section 3, occupied by or for the purposes of such place of worship, tomb, samadhi, cenotaph or grave-yard;
- (c) excavations (including Wells) or other operations made in the ordinary course of agriculture;
- (d) the construction of an unmetalled road intended to give access to land solely for agricultural purposes.

Power to make rules.

**16. (1)** The State Government may by notification make rules to carry out the purposes of this Act subject to the condition of previous publication.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

- (a) the form in which the plans under section 4 are to be displayed and the matters to be contained therein ;
- (b) the form in which applications under sub-section (1) of section 6, shall be made or the information to be furnished in such applications;

- (c) the regulation of the laying out of means of access to roads ;
- (d) the fees to be charged for the grant and renewal of licenses under section 11, and the conditions governing such licenses;
- (e) principles and conditions under which applications for permission under this Act may be granted or refused.

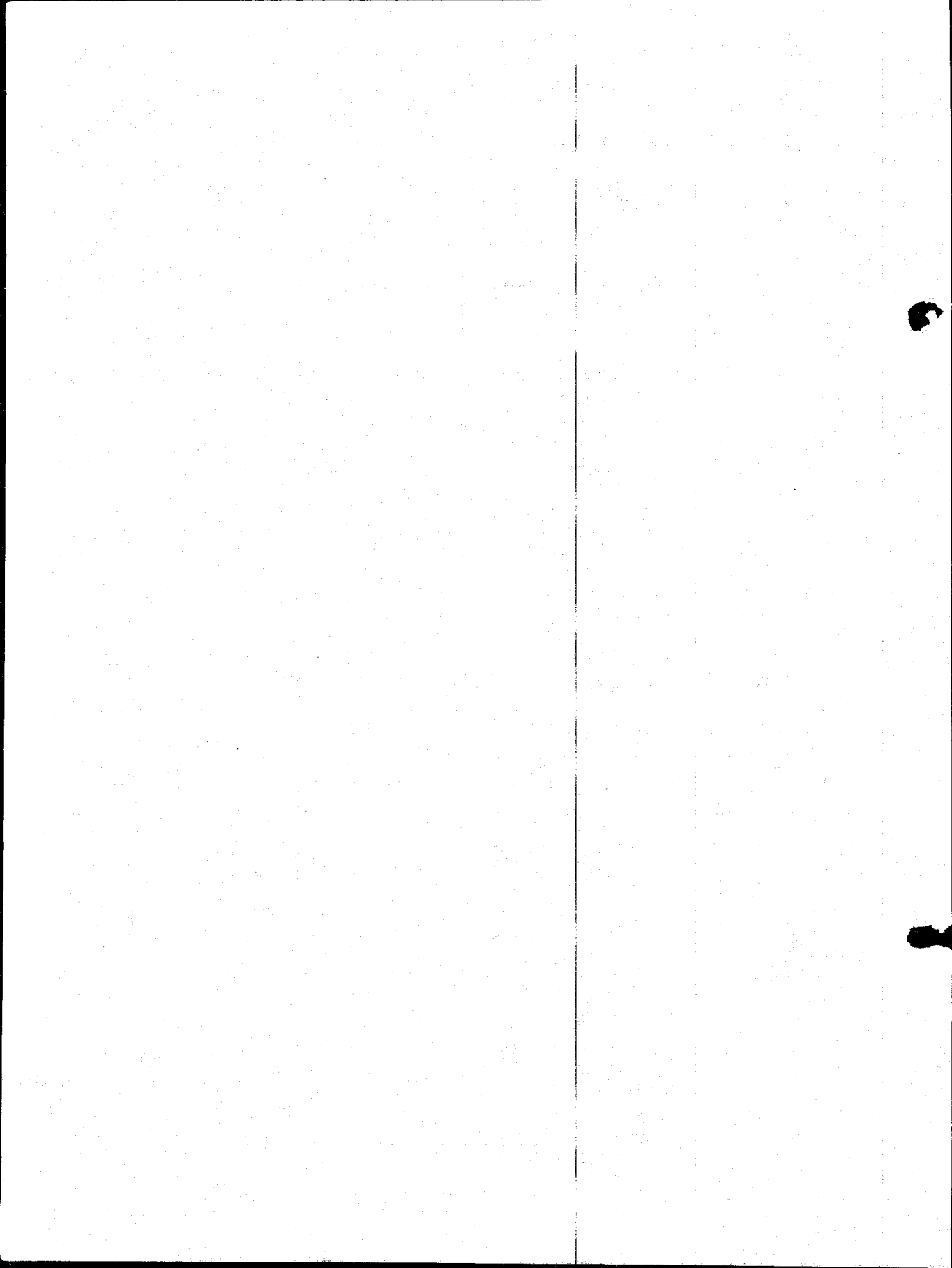
(3) Every rule made under this section shall be laid as soon as may be after it is made before <sup>1</sup>[\* \* \*] the State Legislature while it is in session for a total period of ten days.

17. (1) The Talwara Township (Periphery) <sup>Repeal.</sup> Control Ordinance, 1961 (Punjab Ordinance No. I of 1961), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the Talwara Township (Periphery) Control Ordinance, 1961, shall be deemed to have been done or taken under this Act, as if this Act had commenced on the 20th day of July, 1961.

---

<sup>1</sup>The words "each House of" omitted by the Adaptation of Punjab Laws Order, 1970.



THE PUNJABI UNIVERSITY ACT, 1961

(PUNJAB ACT NO. 35 OF 1961)

*Arrangement of sections*

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Incorporation of the University.
4. Powers and duties of the University.
5. Territorial exercise of powers.
6. University open to all irrespective of religion, race, caste, sex or place of birth.
7. Officers of the University.
8. Powers and duties of Officers, their terms of office, etc.
9. Chancellor.
- 9-A. Appointment, powers, duties and conditions of service of Vice-Chancellor.
- 9-B. Appointment, powers, duties and conditions of service of Registrar.
10. Authorities of the University.
11. The Senate.
12. The Syndicate.
13. The Academic Council.
14. Powers and duties of the authorities of the University.
15. Statutes.
16. The making, amendment, repeal and operation of Statutes.
17. Ordinances.
18. Making of Ordinances, etc.
19. Regulations.
20. Annual Report.
21. Annual Accounts.
22. Acts or proceedings of University authorities and bodies not invalidated by vacancies.
23. Disputes as to constitution of University authorities and bodies.
24. Special temporary powers of Government.

## THE SCHEDULE

## The Statutes of the Punjabi University.

1. Definition.
2. The Chancellor.
3. The Vice-Chancellor.
4. The Registrar.
5. Deans of the Faculties.
6. The Senate.  
Power and duties of the Senate.
7. The Syndicate.
8. The Academic Council.
9. The Faculties.
10. Boards of Studies.
11. The Finance Committee.
12. The Selection Committee.

## THE PUNJABI UNIVERSITY ACT, 1961

(PUNJAB ACT NO. 35 OF 1961)

[Received the assent of the Governor of Punjab on the 1st November, 1961, and first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, Part I, of the 8th November, 1961.]

| 1    | 2   | 3                                | 4  |
|------|-----|----------------------------------|--|
| Year | No. | Short title                      | Whether affected by Legislation  |
| 1961 | 35  | The Punjabi University Act, 1961 | Amended by Punjab Act 22 of 1962 <sup>2</sup> .<br>Amended by Punjab Act 23 of 1969 <sup>3</sup> .<br>Amended by Punjab Act 7 of 1970 <sup>4</sup> . |

## AN ACT

to establish and incorporate a University for the advancement of Punjabi studies and development of Punjabi language as a medium of instruction or otherwise for the providing of instruction in humanistic and scientific subjects and generally for the promotion of higher education and research.

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

1. (1) This Act may be called the Punjabi University Act, 1961.

Short title  
and com-  
mencement.

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

<sup>1</sup>For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1961, pages 1370-71.

<sup>2</sup>For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1962, page 1646.

<sup>3</sup>For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1969, page 1064.

<sup>4</sup>For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1970, pages 787-88.

## Definitions.

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

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

## Incorporation of the University.

3. (1) The first Chancellor and the first Vice-Chancellor of the University and the first members of the Senate, the Syndicate and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "The Punjabi University".

(2) The University shall have perpetual succession and a common seal with power to acquire, hold and dispose of property, and to contract, and may by the said name sue and be sued.

(3) The University shall be located at such place as the State Government may, by notification, specify.



4. The University shall exercise the following <sup>Powers and duties of the</sup> powers and perform the following duties, namely:— University.

- (1) to make provision for imparting education in the humanities, sciences, learned professions and such other branches of learning and courses of study as it may think fit, and to make provision for research and for the advancement and dissemination of knowledge ;
- (2) to promote Punjabi studies, to provide for research in Punjabi literature, to undertake measures for the development of Punjabi language and to progressively adopt it as a medium of instruction and examination for as many subjects as possible ;
- (3) to institute and confer degrees, diplomas and other academic distinctions ;
- (4) to hold examinations and to grant and confer degrees, diplomas and other distinctions to and on persons who—
  - (a) shall have pursued a course of study in the University or in one of its institutions, unless exempted therefrom in the manner prescribed by the Statutes, Ordinances and Regulations, and shall have passed the examination prescribed by the University ; or
  - (b) shall have carried on research under conditions prescribed by the Ordinances and Regulations ;
- (5) to confer honorary degrees in the manner laid down by the Statutes ;
- (6) to institute professorships, readerships, lecturerships and any other teaching posts required by the University and to appoint persons to such professorships, readerships, lecturerships and other posts ;

- (7) to institute and award fellowships, scholarships, studentships, exhibitions and prizes in accordance with the Statutes and Ordinances ;
- (8) to institute and maintain Halls and Hostels ;
- (9) to supervise and control the residence and discipline of the students of the University and to make arrangements for promoting their health and general welfare ;
- (10) to organise University laboratories, libraries, museums and other equipment for teaching and research ;
- (11) to demand and receive such fees and other charges as may be prescribed by the Ordinances ;
- (12) to hold and manage trusts and endowments which may be created in favour of the University ;
- (13) to institute and manage—
  - (a) Printing and Publication Departments,
  - (b) University Extension Boards,
  - (c) Information Bureaux, and
  - (d) Employment Bureaux ;
- (14) to make special provision for the spread of University education among classes and communities which are educationally backward ;
- (15) to make provision for—
  - (a) the maintenance of National Cadet Corps or other similar training corps.
  - (b) physical and military training,
  - (c) students associations, and
  - (d) sports and athletic clubs ;
- (16) to prepare, translate and publish, and to assist other bodies and individuals in the preparation, translation and publication of books,

journals, periodicals, and any other material in Punjabi or other languages ;

- (17) to create administrative, ministerial and other necessary posts and to make appointments thereto ;
- (18) to receive gifts, donations or benefactions from Government and to receive bequests, donations and transfers of movable or immovable property from testators, donors or transferors, as the case may be ;
- (19) to frame Statutes, Ordinances or Regulations for all or any of the aforesaid purposes ; and to alter, modify or rescind the same ; and
- (20) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

[5. (1) The State Government may, by notification, specify the limits of the area in which the University shall exercise its powers. Territorial exercise of powers.

(2) Notwithstanding anything contained in any other law for the time being in force, no educational institution beyond the limits of the area specified under sub-section (1) shall be associated with or admitted to any privileges of the University.

(3) Notwithstanding anything contained in any other law for the time being in force, any educational institution situated within the limits of the area specified under sub-section (1) shall, with effect from such date as may be notified in this behalf by the State Government, be deemed to be associated with and admitted to the privileges of the University and shall cease to be associated in any way with, or be admitted to any privileges of, the Punjab University; and different dates may be appointed for different institutions :

Provided that—

- (a) any student of any such institution affiliated to the Punjab University before the said date, who was studying for any degree and diploma examination of the said University shall be permitted to complete his course in preparation therefor and the University shall hold for such students examinations in accordance with the curricula of study in force in the Punjab University for such period as may be prescribed by the Statutes or Ordinances or Regulations ; and
- (b) any such student may, until any such examination is held by the University, be admitted to the examination of the Punjabi University and be conferred the degree, diploma or any other privilege of that University for which he qualifies on the result of such examination.]

University  
open to all  
irrespective of  
religion, race,  
caste, sex or  
place of birth.

6. (1) No person shall be excluded from any office of the University or from membership of any of its authorities or from admission to any degree, diploma, or other academic distinction or course of study on grounds only of religion, race, caste, sex, place of birth or any of them :

Provided that the University may maintain any college or institution exclusively for women either for education, instruction or residence or, reserve for women or members of classes and communities which are educationally backward, places for purposes of admission as students in any college or institution maintained or controlled by the University.

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

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

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

<sup>1</sup>[8. Subject to the provisions of this Act, the mode of appointment of the officers of the University, their powers and duties, the terms and conditions of their service and the filling of casual vacancies in such offices shall be provided for by the Statutes and Ordinances. Appointment, duties and powers and conditions of service of officers of the University.

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

<sup>2</sup>[9A. (1) The Vice-Chancellor shall be appointed by the Chancellor on the advice of the State Government. Appointment, powers, duties and conditions of service of Vice-Chancellor.

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

(3) 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) In case of illness or absence on leave of the Vice-Chancellor or in any other contingency, the

<sup>1</sup>Section 8 and 9, substituted by Punjab Act 23 of 1969, section 2.

<sup>2</sup>Sections 9A and 9B inserted by *ibid.*, section 3.

Chancellor may appoint a person from amongst the Fellows of the University to act as the Vice-Chancellor, or make such other arrangements as he may think fit for the disposal of business during the absence of the Vice-Chancellor. The Chancellor shall determine the emoluments or allowances payable to the person temporarily appointed to discharge the functions of the Vice-Chancellor.

(5) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise control over its affairs in accordance with the Statutes and Regulations and give effect to the decisions of the authorities of the University. He shall be *ex officio* Chairman of the Senate, the Syndicate, the Academic Council and the Finance Committee and shall in the absence of the Chancellor, preside at any convocation of the University. He shall be entitled to be present at and address any meeting of any authority or other body of the University.

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

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

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

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

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

**9B.** (1) The Registrar shall be appointed by the Syndicate and shall be a whole-time administrative officer of the University. The terms and conditions of service of the Registrar shall be such as may be prescribed :

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

Provided that the term of office of the Registrar shall be four years or up to the age of sixty years whichever expires earlier :

Provided further that nothing herein shall be deemed to affect the term of office of the Registrar holding office immediately before the commencement of the Punjabi University (Amendment) Act, 1969, to his disadvantage.

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

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

- (a) to be custodian of the records, common seal and such other property of the University as the Syndicate shall commit to his charge;
- (b) to keep the minutes of all meetings of the Senate, the Syndicate, the Academic Council and the Finance Committee;
- (c) to conduct the official correspondence of the Senate, the Syndicate and the Academic Council;
- (d) to arrange for and superintend the examinations of the University;

- (e) to supply to the Chancellor copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of meetings of the authorities ordinarily within a month of the holding of the meetings;
- (f) to perform such other duties as may from time to time be assigned to him by the Syndicate.]

Authorities of the University. **10.** The following shall be the authorities of the University, namely:—

- (i) the Senate,
- (ii) the Syndicate,
- (iii) the Academic Council,
- (iv) the Faculties,
- (v) the Boards of Studies, and
- (vi) such other authorities as may be declared by the Statutes to be the authorities of the University.

Senate.

[<sup>1</sup>**11.** (1) On and with effect from the commencement of the Punjabi University (Amendment) Act, 1969, the Senate as it existed immediately before such commencement shall stand dissolved and the new Senate shall consist of the Chancellor, the Vice-Chancellor, and the following other persons, namely:—

Ex-officio Fellows—

- (i) all ex-Vice-Chancellors of the Punjabi University;
- (ii) the Chief Justice of the High Court having jurisdiction in the State of Punjab;
- (iii) the Chief Minister, Punjab;
- (iv) the Education Minister, Punjab;

---

<sup>1</sup>Section 11 substituted by Punjab Act 23 of 1969, section 4.



- (v) the Secretary, Education Department, Punjab;
- (vi) the Advocate-General, Punjab;
- (vii) the Director, Public Instruction, Punjab;
- (viii) the Dean, Academic Affairs and Students' Welfare;
- (ix) the Director, Languages Department, Punjab;

*Ordinary Fellows—*

- (i) six Deans of Faculties, of whom three shall be Professors, by rotation according to age;
- (ii) four Heads of University Departments of studies, who are not Deans, of whom two shall be Professors, by rotation, according to age;
- (iii) six Principals of Colleges admitted to the privileges of the University, of whom three shall be Principals of Government Colleges, by rotation according to age :

Provided that no Principal who has attained the age of sixty years shall be eligible to be or continue as a Fellow;

- (iv) one Reader and one Lecturer with at least five years' postgraduate teaching experience, by rotation, according to age;
- (v) one nominee of each Trust, Institution or Corporation donating to the University one lac rupees or more or transferring property of like value, for lifetime;
- (vi) every person donating one lac rupees or more or transferring property of like value, for life time;
- (vii) eighteen persons to be nominated by the Chancellor on the advice of the State Government for their distinguished

work in education or in any other sphere of literary or public activity;

- (viii) three persons to be co-opted by the Senate;
- (ix) three persons nominated to the Syndicate by the Chancellor on the advice of the State Government, for the period they remain members of the Syndicate;
- (x) three persons nominated by the State Government from amongst the members of the Punjab Legislative Assembly;
- (xi) one teacher having a minimum experience of seven years in teaching from each College having sixty or more teachers on its staff and admitted to the privileges of the University, by rotation, according to age, beginning with the youngest;
- (xii) six persons having a minimum experience of seven years in teaching from amongst teachers of Colleges having less than sixty teachers each on their staff and admitted to the privileges of the University, of whom three shall be teachers of Government Colleges, by rotation, according to age, beginning with the youngest;
- (xiii) two persons amongst officers, who are in the grade not lower than the grade of a University Lecturer, of the following Departments by rotation according to age:—
  - (a) Department of Development of Punjabi Language;
  - (b) Linguistics Department;
  - (c) Department of Religious Studies;
  - (d) Department of Literary Studies;

- (e) Department of Punjab Historical Studies;
- (xiv) two persons to be nominated by the State Government from amongst ex-soldiers not below the rank of a Commissioned Officer.
- (2) Save as otherwise provided in this section an Ordinary Fellow shall hold office for a period of two years.
- (3) An Ordinary Fellow may, by letter addressed to the Chancellor, resign his office.
- (4) Where an Ordinary Fellow fails to attend any meeting of the Senate during a continuous period of one year, the Chancellor may declare that the office of such Fellow has fallen vacant.
- (5) The Chancellor may, on the recommendation of the Vice-Chancellor, cancel the Fellowship of any person who ceases to hold the office by virtue of which he became such a Fellow.
- (6) When a vacancy occurs in the Senate by resignation or death of a Fellow or otherwise the vacancy shall be filled in the manner provided in sub-section (1) :

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

- (7) The Senate shall be the supreme authority of the University and shall exercise the following powers and perform the following duties, namely:—
- (a) of making Statutes and of amending or repealing the same;
- (b) of considering Ordinances;

- (c) of considering and passing resolutions on the annual reports, the annual accounts and the financial estimates;
  - (d) of considering and passing resolutions on any matter of general policy relating to the University education and administration;
  - (e) of electing such persons to serve on the authorities of the University and of appointing such officers as may be prescribed by the Act or the Statutes; and
  - (f) of reviewing the acts of Syndicate or Academic Council and of exercising such other powers and performing such other duties as may be conferred or imposed upon it by the Act or the Statutes.
- (8) An annual meeting of the Senate shall be held on a date to be fixed by the Vice-Chancellor. At such annual meeting, a report of the working of the University during the previous year together with a statement of the receipts and the expenditure, the balance sheet and the financial estimates shall be presented.
- (9) Special meetings of the Senate may be convened by the Vice-Chancellor, as and when necessary:

Provided that a special meeting of the Senate shall be called if one-third of the members of the Senate or twenty-five members, whichever number is less, make a requisition in writing in this behalf.

<sup>1</sup>[12. (1) On and with effect from the 27th June, 1969, the Syndicate shall consist of the following members, namely:—

- (i) the Vice-Chancellor—*ex officio*;
- (ii) the Secretary, Education Department, Punjab—*ex officio*;

<sup>2</sup>Section 12 substituted by Punjab Act 23 of 1969, section 5.

- (iii) the Director, Public Instruction, Punjab—*ex officio*;
  - (iv) the Dean, Academic Affairs and Students' Welfare—*ex officio*;
  - (v) the Director, Languages Department, Punjab—*ex officio*;
  - (vi) three persons from amongst Deans of Faculties who are members of the Senate, by rotation, according to age;
  - (vii) two persons from amongst Heads of Departments, other than Deans, who are members of the Senate, by rotation, according to age ;
  - (viii) three persons from amongst Principals of Colleges, other than Deans of Faculties, who are members of Senate, by rotation; according to age;
  - (ix) three persons to be nominated by the Chancellor on the advice of the State Government;
- [<sup>1</sup>(x) three persons elected by the Senate from amongst its members.]

(2) The members of the Syndicate, other than *ex-officio* members shall hold office for a period of one year.

<sup>2</sup>[Provided that the term of office of the three persons elected by the Senate under clause (ix) of sub-section (1) as it existed immediately before the commencement of the Punjabi University (Amendment) Act, 1969, shall be one year from the date of commencement of the Punjabi University (Amendment) Act, 1970, excluding the period during which they have already been members of the Syndicate after the aforesaid election.]

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

<sup>1</sup>Inserted by Punjab Act 7 of 1970, section 2.

<sup>2</sup>Proviso added by *ibid.*

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

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

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

The Academic Council.

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

Powers and duties of the authorities of the University.

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

Statutes.

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

- (a) the constitution, powers and duties of the Senate, the Syndicate, the Academic Council and such other bodies as may be deemed necessary to constitute from time to time;
- (b) the appointment, powers and duties of the officers of the University;
- (c) the constitution of a pension or provident fund and the establishment of an insurance

scheme for the benefit of the officers, teachers and other employees of the University;

- (d) the conferment of honorary degrees;
- (e) the withdrawal of degrees, diplomas, certificates and other academic distinctions ;
- (f) the establishment and abolition of faculties, departments, halls, hostels, colleges and institutions ;
- (g) the conditions under which colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges ;
- (h) the institution of fellowships, scholarships, studentships, exhibitions; medals and prizes; and
- (i) all other matters which by this Act are or may be provided for by the Statutes.

16. (1) On the commencement of this Act, the Statutes of the University shall be those set out in the Schedule.

The marking amendment, repeal and operation of Statutes.

(2) The Senate may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereafter in this section provided.

(3) The Syndicate may propose to the Senate the draft of any Statute to be passed by the Senate and such draft shall be considered by the Senate at its next succeeding meeting.

(4) The Senate may approve any such draft as is referred to in sub-section (3) and pass the statute or reject it or return it to the Syndicate for reconsideration, either in whole or in part, together with any amendments which the Senate may suggest :

Provided that the Syndicate shall not propose the draft of any Statute or of any amendment of a Statute 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 Senate.

(5) Any member of the Senate may propose to the Senate the draft of any Statute and the Senate may either reject the proposal or refer such draft for consideration to the Syndicate, which may either reject the proposal or submit the draft to the Senate in such form as the Syndicate may approve and the provisions of this section shall apply in the case of any draft so submitted as they apply in the case of a draft proposed to the Senate by the Syndicate.

(6) Every new Statute or addition to the Statute or any amendment or repeal of a Statute shall require the approval of the Chancellor who may sanction, disallow or remit it for further consideration.

Ordinances.

(17) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

- (a) the admission of students to the University and their enrolment as such ;
- (b) the courses of study to be laid down for all degrees, diplomas and certificates of the University ;
- (c) the degrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications for the same, and the means to be taken relating to the granting and obtaining of the same ;
- (d) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University ;
- (e) the conditions for the award of fellowships, scholarships, studentships, exhibitions, medals and prizes ;



- (f) the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators ;
- (g) the maintenance of discipline among the students of the University ;
- (h) the conditions of residence of students at the University ;
- (i) the emoluments and the terms and conditions of service of teachers of the University ;
- (j) the management of Colleges and other institutions founded or maintained by the University ;
- (k) the supervision and inspection of Colleges and other institutions admitted to privileges of the University ; and
- (l) all other matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

18. (1) Ordinances shall be made, amended, repealed or added to by the Syndicate :

Making of Ordinances, etc.

Provided that no Ordinance shall be made—

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

(2) The Syndicate shall not have the power to amend any draft proposed by the Academic Council but may return it to the Academic Council for reconsideration, either in whole or in part, together with any

amendments which the Syndicate may suggest, or reject it after it has been submitted for the second time. Where the Syndicate has rejected an Ordinance proposed by the Academic Council, it may appeal to the Senate which, after obtaining the views of the Syndicate, may, if it approves of the Ordinance; make the Ordinance and submit it to the Chancellor for approval.

(3) All Ordinances made by the Syndicate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted as soon as may be to the Senate and shall be considered by the Senate at its next succeeding meeting. The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present and voting at such meeting, to modify or cancel any such Ordinance and such Ordinance shall, from the date of such resolution, stand modified or cancelled, as the case may be.

Regulations.

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

- (a) laying down the procedure to be observed at their meeting and the number of members required to form a quorum ; and
- (b) providing for all matters which by this Act, the Statutes or the Ordinances are to be prescribed by Regulations.

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

Annual Report.

20. The annual report of the University shall be prepared under the direction of the Syndicate, and shall be submitted to the Senate on or before such date

as may be prescribed by the Statutes, and shall be considered by the Senate at its annual meeting. The Senate may pass resolutions thereon and communicate the same to the Syndicate.

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

Annual Accounts.

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

Acts or proceedings of University authorities and bodies not invalidated by vacancies.

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

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

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

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

Disputes as to constitution of University authorities and bodies.

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

Special temporary powers of Government.

## THE SCHEDULE

## THE STATUTES OF THE PUNJABI UNIVERSITY

Definition.

1. "The Act" means the Punjabi University Act, 1961.

[2, 3, 4 \* \* 1\* \* \*].

Deans of the Faculties.

5. (1) Every Head of the Department of Studies in the Faculty, who is a Professor, shall, by rotation according to seniority, act as the Dean of the Faculty for a period of two years :

Provided that, if in any Faculty, there is no Professor, the senior-most Reader shall act as the Dean, and, if there is no Reader, the Faculty shall elect its own Dean.

(2) The Dean of the Faculty shall preside at the meetings of the Faculty.

[6, 7 \* \* 2\* \* \* \*].

The Academic Council.

8. (1) The Academic Council shall be the academic body of the University and shall consist of the following members, namely :—

- (i) the Vice-Chancellor as Chairman ;
- (ii) all Heads of Departments of Studies ;
- (iii) University Professors other than Heads of Departments of Studies ;
- (iv) Principals of Colleges ;
- (v) four persons being specialists in different branches of knowledge and not being employees of the University, co-opted by the Academic Council.

<sup>1</sup>Paras 2, 3 and 4 omitted by Punjab Act 23 of 1969, section 6.

<sup>2</sup>Paras 6 and 7 omitted by Punjab Act 23 of 1969, section 6.

(2) All members of the Academic Council other than *ex officio* members shall hold office for a period of two years.

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

9. (1) The University shall comprise the following Faculties, namely:— <sup>1</sup> The Faculties.

- (i) Faculty of Arts and Social Sciences,
- (ii) Faculty of Science,
- (iii) Faculty of Business Administration and Commerce,
- (iv) Faculty of Languages,
- (v) Faculty of Education,
- (vi) Faculty of Fine Arts and Architecture,
- (vii) Faculty of Medicine,
- (viii) Faculty of Engineering and Technology,
- (ix) Faculty of Agriculture and Forestry,
- (x) Faculty of Law, and
- (xi) Such other Faculties as may be prescribed by the Statutes.

(2) Each Faculty shall comprise such subjects and Departments of Studies as may be assigned to it by the Ordinances.

(3) Each Faculty shall consist of the following members, namely:—

- (i) the Dean of the Faculty ;

- (ii) Heads of Departments of Studies in the Faculty ;
- (iii) all Professors and Readers in the Faculty ;
- (iv) one lecturer by rotation according to seniority from each Department in the Faculty ;
- (v) two teachers concerned by rotation according to seniority from each College :

Provided that the College provides instruction in any of the subjects assigned to the Faculty ;

- (vi) persons not connected with the University and having expert knowledge of the subject or subjects concerned co-opted by the Faculty, not being more than one for each Department of the Faculty ; and
- (vii) five members elected by the Academic Council for their special knowledge of any subject assigned to the Faculty.

(4) All members of the Faculty, other than *ex officio* members, shall hold office for a period of two years.

(5) The Faculties shall have such powers and shall perform such duties as may be assigned to them by the Statutes and Ordinances. They shall also consider and make such recommendations to the Academic Council or any question pertaining to their respective sphere of work as may appear to them necessary or any matter referred to them by the Academic Council.

10. Every Department of Studies included in a faculty shall have a Board of Studies which shall consist of—

Boards of  
Studies.

- (i) the Head of the Department as Chairman ;
- (ii) Professors, Honorary Professors, if any, and one Reader and one Lecturer of the Department according to seniority for a period of two years;

(iii) two members co-opted by rotation from among teachers of the subject in Colleges for a term of two years ;

(iv) one member co-opted from outside the University for his expert knowledge for a term of two years.

11. (1) The Finance Committee shall consist of <sup>The Finance</sup> the following persons, namely :— <sup>Committee.</sup>

(i) the Vice-Chancellor as Chairman ;

(ii) the Finance Secretary to the State Government ;

(iii) the Education Secretary to the State Government ;

(iv) two members to be elected by the Senate ;

(v) two members to be elected by the Syndicate.

(2) The members elected by the Senate and the Syndicate shall hold office for two years.

(3) The Finance Committee shall advise the Syndicate on all financial matters.

12. The staff for various teaching and research posts at the University shall be appointed on the recommendation of a Selection Committee constituted for the purpose as follows :— <sup>The Selection</sup> <sup>Committee.</sup>

(i) the Vice-Chancellor as Chairman ;

(ii) the Dean of the Faculty concerned ;

(iii) one member appointed by the Syndicate from amongst its own number ;

(iv) two external experts appointed by the Academic Council when a Reader or a Lecturer is to be selected, and three external experts

similarly appointed when a Professor is to be selected ;

- (v) when a Reader is to be selected, the Head of the Department concerned if he is a Professor, when a Lecturer is to be selected, the Head of the Department concerned if he is a Professor or Reader.