

The Baba Farid University of Health Sciences Act, 1998

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Act 18 of 1998

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The Baba Farid University of Health Sciences Act, 1998 Punjab Act No. 18 of 1998 A bill to establish and incorporate a University in the State of Punjab to be known as Baba Farid University of Health Sciences, for the purposes of affiliating and teaching and ensuring proper and systematic instruction, training and research in Modern Systems of Medicine and Indian Systems of Medicine. Be it enacted by the Legislature of the State of Punjab in the Forty-ninth Year of the Republic of India as follows :-

Chapter I Preliminary

1. Short title, extent and commencement.

(1) This Act may be called the Baba Farid University of Health Sciences Act, 1998. (2) It extends to the whole of the State of Punjab. (3) It shall come into force on such date, as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.

- 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 Health Sciences according to syllabus and curriculum prescribed by the University; (c) "affiliated college" means a college affiliated to the University providing academic courses prescribed for University examinations; (d) "appointed date" means the date appointed under sub-section (3) of section 1; (e) "approved institution" means a hospital, health centre or such other institution recognised 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) "Board of

"Management" means a board constituted to manage the affairs of the University;(g)"Council" means a professional council pertaining to any Health Sciences discipline constituted under any State Act or Central Act;(h)"Dean" means the Dean of a Faculty of the University;(i)"Department" means a unit set up for the purpose of imparting instruction for courses of study in Health Sciences or any discipline allied thereto;(j)"Field Unit" means a unit established outside the University for validating and disseminating the benefits of new techniques and practices developed by the University;(k)"Government" means the Government of the State of Punjab, in the Department of Medical Education and Research;(l)"Health Sciences" means the Modern Systems of Medicine and Indian System of Medicine in all their branches concerning preventive, promotive, curative and rehabilitative services;(m)"Hostel" means a unit of residence for the students of the University maintained or recognised by the University;(n)"Indian Systems of Medicine" shall for the purpose of this Act include Ayurved, Unani, Siddha, Homeopathy, Naturopathy, Yoga and such other disciplines, as may be prescribed;(o)"Modern Systems of Medicine" means all branches of modern medicine and dentistry dealing with 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;(p)"prescribed" means prescribed by the statutes, ordinances, rules or regulations made under this Act;(q)"Principal" means the head of an affiliated college or university college;(r)"Registrar" means the Registrar of the University;(s)"Statutes", "ordinances" and "regulations" means respectively the statutes, ordinances and regulations of the University made under this Act;(t)"Student" means a person enrolled in the University or one of its affiliated colleges for undergoing a course of study leading to a degree, diploma or certificate of the University;(u)"Teacher" includes Principals, Professors, Readers, Associate Professors, Assistant Professors, Lecturers and such other persons imparting instructions on full time basis in the University or an affiliated college;(v)"University" means the Baba Farid University of Health Sciences established under this Act;(w)"University Area" means the area under the jurisdiction of the University;(x)"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 notification, by the Government in the Official Gazette; and(y)"University College" means a college established, attached with, or administered by the University including the hospital attached thereto.

Chapter II

Establishment of the University

3. Establishment of the University.

(1)There shall be established a University by the name of "Baba Farid University of Health Sciences" having jurisdiction in 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 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 Faridkot or at such place as may be notified by the Government from time to time.

4. Mission of the University.

- The mission of the University shall be to create an intellectual, academic and physical environment which will be conducive to free-flow of ideas and exchange of information between various faculties of the university, between this university and other universities of Health Sciences in the country and abroad, thereby opening a window to the world for the health professionals, health planners, health managers, bio- medical and social scientists and educators in health sciences of the country.

5. Objects of the University.

- The objects of the University shall be, -(i)to establish uniformity in standards of education in all Faculties of Health Sciences including modern system of medicine, dental medicine and surgery, Indian Systems of Medicine, Homeopathy and various paramedical and paradental disciplines such as Nursing, Medical laboratory technology, Pharmacy, Physiotherapy and Speech therapy, with a view to enhancing the quality of such education and consistently aiming to modernise, improve and achieve the highest standards of academic excellence at all levels;(ii)to promote and carry out research in various disciplines of Health Sciences 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 health sciences especially those which are not presently included in the syllabi and curricula of undergraduate and postgraduate medical courses. 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 providing 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 health professionals, faculty and students; and(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.

6. Powers and functions of the University.

- The University shall have the following powers and functions, namely :-(i)to formulate and implement syllabi and curricula for various academic courses of the University;(ii)to conduct or regulate the conduct of entrance examinations for all academic courses of studies, instituted by the University, in a manner as may be prescribed;(iii)to standardise methods of evaluation and assessment and to hold examinations for awarding various degrees, diplomas and certificates as per regulations;(iv)to institute and award degrees, diplomas, certificates and other academic distinctions;(v)to develop, upgrade and start new departments and study centres in medical 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 institutes 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 Professors, Associate Professors, Readers, Assistant Professors, Lecturers and other teaching and 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;(xii)to establish, maintain or recognise hostels for students of the University 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 and for the purposes 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 any manner that 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; save with 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 as may be prescribed;(xviii)to promote and conduct research in disciplines of 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 powers and functions aforesaid or not, as may be necessary or desirable to further the objects of the University.

7. Jurisdiction and admission to privileges.

(1)No college in the State of Punjab imparting education in Health Sciences 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.(2)Any such privilege enjoyed from any other University before the appointed date by any Medical College or institution of Health Sciences situated in the State, 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 Health Sciences in the State of Punjab, previously admitted to the privileges of or affiliated to Guru Nanak Dev University, Amritsar; Panjab University, Chandigarh and Punjabi University, Patiala 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 Health Sciences, 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 special reasons to be recorded in writing.

8. University open to all.

(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 sole ground of caste, creed or gender. (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 institution affiliated with or administered by the University.

9. Transfer of Government Colleges to the University.

(1) The Government may at any time, by notification, in the Official Gazette, transfer any Government College or hospital of 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 and hospital. (2) When any Government college or hospital is transferred to the University under sub-section (1), the following consequences shall ensure, namely :-(i) all the assets including the properties, and liabilities pertaining to the said college or hospital as the case may be, stand transferred to and vest in the University; (ii) all teaching and non-teaching employees of the Department of Research and Medical Education, serving in the transferred college or hospital, who are either permanent or on probation, shall be taken by the University into its service, if found suitable by the University : Provided that no person shall be taken by the University into its service, unless such employee gives his option in writing : Provided further that employees 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.

10. Inspection and control.

(1) The Chancellor on the advice of 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, recognised 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 and 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.

11. Setting up field units.

- The University shall develop field units for health systems research for assessing the efficiency and effectiveness of health care delivery programmes and disseminating the benefits of new techniques and practices. The State Agencies shall render all necessary cooperation for this purpose.

Chapter III

Officers of the University

12. Officers of the University.

- The following shall be the officers of the University, namely :-(i)The Vice-Chancellor;(ii)The Pro Vice-Chancellor;(iii)The Deans;(iv)The Registrar;(v)Controller of Examinations;(vi)The Finance Officer; and(vii)Such other officers of the University, as may be declared by the University, by the statutes to be the officers of the University.

13. The Chancellor.

(1)The Governor of Punjab shall by virtue of his office be the 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.

14. The Vice-Chancellor.

(1)The Vice-Chancellor shall be a whole time and resident officer 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 Health Sciences education.(4)The Vice-Chancellor shall hold office for a term of three years at the pleasure of the Chancellor 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 one person from amongst the Deans of the University, to be the incharge of current duties of the Vice-Chancellor for a period not exceeding one month or till arrangements are made by the Chancellor, whichever is earlier.

15. Powers and duties of Vice-Chancellor.

- 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 rectification 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 by the Statutes and Ordinance.(4)The Vice-Chancellor shall convene meeting of the Senate, the Board of Management, the Academic Council and the Finance Committee and he may by order in writing, delegate the powers of convening any of the said meeting to any of the officers of the University. The Vice-Chancellor shall be the ex officio covenor 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.(5)The Vice-Chancellor shall faithful observance of the provisions of this Act and the Statutes and Ordinances made thereunder.(6)The Vice-Chancellor shall be responsible for the presentation of the annual financial estimate of the University and the annual account and balance-sheet to the Board of Management.(7)The Vice-Chancellor shall be responsible for the proper administration of the University and for close co-ordination and integration of teaching, research and dissemination of knowledge.

16. The Pro Vice-Chancellor.

(1)The Pro-Vice-Chancellor shall be appointed by the Chancellor on the advice of the Government.(2)The Pro-Vice-Chancellor shall hold office for a term of three years which may be extended by the Chancellor, on the advice of the Government, for a period not exceeding three years at a time, as he may deem fit.(3)The Chancellor shall determine the amount of remuneration and other conditions of service of the Pro-Vice-Chancellor.(4)The Pro-Vice-Chancellor shall be Member-Secretary of the Board of Management and shall exercise such other powers and perform such other duties, as may be assigned to him by the Chancellor.(5)In the case of illness or absence or leave of the Vice-Chancellor or in any other contingency, the Pro-Vice-Chancellor shall preside over the meetings of the University and shall exercise such other powers and perform such duties, as may be assigned to him by the Board of Management.(6)In the case if illness or absence or leave of the Pro-Vice-Chancellor or in any other contingency, the Chancellor, on the advice of Board of Management, may appoint a person from amongst the Deans of the University to act as the Pro-Vice-Chancellor, or make such other arrangements, as he may think fit for the disposal of business during the absence of the Pro-Vice- Chancellor.

17. The Deans.

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

18. The Registrar.

(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.(2)The Registrar shall be appointed, -(a)from amongst the academicians in the field of Health Sciences who are not lower in rank than that of a Professor of 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 Government; or(c)by transfer from amongst the Registrars of the Universities of Health Sciences, 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 on attaining the age of sixty years.(4)The Registrar shall be 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 is vacant, or when the Registrar, by reason of illness, absence, or any other reason is unable to perform the functions and discharge the duties of his office, the functions and the duties of the office of the Registrar shall be performed and discharged by such person; as the Vice-Chancellor may designate for the purpose.(6)It shall be the duty of the Registrar to, -(a)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;(b)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(c)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 other duties, as may be prescribed by the Board of Management.(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.

19. Controller of Examinations.

(1)The Controller of Examinations shall be a whole time officer appointed by the Board of Management.(2)He shall be incharge of the conduct of examinations in the University and matters relating thereto and shall perform such other duties, as may be prescribed by the Statutes or Ordinances 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.

20. Finance Officer.

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

21. Other Officers.

- 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 12, shall be such, as may be prescribed by the statutes.

22. Officers of University not to accept remuneration other than that provided by statutes.

- 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 statutes or other orders regulating their salaries, allowances and other conditions of service.

Chapter IV

Authorities of the University

23. Authorities of the University.

- The following shall be Authorities of the University, namely :-(i)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 Bodies, as may be declared by the statutes to be the authorities of the University.

24. The Senate.

(1)The Senate will be an advisory body, constituted by the Chancellor on the advice of the Government and shall consist of the following members, namely :-(i)the Vice-Chancellor;(ii)the Pro-Vice-Chancellor;(iii)the Secretary to Government incharge of Research and Medical Education or his nominee not below the rank of Additional Secretary to Government;(iv)the Director, Research and Medical Education;(v)the Director, Health and Family Welfare(vi)three members of the Punjab Legislative Assembly nominated by Government;(vii)four members from amongst the persons

having special interest in Health Sciences;(viii)three heads of medical colleges by rotation according to age for a period of two years.(ix)one head of dental colleges by rotation according to age for a period of two years;(x)one head of colleges of Homeopathy, Ayurved or other Indian Systems of Medicine by rotation according to age for a period of two years;(xi)one head of colleges of nursing or colleges of other para- medical sciences by rotation according to age for a period of two years;(xii)three Professors from amongst the Professors of medical colleges by rotation according to age for a period of two years;(xiii)one Professor from amongst the Professors of Dental College by rotation according to age for a period of two years;(xiv)one Professor from amongst the Professors of Colleges of Homeopathy, Ayurved and other Indian Systems of Medicine by rotation according to age for a period of two years;(xv)one Professor or Head of Department from amongst the Professors or Heads of the Departments of college of nursing or colleges of other para-medical sciences, by rotation according to age for a period of two years;(xvi)three teachers other than Professors from Medical Colleges by rotation according to age for a period of two years;(xvii)one teacher other than Professor of dental colleges by rotation according to age for two years;(xviii)one teacher other than Professor of colleges of Homeopathy, Ayurved and other Indian Systems of Medicine by rotation according to age for a period of two years;(xix)one teacher other than Professor or Head of the Department of colleges of nursing and other para-medical sciences by rotation according to age for a period of two years;(xx)one person from amongst the reputed pharmaceutical and medical equipment manufacturers of the State of Punjab for a period of two years;(xxi)one person from the department of Finance not lower than the rank of Additional Secretary to Government;(xxii)one person from amongst the reputed educationists of the State of Punjab who are members of University Grants Commission, Fellows of National Academy of Medical Sciences, or members of Medical Council of India or any other statutory professional councils in the field of Health Sciences;(xxiii)one non-teaching official of the University for a period of two years; and(xxiv)two members from amongst the individuals or organisations, who have made donation to the University or its affiliated colleges or hospitals of an amount of not less than ten lakh rupees or more either in cash or kind, for a period of two years.(2)Notwithstanding anything contained herein, any 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.

25. Meetings of the Senate.

(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 the annual meeting.(2)The report on the working of the University during the previous year, together with a statement of receipts and expenditure, the financial estimates and the last audit report, shall be presented for consideration of the Senate at the annual meeting of the Senate convened under sub-section (1).(3)The Vice-Chancellor may, whenever he thinks fit, and shall upon a requisition in writing, signed by not less than one third members of the Senate, convene a special meeting of the Senate.

26. Powers and functions of the Senate.

(1)Subject to the provisions of this Act, the Senate shall have 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 exercise such other functions, as may be assigned to it by this Act or the Statutes or by the Chancellor.

27. The Board of Management.

(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 :-

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| (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 | Ex-officio |
| (iv) The Secretary to Government of Punjab, Department of Finance | Ex-officio |
| (v) The Director, Research and Medical Education | Ex-officio |
| (vi) The Director, Post Graduate Institute of Medical Sciences, Chandigarh | Ex-officio |
| (vii) Three eminent public figures to be nominated by the Government; and | |
| (viii) Five eminent persons with recognised national and international contributions towards education and research in the field of Health Sciences, of whom a minimum of three persons shall be from Punjab, to be nominated by the Government for the constitution of the first Board of Management, and subsequently as provided for under the rules. | |

(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 Convenor, and the Pro-Vice- Chancellor shall be the Secretary, of the Board of Management.(4)The term of office of the Members of Board of Management, including the Chairman, shall be five years, except in case of Ex-officio Members whose tenure shall be co-terminus with the term of the offices held by them.(5)Five members of Board of Management shall form a quorum for a meeting.(6)The Chairman shall preside over the meetings of the Board of Management. In the absence of the Chairman, Vice-Chancellor shall preside over such meetings.(7)First Board of Management shall be constituted by the Government within one month of the commencement of this Act.

28. Powers and functions of the Board of Management.

(1)The Board of Management shall be the Principal executive authority of the University.(2)Powers and functions of the Board of Management shall be such, as may be prescribed by the Statutes.

29. The Academic Council.

- The Academic Council shall be the Principal Academic body of the University and shall; subject to the provisions of this Act, statutes and ordinances, co-ordinate and exercise general supervision and

control over the Academic policies of the University 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.(2)The Academic Council shall consist of the following members, namely :-(i)the Vice-Chancellor;(ii)the Pro-Vice-Chancellor;(iii)the Director, Research and Medical Education;(iv)the Deans of Faculties of the University;(v)the Heads of Colleges affiliated to the University, not represented by the Deans of FACulties; and(vi)two eminent experts in health sciences education who are from outside the University or its affiliated Colleges.

30. Powers and functions of the Academic Council.

(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 amend or repeal the same;(b)to advice 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 be the quorum required for a meeting of the Academic Council.(4)The Vice-Chancellor shall preside over all 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 Pro-Vice-Chancellor shall act as Chairman, and in his absence the senior-most Dean shall act as Chairman.

31. The Planning Board.

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

32. The Finance Committee.

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

33. The Faculties.

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

34. The Boards of Studies.

- There shall be 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.

Chapter V

Finance and Accounts

35. General fund.

- 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)grants from the Central Government, the University Grants Commission, International Donor Agencies, like the World Health Organisation and United Nations International Children's Emergency Fund.

36. Other funds.

- The University may have such other funds also, as may be prescribed by the statutes.

37. Power to borrow.

- The University may, for any of the purposes prescribed by the statutes, borrow money from a bank or a corporation. If the total amount borrowed exceeds twenty-five lakh rupees, the prior approval of the Government shall be obtained for such borrowing.

38. Management of funds.

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

39. Power of Government to direct audit.

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

40. Financial estimates.

(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.

41. Annual account and audit.

- 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.

42. Annual report.

- 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 by the statutes, and shall be considered by the Senate at its annual meeting.

Chapter VI

Statutes, Ordinances and Regulations

43. Statutes.

- Subject to the provisions of this Act, the statutes may provide for 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; (c) the conferment of honorary degrees; (d) 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, studentship, medals and prizes; (i) the procedure to be followed at meetings of authorities, including stipulation 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.

44. The making of statutes.

(1) The Board of Management may, from time to time, make statutes or may amend or repeal the same. (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 passed by the Board of Management, shall have validity until approved by the Chancellor and it shall come into force on the date of its approval or on such other date, as the Chancellor may fix.

45. Ordinances.

(1) Subject to the provisions of this Act and the statutes, the ordinances may provide for 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 degree, 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, studentship, 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 the terms and conditions of service of teachers and non-teaching employees of the University; (j) the management of colleges and other institutions founded 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 for by the ordinances.

46. Making of Ordinances.

(1) The ordinances shall be made, amended or repealed by the Board of Management : Provided that any Ordinance affecting, (a) the admission or enrollment of students or prescribing examinations to be recognized as equivalent to the University examination, 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 by the Academic Council either in whole or in part, together with any amendment, which the Board of Management may suggest or it may reject the recommendations after these have been submitted for the second time. (3) Every Ordinance made by the Board of Management, shall have effect from such date, as the Board of Management may specify; and every Ordinance shall be submitted to the Chancellor for information.

47. Regulations.

(1) The authorities of the University may, make regulations consistent with this Act, the Statutes and Ordinances in respect of matters which are within their powers. (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 this Act, the statutes, or the ordinances made thereunder. (3) Every regulation made under this section, shall come into force on the date, specified by the Board of Management.

Chapter VII

Affiliation of Colleges and Recognition of Institutions

48. Affiliation of Colleges.

(1) Colleges related to various disciplines of Health Sciences, located within the University area may, on satisfying such conditions as laid down by statute or ordinances for the purposes of affiliation, be affiliated to the University. (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 interests of education.

49. Recognition of institutions other than colleges.

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

50. Inspection of the colleges and reports.

(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. (2) The Board of Management shall cause every such college to be inspected from time to time by one or more competent persons authorised by it in this behalf. (3) The Board of Management may call upon any college so inspected to take within a specified period, such action, as may appear to it necessary in respect of the inspection referred to in sub-section (2).

Chapter VIII

Appointment of Teachers and other employees of the University

51.

(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 accomplished by each employee. (2) No excessive manpower shall be created and wherever possible the University shall appoint employees on contractual basis on such terms and conditions as prescribed by the Board of Management. (3) Administrative work, and maintenance of record should, as far as possible, be conducted by modern methods like computerisation for reasons 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, as prescribed by the statutes and ordinances.

52. Appointment of Visiting Professors.

- Notwithstanding anything contained in section 51, the Board of Management shall be competent to invite on the recommendation of the Vice-Chancellor, a person of high academic distinction and professional attainments to accept the post of visiting Professor in the University on such terms and conditions, as may be mutually agreed upon for a period not exceeding one year at a time.

Chapter IX

General

53. Protection of action taken in good faith.

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

54. Proceedings of the University authorities not invalidated by vacancies.

- No act done, or proceeding taken, under this Act by any authority of the University, shall be invalid merely on the ground, -(a)of any vacancy 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 proceeding, not affecting the merits of the case.

55. Disputes as to constitution of University authorities and bodies.

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

56. Transitory powers of the first Vice-Chancellor.

(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.(2)The first Vice-Chancellor with the approval of Board of Management, may make such ordinances and statutes as may be necessary for the functioning of the University.(3)It shall be the duty of 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 and until such time an authority is duly constituted under the Act, the first Vice-Chancellor may appoint any officer or constitute any

committee temporarily to exercise and perform any of the powers and duties of such authority under this Act.

57. Vice-Chancellor and other officers to be public servants.

- The Vice-Chancellor, Pro-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, statute, ordinance or regulations, to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

58. Continuance of Statutes, Ordinances, etc.

- Until statutes, ordinances and regulations are made under appropriate provisions of 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 inconsistent with the provisions of this Act, deemed to be statutes, ordinances and regulations made under the appropriate provisions of this Act.

59. Saving as to certain examinations.

- Notwithstanding anything contained in this Act, the statutes or the ordinances, (a) any student, who immediately prior to the commencement of this Act was studying for degree in Health Sciences of Guru Nanak Dev University, Amritsar or Panjab University, Chandigarh or Punjabi University, Patiala in accordance with the regulations in force under the respective Acts under which these Universities were established, may until such examinations are provided by the University, be admitted to the examination of Guru Nanak Dev University, Amritsar, Panjab University, Chandigarh and Punjabi University, Patiala and be conferred the degree in Health Sciences of the respective Universities, for which he qualified on the result of such examination. (b) If the Guru Nanak Dev University, Amritsar, or Panjab University, Chandigarh or Punjabi University, Patiala, has held any examinations, the result of which have been published but the degrees 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 the respective University.

60. Over-riding effect on other laws.

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

61. Power to remove difficulties.

(1) If any difficulty arises in giving effect to the provisions of this Act, or by reason of anything contained in this Act in relation to any other enactment for the time being in force, the Government may, as occasion arises, by order, published in the Official Gazette direct that this Act shall during such period, as may be specified in the order, but not extending beyond the expiry of two years from the date of commencement of this Act, have effect subject to such adaptation whether by way of modification, addition or omission, as it may deem to be necessary and expedient. (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 exists or was required to be resolved. (3) Every order published under this section shall, as soon as may be after its publication, be laid before the State Legislature.