

*AUTHORITATIVE ENGLISH TEXT*

BILL NO. 5 OF 2019

**THE HIMACHAL PRADESH UNIVERSITY OF HEALTH  
SCIENCES (AMENDMENT) BILL, 2019**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

**THE HIMACHAL PRADESH UNIVERSITY OF HEALTH SCIENCES  
(AMENDMENT) BILL, 2019**

ARRANGEMENT OF CLAUSES

*Clauses :*

1. Short title.
2. Amendment of title.
3. Amendment of long title.
4. Amendment of section 1.
5. Amendment of section 2.
6. Amendment of section 3.
7. Amendment of section 14.
8. Amendment of section 60.

**THE HIMACHAL PRADESH UNIVERSITY OF HEALTH  
SCIENCES (AMENDMENT) BILL, 2019**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

*to amend the Himachal Pradesh University of Health Sciences Act, 2017 (Act No. 11 of 2017).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventieth Year of the Republic of India as follows :—

1. This Act may be called the Himachal Pradesh University of Health Sciences (Amendment) Act, 2019. Short title.

5           2. In the title of the Himachal Pradesh University of Health Sciences Act, 2017 (hereinafter referred to as the “principal Act”) for the words “HIMACHAL PRADESH UNIVERSITY OF HEALTH SCIENCES”, the words and sign “ATAL MEDICAL AND RESEARCH UNIVERSITY, HIMACHAL PRADESH” shall be substituted. Amendment of title.

10           3. In the long title of the principal Act for the words “Himachal Pradesh University of Health Sciences”, the words and sign “Atal Medical and Research University, Himachal Pradesh” shall be substituted. Amendment of long title.

15           4. In section 1 of the principal Act, in sub-section (1), for the words “Himachal Pradesh University of Health Sciences”, the words and sign “Atal Medical and Research University, Himachal Pradesh” shall be substituted. Amendment of section 1.

          5. In section 2 of the principal Act, for clause (x), the following shall be substituted, namely :— Amendment of section 2.

20           “(x) “University” means the Atal Medical and Research University, Himachal Pradesh established under section 3 of this Act;”.



Amendment  
of section 3.

6. In section 3 of the principal Act, for sub-section (1), the following shall be substituted, namely :—

“(1) There shall be a University by the name “The Atal Medical and Research University, Himachal Pradesh” having jurisdiction within the State of Himachal Pradesh.”

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Amendment  
of section  
14.

7. In section 14 of the principal Act, in sub-section (4), for the words and sign “sixty-five years”, the words “seventy years” shall be substituted.

Amendment  
of section  
60.

8. In section 60 of the principal Act, in clause (b), for the words “Himachal Pradesh University of Health Sciences”, the words and sign “Atal Medical and Research University, Himachal Pradesh” shall be substituted.

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## STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh University of Health Sciences Act, 2017 (Act No. 11 of 2017) was enacted to establish an University with the name "The Himachal Pradesh University of Health Sciences". The State Government has now decided that the name of the University may be changed as "The Atal Medical and Research University, Himachal Pradesh". Therefore, amendments are required to be carried out in some sections of the Act.

Further, as per the provisions of the Act *ibid.* 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, but not beyond the age of sixty-five years. The retirement age in respect of faculty members at IGMC, Shimla and Dr. RPGMC Kangra at Tanda is 62 years and in order to run the new medical colleges at Chamba, Nahan, Hamirpur and Ner Chowk smoothly, the retirement age in these medical colleges has been enhanced upto 65 years and re-employment is allowed upto 70 years in these colleges. The existing provision may lead to appointment of faculty member as Vice-Chancellor who is junior to most of the faculty members working in the State. Thus, it has become expedient to increase the upper age limit for appointment as Vice-Chancellor to expand the zone of consideration. This has necessitated amendments in the Act *ibid.*

This Bill seeks to achieve the aforesaid objectives.

(VIPIN SINGH PARMAR)  
*Minister-in-Charge.*

SHIMLA :

The....., 2019.

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### FINANCIAL MEMORANDUM

—Nil—

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### MEMORANDUM REGARDING DELEGATED LEGISLATION

—Nil—

**THE HIMACHAL PRADESH UNIVERSITY OF HEALTH SCIENCES  
(AMENDMENT) BILL, 2019**

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BILL

*to amend the Himachal Pradesh University of Health Sciences Act, 2017 (Act No. 11 of 2017).*

**(VIPIN SINGH PARMAR)**  
*Minister-in-Charge.*

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**(YASHWANT SINGH CHOGAL)**  
*Principal Secretary (Law).*

SHIMLA:

The....., 2019.



**EXTRACT OF THE PROVISIONS OF THE HIMACHAL PRADESH UNIVERSITY OF HEALTH SCIENCES ACT, 2017 (ACT NO. 11 OF 2017) LIKELY TO BE AFFECTED BY THIS AMENDMENT BILL.**

**Title:**

THE HIMACHAL PRADESH UNIVERSITY OF HEALTH SCIENCES ACT, 2017.

**Long Title:**

AN

ACT

*to establish and incorporate a University in the State of Himachal Pradesh to be known as "the Himachal Pradesh University of Health Sciences" for the purpose of affiliating and teaching and ensuring proper and systematic instructions, training and research in the Modern System of Medicine and the Indian System of Medicine.*

**Sections :**

**1. Short title and commencement.**—(1) This Act may be called the Himachal Pradesh University of Health Sciences Act, 2017.

(2) 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) to (w)                      xxx                      xxx                      xxx

(x) "University" means the Himachal Pradesh University of Health Sciences established under section 3 of this Act;

(y) to (za)                      xxx                      xxx                      xxx

**3. Establishment of the University.**—(1) There shall be established a University by the name "The Himachal Pradesh University of Health Sciences" having jurisdiction within the State of Himachal Pradesh.

(2) The University shall be a body corporate and shall have perpetual succession and a common seal and shall have power to acquire, hold and dispose of property both the movable and immovable and shall sue and be sued by the said name.

(3) The headquarter of the University shall be at Shri Lal Bahadur Shastri Government Medical College, Mandi at Ner Chowk or at such place, as may be notified by the Government.

**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, but not beyond the age of sixty-five years.

(5) The Chancellor shall determine the amount of remuneration and other conditions of service of the Vice-Chancellor and such terms and conditions shall not be altered to his disadvantages 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 out 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 the Board of Management may designate one person from amongst the Deans of the University to be the In-charge 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.

**60. Saving as to certain examinations.**—(1) 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 the Himachal Pradesh University in accordance with the regulations in force under the respective Act under which the Himachal Pradesh



University was established, may until such examinations are provided by the University be admitted to the examination of the Himachal Pradesh University and be conferred the degree in Health Sciences of the said university, for which he qualified on the result of such examination.

- (b) If the Himachal Pradesh University has held any examination 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 Himachal Pradesh University of Health Sciences.