

PUNJAB VIDHAN SABHA

BILL NO. 13 -PLA-2023

THE PUNJAB UNIVERSITIES LAWS (AMENDMENT) BILL, 2023

A
BILL

further to amend, the Punjabi University Act, 1961, the Guru Nanak Dev University Amritsar Act, 1969, the Jagat Guru Nanak Dev Punjab State Open University Act, 2019, the Sri Guru Teg Bahadur State University of Law, Punjab Act, 2020, the I.K. Gujral Punjab Technical University Act, 1996, the Maharaja Ranjit Singh Punjab Technical University Act, 2014, the Shaheed Bhagat Singh State University Act, 2021, the Sardar Beant Singh State University Act, 2021, the Baba Farid University of Health Sciences Act, 1998, the Guru Ravidas Ayurved University, Punjab Act, 2009, the Maharaja Bhupinder Singh Punjab Sports University Act, 2019 and the Guru Angad Dev Veterinary and Animal Sciences University Act, 2005.

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

Short title and commencement.

1. (1) This Act may be called the Punjab Universities Laws (Amendment) Act, 2023.

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

Amendment of section 9 of Punjab Act 35 of 1961.

2. In the Punjabi University Act, 1961, for section 9, the following section shall be substituted, namely:-

"9. Chancellor.- The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 9 of Punjab Act 21 of 1969.

3. In the Guru Nanak Dev University Amritsar Act, 1969, for section 9, the following section shall be substituted, namely:-

"9. Chancellor.- The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 9 of Punjab Act 19 of 2019.

4. In the Jagat Guru Nanak Dev Punjab State Open University Act, 2019, for section 9, the following section shall be substituted, namely:-

"9. Chancellor.- The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 7 of Punjab Act 12 of 2020.

5. In the Sri Guru Teg Bahadur State University of Law, Punjab Act, 2020, in section 7, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 9 of Punjab Act 1 of 1997.

6. In the I. K. Gujral Punjab Technical University Act, 1996, for section 9, the following section shall be substituted, namely:-

"9. Chancellor.- The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 9 of Punjab Act 5 of 2015.

7. In the Maharaja Ranjit Singh Punjab Technical University Act, 2014, for section 9, the following section shall be substituted, namely:-

"9. Chancellor.- The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 8 of Punjab Act 10 of 2021.

8. In the Shaheed Bhagat Singh State University Act, 2021, for section 8, the following section shall be substituted, namely:-

"8. Chancellor.- The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 8 of Punjab Act 9 of 2021.

9. In the Sardar Beant Singh State University Act, 2021, for section 8, the following section shall be substituted, namely:-

"8. Chancellor.- The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment of section 13 of Punjab Act 18 of 1998.

10. In the Baba Farid University of Health Sciences Act, 1998, in section 13, for sub-section (1), the following section shall be substituted, namely:-

"(1) The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment
of section 11
of Punjab Act
4 of 2010.

11. In the Guru Ravidas Ayurved University, Punjab Act, 2009, in section 11, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment
of section 10
of Punjab Act
11 of 2019.

12. In the Maharaja Bhupinder Singh Punjab Sports University Act, 2019, in section 10, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

Amendment
of section 10
of Punjab
Act 16 of
2005.

13. In the Guru Angad Dev Veterinary and Animal Sciences University Act, 2005, in section 10, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Chief Minister of Punjab shall, by virtue of his office, be the Chancellor of the University."

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STATEMENT OF OBJECTS AND REASONS

The State Government has established and incorporated 13 State Universities under the administrative control of the Departments of Higher Education, Technical Education & Industrial Training, Medical Education & Research, Agriculture, Animal Husbandry and Sports & Youth Services for raising the quality of higher education in the State. The Governor of the State of Punjab is the Chancellor of all the State Universities by virtue of his post. The constituting Acts of each University have bestowed some statutory functions and duties upon the Chancellor of the University. The Governor holds a constitutional post and has to discharge various constitutional functions as enshrined under the Constitution of India.

The Government of India constituted Commission on Centre-State Relations, under the chairmanship of Justice Madan Mohan Punchhi,, has elaborated on this aspect of the position of the Governor, relating to administration of education in States and the Governor's functioning as the Chancellor of Universities. The Commission has stated that in order for the Governor to be able to discharge his/her Constitutional obligations fairly and impartially, he/she should not be burdened with positions and powers which are not envisaged by the Constitution and which may lead the office to controversies or public criticism. The Commission also observed that the Governor should not be assigned functions casually under any Statute.

It is therefore considered necessary and imperative that the constituting Acts of the Universities be amended accordingly so as to make the Chief Minister of the State of Punjab, the Chancellor of all State Universities for the purposes of the said Acts.

The Bill has been prepared to achieve the above objective.

There is no financial implication involved in giving effect to the provisions of the Bill.

Harjot Singh Bains
Higher Education & Languages, Minister, Punjab.

CHANDIGARH:
THE 20th JUNE, 2023

RAM LOK KHATANA
SECRETARY.

N.B. - The above Bill was published in the Punjab Government Gazette (Extraordinary), dated the 20th June, 2023 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).