

CHANAKYA NATIONAL LAW UNIVERSITY ACT, 2006

[Act No. 24 of 2006]¹

PREAMBLE

An Act for the establishment of a University by the Name of Chanakya National Law University at Patna in the State of Bihar and for matters connected therewith and incidental thereto.

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

Section 1 - Short title, extent and commencement

(1) This Act may be called the Chanakya National Law University Act, 2006.

(2) It shall extend to whole of the State of Bihar.

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

Section 2 - Definitions-

In this Act, unless the context otherwise requires:

- (i) "Academic Council" means the Academic Council of the University;
- (ii) "Academic Planning Board" means the Academic Planning Board of the University;
- (iii) "Advocate General" means Advocate General of Bihar;
- (iv) "Bar Council of India" means the Bar Council of India constituted under the Advocates Act, 1961;
- (v) "Bar Council" means the Bar Council of Bihar constituted under the Advocates Act, 1961;
- (vi) "Chancellor" means the Chancellor of the University;
- (vii) "Chief Justice" means Chief Justice of Patna High Court which expression shall include the Judge performing the duties of Chief Justice of High Court;
- (viii) "Executive Council" means the Executive Council of the University;

¹ Received the assent of the Governor on 30th August, 2006 and came into force on 5th September 2006 (vide Govt. notification No. 2/M1-02/2007 H.E. 219 dated 22.2.2007.

- (ix) "Finance Committee" means the Finance Committee of the University;
 - (x) "General Council" means the General Council of the University;
 - (xi) "Government" means the Government of Bihar;
 - (xii) "Non-Teaching Employee" means person performing duties other than teaching work in the University;
 - (xiii) "Act" means the Chanakya National Law University Act, 2006;
 - (xiv) "Registrar" means the Registrar of the University;
 - (xv) "Regulations" means the regulations of the University made under the Act;
 - (xvi) "Schools" and "Colleges" means Schools and Colleges managed and maintained by the University;
 - (xvii) "Statute" means Statute made under the provisions of the Act;
 - (xviii) "Study Centre" means campus established and maintained by the University under the Act;
 - (xix) "Student" means student enrolled/registered in the University for the pursuit of higher(Legal) studies or other academic distinction duly instituted by the University including a research degree;
 - (xx) "Teacher" means the person (Professor, Reader/Associate Professor, Lecturer/Assistant Professor, etc.) teaching to students of the University and engaged in research work;
 - (xxi) "UGC" means the University Grants Commission established under the University Grants Commission Act, 1956;
 - (xxii) "University" means the Chanakya National Law University established under section 3 of this Act;
 - (xxiii) "Vice-Chancellor" means the Vice-Chancellor of the University.
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Section 3 - Establishment of University

- (i) A University shall be established in the State of Bihar which shall be called Chanakya National Law University, Patna.
- (ii) The University shall be a body corporate having perpetual succession and a common seal and shall sue and be sued in the name of the Registrar of the University.
- (iii) The University shall be engaged in teaching and research in law and allied disciplines.
- (iv) The Headquarters of the University shall be at Patna and it may establish campuses at such other places as it may deem fit.

Section 4 - Objects of the University

Following shall be the objects of the University:

- (i) To provide quality multi-disciplinary education in legal studies, keeping in view the demands of the global economy on the one hand and the needs of the domestic society on the other hand;
- (ii) To evolve and impart comprehensive legal education at all levels to achieve excellence;
- (iii) To organize advanced studies and promote research in all branches of law;
- (iv) To disseminate legal knowledge and legal process and their role in national development by organizing lectures, seminars, symposia, workshops and conferences;
- (v) To promote cultural, legal and ethical values with a view to promote and foster the rule of law and the objectives enshrined in the Constitution of India;
- (vi) To improve the ability to analyse and present for the benefit of the public contemporary issues of public concern and their legal implications;
- (vii) To liase and seek on reciprocal basis affiliation with institutions of higher learning and research in India and abroad to further the purpose and objects of the University;
- (viii) To publish periodicals, treatises, study books, reports, journals and other literature on all subjects relating to law and applied studies;
- (ix) To hold examinations and confer degrees and other academic distinctions;
- (x) To promote legal awareness for achieving social and economic justice for all;
- (xi) To undertake study and training projects relating to law, legislation and judicial institutions; and
- (xii) To do all such things as are incidental, necessary or conducive to the attainment of all or any of the objects of the University.

Section 5 - Powers and functions of the University

The powers and functions of the University shall be the following: -

- (i) To administer and manage the University and such centres for study, research, education and instructions as are necessary in furtherance of the objects of the University;
- (ii) To provide for instruction in all branches of knowledge or learning pertaining to law and such allied subjects as the University may deem fit;
- (iii) To make provisions for research and for the Advancement and dissemination of knowledge of law;
- (iv) To institute degrees, titles, diplomas, certificates and other distinctions;

- (v) To hold examinations and to confer degrees, titles, diplomas and other academic distinctions on persons subject to such conditions as the University may determine and to withdraw any such degrees, titles, diplomas and other academic distinctions subject to such conditions as the University may determine;
- (vi) To fix, demand and receive fees and other charges as may be prescribed;
- (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 place of residence;
- (viii) to establish special centres, specialized study centres or other units for research and instructions as are in the opinion of the University necessary to further its objects;
- (ix) To supervise and control the residence and to regulate the discipline of the students and employees of the University and to make arrangements for promoting their health and general welfare;
- (x) To make such special arrangements in respect of residence, discipline and teaching of women students;
- (xi) To create academic, technical, administrative, ministerial and other posts 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 professorships, readerships, lecturerships and any other teaching, academic or research posts required by the University;
- (xiv) To appoint persons as professors, associate professors, assistant professors, readers, lecturers or otherwise as teachers and researchers in the University and as holders of similar posts;
- (xv) To institute and award Fellowships, Scholarships, Prizes and Medals;
- (xvi) To provide for printing, reproduction and publication of research and other works and to organize exhibitions;
- (xvii) To sponsor and undertake research in all aspects of law, justice and social development;
- (xviii) To co-operate with other organizations 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-operate with institutions of higher learning in any part of the world, having objects wholly or otherwise similar to those of the University by exchange of teachers and scholars 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 establish and maintain within the premises of the University or elsewhere such Schools, Colleges and Study Halls as the University may consider necessary and to adequately furnish the same and to establish and maintain such libraries and reading rooms as may appear convenient or necessary for the University;
- (xxii) To receive grants, subventions, subscriptions, donations and gifts for the purposes of the University consistent with the objects for which the University is established;
- (xxiii) To purchase, take on lease, or accept as gift, 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;
- (xxiv) To sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms and conditions as it may think fit and proper without prejudice to the interests and activities of the University;
- (xxv) To draw and accept, to make and endorse, to discount promissory notes, bills of exchange, cheques or other negotiable instruments and negotiate with Government of India;
- (xxvi) To execute conveyances, transfers, reconveyances, mortgages, leases, licences 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;
- (xxvii) To appoint in order to execute an instrument or transact any business of the University any person as it may, deem fit; (xxviii) To give up and cease from carrying on any classes or departments of the University;
- (xxix) To enter into any agreement with the Central Government, State Government, the University Grants Commission or other authorities for receiving grants;
- (xxx) To accept grants of money, securities or property of any kind or description on such terms and conditions, as may be deemed expedient;
- (xxxi) To raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities 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 or debt made;

(xxxii) To invest the funds of the University or moneys entrusted to the University in or upon such securities or deposits and in such manner as it may deem fit and from time to time transpose any investments;

(xxxiii) To make such Statutes, Regulations and other instruments as may, from time to time, be considered necessary for regulating the affairs and the management of the University and its properties and to alter, modify and to rescind them;

(xxxiv) To constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed pension, insurance, provident fund and gratuity and other schemes as it may deem fit and to make such grants as it may think fit for the benefit of the staff of the University and to aid in the establishment and support of associations, institutions, funds and trusts for the benefits of the staff and the students of University;

(xxxv) To confer honorary degrees and other distinctions in the manner laid down in the regulations;

(xxxvi) To delegate all or any of its powers to the Vice-Chancellor or any Committee, Council or Board or to any one or more members of its body or its officers, and

(xxxvii) To do all such other acts and any things as the University may consider necessary, conducive or incidental to the attainment or enlargement of the aforesaid objects or any of them;

Section 6 - Teaching in the University

(1) All teaching in connection with the degrees, diplomas and certificates of the University shall be conducted in accordance with the syllabus prescribed by the Regulations.

(2) The courses and curricula and the authorities responsible for organizing the teaching of such courses and curricula shall be as prescribed by the Regulations.

Section 7 - University open to all persons irrespective of gender, class or creed

The University shall be open to all persons of either sex of whatever caste, creed, race or class and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any office therein or be admitted as a student in the University or to graduate there or to enjoy or exercise any privilege thereof:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or admission of women, persons with physical

disabilities or persons belonging to socially and educationally backward classes of the society or for the Scheduled Castes or the Scheduled Tribes.

Section 8 - Chancellor of the University

- (1) The Chief Justice of Patna High Court shall be the Chancellor of the University.
 - (2) The Chancellor, when present shall preside over the convocations of the University and the meetings of the General Council.
 - (3) The Chancellor may cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, libraries and equipment and of any institution maintained by the University, and also of the examinations, teaching and other work conducted or done by the University and cause an inquiry to be made in the like manner in respect of any matter connected with the administration and finances of the University.
 - (4) The Chancellor may offer such advice to the University as deemed fit with reference to the result of an inspection or inquiry.
 - (5) The University shall communicate to the Chancellor the action taken or proposed to be taken on such advice.
 - (6) In case of differences among the authorities or officers of the University on any matter which cannot be otherwise resolved the decision of the Chancellor shall be final.
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Section 9 - Authorities of the University

The following shall be the authorities of the University:

- (1) The General Council;
 - (2) The Executive Council;
 - (3) The Academic Council;
 - (4) The Academic Planning Board;
 - (5) The Finance Committee, and
 - (6) Such other authorities as may from time to time be declared as such by the Statutes.
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Section 10 - General Council and its terms of office

- (1) The General Council shall consist of the following persons:-
 - (a) Chancellor;
 - (b) Vice-Chancellor;
 - (c) Attorney General of India;

- (d) Chairman, Bar Council of India or his nominee from amongst the members of the Bar Council of India;
 - (e) Advocate General of Bihar;
 - (f) Chairman, Bar Council of Bihar;
 - (g) Two judges from amongst sitting or retired judges of High Court of Patna, nominated by the Chancellor;
 - (h) Two eminent persons in the disciplines of Social Sciences and Humanities nominated by the Chancellor;
 - (i) Two eminent persons in legal or educational field, nominated by the Chancellor;
 - (j) Four members nominated by the State Government, which shall include the Chief Secretary and the Secretaries in the departments of finance, law and higher education;
 - (k) The Registrar of the University; and
 - (l) All the Professors who are the Heads of Department in the University.
- (2) (i) Where a person has become a member of the General Council by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment;
- (ii) The term of office of the nominated members of the General Council other than the ex officio members shall be three years;
 - (iii) 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 involving moral turpitude. A member, other than the Vice-Chancellor, Registrar or Professor, shall also cease to be member if he accepts a full time appointment in the university; or if he not being an Ex-Officio member fails to attend three consecutive meetings of the General Council without the leave of the Chancellor;
 - (iv) A member of the General Council other than an ex-officio member may resign his office by a letter addressed to the Chancellor and such resignation shall take effect as soon as it has been accepted; and
 - (v) Any vacancy in the General Council shall be filled by nomination by the respective nominating authority and on expiry of the period of the vacancy; such nomination shall cease to be effective.

Section 11 - Powers, functions and meetings of the General Council

- (1) The General Council shall be the plenary authority of the University and shall formulate and review from time to time the broad policies, and programmes of the University and devise

measures for the improvement and development of the University and shall also have the following powers and functions; namely:-

- (i) To consider and pass the annual report, financial statement and the Budget estimates prepared by the Executive Council and to adopt them with or without modification:
 - (ii) To make Statutes concerning the administration of the affairs of the university including prescribing the procedures to be followed by the authorities and the officers of the University in the discharge of their functions.
- (2) (i) The General Council shall meet at least once in a year and annual meeting of the General Council shall be held on a date to be fixed by the Executive Council or by the Vice-Chancellor in consultation with the Chancellor;
- (ii) A report of the working of the University during the previous year, together with a statement of receipts and expenditure, the balance sheet as audited, and the financial estimates shall be presented by the Vice-Chancellor to the General Council at its annual meetings;
 - (iii) Meetings of the General Council shall be called by the Chancellor or by the Vice Chancellor either on his own or at the request of not less than ten members of the General Council;
 - (iv) For every meeting of the General Council, fourteen days notice shall be given;
 - (v) One third of the members existing on the rolls of the General Council shall form the quorum;
 - (vi) Each member shall have one vote and if there be equality of votes on any question to be determined by the General Council, the person presiding over the meeting shall, in addition, have a casting vote;

Section 12 - Constitution and term of the Executive Council

- (1) The Executive Council shall consist of the following persons; namely:
- (a) The Vice-Chancellor of the University;
 - (b) Chairman of the Bar Council of India or his nominee from amongst its members;
 - (c) The Chairman, Bar Council of Bihar;
 - (d) Advocate General of Bihar;
 - (e) Commissioner-cum-Secretary, Human Resources Development Department, Bihar;
 - (f) Secretary-cum-Legal Remembrancer, Bihar;
 - (g) The Registrar of the University;

- (h) Two Professors of law from outside the University nominated by the Vice-Chancellor;
- (i) Three teachers to be nominated by the Vice Chancellor of whom, one shall be from amongst Heads of Department, one from Professors and one from Associate Professors by rotation for a period of one year each.

(2) The Vice-Chancellor shall be the Chairman of the Executive Council:

- (a) Where a person has become a member of the Executive Council by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment;
- (b) The term of office of the nominated members of the Executive council other than ex officio members shall be three years;
- (c) 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. A member other than the Vice-Chancellor or teacher shall also cease to be a member if he accepts a full time appointment in the University; or if he being a teacher fails to attend three consecutive meetings of the Executive Council without the leave of the Vice-Chancellor;
- (d) A member of the Executive Council other than an ex-officio member may resign his office by a letter addressed to the Vice-Chancellor and such resignation shall take effect as soon as it has been accepted by him;
- (e) Any vacancy in the Executive Council shall be filled by nomination by the respective nominating authority and on expiry of the period of vacancy, such nomination shall cease to be effective.

Section 13 - Powers, functions and meetings of the Executive Council

- (1) The Executive Council shall be the Chief Executive Authority of the University and as such shall have all powers necessary to administer the University subject to the provisions of this Act and the Statutes made thereunder, and may make Regulations for that purpose and also with respect to matters provided hereunder.
- (2) The Executive Council shall have the following powers and functions:
 - (i) To constitute a Selection Committee headed by the Vice-Chancellor to recommend the names of three persons to the Chancellor for appointment of Registrar of the University,
 - (ii) To prepare and present the following to the General Council at its annual meetings:-
 - (a) A report on the working of the University;
 - (b) A statement of accounts; and
 - (c) Budget proposals for the ensuing academic year.

- (iii) To manage and regulate the finances, accounts, investments, properties, business and all other administrative affairs of the University and for that purpose, constitute committees and delegate the powers to such committees or such officers of the University as it may deem fit;
 - (iv) To invest any money belonging to the University, including any unapplied income, in such stock, funds, shares or securities, as it may, from time to time, think fit, or in the purchase of immovable property, with the like power of varying such investments from time to time;
 - (v) To transfer or accept transfers of any movable or immovable property on behalf of the University;
 - (vi) to enter into, vary, carry out and cancel contracts on behalf of the University and for that purpose to appoint such officers as it may think fit;
 - (vii) To provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;
 - (viii) To entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the students and the employees of the University including the officers and teachers;
 - (ix) To create teaching, administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify the minimum qualifications for appointment to such posts on such terms and conditions of service as may be prescribed by the Regulations made in this behalf;
 - (x) To appoint examiners and moderators, and if necessary to remove them and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;
 - (xi) To select a common seal for the University; and
 - (xii) To exercise such other powers and to perform such other duties as may be considered necessary; or imposed on it by or under this Act.
- (3) (i) The Executive Council shall meet at least once in four months and not less than fifteen days notice shall be given of such meetings;
- (ii) The meeting of the Executive Council shall be called by the Registrar under instructions of the Vice-Chancellor or at the request of not less than five members of the Executive Council;
 - (iii) Six members of the Executive Council shall form the quorum at any meeting;
 - (iv) In case of difference of opinion among the members, the opinion of the majority shall prevail;

- (v) Each member of the Executive Council shall have one vote and if there be equality of votes on any question to be determined by the Executive Council, the Chairman of the Executive Council or as the case may be, the member presiding over that meeting shall, in addition, have a casting vote;
- (vi) Every meeting of the Executive Council shall be presided over by the Vice-Chancellor and in his absence by a member chosen by the members present;
- (vii) If urgent action by the Executive Council becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation of papers to the members of the Executive Council. The decisions so taken shall not be valid unless agreed to by a majority of members of the Executive Council. Such decisions shall be forthwith intimated to all the members of the Executive Council. In case the Executive Council fails to take decision the matter shall be referred to the Chancellor whose decision shall be final.

Section 14 - Academic Council

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

- (a) The Vice-Chancellor who shall be the Chairman;
- (b) One judge of the Patna High Court either sitting or retired, nominated by the Chancellor;
- (c) Three persons from amongst educationists of repute or men of letters or members of the learned profession or eminent public men, who are not in the service of the University nominated by the Chancellor;
- (d) A nominee of the Bar Council of India;
- (e) A nominee of the Bar Council of Bihar;
- (f) All Professors of the University other than the Heads of the Department;
- (g) All the Heads of the Department;
- (h) Two members of the teaching staff; one each respectively representing the Associate and Assistant Professors of the University, nominated by the Vice-Chancellor for the terms specified:

Provided that an employee of the University shall not be eligible for nomination under category (c).

(2) The term of the members other than ex-officio members and those whose term is specified by the clause (h) of sub-section (1) shall be three years.

Section 15 - Powers, functions and meetings of the Academic Council

- (1) Subject to the provisions of the Act, Statutes and Regulations and overall supervision of the Executive Council, the Academic Council shall manage the academic affairs and matters in the University and in particular shall exercise and perform the following powers and functions namely:
- (i) To report on any matter referred or delegated to it by the General Council or the Executive Council;
 - (ii) To make recommendations to the Executive Council with regard to the creation, abolition or classification of teaching posts in the University and the emoluments payable and the duties attached thereto;
 - (iii) To formulate and modify or revise schemes for the organization of the faculties, and to assign to such faculties their respective subjects and also to report to the Executive Council as to the expediency of the abolition or sub-division of any faculty or the combination of one faculty with another;
 - (iv) To recommend arrangements for the instruction and examination of persons other than those enrolled in the University;
 - (v) To promote research under the University and to require from time to time, reports on such research;
 - (vi) To consider proposals submitted by the faculties;
 - (vii) To suggest policies for admissions to the University;
 - (viii) To recommend recognition of diplomas and degrees of other Universities and institutions and to determine their equivalence in relation to the certificates, diplomas and degrees of the University;
 - (ix) To fix subject to any conditions accepted by the General Council, the time, mode and conditions of competition for Fellowships, Scholarships and other prizes and to recommend for the award of the same;
 - (x) To make recommendations to the Executive Council in regard to the appointment of examiners and if necessary their removal and fixation of their fees, emoluments and travelling and other expenses;
 - (xi) To recommend arrangements for the conduct of examinations and the date for holding them;
 - (xii) To declare or review the 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, honours, diplomas, licences, titles and marks of honour;
 - (xiii) To recommend 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;

- (xiv) To approve or revise lists of prescribed or recommended text books and to publish the same and syllabus of the prescribed courses of study;
 - (xv) To approve such forms and registers as are from time to time, required by the Regulations; and
 - (xvi) To perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the Regulations made thereunder.
- (2) (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 existing members of the Academic Council shall form the quorum for a meeting of the Academic Council;
 - (iii) In case of difference of opinion among the members, the opinion of the majority shall prevail;
 - (iv) Each member of the Academic Council, including the Chairman of the Academic Council, have one vote and if there be an equality of votes on any question to be determined by the Academic Council, the Chairman of the Academic Council, or as the case may be, the member presiding over the meetings, shall in addition, have a casting vote;
 - (v) Every meeting of the Academic Council shall be presided over by the Vice Chancellor and in his absence by a member chosen in the meeting to preside on the occasion;
 - (vi) If urgent action by the Academic Council becomes necessary, the Chairman of the Academic Council may permit the business to be transacted by the circulation of papers to the members of the Academic Council. The decision taken shall not be valid unless agreed to, by a majority of the members of the Academic Council. The decision so taken shall forthwith be intimated to all the members of the Academic Council. In case the Academic Council fails to take decision the matter shall be referred to the Chancellor whose decision shall be final.

Section 16 - Academic Planning Board

- (1) The Academic Planning Board shall be constituted consisting of the following: -
- (a) The Chancellor;
 - (b) The Vice-Chancellor;
 - (c) Two Directors/Vice-Chancellors of Law Universities nominated by the Chancellor;
 - (d) Two eminent Professors of Law nominated by the Vice-Chancellor;
 - (e) Attorney General of India;

- (f) Solicitor General of India;
- (g) Chairman, Bar Council of India.

(2) The Academic Planning Board shall meet 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 in relation to the different activities of the University as and when found necessary.

Section 17 - Finance Committee

- (1) Finance Committee shall be constituted by the Executive Council consisting of the following:-
- (a) The Vice-Chancellor;
 - (b) The Registrar;
 - (c) Commissioner-cum-Secretary, Human Resource Development Department, Bihar; and
 - (d) Two other members nominated by the Executive Council from amongst its members, of whom one shall be a Professor.
- (2) The nominated members of the Finance Committee shall hold office so long as they continue as members of the Executive Council.
- (3) The Powers and functions of the Finance Committee shall be as follows:-
- (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 statement of accounts and to review the finances of the University from time to time and to consider re-appropriation statements and audit reports and to make recommendations to the executive Council;
 - (d) 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.
- (4) The Finance Committee shall meet at least thrice in every year. Presence of three members of the Finance Committee shall form the quorum of the meeting.
- (5) The Vice-Chancellor shall preside over the meetings of the Finance Committee, and in his absence, the Registrar shall preside. In case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.
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Section 18 - Officers of the University

The following shall be the officers of the University:

- (a) the Vice-Chancellor;
 - (b) the Registrar;
 - (c) Heads of the Departments;
 - (d) such other officers as may be prescribed by the Statutes as the officer.
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Section 19 - The Vice-Chancellor

(1) (i) The Vice Chancellor shall be an outstanding scholar in law and a whole time salaried officer of the University;

(ii) 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 Clause (iii):

Provided that if the Chancellor does not approve of any of the persons so recommended he may call for fresh recommendations;

(iii) The Committee referred to in clause (ii) shall consist of three members of whom one shall be nominated by the Executive Council, one by the University Grants Commission and one by the Government; and the member nominated by the Government shall be Convenor of the Committee:

Provided that none of the members of the Committee shall be an employee of the University:

Provided further that the panel shall be prepared from out of candidates who submit their curriculum vitae which is sponsored by some reputed person or institution in the field of law or legal profession.

(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 of 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) If 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.

(2) The Vice-Chancellor, shall;

- (i) Ensure that the provisions of this Act, Statutes and Regulations are duly implemented and he shall have all powers, as are necessary, for that purpose;
- (ii) Convene the meetings of the General Council, the Executive Council, and the Academic Council and shall perform all other acts, as may be necessary to give effect to the provisions of this Act;
- (iii) Preside over the meetings of the General Council in the absence of the Chancellor;
- (iv) Be the competent authority to appoint the teachers, librarian, finance officer and other officers in consultation with the Chancellor on the recommendations of the Selection Committee appointed by the Executive Council in accordance with the guidelines prescribed;
- (v) Be the competent authority to take disciplinary action against the above officers in accordance with the procedure prescribed;
- (vi) Have all powers relating to the maintenance of proper discipline in the University;
- (vii) if, in the opinion of the Vice-Chancellor, any such emergency has arisen which requires immediate action be taken, he shall take such action as he may deem fit and shall report the same for confirmation in the next meeting of the authority which in the ordinary course would have dealt with the matter.

Section 20 - The Registrar

- (1) An academician shall be appointed as Registrar by the Chancellor on the recommendation of the Selection Committee constituted by the Executive Council and headed by the Vice-Chancellor on such terms and conditions of service as may be specified subject to the provisions of Statutes and Regulations.
- (2)
 - (i) The Registrar shall be Ex-Officio Secretary of all the authorities, committees and other bodies of the University and shall also be the Convenor of all the meetings. He shall note and maintain the minutes of meetings;
 - (ii) The Registrar shall be the principal adjutant of the Vice-Chancellor in all matters pertaining to the administration of the University. The Executive Council may entrust to him special responsibilities and powers;
 - (iii) The Registrar shall have the power to appoint, with the approval of the Vice-Chancellor, the non-teaching staff, including employees of last grade service and contingent staff, in pursuance of the recommendations of the Selection Committee appointed for that purpose, in the prescribed manner. He shall be the competent authority

to take disciplinary action against such employees in accordance with such procedure as may be prescribed;

(iv) The Registrar shall comply with all directions and orders of the Executive Council and Vice-Chancellor;

(v) The Registrar shall be the custodian of records, common seal and such other property of the University as the Executive Council shall commit to his charge.

Section 21 - Heads of the Departments

(1) There shall be Heads of the Department for each subject or faculty in the University.

(2) The powers, functions, appointments and conditions of service of the Heads of the Departments shall be such as may be prescribed by the Regulations.

Section 22 - Other officers and employees of the University

(1) Subject to the Regulations made for the purpose, every officer or employee of the University shall be appointed in accordance with a written contract, which shall be lodged with the University, and a copy thereof shall be furnished to the officer or employee concerned.

(2) Any dispute arising out of a contract between the University and any of its officers or employees shall, at the request of the officer or the employee concerned or at the instance of the University, be referred to a Tribunal for arbitration consisting of three members appointed by the Executive Council as prescribed by the Regulations.

Section 23 - Selection Committees

The Executive Council shall constitute various Selection Committees for appointment to the posts of officers and non-teaching staff including employees of last grade service and contingent staff. The procedure for appointment of members of Selection Committees and the procedure to be adopted by the Committees shall be such as may be prescribed by the Regulations.

Section 24 - Statutes and Regulations

(1) The first Statutes of the University shall be made by the Vice-Chancellor with the approval of the Chancellor. They shall be placed before the General Council at its first meeting, which may adopt them with or without modifications. Subsequent amendments or modifications in the Statutes shall be made by the Executive Council with the approval of the General Council.

(2) The first Regulations of the University shall be made by the Vice-Chancellor with the approval of the Chancellor. It shall be placed before the Executive Council at its first meeting, which may adopt it with or without modifications. Subsequent amendments or modifications in the regulations shall be made by the Executive Council and it will be reported to the General Council.

Section 25 - Appointment of first Vice-Chancellor and first Registrar

Notwithstanding anything in this Act and the Statutes, the first Vice-Chancellor and the first Registrar shall be appointed by the Government and their salary and conditions of service shall also be fixed by it. Each of the said officers shall hold office for a term, fixed by the Government but not exceeding five years.

Section 26 - Nominations and appointments by the Chancellor

All nominations and panels for appointments to be made by the Chancellor shall be recommended by the Government.

Section 27 - Constitution of University Review Commission

- (1) Chancellor, on his own motion or on request from the Government, shall at least once in every five years, constitute a commission to review the working of the University and to make recommendations.
- (2) The Commission shall be constituted consisting 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 Government.
- (3) The terms and conditions of the appointment of the members shall be such as the Chancellor may determine.
- (4) The Commission shall after holding such enquiry as it deems fit, make its recommendations to the Chancellor with a copy to the Government.
- (5) The Chancellor may take such action on the recommendations as he deems fit.

Section 28 - Honorary degree

If not less than two-third of the members of the Academic Council recommend that a 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 resolution, decide that the same may be conferred on the person recommended.

Section 29 - Withdrawal of degree or diploma

- (1) The General Council may, on the recommendation of the 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 convicted by a court of law for an offence, which in the opinion of the General Council, involves moral turpitude or if he has been guilty of gross misconduct.
- (2) No action under sub-section (1) shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

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

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

(5) The decision of the Chancellor on such appeal shall be final.

Section 30 - Discipline

(1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in that behalf shall be carried out by the Heads of Departments, hostels and institutions.

(2) Notwithstanding anything contained in sub-section (1) the punishment of debarring a student from an examination or rustication from the University or a hostel or an institution shall, on the report of the Vice-Chancellor be considered and imposed by the Executive Council:

Provided that no such punishment shall be imposed without giving the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.

Section 31 - Residence of students

Every student of the University shall reside in a hostel maintained or recognized by the University under such conditions as may be prescribed by regulations.

Section 32 - Deemed validity of appointments

Notwithstanding any thing contained in any other law or instrument having the force of law for the time being in force, the appointments made to any post in the University in accordance with the Statutes and Regulations shall be deemed to be valid and in accordance with law.

Section 33 - Due to vacancy, etc., not to invalidate any act or proceeding

No act or proceeding of the General Council, the Executive Council or any other authority or officer or body of the University shall be invalidated or questioned on the ground merely of the existence of any vacancy or defect in the constitution thereof.

Section 34 - Indemnity against General Proceedings

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

Section 35 - Overriding effect

Notwithstanding anything inconsistent contained therewith in any other law or instrument having the force of law for the time being in force, the provisions of this Act and the Rules, Statutes and Regulations made thereunder shall have overriding effect.

Section 36 - Power to remove difficulties

If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act or otherwise in giving effect to the provisions of this Act as the Government, may, by order, make such provisions not inconsistent with the provisions of this Act as may appear to them to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after expiry of five years from the date of commencement of this Act.

Section 37 - Powers to make rules

(1) On recommendations of the General Council, the Government may, by notification make rules to carry out the purposes of this Act.

(2) Every rule, made under this Act, shall be laid as soon as may be after it is made, before the houses of the legislature while they are in sessions, for a total period of fourteen days. The period may be comprised in one session or two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid the Houses agree in making any modification in the rule or the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so, however that any modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Section 38 - Repeal and Saving

(1) The Chanakya National Law University Ordinance, 2006 (Bihar Ordinance No. 5, 2006) is hereby repealed.

(2) Notwithstanding such repeal, anything done or an action taken in exercise of any powers conferred by or under the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action taken.
