NATIONALUNIVERSITY OF STUDYAND RESEARCH IN LAW, RANCHI

Act-2010

[Jharkhand Act-2010]

AN Act for Establishment and incorporation National University of Study Research in Law at Ranchi.

Preamble:-

To provide for establishment and incorporation of National University of Study and Research In Law at Ranchi for the purpose of advancement of cause of learning, teaching and research and dissemination of knowledge in the field of law, legal capacity building of appropriate state and non-State institutions, strengthening the system of delivery of legal services, specialization in reasonally relevant techno development clusters of knowledge (like mines and minerals, environment, IT, Biotechnology etc) and contribution to public policy development in the use of law in governance as also to cater to the needs of the society by the developing professional skills of persons intending to take up advocacy, judicial service, law officers/ managers and legislative drafting as their profession and matters incidental therto. It becomes necessary to establish National University of Study Research in Law at Ranchi by passing Act through the Bill.

Be it enacted by the Jharkhand State Legislature in the Sixty-first Year of the Republic of India as follows:-

CMAPTER-1

PRELIMINARY

Short title and commencement, -(i) This Act may be called the National University of Study and Research In Law, Ranchi Act, 2010

(ii) It shall come into force at once.

2. Definitions:- In this Bill, unless the context otherwise requires:-

(i) "Academic Council" means the Academic Council of the University.

(ii) "Academic Planning and development Board" means the Academic Planning and Development Board of the University.

(iii) "Bar Council of India" means the Bar Council of India constituted under the Advocates Act, 1961 (Central Act No.25 of 1961).

(iv) "Chancellor" means the Chancellor of the University.

(v) "Executive Council" means the Executive Council of the University.

(vi) "General Council" means the General Council of the University.

(vii) "Registrar" means the Registrar of the University.

(viii)"Regulation" means the regulation of the University made by the authorities of the University under and in accordance with the provisions of this Act.

(ix) "Schedule" means the Schedule appended to this Act.

(x) "University" means" National University of Study and Research In Law, Ranchi

(xi)"Chief Justice" means the Chief Justice of the High Court of Jharkhand and includes the Judge performing the duties of the Chief Justice of Jharkhand.

(xii)"Governor" means the Governor of Jharkhand and includes acting Governor performing the duties of Governor in the State of Jharkhand.

(xiii)"Vice-Chancellor" means the Vice-Chancellor of the University.

(xiv)" Rector" means Rector of the University.

(xv)"Visitor" means the Visitor of the University.

CHAPTER II

ESTABLISHMENT OF THE UNIVERSITY, ITS OBJECTIVES AND FUNCTIONS.

3. Establishment and incorporation of National University of Study and Research in Law, Ranchi :-

(i) With effect from such date as the State Government may by notification appoint, there shall be established, in the State of Jharkhand, a University by the name of National University of Study and Research In Law, Ranchi which shall consist of

the Rector, Visitor, Chancellor, the Vice-Chancellor, the General Council, the Executive Council, the Academic Council, the Finance Committee and the Registrar.

(ii) The University shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provisions of this Act to contract and shall by the said name sue and be sued.

(iii) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

(iv) The headquarters of the University shall be at Ranchi. The University may establish other campuses in Jharkhand as may be deemed fit and necessary by the General Council from time to time.

4. **The objects of the University : -** The objects of the University shall be

(i) to advance and disseminate learning and knowledge of law and Conduct or Commission research with a view to promote the proper role of law in national development;

(ii) to develop in the student and research scholar a sense of responsibility to serve society in the field of law by developing skills in regard to advocacy, judicial and other legal services, legislation, law reforms and the like; training to judicial officers and others who are involved in the administration of Justice;

(iii) to impart training and to conduct refresher courses for law teachers, judicial officers, advocates and other persons engaged or interested in legal field;

(iv) to organize lectures, seminars symposia and conferences on topics of legal interest;

(v) to promote legal knowledge and to make law and legal processes efficient instruments of social development;

(vi) to hold examinations and confer degrees, diplomas, certificates and other academic. Distinctions and to do all such things as are incidental, necessary or conducive to the attainment of all or any of the objects of the University.

The University shall be open to all persons of either sex, irrespective of race, creed, caste, class or religion.

5. **Power and Functions of the University:** The power and function of the University shall be-

(i) to administer and manage the University and such centers for research, education and instruction as are necessary for the furtherance of the objects of the University;

(ii) to provide for instruction in such branches of knowledge or learning pertaining to law, as the University may think fit and to make provision for research and for the advancement and dissemination of knowledge of law,

(iii) to organize and undertake extramural teaching and extension service,

(iv) to hold examinations and to grant diplomas or certificates, and to confer degrees and other academic distinctions on persons subject to such condition as the University may determine and to withdraw any such diplomas, certificates degrees or other academic distinctions for good and sufficient cause ,

(v) to confer honorary degree or other distinction in the manner laid down in the regulations;

(vi) to fix, demand and receive fees and other charges,

(vii) to institute and maintain halls and hostels and to recognize places of residence for the students of the University and to withdraw such recognition accorded to any such places of residence.

(viii)to establish such special centers, specialized study center or other units for research and instruction as are, in the opinion of the University necessary for the furtherance of its objects,

(ix) to supervise and control the residence and to regulate the discipline of the students of the University and to make arrangements for promoting their health;

(x) to make special arrangements in respect of the residence, discipline and teaching of women students,

(xi) to create academic, technical, administrative, ministerial and other posts in the University and to make appointments thereto,

(xii) to regulate and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary,

(xiii)to institute professorships, associate professorships, assistant professorship, part-time lectureships, and any other teaching, academic or research posts required by the University, with the prior approval of the State Government.

(xiv)to appoint persons as professors, associate professors, assistant professors, part-time lecturers or otherwise as teachers and researchers of the University, (xv) to institute and award fellowship, scholarship, prizes, and medals;

(xvi)to provide for printing, reproduction and publication of research and other work and to organize exhibitions;

(xvii)to sponsor and undertake research in all aspects of law, justice and social development.

(xviii)to co-operate with any other organization in the matter of education, training and research in law, justice, social development and allied subjects for such purposes as may be agreed upon on such terms and conditions as the University may from time to time determine;

(xix) to co-6perate with institutions of higher learning of the world, having objects wholly or partially similar to those of the University by exchange of teachers and generally in such manner as may be conducive to the common objects;

(xx) to regulate the expenditure and to manage the accounts of the University,

(xxi) to advance the professional education and also to provide adequate orientation and training to judicial officers and others who are involved in the administration of Justice,

(xxii)to impart training and other persons in legal field;

(xxiii)to spread and promote legal literacy and legal awareness among citizens at urban and rural level,

(xxiv)to provide legal aid to needy persons at pre-litigation and litigation stage;

(xxv)to undertake research of ancient scriptures and ancient legal system in India and explore their usefulness in the administration of Justice in modern India;

(xxvi)to develop teaching and research of such ancient texts on which the modern law and the concept of non-violence and peace is based and to explore their usefulness in the administration of justice in modern India.

(xxvii)to publish research studies, treatises, books, periodicals, reports and other literature relating to law and other fields;

(xxviii)to establish and maintain within the University premises or elsewhere, such class rooms and study halls as the University premises or elsewhere, such class rooms and study halls as the University may consider necessary and adequately furnish the same and to establish and maintain such libraries and reading rooms as may appear convenient or necessary for the University,

(xxix) to receive grants .subventions, subscriptions, donations and gifts for the purpose of University consistent with the objects for which the University is established; (xxx)to purchase, take on lease or accept as gifts or otherwise, any land or building or works which may be necessary or convenient for the purpose of the University and on such terms and conditions as it may think fit and proper, and to construct or alter and maintain any such building or works;

(xxxi)to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think tit and proper without prejudice to the interest and activities of the University;

(xxxii)to draw and accept, to make and endorse to discount and negotiate promissory notes, Bills of exchange or other negotiable instrument.

(xxxiii)to execute conveyance, transfers, reconvenes, mortgages, leases, licenses and agreements in respect of property, movable or immovable including Government Securities belonging to the University or to be acquired for the purpose of the University,;

(xxxiv) to appoint, in order to execute an instrument or transact any business of the University, any person as it may deem fit;

(xxxv) to enter into any agreement with the Central Government, State Government, the University Grant Commission or other persons and Societies for receiving grants;

(xxxvi) to accept grants of money, Securities or property of any kind on such terms as it may deem expedient.

(xxxvii) to raise and borrow money on bonds, mortgages, promissory notes or other obliga-tions or Securities founded or based upon all or any of the properties and assets of the University or without any Securities and the University and aid in establishment and upon such terms and conditions as it may think fit and to pay out of the funds of the University, all expenses incidental to the raising of money and to repay and redeem any money borrowed.

(xxxviii) to invest the funds of the University or money entrusted to the University in or upon such securities and in such manner as it may deem fit and from time to time transpose any investment.

(xxxix) to make such regulations as may, from time to time, be considered necessary for regulating the affairs and the management of the University and to alter, modify and to rescind them;

(xl) to make provisions for pension, Insurance, provident fund and gratuity for the benefit of the academic, technical administrative, ministerial and other staff, in such manner and subject to such conditions as may be prescribed by the regulations, as it may deem fit and to make such grants as it may think fit for the benefit of any employees of the University and to aid in the establishment and support of the

association, Institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the University;

(xli) to delegate all or any of its powers to the Vice-Chancellor of the University or any committee or to any one or more members of its body or its officers; and

(xlii) to do all such other Acts and things as the University may consider necessary conducive or incidental to the attainment or enlargement of the aforesaid objects or any one of them.

6. Teaching of the University:

(i) All recognized teaching in connection with the degree, diplomas and certificates of the University shall be conducted, under the administrative control of the Executive Council, by the teachers of the University in accordance with the syllabus prescribed by the Executive Council by regulations.

(ii) The courses and curricula and the authorities responsible for organizing such teaching shall besuch as may beprescribed bythe regulations.

CHAPTER III

POWER AND FUNCTIONS OF THE RECTOR, VISITOR AND CHANCELLOR

7. Rector of the University:

The Governorof the State of Jharkhand shall be the Rector of the University.

8. Visitor of the University:

The Chief Justice of India shall **be** the Visitor of the University.

9. Chancellor of the University:

(i) The Chief Justice of the Jharkhand High Court shall be the Chancellor of the University,

(ii) The Chancellor shall appoint the Vice-Chancellor of the University in accordance with the procedure prescribed in the Statute of the University in this regard.

(iii) An appeal against the orders of the Vice-Chancellor shall lie with the Chancellor,

10. The powers of the Rector:

(i) The Rector shall have the power to call for report of any matter pertaining to the affairs of the University.

11. The Powers of the Visitor :

(i) The Visitor of the University when present shall preside over the Convocation of the University and the meeting of the General Council and shall also exercise such power as has been conferred upon him bythis Act. In case the Visitor is unable to bepresent for the convocation he may request the Rector to preside over the convocation.

(ii) The Visitor shall have the power to call for the report of any matter pertaining tothe affairs of the University.

12. **The Powers of the Chancellor of the University.**

(1)The Chancellor shall have the following powers, namely:-

(a) to give direction, take action, or do anything as required under the provisions of this Act and the Statute in the administrative or academic interest of the University which he considers to be necessary.

(b) to cause an inspection by such person, as he may direct, of any work, activity or examination of the University, college, or Regional centers;

(c) to give his views or advice to the "Vice-Chancellor in the matters wherein an inspection or inquiry has been made under clause (b)

(2) Where the Chancellor of the University under clause (b) of sub-section (I) has ordered an inspection or inquiry, the University may depute one of its officers to represent in such inspection or inquiry.

(3) The Chancellor shall communicate the result of the Inspection or inquiry and his advice to the Vice-Chancellor.

(4) The result and the advice referred to in sub-section (3) shall be communicated by the Vice-Chancellor tothe Executive Council with his comments for such action as the

Executive Council may propose to take and the action so taken shall becommunicated to the Chancellor, as the case may be, through the Vice-Chancellor.

(5) Where the Executive Council does not, within reasonable time, take action to the satisfaction of the Chancellor, the Chancellor after considering any explanation furnished or representation made by the Executive Council issue such directions as he may think fit and the Executive Council shall comply with such directions.

CHAPTER- IV

AUTHORITIES OF THE UNIVERSITY

13 Authorities of the University - the following shall be the authorities of the University, namely,

(i) the General Council,
(ii) the Executive Council
(iii) the Academic Council
(iv) the Finance Committee, and
(v) the Academic Planning and development Board
(vi) Such other authorities as may be prescribed by the Regulations.

14. The General Council:-

(i) The General Council shall be the supreme body of the University.
(ii) The powers and the functions of the General Council shall be such as are given under the Statutes.

15. The Executive Council:-

(i) The Executive Council shall be the Chief Executive body of the university and shall control and administer the property and funds of the University,

(ii) The composition of the executive Council shall be such as is specified in

the Schedule.

16. The Academic Council:-

(i) The Academic Council shall be the academic body of the University and shall subject to the provisions of this Act and the regulations have power of control and general regulation of and be responsible for the maintenance of standard of instruction, education and examination of the University and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Regulations. It shall have the right to advise the Executive Council on all academic matters.

(ii) The Academic Council shall have the power to propose regulations on all the matters specified in clause 15 of the Schedule and matter incidental and related thereto.

17. The Academic Planning and Development Board

(i) The Academic Planning and Development Board shall consist of the following:

(a) A sitting or a retired judge of the Supreme Court of India or any High Court, as may be nominated by the visitor,

(b) The vice-Chancellor who shall be the Chairman,

(c) Two Directors/Vice-Chancellors of Universities located in Jharkhand by the Chancellor in consultation with the vice Chancellor;

(d) Six eminent Academicians from the field of law, Social Sciences, Physical and Natural Sciences, Medicine, engineering and management nominated by the Chancellor.

(e) Advocate General of the State

(f) Secretary of higher education's department

(g) The chairman of Jharkhand State Bar Council.

(h) One Member of Jharkhand Chambers of Commerce and industry.

(ii) The Academic Planning and Development Board shall meet at least once in a year and develop plans on the future programmes of the University and recommend the same for the consideration of the Academic Council and Executive Council. It shall also recommend long term plans on different activities of the University as and when found necessary.

CHAPTER -V
OFFICERS OF THE UNIVERSITY

18. Officers of the University- The following shall be the officers of the University; namely-

(a) The Vice-Chancellor

(b) The Registrar

(c) The Heads of the departments/centers

(d) The Finance Officer

(e) The Controller of Examinations, and

(f) Such other officers as may be prescribed by the regulation

CIIAPTER-VI
STATUTES, ORDINANCES AND REGULATIONS

19. Statutes:

(i) The Statute of the University shall contain such instruction, direction, procedures and details as are necessary to be laid down under and in accordance with the provisions of this Ordinance.

(ii) The Statute as contained in the schedule to this Ordinance as amended from time to time, shall be binding on all authorities, officers, teachers and employees of the University and persons connected with the University.

(iii) General Council on its own or on the recommendation of the Executive Council

schedule to this Act. Provided that the General Council shall not amend Statute affecting the constitution status or power of any authority of the University without affording to such authority a reasonable opportunity of making a representation on the proposed changes.

(iv) Any amendment to the Statute, whether by adding, deleting or in any other manner, shall not take effect unless the Chancellor and the State Government assented to it. The Chancellor may after the said consultation and on being satisfied that assent be not given, withhold assent or return the proposal for amendment to the Executive Council for reconsideration in the light of observation, if any, made by him.

(v) Notwithstanding anything contained in sub-section (iii) or sub-section (iv) the Chancellor shall have power to amend, after consultation with the State Government, whether by adding, deleting, or in any other manner, the Statutes contained in the Schedule.

(vi) An amendment to the Statutes shall come into force on the date of its publication

20. Ordinances of the University-

(i) Subject to the provisions of this Act and the Statute contained in the Schedule, as amended from time to time, the Ordinances of the University may be made by the Executive Council for any or any of the following matters, namely: -

(a) the courses of study, admission of students , fees, qualifications requisite for any degree, diploma or certificate and grant of fellowship;

(b) the conduct of examination including the appointments of the examiners and their terms and conditions.

(c) Management of colleges, institutions, research bodies and other agencies admitted to the privileges of the University and

(d) Any other matter required by the Statute to be dealt by Ordinances of the University

(ii) The first Ordinance of the University shall, as soon as may be, after the commencement of this Act, be made by the Vice-Chancellor with prior approval of the State Government and "of the Chancellor of the University and may be amended at any time in the manner, as provided under this Act or as may be specified in the Statutes.

(iii) Save as otherwise provided in sub-section (ii) no Ordinances concerning scheme of Examination, attendance and appointments of examiners shall be considered by the Executive Council unless draft of such Ordinance has been proposed by the Academic Council.

(iv) The Executive Council shall not amend the draft of the Ordinance proposed by the Academic Council unless the Academic Council consents to said amendment but the Executive Council shall have power to reject or return the draft to the Academic Council for reconsideration either in whole or in part, together with any amendment, which the Executive Council may suggest.

(v)(a) The draft Ordinance made by the Executive Council shall be submitted to the General Council and shall be considered by the General Council at its next meeting and shall come into effect from the date on which the General Council approves the same by resolution ;

(b) The General Council shall have power by resolution passed by a majority of not less then two-third of the members present and voting, to cancel any Ordinance made by the Executive Council and such Ordinance shall, from the date of such resolution, be void.

21. **Regulations:-** Subject to the provisions of this Act. the Executive Council shall have, in addition to all the other powers vested in it, the power to frame regulations to provide for the administration and management of the affairs of the University;

Provided that the Executive Council shall not make any regulation affecting the status, power or constitution of any authority of the University until such authority has been given an opportunity of expressing in writing on proposed changes and any opinion expressed is considered by the Executive Council.

Provided further that except with the prior concurrence of the Academic Council the Executive Council shall not make, amend or repeal any regulation affecting any or all of the following matters, namely;

(a) the constitution, powers and duties of the Academic Council;

(b) the persons responsible for organizing teaching in connection with the courses of study and related academic programme;

(c) the withdrawal of degrees, diplomas, certificate and other academic distinctions;

(d) the establishment and abolition of facilities, departments, hall and institution,

(e) the institution of fellowships, scholarships, studentship medals and prizes; (f) Conditions and modes of appointment of examiners or conduct of or standard of examinations or any other course of study,

(g) Mode of enrollment or admission of students and;

(h) Examinations to be recognized as equivalent to University examinations.

22 . Power of authorities to make regulations. In the manner prescribed by the Statute, for the conduct of its affairs and the affairs of the committees constituted by such authority. Such regulations shall not be inconsistent with the provisions of this Ordinance. Statute and the ordinances of the University.

CHAPTER-VII
REVIEW COMMISSION

23. Appointment of a **University Review Commission** :(i) The Chancellor shall at least once in every five yearor as and when required, constitute a commission to review the working of the University and to make recommendations.

(ii) The Commission shall consist of not less than three eminent educationists, one of whom shall be the chairman of such commission appointed by the Chancellor in consultation with the State Government

(lii) The terms and conditions of the appointment of the members shall be such as the Chancellor may determine,

(iv) The Commission shall after holding such inquiries as it deems fit, make its recommendation to the Chancellor.

(v) The Chancellor may in consultation with the State Government take such action, as he deems fit on the Review Commission report for the working and development of the University.

24. Action not to be invalidated merely on the ground of defect in the constitution, vacancy etc/Not withstanding that :-

(i) The General Council, the Executive Council, the Academic Council or any other authority or body of the University is not duly constituted or there is a defect in its constitution or reconstitution at any time and

(ii) there is a vacancy in the membership of any such authority or body,

no Ordinance or rule or proceedings of such authority or body shall be invalidated an any such ground or grounds. No act or rule or proceedings of such authority or body shall be invalidated on any such ground or grounds.

25. Removal of difficulties at the commencement:- If any difficulty arises with respect to the establishment of the University or inconnection with the first meeting of any authority of the University or otherwise in giving effect to the provisions of this Ordinance and the Regulation, the Chancellor may , at any time, before all authorities of the University have been constituted by order make any appointment or do anything consistent inso far as may be, with the provisions of this Ordinance and the Regulations, which appear to him neces-sary or expedient for the purpose of removing the difficulty and every such order shall have effect asif such appointment or action had been made or taken in the manner provided in ^ this Ordinance and regulations.

Provided that before making any such order, the Chancellor shall ascertain and con-sider the opinion of the Vice-Chancellor and of such appropriate authority of the University as may have been constituted.

SCHEDULE

(See Section 19)

STATUTES GENERAL COUNCIL

1. **Membership of General Council:-** There shall be a General Council of the University which shall consist of the following members, namely-

(i) The Chancellor,

(ii) The Attorney- General of India or The Solicitor General of India,

(iii) The Law Secretary, Government of Jharkhand,

(iv) The Secretary to the Government, Higher Education Department Government of Jharkhand,

(v) The Secretary to the Government, Finance Department Jharkhand Government,

(vi) The Chairman, Jharkhand Human Right Commission/committee,

(vii) The Chairman, Jharkhand State Bar Council

(viii)The Chairperson of the University Grants Commission, or his nominee,

(be) Two eminent persons nominated by the Chancellor working in the field of law or law education,

(x) The Vice-Chancellor

(xi) One distinguished educationist nominated by the Visitor

(xii) One distinguished educationist nominated by the Rector.

(xiii)One Vice-Chancellor of State Universities of Jharkhand for a three year period on rotation. The basis of rotation shall be the date of establishment of Universities.

(xiv) The Advocate General of Jharkhand

(xv) Registrar

(xvi) Two Senior most professors of the University.

(xvii)Three Members of the State Legislature to be nominated by the Speaker of Vidhan Sabha

2. **Donor members** :- Any person who makes a donation of an amount exceeding rupees one crore at one time to the University, shall be the Donor member of the General Council during his life time and shall have a right to nominate a representative to attend meeting, subject to approval of the Chancellor.

3. **Chairman and Secretary of the General Council :**

(i) The Chancellor shall be the Chairman of the General Council

(ii) The Registrar shall be the Secretary of the General Council

4. **Terms of office of members of the General Council**

(i) The terms of the office of the members of the General Council except Donor members, if any, shall subject to sub clauses (ii) and (iii) be three years.

Provided that the term of the first General Council will expire on constitution of the regular General Council under the provisions of this schedule.

(ii) Where a member of the General Council becomes such member by virtue of the office or appointment he holds or is a nominated member , his membership shall be terminated when he ceases to hold such office or appointment or as the case may be,his nomination is withdrawn or cancelled.

(iii) (a) A member of the General Council shall cease to be a member if he resigns or becomes of unsound mind or becomes insolvent or is convicted of a criminal offence,

(b) if any member other than the Vice-Chancellor accepts a full time appointment in the University.

(c) if he is a nominated member and fails to attend three consecutive meetings of a General Council without the leave of the Chairman

(iv) A member other than ex-officio member of the General Council may resign his office by a letter addressed to the Chairman and such resignation shall take effect as soon as such resignation is accepted by the Chairman

(v) Any vacancy in the General Council shall be filled either by appointment or nomination, as the case may be, of a person by the respective authority entitled to

make the same and the person so appointed or nominated shall hold office so long any as the member in whose place he is appointed or nominated could have held office if the vacancy had not occurred.

5. Powers of the General Council :-

(i) The General Council shall have all the powers necessary for the administration and management of the University and for conducting its affairs including the power to review the action of the Authorities and the power to review the regulations made by the Executive Council and shall exercise all powers of the University except as otherwise provided in this Act.

(ii) Without prejudice to the generality of the powers conferred by sub-clause (i), the General Council shall: -

a)recommend the broad policies and programmes of the University and suggest measures for the improvement and development of the University

b)consider and pass the resolutions on the annual report, the financial estimates and the audit report on such accounts,

c)perform such other functions, not inconsistent with the provisions of this Act as it may deem necessary for the better functioning and administration of the University.

6. Meeting of the General Council:

(i) The General Council shall meet at least once in Six months. Annual meeting of the General Council shall be held on a date to be fixed by the Executive Council unless the General Council in respect of any year has fixed some other date.

(ii)The visitor, if present shall preside over the meetings of the General Council. In his absence the Chancellor shall preside over the meetings, provided that in absence of the Chancellor, a nominee of the Chancellor from among members of the Genera! Council shall preside over the General Council.

(iii) A report of the working of the University during the previous year, together with a Statement of receipt and expenditure as also the balance sheet as audited and the financial estimates, shall be presented by the Vice-Chancellor to the General Council at its meeting.

(iv)Meeting of the General Council shall be called by the Vice-Chancellor on his own or at the request of not less than two-thirds of the members of the General Council including the ex-officio members.

(v) For every meeting of the General Council at least 15 days notice shall be given

(vi)One-third of the members of the General Council shall form the quorum

(vii)Each member shall have one vote and if there is equality of votes on any question to be determined by the General Council the Chairman or the person presiding over meeting shall in addition have a casting vote.

(viii)In case of difference of opinion among the members, the opinion of the majority shall prevail.

(ix)If urgent action by the General Council becomes necessary, the Chancellor may permit the business to be transacted by circulation of papers to the members of the General Council. However, the action proposed to be taken shall not be taken unless agreed to by a majority of the members of the General Council. The action so taken shall forthwith be intimated to all the members of the General Council and the papers shall be placed before the next meeting of the General Council for confirmation.

EXECUTIVE COUNCIL

7. Membership of the Executive Council:-

(I) The Executive Council shall consist of the following, namely:-

(i) The Vice Chancellor;

(ii) Three member of the General Council (to be nominated by the General Council) ;

(iii) A member of State Legislature to be nominated by the speaker of Vidhan Shabha.

(iv) A nominee of Rector.

(v) A sitting Judge of Jharkhand High Court nominated by the Chancellor

(vi) A nominee of the Visitor.

(vii) The Advocate General, Jharkhand High Court

(viii)The Law Secretary to the Government of Jharkhand, or his nominee; not below the rank of Additional Legal Remembrance;

(ix) The Secretary, Higher Education Department, Jharkhand or his Nominee from the Department;

(x) The Secretary to the Government, Finance Department, Jharkhand or his nominee from the Department;

(xi) The Secretary to the Government, Social welfare department Jharkhand.

(xii) The Chairman, the State Bar Council, Jharkhand;

(xiii)Two senior most faculty members to be nominated by the Vice-Chancellor by rotation.

(2) The Vice-Chancellor shall be the Chairman and the Registrar shall be the Secretary of the Executive Council.

8. Term of Office of Executive Council:-

(i) Where a person has become a member of the Executive Council by virtue of the office or appointment he holds his membership shall terminate when he ceases to hold that office or appointment.

(ii)A member of the Executive Council shall cease to be a member if he resigns or becomes of unsound mind or becomes insolvent or is convicted of a criminal offence involving moral turpitude or if a member other than the Vice-Chancellor or a member of the faculty accepts a full time appointment in the University or if he is a member, other than ex-officio member and fails to attend three consecutive meetings of the Executive Council without the leave of the Chairman of Executive Council.

(iii) Unless their membership of the Executive Council is previously terminated as provided in the above sub-clause/members of the Executive Council shall cease to be the members on the expiry of three years from the date on which they become members of the Executive Council :

Provided that the term of the Executive Council shall be three years.

(iv)A member of the Executive Council other than an ex-officio member may resign his office by a letter addressed to the Chairman of the Executive Council and such resignation shall take effect as soon as the Chairman of the Executive Council accepts it.

(v) Any Vacancy in the Executive Council shall be filled either by appointment or nomination, as the case may be, by the respective authority entitled to make the same and on the expiry of the vacancy such appointment or nomination shall cease to be effective.

9. Powersand functions of **the Executive Council** :- Without prejudice to the provisions contained in clause 5, the Executive Council shall have the following power and functions namely: -

(1)to appoint from time to time, the Dean, Director (Research and Training), the Registrar, the Librarian, the Controller of Examinations, Professors, Associate Professors, Assistant Professors and other members of the teaching staff, as may be necessary on the recommendations of the Selection Committee to be constituted as under :

(i) The Vice - Chancellor (Chairman)

(ii) The Advocate General, Jharkhand High Court

(iii) The Secretary, Higher Education . Government of Jharkhand .

(iv) The concerned Head of the Department.

(v) Three subject experts nominated by Vice-chancellor from a panel of names approval by the Academic Council.

Provided that the vice Chancellor shall have powers to appoint officers and teachers of the University and its Colleges on contractual basis against the sanctioned post for a period as he thinks fit.

(2) To create after Chancellor's recommendation administrative, teaching, research. ministerial and other necessary posts, as also to determine the number and emoluments of such posts, to specify minimum qualification far appointment to such postsand to appoint persons after due selections as per provisions under sub-section (i) to such posts on such terms and conditions of service .us may be prescribed by the regulations made in this behalf, or to delegate the powers of appointments to such authority or authorities or officer or officers as the executive Council may, from time to time by resolution either generally or specifically, direct;

(3) To grant in accordance with the regulations, leave of absence other than casual leave to any officer of the University and to make necessary arrangement of the discharge of the functions of such officer during his absence;

(4) To manage and regulate the finances, accounts, investments, property, other matters and all other administrative affairs of the University and for that purpose to appoint such agents, as it may think fit;

(5) To invest any money belonging to the University, including an unspent income **in** such stock, finds, shares or securities, as it may, from time to time, think fit or in the purchase of-immovable property in India, with the like power of varying such investments from 'line totime

(6) To transfer or accept transfersof any movable or immovable property on behalf of the University;

(7) To enter into, carry out and cancel contracts on behalf of the University and for that purpose to appoint such officers as it may think fit;

(8) To provide buildings, premises furniture and apparatus and other means neededfor carrying on the work of the University.

(9) To provide, purchase or accept by donation books for library of the University, (10) To entertain, adjudicate upon and if it thinks fit, to redress any grievances of the officers of the University, the teachers, the students and the University, the teachers, the students and the University employees, who may for any reason, feel aggrieved, (11) To appoint examiners and moderators, and if necessary to remove them and to fix their fees, emoluments and traveling and other allowances, after consulting the Academic Council;

(12) To select a common seal for the University and to provide for the custody of the seal, and to exercise such other powers and to perform such other duties as may be conferred or imposed on it by or under this Ordinance,

10.Meeting of the Executive Council :-

(i) The Executive Council shall meet at least once in six month and not less than fifteen days notice shall be given of the meeting.

(ii) One half of members of the Executive Council shall constitute a quorum at any meeting thereof.

(iii) In case of difference of opinion among the members, the opinion of the majority shall prevail.

(iv) Each member of the Executive Council shall have one vote and if there shall be equality of votes on any question to be determined by the Executive Council, the Vice-Chancellor or the member presiding over that meeting shall, in addition, have a casting vote.

(v) Every meeting of the Executive Council shall be presided over bythe Vice-Chancellor and in his absence by a member chosen bythe members present to preside on the occasion.

(vi) If urgent action by the Executive Council becomes necessary, the Vice-Chancellor may permit the business to be transacted by the circulation of papers to the members of the Executive Council, The action proposed to betaken shall not be taken unless agreed to by a majority of members of the Executive Council.

However, the action so taken shall be forthwith intimated to all the members of the Executive Council. The papers shall be placed before the next meeting of the Executive Council for information,

11. Constitution of Standing Committee and appointment of Ad-hoc Committees *b y* the ExecutiveCouncil :-

(i) Subject to the provisions of this Ordinance and the regulations made in this behalf, the Executive Council may, by resolution, constitute such standing committees or appoint Ad-hoc Committees for such purposes and with such powers as the Executive Council may think fir for exercising any power or discharging any function of the University or for inquiring into, reporting or advising upon any matter relating to the University.

(ii) The Executive Council may Co-opt such persons to a Standing Committee or an Ad-hoc Committee, as it considers suitable and may permit them to attend the meetings of the Executive Council.

12. (a) Reservation of posts:- (i) The Executive Council may**,** by regulations provide for the reservation of teaching/non-teaching posts as per the reservation policy of the State of Jharkhand.

(b) Reservation in admission to different courses : -

Fifty percent of total seats of a particular discipline of study shall be reserved for residents of Jharkhand State or those who have passed the qualifying examination from the institutions located in Jharkhand State and to the wards of the Employees of the Central/State Government/ University *I* Public Undertaking/Corporations/Boards/Academies, etc. working in Jharkhand State Reservation policy in this regard shall be applicable for admission against these seats.

13. Delegation of powers by Executive Council:- The Executive Council may by resolution, delegate to the Vice-Chancellor or to a Committee, such of its powers as it may deem fit subject to the condition that the action taken by the Vice-Chancellor or such committee in the exercise of the powers so delegated shall be reported at the next meeting of Executive Council.

ACADEMIC COUNCIL

14. Membership of the Academic Council :-

(l) The Academic Council shall consist of the following persons, namely :-

(a)the Vice-Chancellor, who shall be the Chairman thereof.

(b)three persons from amongst the eminent educationists or men of letters or members of learned profession, who are not in the service of the University to be nominated by the Chancellor;

(c)the Secretary, Law Department, Government of Jharkhand,

(d)one person nominated bythe Chairman, Bar Council of India,
(e)all Heads of the Departments of the University.
(f) All the Professors (other than the Heads of the Department); and
(g)Two members of the teaching staff, to benominated by the Vice-Chancellor from amongst Associate and Assistant Professors of the University in order of seniority in each category by rotation:

Provided that such of the Associate Professors or Assistant Professors who have been nominated as members of Executive Council by the Vice-Chancellor, shall be nominated as members of the Academic Council bythe Vice-Chancellor:

Provided further that an employee of the University shall not be eligible for nomination under category (d) of sub-clause (i).

(ii) The terms of the office of the members other than ex-officio members shall be three years.

15. Powers and duties of the Academic Council :- Subject to the provisions of this Act and regulations, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:

(a) to report on any matter referred or delegated to it by the General Council or the Executive Council;
(b)to make arrangements through Regulations for the instruction and examination of person other than those enrolled in the University;
(c) to promote research within the University and to require from time to time, reports on such research;
(d)to consider proposals submitted by the faculties;
(e) to appoint committees for admission to the University;
(f) to recognize diplomas and degrees of other Universities and institution and to determine their equivalence in relation to the diplomas and degrees of the University;
(g)to fix, subject to any conditions accepted by the General Council, the time, mode and conditions of competition for fellowship, scholarships and other prizes, and to award the same;
(h) to make recommendations to the Executive Council in regard to the appointment of examiners and if necessary their removal and the fixation of their fees, emoluments and traveling and other expenses;
(i) to make arrangements for the conduct of examinations and to fix dates for holding them;
(j) to declare result of the various examinations, or to appoint committees or officers to do so and to make recommendations regarding the conferment or grant of degrees, honors, diplomas, titles and marks of honor,
(k) to award stipends, scholarships, medals and prizes and to make other awards in accordance with the regulations and such other conditions as may be attached to the awards;
(1) to publish list of prescribed or recommended text-books and to publish syllabus or the prescribed courses of study;
(m) to prepare such forms and registers and to do all such Acts as may be necessary for the proper carrying out the provisions of this Act and the regulations.

16. Procedure of the meetings of the Academic Council :- (i) The Academic Council shall meet as often as may be necessary but not less than two times during an academic year.
(ii) One half of the total number of members of the Academic Council shall from quorum for a meeting of the Academic Council.
(iii) Every meeting of the Academic Council shall be presided over by the Chairman of the Academic Council and in his absence, by a member chosen by the members present at the meeting to preside on the occasion.
a) If urgent action by the Academic Council becomes necessary, the Chairman of the Academic Council may permit the business to be transacted by circulation of papers to the members of Academic Council. The action proposed to be taken shall not be taken unless agreed to by a majority of the members of the Academic Council. The action so taken shall be forthwith intimated to all the members of the Academic Council. The paper shall be placed before the next meeting of the Academic Council for information.

FINANCE COMMITTEE

17.**Finance Committee**:- (i) There shall be a Finance Committee constituted by the Executive Council consisting of the following, namely-

(a) The Vice-Chancellor;

(b) One member nominated by the Executive Council from amongst its members,

(c) One officer each of the Finance Department and the Higher Education Department (not below the rank of the Deputy Secretary) Government of Jharkhand;

(d) Finance Officer of the University;

(e) Oue senior teacher preferably a specialist of the finance and accounts matter nominated by the Vice-Chancellor

(d) The Registrar, who shall be the member Secretary of the Finance Committee.

(ii)The members of the Finance Committee shall hold office for a term of three years.

(iii)The function and duties of the Finance Committee shall be as follows, namely :-

(a) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Executive Council;

(b)to consider all proposals for new expenditure and to make recommendations to the Executive Council:

(c) to consider the periodical Statements of accounts and to review the finances of the University from time to time and to consider reappropriation.

(d)to examine Statements and audit reports and to make recommendations to the Executive Council;

(e) to give its views and to make recommendations to the Executive Council on any financial question affecting the University either on its own initiative or on.

reference from the Executive Council or the Vice-Chancellor,

(iv) The Finance Committee shall meet twice every year. Five member of the Finance Committee shall form the quorum,

(v) The Vice-Chancellor shall preside over the meetings of the Finance Committee. In case of difference of opinion among the members, the opinion of the majority of the members shall prevail.

SELECTION AND REMOVAL OF TEACHERS

18. SelectionCommittee:- All appointment to the teaching and the non-teaching posts of the University shall be made only after obtaining the prior and written approval of the Chancellor. Provided that all appointments shall be governed by the regulations made in that behalf: Provided further that the appointments on the teaching posts as also of officers shall be made on the recommendation of selection committee to be constituted as provided in and under clause 9**(1)** of the statute.

VTCE-CH ANCELLOR

19. **Appointment and the powers of the Vice-Chancellor:-**

(i)The Vice- Chancellor shall be appointed by the Chancellor from out of a panel of not less than three persons recommended (the names being arranged in the alphabetical order) by a committee constituted under the clause (ii): Provided that if the Chancellor does not approve of any of the persons so recommended he may call for fresh recommendations,

(ii)The Committee referred to in clause (i) shall consist of three eminent persons of whom one shall be nominated by the Executive Council, one by the State Govt, and one by the Chancellor from amongst retired or serving Judges of the High Court of Jharkhand. The person nominated by the Chancellor shall be the convener of the Committee provided that no person who is an employee of the University shall be nominated as the member of the Committee;

(iii)The Vice- Chancellor who shall be an academic person and an outstanding scholar in law or an eminent jurist be a whole time salaried officer of the University;

(iv)The Vice- Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of seventy years, whichever is earlier, and he shall be eligible for re-appointment for further terms till he attains the age of seventy years; Provided that the Chancellor may require the vice-Chancellor after his term has expired, to continue in office for such period, not exceeding a total period of one year as may be specified by him;

(v)The emoluments and other conditions of service of the Vice-Chancellor shall be as prescribed by Regulations;

(vi) It the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise or if he is unable to perform his duties due to ill health or any other cause, the chancellor shall have the authority to designate a professor of the University to perform the functions of the Vice-Chancellor until the new Vice-Chancellor assumes his office 'or until the existing Vice-Chancellor attends to the duties of his office, as the case may be. Provided that the first Vice-Chancellor of the University shall be appointed by Chancellor in consultation with the State Government, on such terms and conditions as may be specified, by order, by Chancellor for a period not exceeding three years.

REGISTRAR

20. Registrar :- (1) The Registrar who shall not be below the rank of a professor, shall be appointed by the Executive Council on the recommendation of the Selection Committee to be constituted as provided in and under clause 9(i) of the statute and shall be a whole time officer of the University. The terms and conditions of service of the Registrar shall be such as may be pre-scribed by the regulations Provided that the first Registrar may be nominated by Chancellor having such qualification as may be determined by him.

(2)The Registrar shall be the ex-officio Secretary of the Executive Council, the Finance Committee and the faculties, but shall not be deemed to be a member of these authorities.

(3)The Registrar shall:-

(a) comply with all directions and orders of the Executive Council and the Vice-Chancellor;

(b) be the custodian of the records, common seal and such other properties of the University as the Executive Council shall assign to his charge,

(c) issue all notice for convening meetings of the General Council, Executive Council, the Academic Council, the Finance Committee, the Faculties and of any committee appointed by the authorities of the University;

(d) keep the minutes of all meetings of the General Council, Executive Council, the Academic Council, the Finance committee, the Facilities and any committee appointed by the authorities of the University;

(e) conduct the official correspondence of the Executive Council and the Academic Council;

(f) supply the Chancellor the copies of the agenda of the meeting of the authorities of the University as soon as they are issued and the minutes of the meetings of the authorities ordinarily within a month of the holding of the meeting;

(g) call a meeting of the executive Council forthwith in an emergency, when neither the Vice-Chancellor nor the officer duly authorized is able to Act and to take its directions for carrying on the work of the University; (h) be directly responsible to the Vice-Chancellor for the proper discharge of his duties and function;

(i) perforin such other duties as may be assigned from time to time by the Executive Council or the Vice-Chancellor, and

(j) in the event of the post of the Registrar remaining vacant for any reason, it shall be open to the Vice-Chancellor to authorize any officer in the service of the University to exercise such powers, functions and duties of the Registrar as the Vice-Chancellor deems fit.

FINANCE OFFICER

21. Finance Officer: - There shall be a Finance Officer of the University who shall monitor and regulate the finances of the University: Provided that the Government of Jharkhand shall appoint and depute the first Finance Officer.

PROVIDENT FUND, GRATUTITY, PENSION

22. Provident fund, Gratuity, Pension and any other Benefit Scheme:- All the employees of the University shall be entitled to the benefit of the provident fund, and other beneficial scheme in accordance with such regulations as may be framed in that behalf by the Executive Council, provided that such regulation is at par with the existing legislations in respect of Provident Fund, Gratuity Pension and other beneficial scheme.

23. Fund of theUniversity:- (i) The University shall be a self-financed University which may-generate fund from the following sources.

(a)any contribution or grant as may be made by the State Government;

(b)any contribution or grant made by the University Grants Commission or the Central Government:

(c)any contribution made by the Bar Council of India;

(d)any contribution made by the Bar Council of India Trust;

(c) any contribution made by the State Bar Council;

(f)any bequests, donations, endowments or other grants made by any private individual or institution;

(g)income received by the University from fees and charges, and

(h)amounts received from any other source.

(ii) The amount of the said Fund shall be kept in a Scheduled Rank as defined in the Reserve Bank of India Act, 1934 (Central Act No. 2 of 1934), or in a corresponding new bank Constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act No **5** of 1970) and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (Central Act No 40 of 1980) or may be invested in such securities

authorized by the Indian Trust Act, 1982 (Central Act No II of 1982), as may **be** decided by Executive Council.

(iii) The said fund may be utilized for such purpose of the University and in such manner as may beprescribed by regulations.

24. Annual Accounts, Audit and financial estimates :- (i) The Annual Accounts of the University shall beprepared under the directions of the Executive Council.

(ii) The auditors appointed by the Executive Council shall at least once in a year, audit the accounts of the University.

Provided that the State Government shall have the power to direct, whenever considered necessary an audit of the accounts of the University, including the institutions managed by it by such auditors, as it may specify.

(iii) The accounts when audited shall be published by the Executive Council and a copy of the accounts together with audit report shall be placed before the Executive Council and also shall be submitted to the Chancellor and the State Government.

(iv) The Annual Accounts shall be considered by the General Council at its annual meeting and the General Council may pass resolutions with reference thereto, and communicate the same to the Executive Council The Executive Council shall consider the suggestions made by the General Council and take such Action there on, as it thinks fit. The Executive Council shall inform the General Council at its next meeting with respect to all Actions taken by it as also the reasons for not taking Action.

(v) The Executive Council shall prepare, before such date as may be prescribed by the regulations, the financial estimates for the ensuing year and place the same before the General Council

(vi) The Executive Council may, in case where expenditure in excess of the amount provided in the budget is to be incurred or in case of urgency for reasons to be recorded in writing, incur expenditure, subject to such restrictions and conditions as may be specified in the Regulations Where no provision has been made in the budget in respect of such excess expenditure, a report shall be made to the General Council at its next meeting

25. Annual report:- (i) The Executive Council shall prepare the annual report containing such particulars as the General Council may specify, covering each financial year and submit it to the General Council on or before such dates may be prescribed by the regulation. The General Council may pass resolution1 thereon and the Executive Council shall take action in accordance there with. The action taken shall be intimated to the General Council.

(ii) Copies of the annual report along with the resolution of the General Council thereon shall be submitted to the State Government. The State Government shall lay the same before the House of the State legislature at the next earliest session.

MISCELLANEOUS

26. Execution of contract:- All Contract relating to the management andadministration of the University shall be expressed to be made by the Executive Council and shall be executed in accordance with the provisions of Regulations framed separately for this purpose.

27. Eligibility for admission of students:- No student shall be eligible for admission to a course of study for a Degree or Diploma unless he possesses such qualifications as may be prescribed by the Regulations.

28.Residence of Students~:- Every student of the University shall reside in ahostel maintained or recognized by the University under such conditions as my be prescribed by the Regulations.

29.Honorary Degrees:- If not less than two-thirds of the members of the Academic Council, recommend that an honorary degree or academic distinction be conferred on any person on the ground that he is in their opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the General Council may, by a resolution decide that the same may be conferred on the person recommended.

30.Withdrawal of Degree or Diploma - (i) The General Council may on the recommendation of Executive Council withdraw any distinction, degree, diploma or privilege conferred on or granted to any person by a resolution passed by the majority of the total membership of the General Council and by a majority of not less than two-thirds of the members of the General Council present and voting at the meeting, if such person has been guilty of gross misconduct.

(ii) No action under the sub-clause (1) shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(iii) A copy of the resolution passed by the General Council shall, immediately, be sent to the person concerned

(iv) Any person aggrieved by the decision taken by the General Council may appeal to the Chancellor within thirty days from the date of the receipt of such resolution.

(v) The decision of the Chancellor in such appeal shall be final.

31. Discipline: - (i) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. All heads of the departments, Hostels and Institutions shall carry out his directions in his behalf.

(ii) Notwithstanding anything contained in sub-clause (i) the punishment of debarring a student from the examination or rustication from the University or a hostel or an institutions shall on the report of the Vice-Chancellor be considered and imposed by the Executive Council:

Provided that before such report is considered the Vice-Chancellor shall give to the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.

32. Sponsored **Schemes:-** The sponsored research projects, studies and consultancies undertaken **by** the University shall **be** vetted first by the Academic Council before they are formally accepted by any officer, teacher or authority of the University. The University, however, shall be at liberty to accept and undertake such self-financing research projects, Studies and consultancies for Governmental departments, corporations, reputed private organizations, University Grants Commission or any other academic and

research organization as it may deem proper. Provided that where an academic or research activity is undertaken at the behest of private organization, that shall begoverned by the separate regulations and on such terms and conditions as the State Government may specify byorder.

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