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La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு **EXTRAORDINAIRE** **EXTRAORDINARY**
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(27 Magha 1947)

GOVERNMENT OF PUDUCHERRY
LEGISLATIVE ASSEMBLY SECRETARIAT

No. XV-PLA-6/LAS/REF/2025.

Puducherry, dated 12th February 2026.

In pursuance of rule 140 of the Rules of Procedure and Conduct of Business of the Puducherry Legislature Assembly, 1966, the following Bills viz.,

1. The Puducherry Jan Vishwas (Amendment of Provisions) Bill, 2025 (Bill No. 13 of 2025); and
2. The Puducherry Higher Education Council Bill, 2025 (Bill No. 14 of 2025).

which were introduced and passed in the Legislative Assembly on the 12th February, 2026, are hereby published for general information.

J. DAYALANE,
Secretary.

THE PUDUCHERRY JAN VISHWAS
(AMENDMENT OF PROVISIONS) BILL, 2025
(Bill No. 13 of 2025)

A

BILL

to amend certain laws in the Union territory of Puducherry, so as to decriminalize minor offences, simplify compliance procedures, and promote ease of doing business in the Union territory of Puducherry, and for matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of Puducherry in the Seventy Sixth Year of the Republic of India as follows:—

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| Short title,
Application and
commencement. | 1. (1) This Act may be called the Puducherry Jan Vishwas (Amendment of Provisions) Act, 2025.

(2) It applies to all the Acts and Statutes specified in the Schedule annexed hereto.

(3) It shall come into force on such date as the Government of Puducherry may, by notification in the Official Gazette, appoint. |
| Amendment of
enactments. | 2. The enactments mentioned in column (4) of the said Schedule, are hereby amended to the extent and in the manner mentioned in column (5) thereof. |
| Revision of fines
and penalties. | 3. The fines and penalties provided under various provisions in the enactments mentioned in column (4) of the said Schedule, shall be increased by ten percent of the minimum amount of fine or penalty, prescribed therefor, as the case may be, once in every three years. |
| Appointment of
Adjudicating
Officers, Appeal
and Recovery. | 4. The provisions relating to 'Appointment of Adjudicating Officer(s)' for the purpose of determining the quantum of the fines and penalties in the enactments mentioned in column (4) of the said Schedule, and the procedure for the 'Appeal' and 'Recovery' thereof, shall be as follows:— |

“(1) Appointment of Adjudicating Officers.–

(a) For the purpose of determining the penalties under the enactments, an Officer may be designated to function as an ‘Adjudicating Officer’ and shall be authorized to hold an inquiry and impose penalty, in the manner as may be prescribed:

Provided that as many Adjudicating Officers as may be required, shall be nominated.

(b) The Adjudicating Officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the Adjudicating Officer, may be useful for, or relevant to, the subject-matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has failed to comply with the provisions of the enactment, he may impose penalty:

Provided that no such penalty shall be imposed without giving the person concerned, a reasonable opportunity of being heard in the matter.

(2) Appeal.–

(a) Whoever is aggrieved by the order passed by the Adjudicating Officer under sub-section (1) above, may prefer an appeal to the Appellate Authority, who shall be an Officer not below the rank of Secretary to Government of the concerned Department to which the enactment relates, within thirty days from the date of receipt of the order, in such manner as may be prescribed.

(b) An appeal may be admitted after the expiry of the period of thirty days if the Appellant satisfies the Appellate Authority that he had

sufficient cause for not preferring the appeal within that period and the decision of the Appellate Authority, shall be the final and binding on the Appellant.

(c) The Appellate Authority may, after giving the parties to the appeal, an opportunity of being heard, pass such order as he thinks fit.

(d) The Appellate Authority shall dispose of the appeal within sixty days from the date of filing.

(3) Recovery.—

Notwithstanding anything contained in this Act, if penalty imposed by the Adjudicating Officer under sub-section (1), or order of the Appellate Authority under sub-section (2) above, as the case may be, is not deposited, the amount shall be recovered as an arrears of land revenue.”

Savings.

5. The amendment of any enactment mentioned in column (4) of the said Schedule by this Act, shall not affect any other enactment in which the amended or repealed enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release of discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom,

privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognized or derived by, in or from any enactment hereby amended or repealed;

nor shall the amendment by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or other thing not now existing or in force.

THE SCHEDULE

(See sub-section (2) of section 1)

Sl. No.	Year	No.	Short Title	Amendments
(1)	(2)	(3)	(4)	(5)
1	1970	16	The Puducherry Plant Diseases and Pests Act, 1970	(1) In sub-section (1) of section 11, for the words and figures, "he shall be punishable for the first offence with fine which may extend to fifty rupees and for the second or subsequent offence, with fine which may extend to two hundred and fifty rupees.", the words and figures, "he shall be liable with penalty which may extend to one thousand rupees

	2	2003	2	<p>The Puducherry Ground Water (Control and Regulation) Act, 2002.</p> <p>and in the case of a continuing contravention or failure, with penalty which may extend to two thousand rupees.", shall be substituted.</p> <p>(2) In sub-section (3) of section 16, for the words, "punishable with fine", the words, "liable to a penalty", and for the words, "fifty rupees", the words, "one thousand rupees", shall be substituted.</p> <p>(1) In clause (a) of section 20, for the words, figures, and letters,—</p> <p>"he shall be punishable,—</p> <p>(i) for the first offence with fine, which may extend to five hundred rupees; and</p> <p>(ii) for the second and subsequent offence, with fine which may extend to one thousand rupees;",</p> <p>the words, figures and letters,</p> <p>"he shall be liable to,—</p>
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				<p>(i) a penalty, which may extend to five thousand rupees; and</p> <p>(ii) in the case of a continuing contravention or failure, with penalty which may extend to ten thousand rupees;"</p> <p>shall be substituted.</p> <p>(2) In clause (b) of section 20, for the words, figures and letters,</p> <p>"he shall be punishable,-</p> <p>(i) for the first offence with fine which may extend to five thousand rupees; and</p> <p>(ii) for the second and subsequent offence, with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both.",</p> <p>the words, figures and letters,</p> <p>"he shall be liable to,-</p>
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3	1973	7	The Puducherry Co-operative Societies Act, 1972.	<p>(i) a penalty which may extend to ten thousand rupees; and</p> <p>(ii) in the case of a continuing contravention or failure, with a penalty which may extend to twenty thousand rupees.", shall be substituted.</p> <p>(1) In sub-section (6) of section 45, for the words, "shall be punishable with fine", the words, "liable to penalty", shall be substituted.</p> <p>(2) In section 147, for the words and figures, "shall be punishable with fine which may extend to two hundred rupees.", the words and figures, "shall be liable to penalty of five hundred rupees.", shall be substituted.</p>
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				<p>(3) Sub-section (2) of section 149 shall be substituted as follows:-</p> <p>" (2) W h o e v e r contravenes the provisions of sub-section (1) shall be liable to penalty which may extend to two hundred rupees and in case of a continuing contravention or failure, with further penalty of fifty rupees for each day on which the contravention or failure is continued after penalization therefor.</p> <p>(4) In section 150, for the words and figures, "shall be punishable with fine which may extend to five hundred rupees.", the words and figures, "shall be liable to penalty which may extend to five thousand rupees.", shall be substituted.</p>
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4	1970	13	The Puducherry Town and Country Planning Act, 1969.	(1) In sub-section (1) of section 43, for the words and figures, "shall be punishable with a fine which may extend to ten thousand rupees and in the case of a continuing offence with a further fine which may extend to five hundred rupees for every day during which the offence continues after conviction for the first commission of the offence.", the words and figures, "shall be liable to penalty which may extend to thirty thousand rupees and in the case of a continuing contravention or failure, with a further penalty which may extend to two thousand rupees for every day during which the contravention or failure continues.", shall be substituted.
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				<p>(2) In sub-section (2) of section 43, for the words and figures, "shall be punishable with a fine which may extend to five thousand rupees and in the case of a continuing offence with a further fine which may extend to five hundred rupees for everyday during which such offence continues after conviction for the first commission of the offence.", the words and figures, "shall be liable to penalty which may extend to fifteen thousand rupees, and in the case of a continuing contravention or failure, with a further penalty which may extend to two thousand rupees for everyday during which such contravention or failure continues.", shall be substituted.</p>
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				<p>(3) In sub-section (7) of section 44, for the words and figures, "shall be punishable with a fine which may extend to ten thousand rupees and in the case of a continuing offence with a further fine which may extend to five hundred rupees for every day during which such offence continues after conviction for the first commission of the offence.", the words and figures, "shall be liable to a penalty which may extend to thirty thousand rupees, and in the case of a continuing contravention or failure, with a further penalty which may extend to two thousand rupees for everyday during which such contravention or failure continues.", shall be substituted.</p>
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				<p>(4) In sub-section (3) of section 45, for the words and figures, "shall be punishable with a fine which may extend to ten thousand rupees and when the non-compliance is a continuing one, with a further fine which may extend to five hundred rupees for everyday after the date of the service of the notice during which the non-compliance has continued or continues.", the words and figures, "shall be liable to a penalty which may extend to thirty thousand rupees and when the non-compliance is a continuing one, with a further penalty which may extend to two thousand rupees for everyday after the date of the service of the notice during which the non-compliance has</p>
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				<p>continued or continues.", shall be substituted.</p> <p>(5) For sub-section (3) of section 61, the following shall be substituted, namely:-</p> <p>"Any person who obstructs the entry of a person empowered or authorized under this section to enter into or upon any land or building, shall be liable to a penalty which may extend to five thousand rupees."</p> <p>(6) For sub-clause (b) of section 68, the following shall be substituted, namely:-</p> <p>"removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorized under this Act, he shall be liable to a penalty which may extend to one thousand rupees.".</p>
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5	1973	9	The Puducherry Municipalities Act, 1973	<p>(7) In section 72, for the word, "fines", the words, "fines and penalties" and for the word, "prosecution", the words, "prosecution and any other proceedings", shall be substituted.</p> <p>(1) In sub-section (8) of section 151, for the words, "punishable with fine", the words, "liable to penalty", shall be substituted.</p> <p>(2) In sub-section (3) of section 168, for the words and figures, "If any person prevents or obstructs the entry of the inspecting officer, he shall, in addition to any other punishment to which he is liable under any law for the time being in force, be punished with fine which may extend to five hundred rupees", the words, "If any person prevents or obstructs the entry</p>
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				<p>of the inspecting officer, he shall be liable to a penalty which may extend to five hundred rupees", shall be substituted.</p> <p>(3) In sub-section (2) of section 170, for the words and figures, "If any person prevents or obstructs entry, search or seizure by any such officer, he shall, in addition to any other punishment to which he is liable under any law for the time being in force, be punished with fine which may extend to five hundred rupees", the words and figures, "If any person prevents or obstructs entry, search or seizure by any such Officer, he shall be liable to penalty which may extend to five hundred rupees", shall be substituted.</p>
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6	1973	10	The Puducherry Village and Commune Panchayats Act, 1973.	<p>(4) In sub-section (3) of section 171, for the words, "punishable with fine", the words, "liable to penalty", shall be substituted.</p> <p>(1) In sub-section (8) of section 147, for the words, "punishable with fine", the words, "liable to penalty", shall be substituted.</p> <p>(2) In sub-section (3) of section 161, for the words and figures, "If any person prevents or obstructs the entry of the inspecting officer he shall, in addition to any other punishment to which he is liable under any law for the time being in force, be punished with fine which may extend to five hundred rupees.", the words, "If any person prevents or obstructs the entry of the inspecting officer, he shall be liable to penalty</p>
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				<p>which may extend to five hundred rupees.", shall be substituted.</p> <p>(3) In sub-section (2) of section 163, for the words and figures, "If any person prevents or obstructs entry, search or seizure by any such officer, he shall, in addition to any other punishment to which he is liable under any law for the time being in force, be punished with fine which may extend to five hundred rupees.", the words and figures, "If any person prevents or obstructs entry, search or seizure by any such Officer, he shall be liable to penalty which may extend to five hundred rupees.", shall be substituted.</p> <p>(4) In sub-section (3) of section 164, for the words, "punishable with fine",</p>
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7	1965	9	The Puducherry Dramatic Performances Act, 1965.	<p>the words, "liable to penalty", shall be substituted.</p> <p>(1) For section 6, the following shall be substituted, namely:-</p> <p>"6. Penalty for disobeying order.- Any person on whom a copy of the order referred to in section 3 or section 4 is served and who does, or willingly permits, any act in disobedience of such order, he shall be liable to penalty which may extend to one thousand rupees and in the case of a continuing contravention or failure, with further penalty of five thousand rupees."</p> <p>(2) For section 7, the following shall be substituted, namely:-</p> <p>"7. Penalty for disobeying prohibition.-</p> <p>(1) Any person who, after the publication of an</p>
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				<p>order under sub-section (3) of section 3, or during the period when an order made under sub-section (1) or (2) of section 4, is in force organizes or is responsible for the conduct of or who with the knowledge that such an order under section 3 or section 4 is in force takes part in, the performance prohibited thereby or any performance substantially the same as the performance so prohibited, shall be liable to penalty, which may extend to one thousand rupees and, in the case of a continuing contravention or failure, with a further penalty of five thousand rupees.</p> <p>(2) Any person who being the owner or occupier, or having the use of any public place, opens, keeps or uses</p>
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				<p>the same for any performance prohibited under section 3 or section 4, or permits the same to be opened, kept or used for any such performance, shall be liable for a penalty which may extend to one thousand rupees and, for a continuing contravention or failure, with further penalty of five thousand rupees."</p> <p>(3) For sub-section (2) of section 9, the following sub-section shall be substituted, namely:-</p> <p>"(2) A copy of any order made under sub-section (1) may be served on the owner or occupier of the public place, in which such performance is intended to take place and if thereafter he does or willingly permits, any act in disobedience of such order, he shall</p>
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				be liable to penalty which may extend to one thousand rupees and, for a continuing contravention or failure, with further penalty of five thousand rupees."
8	1965	17	The Puducherry Sugarcane Development and Levy of Cess Act, 1965.	(1) In sub-section (3) of section 5, for the words, "punishable with fine", the words, "liable to penalty", shall be substituted.
9	1968	1	The Mahe Land Reforms Act, 1968.	(1) In sub-section (1) of section 126, for the words, "punishable with fine", the words, "liable to penalty", and for the words, "two hundred rupees", the words, "ten thousand rupees", shall be substituted, respectively. (2) For sub-section (2) of section 126, the following shall be substituted, namely:—

				<p>"(2) If any person who, after having been penalized under sub-section (1), continues to refuse or to willfully fail to furnish the return or information, he shall be liable to penalty, which may extend to five hundred rupees for each day after the previous date of penalization, during which he continues to so contravene, subject to a maximum cumulative penalty of fifty thousand rupees."</p> <p>(3) In sub-section (1) of section 126A, for the words and figures, "he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.", the words and figures, "he shall be liable to penalty which may extend to</p>
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				<p>one lakh rupees.", shall be substituted.</p> <p>(4) In section 127, for the words, "punishable with fine", the words, "liable to penalty", and for the words, "one thousand rupees", the words, "fifty thousand rupees", shall be substituted.</p> <p>(5) In sub-section (2) of section 128, for the words, "punishable with fine", the words, "liable to penalty", and for the words, "one thousand rupees", the words, "fifty thousand rupees", shall be substituted.</p> <p>(6) In section 129, for the words, "punishable with fine", the words, "liable to penalty", and for the words, "five hundred rupees", the words, "t w e n t y - f i v e thousand rupees", shall be substituted.</p>
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10	1970	26	The Puducherry Money Lender's Act, 1970.	<p>(7) In section 131, for the words and figures, "he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.", the words and figures, "he shall be liable to penalty which may extend to fifty thousand rupees.", shall be substituted.</p> <p>(1) In section 17, for the words, "punished with fine", the words, "liable to penalty" and for the words, "one thousand rupees", the words, "fifty thousand rupees", shall be substituted.</p> <p>(2) In sub-section (1) of section 18, for the words, "punished with fine", the words, "liable to penalty" and for the words, "one thousand rupees", the words,</p>
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				<p>"fifty thousand rupees", shall be substituted.</p> <p>(3) For sub-section (3) of section 18, the following shall be substituted, namely:-</p> <p>"(3) Any person, who after having been penalized for the contravention of carrying on, or continuing to carry on, the business of money lending in violation of the provisions of section 3, continues to commit the same contravention in the same year, shall in addition to the penalty, which may extend to fifty thousand rupees, be liable to further penalty of two hundred rupees for each day after the previous date of penalization, during which he continues so to contravene, subject to a maximum of two lakh rupees".</p>
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11	1969	5	The Puducherry Buildings (Lease And Rent Control) Act, 1969.	<p>(1) In sub-section (1) of section 32, for the words, "punishable with fine", the words, "liable to penalty" and for the words, "two thousand rupees", the words, "one lakh", shall be substituted.</p> <p>(2) In sub-section (1-A) of section 32, for the words, "punishable with fine", the words, "liable to penalty", and for the words, "two thousand rupees", the words, "one lakh", shall be substituted.</p> <p>(3) In sub-section (2)(a) of section 32, for the words and figures, "shall, on conviction, be punishable with fine", the words, "shall be liable to penalty" and for the words, "two thousand rupees", the words, "one lakh", shall be substituted.</p>
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				<p>(4) In sub-section (2)(b) of section 32, for the words and figures, "shall, on conviction, be punishable with fine", the words, "shall be liable to penalty" and for the words, "two thousand rupees", the words, "one lakh", shall be substituted.</p> <p>(5) In sub-section (3)(a) of section 32, for the words, "shall, on conviction, be punishable with fine", the words, "shall be liable to penalty" and for the words, "two thousand rupees", the words, "one lakh", shall be substituted.</p> <p>(6) In sub-section (3) of section 33, for the words, "punishable with fine", the words, "liable to penalty" and for the words, "one thousand rupees", the words, "fifty thousand rupees", shall be substituted.</p>
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12	1971	9	The Puducherry Cultivating Tenants Protection Act, 1970.	(1) For section 15, the following shall be substituted, namely:- "15. Whoever contravenes the provisions of section 13, shall be liable to a penalty which may extend to ten thousand rupees, and the possession of the land shall be restored to the cultivating tenant."
13	1966	11	The Puducherry Pawnbrokers Act, 1966.	(1) In section 15, for the word, "fine", the word, "penalty", shall be substituted. (2) In sub-section (1) of section 18, for the word, "fine", wherever it occurs, the word, "penalty", and for the words, "fifty rupees", the words, "five thousand rupees", and for the words, "one hundred rupees", the words, "ten thousand rupees", shall be substituted. (3) In sub-section (2) of section 18, for the word, "fine", the word, "penalty" and for the words, "ten rupees", the words, "fifty rupees", shall be substituted.

STATEMENT OF OBJECTS AND REASONS

1. The proposed "The Puducherry Jan Vishwas (Amendment of Provisions) Bill, 2025" will contribute to rationalizing criminal provisions and ensuring that citizens, businesses and the Government Departments operate without fear of imprisonment for minor, technical or procedural defaults.

2. The nature of penal consequence of an offence committed should be commensurate with the seriousness of the offence. This Bill establishes a balance between the severity of the offence/violation committed and the gravity of the prescribed punishment. The proposed Bill ensures the *ad herence* to Law by businesses and citizens, without losing the rigor of the Law.

3. The criminal consequences prescribed for the technical/procedural lapses and minor defaults, clog the justice delivery system and put adjudication of serious offences on the back burner. Some of the amendments proposed in the Bill are to introduce suitable administrative adjudication mechanisms, wherever applicable and feasible. This would go a long way in reducing undue pressure on the justice system, reduce the pendency of cases and help in a more efficient and effective justice dispensation.

4. Decriminalization of provisions which affect citizens and certain categories of Government employees will help them live without the fear of imprisonment for minor violations.

5. The enactment of this legislation would be a landmark in the journey of rationalizing Laws, eliminating barriers and bolstering growth of businesses. This legislation would serve as a guiding principle for future amendments in various Laws. Consolidated amendments in various Laws with a common objective will save time and cost, for both the Government and Businesses alike.

A. NAMASSIVAYAM,
Minister for Industries and Commerce.

FINANCIAL MEMORANDUM

1. The primary financial implications of the proposed "The Puducherry Jan Vishwas (Amendment of Provisions) Bill, 2025" for the Government of Puducherry, are a shift from a system based on imprisonment and fines, to the one based on monetary penalties and administrative adjudication. This is expected to have both direct and indirect positive financial effects.

1.1 Direct Financial Implications:

1.1.1 Increased Revenue from Penalties: The Bill replaces imprisonment and smaller fines with significantly higher monetary penalties for many offenses. These penalties are also subject to an automatic 10% increase every three years, ensuring that their deterrent value is maintained. This is likely to increase the Government's Revenue from the collection of those penalties.

1.1.2 Reduced Burden to the Judiciary: By introducing administrative adjudication mechanisms and appointing Adjudicating Officers, the Bill aims to reduce the pressure on the judicial system. This could lead to a more efficient and effective justice dispensation, potentially reducing the Government's costs associated with the Court Proceedings and case backlogs.

1.2 Indirect Financial Implications:

1.2.1 Improved Ease of Doing Business: The core objective of the Bill is to enhance the ease of doing business in the Union territory of Puducherry. By decriminalizing minor and procedural defaults, the Government aims to reduce the compliance burden on individuals and businesses. This is expected to foster a more favorable business environment, which could lead to increased economic activity, investment, and job creation, ultimately boosting the Government's Tax Revenue.

1.2.2 Reduced Costs of Enforcement: The new system of administrative adjudication may be more cost-effective for the Government of Puducherry compared to the traditional Court-based system. It could streamline processes, reduce the need for extensive legal proceedings and free up resources for more serious offenses.

2. In summary, the financial implications of the proposed Jan Vishwas Bill are largely positive for the Government of Puducherry. The shift from a punitive to a trust-based system is expected to increase Revenue from penalties, reduce costs associated with the judicial system and foster a more vibrant economic environment that will ultimately benefit the Government's Finances.

MEMORANDUM REGARDING DELEGATED LEGISLATION

1. The proposed "The Puducherry Jan Vishwas (Amendment of Provisions) Bill, 2025" seeks to empower the Government of Puducherry to amend the provisions in the following State Acts of the Union territory of Puducherry in order to decriminalize minor offences, simplify compliance procedures and promote ease of doing business.

- (i) The Puducherry Plant Diseases and Pests Act, 1970.
- (ii) The Puducherry Ground Water (Control and Regulation) Act, 2002.
- (iii) The Puducherry Co-operative Societies Act, 1972.
- (iv) The Puducherry Town and Country Planning Act, 1969.
- (v) The Puducherry Municipalities Act, 1973.
- (vi) The Puducherry Village and Commune Panchayats Act, 1973.
- (vii) The Puducherry Dramatic Performances Act, 1965.
- (viii) The Puducherry Sugarcane Development and Levy of Cess Act, 1965.
- (ix) The Mahe Land Reforms Act, 1968.
- (x) The Puducherry Money Lender's Act, 1970.
- (xi) The Puducherry Buildings (Lease And Rent Control) Act, 1969.
- (xii) The Puducherry Cultivating Tenants Protection Act, 1970.
- (xiii) The Puducherry Pownbrokers Act, 1966.

2. The proposed "The Puducherry Jan Vishwas (Amendment of Provisions) Bill, 2025" seeks to empower the Government of Puducherry to notify Adjudicating Officers for the abovesaid State Acts proposed to be amended, for the purposes of determining the penalties, to hold an inquiry and impose penalty, in the manner as may be prescribed and to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the Adjudicating Officer, may be useful for, or relevant to, the subject-matter of the inquiry.

3. The proposed "The Puducherry Jan Vishwas (Amendment of Provisions) Bill, 2025" seeks to empower the Government of Puducherry to notify an Appellate Authorities for the abovesaid State Acts proposed to be amended, to give an opportunity to whoever aggrieved by the order, passed by the Adjudicating Officer.

4. The matters in respect of which notifications or orders may be issued or rules may be amended, are matters of procedure and are of routine and administrative nature. Further, the amendments of rules are subject to the consideration and approval of the Legislative Assembly. The delegation of legislative power is therefore of a normal character.

5. The powers delegated are normal and not of an exceptional character.

THE PUDUCHERRY
HIGHER EDUCATION COUNCIL BILL, 2025
(Bill No. 14 of 2025)

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BILL

**to provide for the constitution of the Puducherry
Higher Education Council in this Union territory
of Puducherry.**

BE it enacted by the Legislative Assembly of Puducherry in the Seventy Sixth year of the Republic of India as follows:—

Short title
and
commencement.

1. (1) This Act may be called the Puducherry Higher Education Council Act, 2025.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "Chairperson" means the Chairperson of the Council;

(b) "College" means any College or any Institution maintained or approved by, or affiliated to, any University recognised by UGC and providing courses of study for admission to the examination of the University and includes autonomous college;

(c) "Council" means the Puducherry Higher Education Council constituted under Section 3;

(d) "Government" means the Administrator appointed under Article 239 of the Constitution of India by the President of India;

(e) "Higher Education" means an education, whether professional, technical or otherwise, except medical education and includes research studies leading to the award of a degree or diploma or certificate by a University recognized by UGC or an Institution approved by the University;

(f) "Institution" means an Academic Institution of higher education and research, not being a college, associated with and admitted to privileges of a University or maintained by a University and shall not include Institutions of Medical Education;

(g) "Member" means a Member of the Council;

(h) "Member-Secretary" means the Member-Secretary of the Council;

(i) "Notification" means the notification published in the Official Gazette of Government of Puducherry;

(j) "Prescribed" means prescribed by the rules made under this Act;

(k) "Regulations" means the regulations made by the Council under this Act;

(l) "Statutes", "Ordinances" and "Regulations" of a University means respectively, the Statutes, the Ordinances and the Regulations issued under the respective Acts of a University;

(m) "Teacher" means any regular teacher working in a University, Government College or Government aided or Unaided College or Institution whose appointment has been made or approved by or on behalf of the Government or a University;

(n) "Union Territory" means the Union territory of Puducherry;

(o) "University" means any University established by an Act of Parliament or Legislative Assembly of Puducherry;

(p) "University Grants Commission" means the Commission established under the University Grants Commission Act, 1956;

Central
Act 3
of 1956.

(q) "Vice-Chairperson" means the Vice-Chairperson of the Council.

Constitution of
the Council.

3. (1)(a) The Government shall constitute the Council to be called as the Puducherry Higher Education Council consisting of the following Members, namely:—

- (i) Minister for Higher Education . . . Chairperson
- (ii) An eminent Educationist who . . . Vice-Chairperson
possess experience of not
less than 3 years in Higher
Education Administration or
has served in the rank of a
Vice-Chancellor of Higher
Education Institution or
Member of any Apex Body of
Higher Education nominated
by the Government.
- (iii) Secretary to Government . . . Member
(Education).
- (iv) State Project Director (RUSA/ . . . *Ex Officio*
PM-USHA) . . . Member
- (v) Director (Directorate of Higher . . . *Ex Officio*
and Technical Education). . . Member
- (vi) Nine Members to be nominated . . . Non-Officio
by the Government among . . . Members
the individuals representing
any of the fields such as Arts,

Science, Technology, Culture, Civil Society, Industry, Vocational Education, Law and Skill Development of which seven Members shall be from the Union Territory and two Members shall have preferably held positions of National eminence outside the Union Territory.

- (vii) Vice-Chancellor of a University . . Member
- (viii) Nominee of the Ministry of . . Member
Education, Government of
India.
- (ix) Two Principals of Autonomous . . Members
or Affiliated Colleges of
Pondicherry Central
University or Puducherry
Technological University.
- (x) Member-Secretary appointed by the
Government as provided under sub-section (1) of
section 8.

(b) The Non-Official Members shall have a term of six years and one third of the Members shall retire every two years. The Nomination Committee with the approval of Chairperson shall nominate three new Non-Official Members every two years.

(c) The Nomination Committee of the Council headed by a Member other than the Chairperson comprising of the Chairperson, Secretary to Government (Education), State Project Director (RUSA/PM-USHA), Director (Directorate of Higher and Technical Education), Member-Secretary and one of the Principals of Autonomous or Affiliated College, who is a Member

of the Council, shall nominate new Members in replacement of retiring Members of the Council. The manner of functioning of the Nomination Committee shall be such as may be prescribed.

(d) The Member of the Council other than Non-Official Member shall be appointed by the Government and hold office for a term of six years or 65 years, whichever is earlier.

(e) The Council shall meet at least once in six months. The quorum for the Council meetings shall be not less than one third of the total Members of the Council including the Chairperson and the Member-Secretary.

(2) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal and shall by the said name sue and be sued.

(3) The headquarters of the Council shall be at Puducherry.

Disqualifications.

4. (1) No person shall be qualified for nomination or to continue as a Member of the Council, if on the date of such nomination or during his Membership in the Council, if he is,—

(a) of unsound mind;

(b) adjudicated as an un-discharged insolvent;

(c) sentenced by a Criminal Court to imprisonment for any offence involving moral turpitude;

(d) directly or indirectly by himself or through his partner has any share or interest in any work done by order of, or in any contract entered into by the Council;

(e) a person who had been terminated from any Government or a University service for an offence of misconduct or negligence of duty.

(2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1), the decision of the Government shall be the final.

(3) Notwithstanding anything contained in this Act, an employee of a University, both teaching and non-teaching or ministerial or any person in the management of an affiliated college in whatever capacity, shall not be eligible for nomination as a Member of the Council under sub-clause (vi) of clause (a) of sub-section (1) of section 3 of this Act.

5. The Powers, General functions, Academic functions and Advisory functions of the Council shall be as follows, namely:—

Powers, General Functions, Academic functions and Advisory functions of the Council.

A. Powers of the Council :

(i) It shall prepare a perspective plan for implementation of the Policies, evolve various programmes and determine the priorities of such programmes for implementation.

(ii) It shall propose general guidelines for the release of grants by the Government to Universities and other Institutions of higher education and advise the Government about the release of such grants to each University and other Institutions of higher education.

(iii) It shall frame regulations in accordance with this Act and the rules made thereunder.

(iv) It shall have such other powers as may be prescribed for the effective implementation of the programmes for the furtherance of the objectives of this Act.

B. General Function:

(i) It shall render advice to the Government, Universities and other Institutions of higher education in the Union territory of Puducherry.

(ii) It shall coordinate the roles of the Government, Universities and Apex regulatory agencies in spheres of higher education within the Union territory of Puducherry.

(iii) It shall evolve new concepts, programmes and perspective plans for development of higher education *suo moto* or on the suggestion by the Government or requests from Universities or other Institutions in the State.

(iv) It shall monitor the progress of implementation of the Developmental Programmes of Universities and Colleges taken up in the Union territory of Puducherry.

(v) It shall make suggestions to the Government to regulate the functioning of the Private Universities in the Union territory of Puducherry.

(vi) It shall promote cooperation and co-ordination of the Educational Institutions among themselves and explore the scope for interaction with related institutions in the fields of Arts, Science, Technology, Culture, Civil Society, Industry, Law, Vocational Education, Skill Development, Entrepreneurship and Career guidance/employment.

(vii) It shall suggest measures for the Academic and Financial Accountability of the Universities and other Institutions of higher education in the Union territory of Puducherry.

(viii) It shall prepare the Annual Budget and the Audited Statement of expenditure of the Council in such manner as may be prescribed.

(ix) It shall prepare an Annual Report making a self-appraisal and showing details of its performance.

C. Academic Functions:

(i) It shall encourage and promote innovations in curricular development, restructuring of courses and updating of syllabi in the Universities and Colleges.

(ii) It shall facilitate cooperation and co-ordination among the Colleges including aspects of offering courses under National Curriculum Framework that offers students the freedom to opt for different courses.

(iii) It shall devise steps to improve the standards of examinations conducted by Universities and Autonomous Colleges and suggest necessary reforms.

(iv) It shall facilitate training of teachers in Universities and Colleges.

(v) It shall promote and monitor publication of quality articles in Journals, text books, monographs and reference books of National and International repute/stature.

(vi) It shall develop programmes for greater academic cooperation and interaction between Universities and College teachers and to facilitate mobility of students and teachers within and outside the Union territory of Puducherry.

(vii) It shall advise on regulation of admission in Universities, Colleges and Institutions of higher education.

(viii) It shall review periodically, the existing guidelines and furnish recommendations for regulating admissions to various courses and for appointments to the posts of teachers and teacher administrators in Universities, Colleges and other Institutions of higher education.

(ix) It shall encourage sports, games, physical education and cultural activities in the Universities and Colleges.

(x) It shall reconfigure the Academic standards, requirements and curriculum based on employment prospects of students in close association with and interaction with prospective employers including Industries.

(xi) It shall prepare a Status Report on the working of the Universities and Colleges in the Union Territory of Puducherry and furnish a copy thereof to the Government and such other authorities as the Government may specify. The manner of preparation of the report shall be such, as may be prescribed.

(xii) It shall perform such other functions for the realisation of the key objectives of access, equity and excellence in higher education.

D. Advisory Function:

(1) It shall advise the Government,—

- (i) regarding the need for and the norms, if any, relating to the establishment of new Universities and Colleges besides new programmes and Departments in the existing Universities and Colleges.
- (ii) regarding the Statutes, Ordinances and Regulations of Universities in the Union territory of Puducherry and to suggest modification, if any.

(iii) on any University, College or Institution of higher education or any other matter relating to higher education and research which may be referred to the Council.

(iv) in determining the block maintenance grants and to lay down the basis for such grants.

(2) It shall perform such other functions as may be necessary for the furtherance of higher education in the Union territory of Puducherry.

6. (1) The Chairperson shall have the right to call for a report on any matter pertaining to the affairs of the Council and offer suggestions for the improvement of the functioning of the Council. The Chairperson.

(2) The Chairperson shall preside over the meetings of the Council.

7. (1) The Vice-Chairperson shall preside over the meetings of the Council in the absence of the Chairperson. The Vice-Chairperson.

(2) The Secretary to Government (Education) shall be the Vice-Chairperson whenever the position of Vice-Chairperson is vacant.

(3) The Vice-Chairperson shall exercise such other powers and perform such other functions as may be prescribed.

(4) The Vice-Chairperson shall be appointed by the Government for a term of six years or till he attains the age of seventy years, whichever is earlier.

(5) The Vice-Chairperson shall not be eligible for reappointment for a second term.

The Member-Secretary.

8. (1) A senior Academician, serving or retired, having aptitude and experience in the field of education or who is or has been a Professor/Associate Professor with not less than ten years of experience, OR, a Senior Administrative Officer not below the rank of Joint Secretary to Government, shall be appointed by the Government as the Member - Secretary of the Council.

(2) The Member-Secretary shall be appointed by the Government for a term of six years or till he attains the age of sixty-five years, whichever is earlier.

(3) The Member-Secretary shall not be eligible for reappointment for a second term.

(4) The Member-Secretary shall be the Executive officer and legal representative and be responsible for the co-ordination of the functions of the Council.

(5) The Member-Secretary shall exercise such powers and perform such functions as may be prescribed.

Meetings of the Council.

9. (1) The Council shall meet at least once in six months.

(2) It shall have the power to act, notwithstanding any vacancy in the membership or any defect in the constitution thereof, and the proceedings of the Council shall be valid notwithstanding that some person, who was not entitled to be a Member, had attended, or otherwise had taken part in the proceedings of the Council.

(3) Any Member who has any direct or indirect interest in any matter likely to come up for consideration at a meeting of the Council shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose in writing, the nature of his interest at such meeting and such disclosure shall be recorded

in the proceedings of the Council and such Member shall not take part in any deliberation or meeting of the Council with respect to that matter.

(4) The meeting of the Council shall be convened by the Member-Secretary on the advice of the Chairperson or the Vice-Chairperson in the absence of the Chairperson.

(5) The decisions of the meeting shall be taken by simple majority of those present and voting.

10. (1) The Vice-Chairperson, Member-Secretary or any Member may in writing under his signature, addressed to the Chairperson, resign his membership in the Council:

Provided that he shall continue to hold such office until his resignation is duly accepted and communicated in writing.

Terms and conditions of appointment of the Vice-Chairperson, the Member-Secretary and the Members.

(2) The salaries and allowances payable to the Vice-Chairperson and Member-Secretary shall be such as may be prescribed.

(3) If, a serving officer is appointed, he is not entitled for any salary or allowances, in addition, to that drawn in the post held by him.

(4) If, he is a retired Officer, he shall be entitled to the amount, not exceeding, the ceiling of last pay drawn, minus, pension and Dearness Allowances.

(5) The retired officer shall, however, continue to draw pension and dearness relief on pension during the period of his engagement.

(6) The Non-official Member shall be eligible for such rate of travelling allowance, daily allowance and sitting fee as may be prescribed.

(7) Subject to the provisions of this section, the other terms and conditions of service of the Vice-Chairperson, the Member-Secretary and the Members shall be such as may be prescribed.

Removal from
Membership.

11. (1) If, at any time, it appears to the Government that a Member appointed or nominated has proved himself to be unfit to hold office or has been guilty of misconduct or neglect which in the opinion of the Government renders his removal from the membership of the Council as expedient, the Government may, after giving such Member, a reasonable opportunity of showing cause as to why he shall not be removed from the Council and after examining the same, decide whether to continue or remove such Member, as the case may be, from his membership and in case of such removal from the membership of the Council, it shall be made by notification.

(2) The Vice-Chairperson or the Member-Secretary shall not be removed except by an order of the Government passed on the ground of wilful omission or refusal to carry out the provisions of this Act or the rules or regulations made thereunder or for abuse of the powers vested in him after consideration of the report of an inquiry ordered by the Government in this behalf, as may be prescribed.

Filling up of
casual Vacancy.

12. If a casual vacancy arises in the office of a nominated or appointed Member, either by reason of his death, resignation, removal or otherwise, such vacancy shall be filled up by the Government by nomination or appointment as the case may be and such Member shall hold office only for the remaining term of the Member in whose place he was nominated or appointed.

Funds of the
Council.

13. (1) The funds of the Council shall include all sums which may, from time to time, be paid to it by the Government and all other receipts including any sum from the Central Government, the University Grants Commission or any other Authority, Institutions or person as may be prescribed.

(2) The Government may pay to the Council during every financial year such sums as may be considered necessary for the functioning of the Council and for the discharge of its responsibilities and duties.

(3) All expenditure incurred by the Council under or for the purposes of this Act shall be defrayed from out of the fund and any surplus remaining, after such expenditure has been met, shall be invested in such manner as may be prescribed.

14. (1) The Member-Secretary shall maintain the Accounts of the Council in such manner and in such form as may be prescribed. Annual Accounts and Audit.

(2) The Council shall prepare an Annual Statement of Accounts in such form and in such manner as may be prescribed.

(3) The Accounts of the Council shall be audited once in a year by such Auditor as the Government may appoint in this behalf.

(4) The Member-Secretary to the Council shall cause the Annual Audit Report to be printed and forward a printed copy thereof to each Member and shall place such report before the Council for consideration at its next meeting.

(5) The Council shall take appropriate action forthwith to remedy any defect or irregularity that may be pointed out in the Audit Report.

(6) The Accounts of the Council as certified by the Auditor together with the Audit Report along with the remarks of the Council thereon shall be forwarded to the Government within such time as may be prescribed.

(7) The Government shall, as soon as may be after the receipt of the Annual Accounts together with the Audit Report under sub-section (6), cause the same to be laid before the Legislative Assembly of Puducherry.

Annual Report. 15. (1) The Council shall prepare an Annual Report of its activities under this Act during that year and submit the report to the Government.

(2) The Government shall, as soon as may be after the receipt of a Report under sub-section (1), cause the same to be laid before the Legislative Assembly of Puducherry.

Protection of action taken in good faith. 16. No suit, prosecution or other legal proceeding shall lie against the Council or any Member or Officer or employee of the Council for anything which is done or intended to be done in good faith in pursuance of the provisions of this Act or any rules or regulations made thereunder.

Staff of the Council. 17. The Council shall, with the prior approval of the Government appoint such Officers and staff, as it deems necessary for the discharge of its functions under this Act. The terms and conditions of service of the Officers and staff of the Council shall be such as may be specified in the regulations.

Members and Staff of the Council to be public servants. 18. The Chairperson, the Vice-Chairperson, the Members, the Officers and Staff of the Council, when acting or purporting to act in pursuance of any of the provisions of this Act or any rule or regulation or order or direction made or issued under this Act shall be deemed to be public servants within the meaning of sub-section (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023 as may be applicable.

19. (1) The Council shall with the prior approval of the Government make such rules, as may be necessary, to give effect to the provisions of this Act.

Power to make Rules and regulations.

(2) The Council may, with the prior approval of the Government, make regulations not inconsistent with the provisions of this Act and rules made thereunder for carrying out all or any of the purposes of this Act.

(3) Every rule or regulations made under sub-section (1) or sub-section (2), shall as soon as it is made, be laid before the Legislative Assembly of Puducherry.

20. (1) If, any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, as the occasion may require, do anything not inconsistent with the provisions of this Act which appears to them to be necessary or expedient for the purpose of removing the difficulty:

Power to remove difficulties and laying of rules/orders before Legislative Assembly.

Provided that such orders shall be issued as expeditiously as may be possible and, in any case, not exceeding four weeks from the date the necessity arises.

(2) Every order issued under sub-section (1) shall as soon as it is made be laid before the Legislative Assembly of Puducherry.

STATEMENT OF OBJECTS AND REASONS

The Ministry of Education, Government of India, New Delhi under the Centrally Sponsored Scheme "Rashtriya Uchchar Shiksha Abhiyan (RUSA)" has recommended that the State-level planning and co-ordination of Higher Education including University Education shall be done through an independent, Autonomous Council for Higher Education in order to bring out academic excellence, inclusiveness and accessibility in the higher education sector.

2. The Government considers it expedient to establish the Puducherry Higher Education Council as a collective of the Government, Universities, Academics and experts with a view to forge a synergic relationship among them by occupying an operational space between the Government, Universities and Higher Education Institutions. The Government further considers that by establishing the said Council it would create an enabling environment for,—

(a) promoting academic excellence and social equity by obtaining academic input for policy formulation and perspective planning;

(b) ensuring autonomy and better accountability of all Institutions of higher education in the Union Territory; and

(c) Promoting the growth of higher education in accordance with the socio-economic requirements of the Union Territory.

3. Accordingly, it is proposed to establish the Puducherry Higher Education Council as an Autonomous Authority.

4. For the above purpose, a Bill titled as "The Puducherry Higher Education Council Bill, 2025" is proposed to be enacted.

5. The Bill seeks to achieve the objectives.

A. NAMASSIVAYAM,
Minister For Higher Education.

FINANCIAL MEMORANDUM

The Union territory of Puducherry shall follow the funding pattern as decided by the Central Government which is currently 60% Central Share: 40% State Share. Any cost beyond the Central Share approved by the Project Approval Board (PAB) and the Cabinet shall be borne by the Union territory of Puducherry itself. Further, any cost incurred beyond the life of RUSA Scheme shall also be borne by the Union territory of Puducherry itself.

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