

HARI CHAND

ADVOCATE

ਹਰੀ ਚੰਦ

ਵਕੀਲ

PUNJAB & HARYANA HIGH COURT

ਪੰਜਾਬ ਅਤੇ ਹਰਿਆਣਾ ਹਾਈ ਕੋਰਟ

H. NO. 2299,

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ਮਕਾਨ ਨੰਬਰ -2299

ਸੈਕਟਰ 44- ਸੀ

ਚੰਡੀਗੜ੍ਹ 160045

DATED: 28.6.2019

To,

Hon'ble Chancellor, Punjab Agriculture University, Ludhiana,
Cum-Hon'ble Governor, Punjab,
Punjab Raj Bhawan, Chandigarh.

BY E-MAIL

SUBJECT: Appeal against proposed extension to Vice
Chancellor, Punjab Agricultural University, Ludhiana.

Secy.governor.pb@gmail.com; adc.govpb@gmail.com

Sirs,

In this context, I have to submit that proposed extension to Dr. Baldev Singh Dhillon, as Vice Chancellor, PAU, Ludhiana is totally illegal and arbitrary, inter-alia, for the following reasons:

1. That under Section 24 (4) of the Model Act for Agricultural Universities in India, 2009", the VC of such an Agricultural University can hold his office only up to 70 years. However, Dr. Dhillon is already 72 years old. He cannot therefore, be re-appointed as a VC, at this stage;
2. That the Accreditation Board of ICAR, in its meeting held on 11.3.2014, had decided that accreditation to the Punjab Agricultural University was being given for the period from 11.3.2014 to 10.3.2019, inter-alia-on the condition that Punjab Agricultural University, Ludhiana shall make necessary arrangements in its Acts and Statutes according to the ICAR Model Act, 2009, and submit the report to Accreditation Board within 6 months. However, the PAU, Ludhiana, and the Punjab Government has failed to do the needful till date.

3. That the Accreditation Board of ICAR, vide the aforesaid proceedings, had also directed the PAU, Ludhiana to ensure that “The Mode of selection of Vice-Chancellor and tenure of his appointment has to be at par with the ICAR Model Act. Thus, any further extension to Dr. Dhillon would be highly arbitrary and improper.
4. That without prejudice to above, it may be submitted that the “Haryana and Punjab Agricultural Universities Act, 1970” only says that “The term of office of the Vice Chancellor shall be four years and he shall be eligible for reappointment.” Thus, Dr. Dhillon, who was given four years extension/re-appointment with effect from 1.7.2015, cannot be given another re-appointment for another 4 years, against the provisions of ICAR Model Act, 2009.
5. That Hon’ble Supreme Court has held in the case titled “Kashmira Singh v. Union of India, 2008 (7) SCC 259” that tenure of a Member of Sikh Gurdwara Commission cannot be in perpetuity, simply because no tenure of such Member was provided under Sikh Gurdwara Act.
6. That in the case titled ‘Manisha Garg v. State of Punjab, CWP-5084-2014’, the appointment of Justice (retd.) R.L. Anand, who was already 72 years old, was challenged. Faced with this challenge, the Punjab State amended the provisions of “Punjab Affiliated Colleges (Security of Service of Employees) Act, 1974”, and introduced maximum age of 65 years for holding the post of Chairman of the Punjab Educational Tribunal. The Punjab Government, who was giving extension to the incumbent of the said post repeatedly for the reason that no age for appointment to the post of Chairman was specified under the Act, had to face humiliation.

In view of the aforesaid legal position, I would call upon you to reject the proposal passed by the Board of PAU, Ludhiana, and do not extend the tenure of Dr. Dhillon beyond 30.6.2019

Soliciting consideration in correct perspective.

Yours Sincerely,

(HARI CHAND)

ADVOCATE