The Lovely Professional University Act, 2005

Act 25 of 2005

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GOVERNMENT OF PUNJAB
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS

THE LOVELY PROFESSIONAL UNIVERSITY ACT, 2005
(PUNJAB ACT NO. 25 OF 2005)

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# THE LOVELY PROFESSIONAL UNIVERSITY ACT, 2005

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THE LOVELY PROFESSIONAL UNIVERSITY ACT, 2005
(PUNJAB ACT NO. 25 OF 2005)

[Received the assent of the Governor of Punjab on the 23rd December, 2005, and was first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, dated the 26th December, 2005.]

An Act to establish and incorporate a University in the State of Punjab to be known as the Lovely Professional University, for the purposes of making provisions for instruction, teaching, education, research, training and related activities at all levels in all disciplines of education including professional, medical, technical, higher, general education and to provide for the matters connected therewith or incidental thereto.

Whereas the Lovely International Trust had made a proposal to the State Government for setting up a self-financing Professional University in the State of Punjab and the State Government has accepted the proposal and has entered into an Agreement with the Lovely International Trust on the 25th day of July, 2005, for the establishment of a University to make provisions for all the streams of education at all levels through all modes of education in co-operation with the industry, other institutions and the international organizations in and outside the State of Punjab;

Whereas the State Government, after due consideration has come to the conclusion that the Lovely International Trust is capable of meeting its obligations under the aforesaid Agreement for establishing and running the said University;

Whereas the State Government has agreed to establish a University in the State of Punjab to make provisions for instruction, teaching, education, research, training and related activities at all levels in all disciplines of education including professional, medical, technical, higher and general education;

And whereas in these circumstances, it is deemed expedient to establish the Lovely Professional University for the aforesaid purposes.

Be it enacted by the Legislature of the State of Punjab in the Fifty-sixth Year of the Republic of India as follows:

1. (1) This Act may be called the Lovely Professional University Act, 2005.

1For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), dated the 11th October, 2005, pages 2093-2094.
(2) It shall come into force at once.

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

(a) "Academic Council" means the Academic Council of the University;

(b) "Academia-Industry Interface Council" means the Academia-Industry Interface Council of the University;

(c) "Agreement" means an agreement executed between the Government of the State of Punjab and the Lovely International Trust on the 25th day of July, 2005;

(d) "authorities" means the authorities of the University;

(e) "Chancellor" means the Chancellor of the University;

(f) "Deans" means the Deans of the University;

(g) "Executive Council" means the Executive Council of the University;

(h) "Faculty" means the faculty of the University;

(i) "Finance Committee" means the Finance Committee of the University;

(j) "Finance Officer" means the Finance Officer of the University;

(k) "Fund" means the Fund of the University;

(l) "Governing Council" means the Governing Council of the University;

(m) "Government" means the Government of the State of Punjab;

(n) "Institution" means any institution or institute or college or school or centre (by whatever name it may be called), run or recognised by or affiliated to the University, in and outside the State;

(o) "Member" means a member of the authorities;

(p) "notification" means a notification published in the Official Gazette;
(q) “prescribed” means prescribed by Statutes, Ordinances and Regulations;

(r) “President” means the President of the Lovely International Trust;

(s) “Principal” means a Head of the institution and includes any other person officiating as such;

(t) “Registrar” means the Registrar of the University;

(u) “State” means the State of Punjab;

(v) “Statutes”, “Ordinances” and “Regulations” means respectively, the Statutes, Ordinances and Regulations of the University made by it under this Act;

(w) “Teacher” includes Professor, Reader, Associate Professor, Assistant Professor, Lecturer and any such other person imparting instructions on full time or part time basis in the University or institution;

(x) “Trust” means the Lovely International Trust;

(y) “University” means the Lovely Professional University as incorporated under this Act;

(z) “Vice-Chancellor” means the Vice-Chancellor of the University; and

(za) “Visitor” means the Visitor of the University.

3. (1) There shall be established a University by the name of the Lovely Professional University in 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 a common seal. It shall have the power to acquire, hold and dispose of property both moveable and immovable and to make contract, and shall sue, and be sued by the said name.

(3) The headquarters of the University shall be at Jalandhar-Ludhiana G.T. Road, near Cheheru Railway Bridge, Phagwara, District Kapurthala.
4. The objects of the University shall be,—

(i) to provide for instruction, teaching, education, research and training at all levels in all disciplines of education including professional, medical, technical, higher, general education and in any other streams and subjects, as per the needs of the industry and the society in general, as may be deemed necessary by the University through all the modes of education, as may emerge or become relevant in future;

(ii) to undertake industry oriented teaching, training and research, extension programmes and to provide employable skills with a view to contribute to the development of the society;

(iii) to provide for research, creation, advancement and dissemination of knowledge, wisdom and understanding; and

(iv) to do all such acts and things, as may be necessary or desirable to further the objects of the University.

5. The University shall have the following powers and functions to be exercised and performed by or through its various officers and authorities, namely:—

(i) to make provisions for instruction, teaching, education, research and training at all levels in all disciplines of education through all possible modes including regular, continuing, distance, online and other innovative modes, as it may deem necessary and appropriate;

(ii) to conduct and hold examinations and grant or confer degrees, diplomas, certificates, awards, grades, credits, honorary degrees, academic distinctions as well as other distinctions and certifications;

(iii) to create, design and run various courses of study and prescribe the curricula for the same, as may be deemed appropriate;

(iv) to undertake and promote educational, cultural, co-curricular, extra-curricular, sports, games, athletics and any other welfare and development related activities and to confer awards, medals, distinctions, prizes and credits;
(v) to generate resources through fees, consultancy services, testing, continuing and distance education programmes;

(vi) to provide for equivalence of the degrees, diplomas and certificates of the students completing their courses partially or in full from any other University, Board, Council or any other competent authority;

(vii) to institute and award fellowships, scholarships, studentships, exhibitions, visitorships, medals and prizes;

(viii) to institute and confer the designation of Professor, Reader, Associate Professor, Assistant Professor, Lecturer or any other equivalent designation as may be required by the University or its institutions and to appoint persons to such posts;

(ix) to provide for dual degree, diploma or certificate and simultaneous degree or diploma or certificate;

(x) to establish, operate and manage its campus, its constituent colleges, institutions and regional centres, zonal centres, study centres or learning centres, by whatever name they may be called;

(xi) to design and run various academic, practice oriented or integrated education programmes and other courses at various levels and award certificates;

(xii) to receive funds, grants, advances and loans from the banks, institutions, corporate sectors, international organizations, institutions or any other source;

(xiii) to receive gifts, donations, funds, benefactions and bequests, both movable and immovable, from donors, benefactors, international organizations or any other source;

(xiv) to purchase, acquire and take on lease or mortgage, and sell, lease, mortgage, alienate and transfer any immovable or movable property belonging to or vested in the University;

(xv) to prescribe the fee structure at its own level for the various categories of students as may be specified by the University and to fix, demand and receive fees, funds, security and other charges from the students studying in the University and in the institutions affiliated to it;
(xvi) to collaborate with other institutions, colleges, universities, research organizations, industry associations or organizations, professional associations, State bodies or any other individual, institution or organization;

(xvii) to fix, determine and provide remuneration to the officers, teachers and employees of the University;

(xviii) to raise, collect, subscribe and borrow money on the security of the property of the University;

(xix) to issue no objection certificate, essentiality certificate, feasibility certificate, eligibility certificate, letter of intent or any other certificate or document or to make recommendation as may be required to start any new institution or new course or for additional intake in the existing study programmes or courses by the University, its institutions or by any institution run by the Trust;

(xx) to create administrative, academic, executive, teaching and other posts and to make appointments thereto;

(xxi) to create and incorporate societies, trust and any other body or entity and to establish training institutes, centres, hospitals and undertake various activities related to industry, academia or research;

(xxii) to run, certify and recognize the various programmes or courses offered and recognized by other State Boards, Councils, other Universities or any other body and to execute or sign a Memorandum of Understanding with the concerned State Board, Council, other University or any other body;

(xxiii) to prescribe and charge fines, penalty and take any disciplinary action for the misconduct or disobedience, violation of the Rules, Regulations, Statutes or Ordinances;

(xxiv) to conduct various entrance tests, examinations or any other test on its own or with the help of any other university, institution or any other body;

(xxv) to affiliate the centres and institutions established or run by the Trust;
to do self certification, which shall be exempted from obtaining any permission, approval, license, certificate, no objection certificate, authorization or any other document from the State Government or any entity or autonomous body created by the State Government or under any State Act and Central Act insofar as it is applicable to the State;

- to create and operate trusts and endowments;
- to frame Statutes, Ordinances and Regulations for carrying out the objects of the University and to alter, modify or rescind the same; and
- to do all such other acts, which may be necessary or desirable to further the objects of the University.

6. (1) In pursuit of its objectives and in exercise of its powers and in performing of its functions, the University shall not discriminate with any person whosoever on the basis of caste, class, colour, creed, sex, religion, area or race.

(2) The University shall adhere to the State Policy in respect of reservation made by the State Government under the Constitution of India or any other law for the time being in force for reserving seats for different categories of students in respect of the State quota for Punjab domicile.

7. (1) The University shall exercise its jurisdiction within its campus.

(2) Notwithstanding anything contained in sub-section (1), the Trust or the University may set up or run institutions outside the jurisdiction of its campus and the institutions so set up or run, shall be deemed to have been affiliated with the University irrespective of the fact that the area within which such institutions are run or set up, fall within the territorial jurisdiction of any other University, Board or any other affiliating body.

(3) After the establishment of the University, it may decide as to from which date the institutions run or established by the Trust, which were earlier affiliated to any other University, Board or any other affiliating body, shall be affiliated with the University.

8. The following shall be the officers of the University, namely:

- the Visitor;
- the Chancellor;
12. (1) The Registrar shall be appointed by the University and he shall be a whole-time salaried officer of the University on such terms and conditions, as may be prescribed.

(2) The Registrar shall conduct the official correspondence of the University and shall keep the minutes of the meetings of the Governing Council, Academic Council, Executive Council and Finance Committee.

(3) The Registrar shall be the custodian of the records, common seal and such other property of the University, as the Governing Council may entrust to his charge.

(4) The Registrar shall exercise such powers and perform such duties, as may from time to time be assigned to him by the Chancellor, Governing Council or any other authority of the University.

13. (1) The Director-General shall be appointed by the University on such terms and conditions, as may be prescribed. The Director-General shall be a whole-time salaried officer of the University.

(2) The Director-General shall exercise such powers and perform such duties, as may be prescribed.

14. The Deans of the University shall be appointed by such manner and exercise and perform such powers and duties, as may be prescribed.

15. The Directors shall be appointed in such manner and exercise and perform such powers and duties, as may be prescribed.

16. The Finance Officer shall be appointed in such manner and he shall exercise and perform such duties, as may be prescribed.

17. In the event of occurrence of any vacancy in the office of the Vice-Chancellor, Registrar, Director-General, Deans, Director or Finance Officer or any other officer by reason of his death, resignation, expiry of term or any other reason, the Chancellor may appoint any person on that vacancy in the manner as may be prescribed.

18. (1) The following shall be the Authorities of the University, namely:—

(i) the Governing Council ;

(ii) the Academic Council ;
(iii) the Executive Council;

(iv) the Finance Committee; and

(v) such other bodies, as may be declared by the Statute to be the Authorities of the University.

(2) The Members of the Authorities of the University shall be appointed by such manner and on such terms and conditions, as may be prescribed.

19. (1) The Governing Council shall consist of the following persons, namely:

- the Chancellor; Chairman
- the Vice-Chancellor; Member
- two members of the Trust, to be nominated by the Trust; Members
- one person from Academia or Industry, to be nominated by the Chancellor; Member
- two Heads of the Institutes of the Trust, to be nominated by the Trust; Members
- two Deans or Directors of the University, to be nominated by the University; and Members
- one nominee of the Government of the State of Punjab, Department of Technical Education or Medical Education or Higher Education. Member

(2) The Registrar shall be the Member-Secretary of the Governing Council.

(3) The Governing Council shall be the supreme body of the University. It shall exercise such powers and perform such functions and duties, as may be prescribed.
20. (1) The Academic Council shall consist of the following persons, namely:

(a) the Vice-Chancellor; Chairman
(b) two persons from the Academia or Industry, to be nominated by the Chancellor; Members
(c) one Nominee of the Government of the State of Punjab, Department of Technical Education or Medical Education or Higher Education; Member
(d) all Deans, Heads of the Departments and Directors of the University; Members
(e) Principals and Directors of the Institutes of the Trust; Members
(f) In-charge of the Library of the University; and Member
(g) two persons, to be nominated by the Chancellor. Members

(2) The Registrar shall be the Member-Secretary of the Academic Council.

(3) The Academic Council shall be the supreme academic body of the University. The Academic Council shall, subject to the provisions of the Ordinances, Statutes and Regulations have the power to control, regulate and maintain the standards of teaching, education and examinations and shall exercise such powers and perform such duties, as may be prescribed.

21. (1) The Executive Council shall consist of the following persons, namely:

(a) the Chancellor or his nominee; Chairman
(b) the Vice-Chancellor; Member
(c) one Dean, to be nominated by the University; Member
(d) one Member of the Trust, to be nominated by the Trust; and Member

(2) The Registrar shall be the Member-Secretary of the Executive Council.

(3) The Executive Council shall be the supreme executive body of the University. The Executive Council shall exercise such powers and perform such functions, as may be prescribed.

(4) The Executive Council shall be responsible for the administration, development and management of the affairs and all other matters of the University.

22. (1) The Finance Committee shall consist of the following persons, namely:

(a) the Chancellor or his nominee; Chairman
(b) the Vice-Chancellor; Member
(c) one Dean or Director of the University; and Member
(d) two members of the Trust, to be nominated by the Trust. Members

(2) The Finance Officer shall be the Member-Secretary of the Finance Committee.

(3) The Finance Committee shall advise the University on the financial matters as and when required.

23. (1) There shall be an Academia-Industry Interface Council consisting of the following persons, namely:

(a) one distinguished person from Industry, to be nominated by the Chancellor; Chairman
(b) the Vice-Chancellor; Member
(c) two persons from amongst the associations of Industries, to be nominated by the University; Members
(d) two Deans or Directors of the University, to be nominated by the Chancellor; and

(e) one distinguished person with the background of Industries, to be nominated by the Government.

(2) One Dean, to be nominated by the University, shall be the Member-Secretary of the Academia-Industry Interface Council.

(3) The Academia-Industry Interface Council shall exercise and perform the following powers and functions, namely:

(a) to collaborate with the associations or organizations of industries, research organizations, professional associations or any other institution, in India and abroad; and

(b) to undertake any other activities as it may deem necessary or expedient in the furtherance of the objects of the University.

24. (1) The Governing Council 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 and it shall come into force on the date of its approval or on such date, as the Chancellor may specify.

(3) Subject to the provisions of this Act, the statutes may provide for the following matters, namely:

(a) the constitution, powers, functions and duties 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 aforesaid authorities or bodies and filling up of vacancies of members and all other matters relating to these authorities or bodies;

(c) the conferment of degrees and honorary degrees and grant of diplomas, certificates, grades and awards;

(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 institutions with the University and those under which affiliation may be withdrawn;

(h) the institution of Emeritus Professorships, Visiting Professorships, fellowships, scholarships, studentships, medals and prizes;

(i) the classification and nomenclature of teachers and other posts of the University and its affiliated institutions;

(j) the acceptance and management of bequests, donations and endowments; and

(k) all other matters, for which Statutes are required to be made under this Act.

(4) Until the Statutes are made by the Governing Council, the University may borrow the Statutes made by any other University to which it may deem appropriate.

25. (1) The Governing Council may, from time to time, make Ordinances or may amend or repeal the same.

(2) Every Ordinance or any amendment or repeal thereof, shall require the approval of the Chancellor and it shall come into force on the date of its approval or on such date, as the Chancellor may specify.

(3) 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 degrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications
for the same, and the procedure to be adopted for granting
and obtaining of the same;

(d) the fees to be charged for courses of study in the University
and its affiliated institutions and for admission to the
examinations for degrees, diplomas and certificates of the
University;

(e) the conditions for the award of fellowships, scholarships,
studentships, medals and prizes;

(f) the conduct of examinations, including the terms of office
and manner of appointment and the duties of the examining
bodies, examiners and the like;

(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
teaching and non-teaching employees of the University;

(j) the management of the institutions founded or administered
by the University;

(k) the supervision and inspection of institutions of the University
or affiliated with the University; and

(l) all other matters, which under this Act or the Statutes are to
be or may be provided for by the Ordinances.

(4) Until the Ordinances are made by the Governing Council, the
University may borrow the Ordinances made by any other University from
which it may deem appropriate.

26. (1) The Governing Council may, from time to time, make regulations
or may amend or repeal the same.

(2) Every regulation or any amendment or repeal thereof, shall require
the approval of the Chancellor and it shall come into force on the date of its
approval or on such date, as the Chancellor may specify.
(3) Subject to the provisions of this Act, the Statutes and Ordinances, the regulations may provide for the following matters, namely:—

(a) recruitment, procedure 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 of the dates of the meetings and also for keeping the record of the proceedings of the meetings;
(d) the procedure to be followed at the meetings;
(e) fixing of quorum for the meetings; and
(f) all other matters, which by this Act, Statutes or Ordinances are to be or may be provided for by the Regulations.

(4) Until the Regulations are made by the Governing Council, the University may borrow the Regulations made by any other University from which it may deem appropriate.

27. The University shall have a General Fund to which shall be credited,—

(a) its income from the fees charged by the University and income received from the endowments, if any;
(b) all sums received from any source by the University;
(c) any sums received for the purpose of the development of the University;
(d) contributions or grants received from any source; and
(e) donations made by any person or body or organisation.

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

29. The University may, for any of the purposes as may be prescribed, borrow money from any Bank or Corporation or any other sources.

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

31. The accounts of the income and expenditure of the University shall be audited by the Chartered Accountants of the University and shall be submitted once in a year by the Finance Committee to the Governing Council for its approval.
32. No act done or proceedings taken under this Act by any authority or other body of the University shall be invalid merely on the ground—

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

33. If any question arises with respect to the appointment of any person or entitlement of any person to be a member of any authority or other body of the University, the same shall be referred to the Chancellor, whose decision thereon, shall be final and binding.

34. If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, in consultation with the Chancellor, by an order, published in the Official Gazette, make such provision not inconsistent with the provisions of this Act, as it may deem necessary for removing the difficulties.

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

36. Notwithstanding anything contained in this Act, the Statutes, Ordinances and Regulations, the Chancellor, may subject to the availability of the funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act, the Statutes, Ordinances and the Regulations, and for that purpose, may exercise such powers and perform such duties, which by this Act, the Statutes, Ordinances and Regulations are to be exercised or performed by any authority or officer of the University, until such authority comes into existence or officer is appointed.

37. (1) The Lovely Professional University Ordinance, 2005 (Punjab Ordinance No. 9 of 2005), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act.

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