THE NATIONAL LAW UNIVERSITY OF UTTARAKHAND ACT, 2011

[UTTARAKHAND ACT NO. 11 OF 2011] (as amended by amendment Act No. 18 of 2018)

AN

ACT

to establish and incorporate a National Law University at Bhowali, Nainital in Uttarakhand and to provide for matters connected therewith or incidental thereto

IT IS HEREBY enacted by State Legislature in the Sixty-second years of the Republic of India as follows:

Short title and commencement	**1.**	**(1)** This Act may be called the National Law University of Uttarakhand Act, 2011. **(2)** It shall come into force on such date as the State Government may, by notification in the official Gazette appoint.
Definitions	**2.**	In this Act, unless the context otherwise requires,- **(i)** **"Academic Council"** means the Academic Council of the University; **(ii)** **"Bar Council"** means the State Bar Council of Uttarakhand; **(iii)** **"Chancellor"** means the Chancellor of the University; **(iv)** **"Executive Council"** means the Executive Council of the University; **(v)** **"Governing Council"** means the Governing Council of the University; **(vi)** **"Prescribed"** means prescribed by Regulations; **(vii)** **"Registrar"** means the Registrar of the University; **(viii)** **"Regulations"** means the Regulations of the University; **(ix)** **"State Government"** means the Government of Uttarakhand; **(x)** **"University"** means the National Law University of Uttarakhand; **(xi)** **"Vice Chancellor"** means the Vice Chancellor of the University.
Establishment and Incorporation of National Law University of Uttarakhand	**3.**	**(1)** With effect from such date as the State Government may by notification in official Gazette appoint, there shall be established, in the State of Uttarakhand an university by the name of the National Law University of Uttarakhand. **(2)** The University shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power to acquire hold and dispose property both movable and immovable and to contract and shall by the said name, sue and be sued. **(3)** In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar with the concurrence of Vice Chancellor and all processes in such suits and proceedings shall be issued to, and served on, the Vice Chancellor. **(4)** [1][The Headquarters of the University shall be at such place as may be specified by the State Government.]

1-Subs. by section 2 of Uttrakhand Act no 18 of 2018.

Objects of the University	**4.**	The objects of the University shall be as follows; namely- **(a)** to advance and disseminate learning and knowledge of law, legal procedures and processes and law's role in national development;
		(b) to develop in the students and research scholars a sense of responsibility to serve society by developing skills in advocacy, judicial, other legal services, legislation, judicial reforms and the like; **(c)** to organise lectures, workshops, seminars, symposia, conclave, colloquium and conferences etc., to promote legal knowledge and to make law and legal processes effective instrument of social change; **(d)** to hold examinations, confer degrees and other academic distinctions; and **(e)** to do all such things as are connected with or incidental to the attainment of all or any of the objects of the University.
Powers and functions of the University	**5.**	The powers and functions of the University shall be as follows; namely- **(i)** to administer and manage the University and such centre for research, education and instruction as are necessary in furtherance of the objects of the University; **(ii)** to provide for instructions in such branches of knowledge of learning pertaining to law, as the University may deem fit and to make provision for research and for the advancement and dissemination of knowledge of law; **(iii)** to sponsor and undertake research in all aspects of law & justice with thrust upon legal and judicial reforms; **(iv)** to prescribe qualifications and to regulate the admission of students to the University as regards any programme; **(v)** to hold examinations, grant diplomas or certificates, confer degrees and other academic distinctions on persons subject to such conditions as the University may determine and to withdraw any such diplomas, certificates, degree or other academic distinctions for good and sufficient cause. **(vi)** to confer honorary degrees or other distinctions in such manner as may be prescribed; **(vii)** to fix, demand and receive fees and other charges; **(viii)** to establish and maintain halls along with hostels and to recognize places for the students of the University and to withdraw such recognition accorded to any such place of residence; **(ix)** to establish such special centres, specialised study centres or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects. **(x)** to supervise and control the residence, to regulate the discipline among the students of the University and to make

		arrangements for promoting their health; **(xi)** to make arrangements in respect of the residence, discipline and teaching of women students; **(xii)** to create academic, technical, administrative, ministerial and other posts with the prior approval of the State Government; **(xiii)** to regulate and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary; **(xiv)** to create posts required by the University with the prior approval of the State Government;
		(xv) to appoint persons as professors, readers, lecturers or otherwise as teachers and research scholars of the University; **(xvi)** to institute and award fellowships, scholarship, prizes and medals; **(xvii)** to provide for printing and publication of research papers and brochures; **(xviii)** to co-ordinate with any other organization in the matter of education, training and research in law, justice and allied subjects for such purposes as may be agreed upon on such terms and conditions as the University may deem fit. **(xix)** to co-ordinate with institutions of higher learning in any part of the world having objects wholly or partially similar to those of the University, by exchange of academicians, 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, maintain and furnish within the premises of the University or elsewhere, such class rooms, study halls, libraries and reading rooms as the University may consider necessary. **(xxii)** to receive grants, subventions, subscriptions, donations and gifts for the purpose of the University and consistent with the objects for which the University is established; **(xxiii)** 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, on such terms and conditions as it may think fit and proper, and to construct, alter or 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 as it may deem fit without prejudice to the interest and activities of the University: Provided that where the properties have been created with financial assistance of the State or the Central Government prior approval of the State Government shall be necessary; **(xxv)** to draw and accept, to make and endorse to discount and negotiate, Government of India and other promissory notes, bills of exchange, cheques or other negotiable instruments; **(xxvi)** to execute conveyances, transfers, re-conveyances, 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 enter into any agreement with Central Government, State Government, the University Grants Commission or other authorities for receiving grants; **(xxix)** to raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities, funded 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 deem 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;
		(xxx) to invest the funds of the University or fund 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; **(xxxi)** 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 by the regulations, such as pension, insurance, provident fund and gratuity 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 establishment and support of the associations, institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the University; **(xxxii)** to do all such other acts as the University may consider necessary, conductive or incidental to the attainments of enlargements of all or any of its objectives. **(xxxiii)** 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; **(xxxiv)** to delegate all or any of its powers to the Vice Chancellor of the University or any committee or any sub-committee or to any one or more members of its body or its officers;
Teaching in the University	**6.**	(1) All recognised teaching in connection with the degrees, diplomas and certificates of the University shall be conducted under the control of the Governing Council by the teachers of the University in accordance with such syllabus as may be prescribed. (2) The courses, curricula and the authorities responsible for organising such teaching shall be such as may be prescribed.
Chancellor and Visitor of the University	**7.**	**(1)** The Chief Justice of India shall be the Visitor of the University. **(2)** The Chief Justice of High Court of Uttarakhand shall be the Chancellor of the University. **(3)** The Visitor or Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, libraries and equipments

		and of any institution maintained by the University, and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to made in like manner in respect of any matter connected with the administration and finances of the University. **(4)** The Visitor or Chancellor shall in every case give notice to the University of his intention of cause an inspection or inquiry to be made and the University shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection of inquiry. **(5)** The Visitor or Chancellor may address the Vice Chancellor with reference to the result of such inspection of inquiry and the Vice Chancellor shall communicate to the Governing Council the views of the Visitor or Chancellor along with such advice as the Visitor or Chancellor may have offered on the action to be taken thereon. **(6)** The Governing Council shall communicate through the Vice Chancellor to the Visitor or Chancellor such action, if any, as it proposes to take or has been taken on the result of such inspection or inquiry.
Authorities of the University	**8.**	The following shall be the authorities of the University; **(i)** the Governing Council; **(ii)** the Executive Council; **(iii)** the Academic Council; **(iv)** the Finance Committee; and **(v)** such other authorities as may be prescribed.
Governing Council	**9.**	The Governing Council shall be the chief advisory body of the University which shall consist of the following; namely :- **(i)** the Chancellor of the University, who shall be the Chairman thereof; **(ii)** Vice Chancellor of the University; **(iii)** Law Minister of Uttarakhand or if the Chief Minister himself is also the Law Minister, then any other Minister nominated by him; **(iv)** Two Judges from among the Judges of the High Court of the Uttarakhand nominated by the Chancellor; **(v)** Two members of the Uttarakhand Legislative Assembly, one of whom from the ruling party and another from the

		opposition, to be nominated by the Speaker of the State Legislative Assembly; **(vi)** Advocate General of Uttarakhand; **(vii)** Chairman of the Bar Council of India or his nominee; **(viii)** Chairman of the Bar Council of Uttarakhand; **(ix)** Chairperson of the University Grants Commission or his nominee from among the members of UGC; **(x)** Two distinguished lawyers to be nominated by the Visitor; **(xi)** Two distinguished lawyers to be nominated by the Chancellor; **(xii)** The Principal Secretary/ Secretary of Judicial Department, Government of Uttarakhand; **(xiii)** The Principal Secretary/ Secretary of Finance Department, Government of Uttarakhand; **(xiv)** The Principal Secretary/ Secretary of Higher Education Department, Government of Uttarakhand; **(xv)** Registrar General of High Court of Uttarakhand; **(xvi)** Vice-Chancellor of Kumaon University or his nominee; **(xvii)** Vice Chancellor of Hemwati Nandan Bahuguna Garhwal University or his nominee; **(xviii)** Director of Uttarakhand Judicial and Legal Academy; **(xix)** Director of Uttarakhand Academy of Administration; **(xx)** Two District Judges of Uttarakhand having wide experience in the field of judicial education and training, not being the District Judge of Nainital, to be nominated by the Chancellor.
Term of Office of members of the Governing Council	**10.**	**(1)** The term of the office of the nominated members of the Governing Council shall subject to sub-section (2) and (3) be three years.
		(2) When a person is nominated as a member of the Governing Council, he shall cease to be such member if his nomination as such is withdrawn by the nominating body or person as the case may be. **(3)** A member of the Governing 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 accepts a full time appointment in the University or if he fails to attend three consecutive meetings of the Governing Council without the leave granted by the Chancellor or acts against the interests of the University. **(4)** A member of Governing Council may resign his office by a letter addressed to the Chancellor and such resignation shall take effect as soon as it has been accepted by the Chancellor. **(5)** Any vacancy in the Governing 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 only as the member in whose place he is appointed or nominated could hold office if the vacancy had not occurred.
Powers of the Governing Council	**11.**	The Governing Council shall have the following powers; namely- **(i)** to recommend the name of the Vice Chancellor to the Chancellor of the University under the provisions of this Act; **(ii)** to exercise the powers and functions of the University referred to in section 5 except where such powers are given to some other authority or officer of the University under the provisions of this Act; **(iii)** to review from time to time the broad policies and programmes of the University and to take measures for the welfare of the University; **(iv)** to consider and pass resolutions as considered fit on the annual report, financial estimates, annual accounts and the audit reports on such accounts; **(v)** to delegate all or any of its powers to the Vice Chancellor or any committee or any sub-committee or to any one or more of its members; and **(vi)** to perform such other functions as it may deem necessary for the effective functioning and administration of the University.
Meetings of the Governing Council	**12.**	**(1)** The Governing Council shall meet at least once in a year and at least fifteen days' notice shall be given for its meetings. **(2)** The Chancellor shall preside over the meeting of the Governing Council and in his absence; any member duly authorized by him shall preside over the meeting. **(3)** One third of the total number of members of the Governing Council shall form a quorum for a meeting. **(4)** Each member shall have one vote and if there be equality of votes on any question to be determined by the Governing Council, the Chancellor or the person presiding over the meeting shall, in addition, have a casting vote.
		(5) If urgent action by the Governing Council becomes necessary, the Chancellor may permit the business to be transacted by circulation of papers to the members of the Governing Council. The action proposed to be taken shall not be carried out unless agreed to by one-third of the total members of the Governing Council. The action so taken shall be forthwith intimated to all the members of the Governing Council and the papers shall be placed before the next meeting of the Governing Council for confirmation. **(6)** 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 estimate shall be presented by the Vice Chancellor to the Governing Council at its annual meeting.
The Executive Council	**13.**	**(1)** The Executive Council shall be the Chief Executive body of the University. **(2)** The administration, management and control of the University and the income thereof shall be vested with the Executive Council which shall control and administer the property and funds of the University.
Constitution of the Executive Council	**14.**	**(1)** The Executive Council shall consist of the following; namely :- **(i)** the Vice Chancellor; **(ii)** Five members of the Governing Council to be nominated by the Chancellor; **(iii)** The Chairman of the Bar Council of Uttarakhand; **(iv)** The Principal Secretary/ Secretary of Judicial Department, Government of Uttarakhand; **(v)** The Principal Secretary/ Secretary of Finance Department, Government of Uttarakhand; **(vi)** The Principal Secretary/ Secretary of Higher Education Department, Government of Uttarakhand; **(vii)** Registrar General, High Court of Uttarakhand; **(viii)** Director, Uttarakhand Judicial & Legal Academy; **(ix)** Two whole time Senior Professors of the University. **(2)** The Vice Chancellor shall be the Chairman of the Executive Council.
Term of office of Executive Council	**15.**	**(1)** 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. **(2)** A member of the Executive Council shall cease to be a member thereof if he resigns or becomes of unsound mind or becomes insolvent or is convicted of a criminal offence involving moral turpitude or if member other than the Vice Chancellor or a member of a faculty accepts a full time appointment in the University or if he fails to attend three consecutive meetings of the Executive Council without the leave granted by the Chairman of the Executive Council or acts against the interests of the University.

		(3) Members of the Executive Council shall relinquish their membership on the expiry of three years from the date on which they become members of the Executive Council, unless the membership of the Executive Council is previously terminated as provided in the above sub-section but shall be eligible for re-nomination or re-appointment, as the case may be.
		(4) A member of the Executive Council other than *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 it has been accepted by the Chairman of the Executive Council. **(5)** Any vacancy in the Executive 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 on the expiry of the period of the vacancy such appointment or nomination shall cease to be effective.
Powers and functions of the Executive Council	**16.**	Without prejudice to the provisions of section 11, the Executive Council shall have the following powers and functions; namely- **(i)** to create academic posts in the University and to determine the qualifications, emoluments and duties attached thereto with the prior approval of the State Government after considering the recommendations of the Academic Council; **(ii)** to appoint from time to time, Professors, Readers, Lecturers, other members of the teaching staff, the Librarian and such other members of the teaching staff as may be necessary on the recommendations of the Selection Committee constituted under section 24 as may be prescribed for the purpose; **(iii)** to create administrative, ministerial and other posts, to determine the minimum qualifications and emoluments of such posts with the prior approval of the State Government; **(iv)** to manage and regulate the finances, accounts investments, property, business and all other administrative affairs of the University; **(v)** 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, deem fit;

		(vi) to transfer or accept transfers of any movable or immovable property on behalf of the University; Provided that no immovable property shall be transferred to the third party without the prior approval of the State Government; **(vii)** to enter into, vary, carryout and cancel contracts on behalf of the University and for that purpose to appoint such officers as it may deem fit; **(viii)** to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University; **(ix)** to entertain, adjudicate and to redress any grievances of the aggrieved officers, teachers, students and employees of the University; **(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 to provide for the custody of the seal; **(xii)** 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 or rescind them;
		(xiii) to delegate all or any of its powers, except the powers to make regulations, to any Officer or Authority and ; **(xiv)**to exercise such other powers and to perform such other duties as may be prescribed by or under this Act.
Meetings of the Executive Council	**17.**	**(1)** The Executive Council shall meet at least once in six months and not less than fifteen days notice shall be given for such meeting. **(2)** The Chairman of the Executive Council shall preside over a meeting of the Executive Council, and in his absence the

		member's presents shall elect a person from amongst themselves to preside over the meeting. **(3)** One-third of the total members of the Executive Council shall form the quorum at any meeting thereof. **(4)** 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 Chairman of the Executive Council, or as the case may be, the member presiding over that meeting shall, in addition, have a casting vote.
Constitution of Standing Committee and appointment of *adhoc* committees by the Executive Council.	**18.**	**(1)** Subject to the provisions of this Act or the regulations made in this behalf the Executive Council may by resolution, constitute such standing committees or appoint *adhoc* committees for such purposes and with such powers as the Executive Council may think fit for exercising any power or discharging any function of the University or for enquiring into, reporting or advising upon any matter relating to the University. **(2)** The Executive Council may co-opt persons to a standing committee or an *adhoc* committee as it considers suitable and may permit them to attend the meetings of the Executive Council.
Academic Council	**19.**	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 standards of instructions, 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.
Constitution of the Academic Council	**20.**	**(1)** The Academic Council shall consist of the following members; namely:- **(i)** the Vice Chancellor, who shall be the Chairman thereof; **(ii)** three persons from amongst the educationists of repute or men of letters or members of any profession or eminent

		public men, who are not in service of the University nominated by the Chairman in consultation with the Governing Council; **(iii)** the Principal Secretary/Secretary of Judicial Department, Government of Uttarakhand or his nominee not below the rank of Additional Secretary; **(iv)** the Principal Secretary/Secretary of Higher Education Department, Government of Uttarakhand or his nominee not below the rank of Additional Secretary; **(v)** Registrar General, High Court of Uttarakhand; **(vi)** Director, Uttarakhand Judicial and Legal Academy; **(vii)** a nominee of the Bar Council of Uttarakhand;
		(viii) all the Heads of the Department of the University; **(ix)** all Professors other than the Heads of the Department, if any; **(x)** two members of the teaching staff, one each representing the Readers and the Lecturers of the University. **(2)** The terms of the members other than *ex-officio* members shall be three years. **(3)** Where a person has become a member of the Academic Council by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold such office of appointment. **(4)** A member of the Academic Council shall cease to be a member thereof 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 faculty accepts full time appointment in the University or if he fails to attend three consecutive meetings of the Academic Council without the leave of the Chairman of the Academic Council. **(5)** Unless the membership of the Academic Council thereof is previously terminated as provided in the foregoing sub-sections, members of the Academic Council shall relinquish

		their membership on the expiry of three years from the date on which they become members of the Academic Council but shall be eligible for re-nomination or re-appointment, as the case may be. **(6)** A member of the Academic Council other than an *ex-officio* member may resign his office by a letter addressed to the Chairman of the Academic Council and such resignation shall take effect as soon as it has been accepted by the Chairman of the Academic Council. **(7)** Any vacancy in the Academic Council shall be filled either by appointment or nomination, as the case may be, by the respective authorities to make the same.
Powers and duties of the Academic Council	**21.**	Subject to the provisions of this Act or the regulations, the Academic Council shall in addition to all other powers vested in it, have the following powers; namely:- **(i)** to report on any matter referred to or delegated to it by the Governing 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 qualifications emoluments and duties attached thereto; **(iii)** to formulate and modify or revise schemes for organisation of the faculties and to assign to such faculties their respective subjects and also to report the Executive Council as to the expediency of the abolition or subdivision of any faculty or the combination of one faculty with another; **(iv)** to promote research within the University and to require, from time to time, report on such research; **(v)** to consider proposals submitted by the faculties; **(vi)** to lay norms and to appoint committees for admission to the University;
		(vii) to recognize diplomas and degrees of other Universities and

		Institutions and to determine their equivalence in relation to the diplomas and degree of the University; **(viii)** to fix, subject to any conditions accepted by the Governing Council, the time, mode and conditions of competitions for fellowship, scholarship and other prizes and to award the same; **(ix)** 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 travelling and other expenses; **(x)** to make arrangements for the conduct of examinations and to fix dates for holding them; **(xi)** to declare the results 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; **(xii)** to award stipends, scholarship, medals and prizes and to make other awards in accordance with the regulations and such other conditions as may be attached to the awards; **(xiii)** to publish list of prescribed or recommended text books and to publish syllabus of the prescribed courses of study; **(xiv)**to prepare such forms and registers as are, from time to time, prescribed by regulations; and **(xv)** 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 the provisions of this Act and the regulations.
Meeting of the Academic Council	**22.**	**(1)** The Academic Council shall meet as often as may be necessary, but not less than twice during an academic year. **(2)** The Chairman of the Academic Council shall preside over the meeting of the Academic Council, and in his absence, the members present shall elect a person from amongst themselves to preside over the meeting.
The Finance Committee	**23.**	**(1)** There shall be a Finance Committee consisting of the following members; namely :- **(i)** the Vice Chancellor; **(ii)** one member nominated by the Governing Council from amongst its members;

		(iii) one member nominated by the Executive Council from amongst its members; **(iv)** the Principal Secretary/ Secretary, Finance Department, Uttarakhand or his nominee not below the rank of Additional Secretary; **(v)** the Principal Secretary/ Secretary, Higher Education, Uttarakhand or his nominee not below the rank of Additional Secretary; **(vi)** the Principal Secretary/ Secretary, Judicial Department Government Uttarakhand or his nominee not below the rank of Additional Secretary; **(vii)** the Registrar of the University; **(viii)** the Finance Officer- Member Secretary.
		(2) The nominated members of the Finance Committee shall hold office for a period of three years. **(3)** The Finance Committee shall have the following powers, duties and functions: **(i)** to examine and scrutinize the annual budget of the University and to make recommendations or financial matters to the Executive Council; **(ii)** to consider all proposals for new expenditure and to make recommendations to the Executive Council; **(iii)** to consider the periodical statements of accounts and to review the finances of the University from time to time and to consider re-appropriation statements and audit reports to make recommendations to the Executive Council; **(iv)** to give its views and to make recommendations to the Executive Council on any financial matter 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 once in six months. Three members of the Finance Committee shall form the quorum. **(5)** The Vice Chancellor shall preside over the meetings of the Finance Committee, and in his absence, the members present shall elect a person from amongst themselves to preside over the meeting.
Selection Committee	**24.**	**(1)** The Executive Council shall constitute a Selection Committee for making recommendations to the Executive Council for appointment to the posts of teachers and other employees in the University. **(2)** The selection committee shall consist of the following members; namely:- **(a)** the Vice Chancellor who shall be Chairman of the Committee; **(b)** the Head of the Department concerned, if any who is not lower in rank than that of the post for which selection is to be made;

		(c) (i) where an appointment is to be made for any teaching post, three experts nominated by the Vice Chancellor from amongst a panel of names recommended by the Academic Council and approved by the Executive Council; **(ii)** where an appointment is to be made to any post other than concerned with teaching, three experts in the field of the University's administration to be nominated by the Vice Chancellor from amongst a panel of names recommended by the Executive Council. **(3)** Where an endowment from a donor is accepted by the University for establishing a Chair, the donor may be co-opted as member of the Selection Committee for the purpose of filling in that post.
Officer of the University	**25.**	The following shall be the officers of the University, namely: **(i)** the Vice Chancellor; **(ii)** the Heads of the Departments; **(iii)** the Registrar; **(iv)** the Finance Officer; **(v)** such other officers as may be prescribed by Regulations.
The Vice Chancellor	**26.**	**(1)** The Vice Chancellor of the University shall be appointed by the State Government on the recommendations of the Chancellor, which shall be binding on the State Government. **(2)** The Chancellor shall take into consideration, the recommendations of a committee which shall consist of the following; namely :- **(a)** one person to be nominated by the Chancellor; **(b)** one person to be nominated by the Governing Council; **(c)** one person to be nominated by the State Government. **(3)** The Committee shall, as far as may be, at least six months before the date on which a vacancy in the office of the Vice Chancellor is due to occur by reason of expiry of term or resignation under sub-section (4), and also whenever so required and before such date as may be specified by the Governing Council submit to the Governing Council the names of not less than three persons suitable to hold the office of the Vice Chancellor. The Committee shall, while submitting the names, also forward to the Governing Council a concise statement showing the academic qualifications and other distinctions of each the persons so recommended, but shall not indicate any order of preference. The Governing Council shall recommend these names to the Chancellor. The Governing Council may also forward some other names along with their academic qualifications and other distinctions for consideration of the Chancellor. **(4)** The Vice Chancellor, who shall be a person having wide range of experience in the legal, judicial and academic field or who has been a Judge of the High Court or who has been a professor of law in a recognized University, shall hold office for a term of

		five years from the date on which he enters upon his office or till he/she completes the age of sixty five years, whichever is earlier : Provided that the Vice Chancellor may by writing under his hand addressed to the Chairman of the Governing Council resign his office, and shall cease to hold his office on the acceptance by the Governing Council of such resignation. **(5)** Subject to the provisions of this Act, the emoluments and other conditions of service of the Vice Chancellor shall be such as may be prescribed. **(6)** The Chairman of the Governing Council may appoint any suitable person to the office of Vice Chancellor for a term not exceeding six months if the vacancy in the office of Vice Chancellor occurs or is likely to occur by reason of leave or any other cause, not being resignation or expiry of term, of which a report shall forthwith be made by the registrar to the Chairman of the Governing Council. **(7)** If in the opinion of the Governing Council, the Vice Chancellor wilfully omits or refuses to carry out the provisions of this Act or abuses the powers vested in him, or if it otherwise appears to the Governing Council that the continuance of the Vice Chancellor in office is detrimental to the interest of the University, the Governing Council may, after making proper inquiry which shall be completed preferably within six months, after giving him an opportunity of being heard, and may recommend the removal of the Vice Chancellor to the Chancellor, who shall forward the recommendation to the State Government for further action. **(8)** During the pendency or in contemplation, of any inquiry referred to in sub-section (7) the Governing Council may order that till further orders :-
		(a) such Vice Chancellor shall refrain from performing the functions of the office of Vice Chancellor, but shall continue to get the emoluments to which he was otherwise entitled under sub-section (5); **(b)** the functions of the office of the Vice Chancellor shall be performed by the person specified in the order. **(9)** The Vice Chancellor shall:- (a) ensure that the provisions of this Act and the Regulations are duly observed and shall have all powers as are necessary for that purpose; (b) subject to the specific and general directions of the Executive Council, the Vice Chancellor shall exercise all powers of the Executive Council in the management and administration of the University. (c) convene the meetings of the Governing Council, the Executive Council, the Academic Council and shall perform all other acts, as may be necessary to give effect to the provisions of this Act; (d) have all powers relating to the proper maintenance of

		discipline in the University. **(10)** If, in the opinion of the Vice Chancellor, any emergency has arisen, which requires immediate action, he shall take such action as he deems necessary and shall report the same for confirmation, in the next meeting, of the authority concerned which in the ordinary course would have dealt with the matter.
Heads of the Department	**27.**	**(1)** There shall be a Head of the Department for each of the departments in the University. **(2)** The powers, functions, appointments and the conditions of service of the Heads of the Department shall be as prescribed by the regulations.
The Registrar	**28.**	**(1)** The Registrar shall be a whole time officer of the University. He shall be appointed by the State Government in consultation with the Vice Chancellor from amongst the senior officers of the Govt. He may be taken on deputation from any Government Department for such period as the Vice Chancellor thinks fit. **(2)** The Registrar shall be the *ex-officio* Secretary of the Executive Council. Academic Council, and the faculties, but shall not be deemed to be a member of any of these authorities. **(3)** The Registrar shall:- **(i)** comply with all directions and orders of the Executive Council and the Vice Chancellor. **(ii)** be the custodian of the records, common seal and such other property of the University as the Executive Council shall commit to his charge; **(iii)** issue all notices convening meeting of the Executive Council, the Academic Council, the Finance Committee, the faculties the Board of studies and of any committee, appointed by the authorities of the University; **(iv)** keep the minutes of all meetings of the Executive Council, the Academic Council, the Finance Committee, the faculties and any committee appointed by the authorities of the University; **(v)** conduct the official correspondence of the Executive Council and the Academic Council;
		(vi) supply the Chancellor the copies of the agenda of the

		meetings 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; **(vii)** call a meeting of the Executive Council forthwith in an emergency, when neither the Vice Chancellor nor the officer duly authorised is able to act and to take its directions for carrying on the work of the University. **(viii)** represent the University in suits or proceedings by or against the University, sign powers of attorney and verify the pleadings under the directions of the Vice Chancellor and such pleadings or their verification and issuance of processes etc. as referred to in sub-section (3) of section 3 shall not be questioned on the ground that the Vice Chancellor has not authorized the Registrar to do so; **(ix)** be directly responsible to the Vice Chancellor for the proper discharge of his duties and functions; **(x)** perform such other duties as may be assigned to him from time to time, by the Executive Council or the Vice Chancellor under the provisions of this Act or the regulations. **(4)** In the event of the post of the Registrar remaining vacant for any reason, the Vice Chancellor may authorise any officer in the service of the University to exercise such powers, functions, and the duties of the Registrar as the Vice Chancellor deems fit.
The Finance Officer	**29.**	**(1)** The Finance Officer shall be appointed by the State Government. **(2)** The Finance Officer shall: **(a)** present the budget (annual estimates) and the statement of account to the Executive Council and also draw and disburse funds on behalf of the University; **(b)** speak in and otherwise take part in the proceedings, pertaining to matters of finance, of the Executive Council

		except voting; **(c)** ensure that no expenditure, not authorized in the budget is incurred by the University (otherwise than by way of investment); **(d)** disallow any proposed expenditure which may contravene the provision of this Act or regulations. **(e)** ensure that no financial irregularity is committed and take steps to set right any irregularities pointed out during audit; **(f)** ensure that the property and investments of the University are duly preserved and managed; **(g)** to exercise general supervision over the funds of the University; **(h)** collect the incomes, disburse the payments and maintain the accounts of the University; **(i)** ensure that the registers of buildings, lands, items of furniture and equipments are maintained up-to-date and that stock checking of equipment and other consumable material is conducted regularly in the University;
		(j) probe into any unauthorized expenditure and other financial irregularities and suggest to the competent authority, disciplinary action against persons as fault. **(k)** perform such other duties in respect of financial matters as may be assigned to him by the Executive Council or the Vice Chancellor. **(3)** In the event of the post of the Finance Officer remaining vacant for any reason the Vice Chancellor may authorize any officer in the service of the University to exercise such powers, functions and the duties of the Finance Officer as the Vice Chancellor deems fit;
Other Officers and Employees.	**30.**	**(1)** Subject to the regulations made for the purpose every other officer or employee of the University shall be appointed under written contract setting out the conditions of service as prescribed by the regulations which shall be lodged with the University and a copy thereof furnished to the officer or employee concerned.

		(2) Any dispute arising out of the 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 one- man tribunal to be known as Education Tribunal as notified by the State Govt. in compliance of the directions of the Supreme Court in T.M.A. Pai Foundation v. State of Karnataka, [AIR 2003 SC, 355].
Power to make Regulations	**31.**	**(1)** The Executive Council may make regulations for carrying out the provisions of this Act; Provided that the Executive Council shall not make any regulations affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be 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: **(i)** the constitution, powers and duties of the Academic Council; **(ii)** the authorities responsible for organizing teaching in connection with the University courses and related academic programmes; **(iii)** the withdrawal of degrees, diplomas, certificates and other academic distinctions; **(iv)** the establishment and abolition of faculties, departments, halls and institutions; **(v)** the institution of fellowships, scholarships, medals and prizes; **(vi)** conditions and modes of appointment of examiners or conduct or standard of examinations or any other course of study; **(vii)** mode of enrolment or admission of students; **(viii)** examinations to be recognized as equivalent to Examinations of the University; **(2)** The Academic Council shall have the power to propose regulations on all the matters specified in clauses (i) to (viii) of sub-section (1) and matters connected therewith or incidental thereto.
		(3) Where the Executive Council has rejected the draft of any regulation proposed by the Academic Council, the Academic Council may appeal to the Chancellor and the Chancellor may,

		by order, direct that the proposed regulations may be laid before the next meeting of the Governing Council for its approval and that pending such approval of the Governing Council it shall have effect from such date as may be specified in that order: Provided that if any a regulation is not approved by the Governing Council at such meeting, it shall cease to have effect. **(4)** All regulations made by the Executive Council shall be placed before the Governing Council at its next meeting, and the Governing Council shall have the power to amend or cancel any regulation made by the Executive Council.
Appointment of Review Commission	**32.**	**(1)** The Chancellor 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 consist of not less than three eminent persons in the field of law, one of whom shall be the Chairman of such Commission appointed by the Chancellor in consultation with the State Government. **(3)** The terms and conditions of the appointment of the members referred to in sub-section (2) 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. **(5)** The Chancellor may take such action on the recommendations of the Commission as he deems fit.
Fund of the University	**33.**	**(1)** There shall be a Fund of the University which shall include; namely :- **(i)** any contribution or grant made by the State Government; **(ii)** any contribution or grant made by the University Grants Commission or Central Government; **(iii)** any contribution made by the State Bar Council. **(iv)** any bequests, donations, endowments or other grants made by private individuals or institutions; **(v)** income received by the University from fees and charges; and **(vi)** amounts received from any other source; but shall not

		include any funds received from any agency for sponsoring a scheme. **(2)** The amount in the Fund of the University shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934. **(3)** The Fund of the University may be utilized for such purpose of the University and in such manner as may be prescribed.
The Annual Accounts and Audit	**34.**	**(1)** The Annual Accounts and the balance sheet of the University shall be prepared under the directions of the Executive Council. **(2)** The accounts of the University shall, at least once in a year, be audited by the Vice Chancellor, Local Funds Accounts, Uttarakhand or by such person or persons as the State Government may authorize in this behalf.
		(3) The accounts when audited shall be published by the Executive Council and a copy of the accounts together with the audit report shall be placed before the Governing Council and shall also be submitted to the State Government. **(4)** The Annual Accounts shall be considered by the Governing Council at its annual meeting. The Governing 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 Governing Council and take such action thereon as it deems fit. The Executive Council shall inform the Governing Council at its next meeting, all actions taken by it or the reasons for not taking action.
Financial Estimates	**35.**	**(1)** 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 Governing Council. **(2)** The Executive Council may, in case where the expenditure in excess of the amount provided in the budget is to be incurred or in cases of urgency for reasons to be recorded in writing, incur expenditure subject to such restrictions and conditions as may

		be prescribed. Where no provision has been made in the budget in respect of such excess expenditure a report shall be made to the Governing Council at its next meeting.
Surcharge	**36.**	**(1)** An officer specified in section 25 shall be liable to surcharge for the loss, waste or misapplication of any money or property of the University, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct. **(2)** The procedure of surcharge and the manner of recovery of the amount involved in such loss, waste or misapplication shall be such as may be prescribed.
Execution of Contracts	**37.**	All contracts relating to the management and administration of the University shall be expressed as made by the Executive Council, and shall be executed by the Registrar with the concurrence of the Vice Chancellor.
Grant of Law Degree, Diploma etc, by the University	**38.**	The University shall have power to grant degrees, diplomas and other academic distinctions and titles under this Act.
Honorary Degree	**39.**	In case two-third of the members of Academic Council recommend that an honorary degree or academic distinction be conferred on any person on the ground that he is, in their opinion a distinguished personality to receive such degrees or academic distinction, the Governing Council may, be a resolution, decide that the same may be conferred on the person recommended.
Withdrawal of a Degree of a Diploma	**40.**	**(1)** The Governing 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 Governing Council and by a majority of not less than two-third of the members of the Governing 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 Governing Council involves moral turpitude or if he has been guilty of gross misconduct.

		(2) No action under this section 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 Governing Council shall be immediately sent to the person concerned. **(4)** Any person aggrieved by the decision taken by the Governing Council may appeal to the Chancellor within thirty days from the date of the receipt of such resolution. **(5)** The decision of the Chancellor in such appeal shall be final.
Transfer of Property	**41.**	The State Government may transfer to the University buildings, lands and any other property whether movable or immovable for use and management by the University on such conditions and subject to such limitations as the State Government may deem fit for the purpose of this Act.
Discipline	**42.**	**(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 the Departments, hostels and institutions of the University. **(2)** Notwithstanding anything contained in sub-section (1) the punishment of debarring a student from the 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 to the student concerned a reasonable opportunity to show cause against the action proposed to be taken against him.
Sponsored Scheme	**43.**	Whenever the University receives funds from any Government, the University Grants Commission or other agencies sponsoring a scheme to be executed by the University, then notwithstanding anything in this Act and regulations:

		(a) the amount so received shall be kept by the University separately from the Fund of the University and utilized only for the purpose of the scheme; and **(b)** the staff required to execute the scheme shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organization.
Proceeding of Authorities or bodies not invalidated by vacancies	**44.**	**(1)** Notwithstanding that the Governing Council, the Executive Council, the Academic Council or any other authority or body of the University is not duly constituted or there is defect in its constitution or reconstitution at any time, no act or proceeding of any authority, committee or body of the University shall be invalid merely by reasons of: (a) any vacancy in or defect in the constitution thereof; (b) any defect in the election, nomination or appointment of a person acting as a member thereto; or (c) any irregularity in its procedure not affecting the merits of the case. **(2)** No resolution of any authority or body of the University shall be deemed to be invalid on account of any irregularity in the service of notice upon any member provided that the proceedings of such authority or body if not prejudicially affected by such irregularity.
Removal of Difficulties	**45.**	If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in giving effect to the provisions of this Act and the regulations, the State Government may, at any time, before all authorities of the University have been constituted, by order, make any appointment or do anything consistent, so far as may be, with the provisions of this Act, which appear to it necessary or expedient for the purpose of removing the difficulty and every such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act : Provided that before making any such order the State

		Government shall ascertain and consider the report in this behalf, if any, of the Vice Chancellor and such appropriate authority of the University as may have been constituted : Provided further that no such order shall be made after two years of the date of notification of this Act : Provided also that all such orders shall be place before the State Legislative Assembly.
Transitory Provisions	**46.**	Notwithstanding anything contained in this Act and the regulations made thereunder the Vice Chancellor may, with the previous approval of the Chairman of the Governing Council and subject to the availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provision of this Act and the regulations and for that purpose may exercise any powers or perform any duties, which by this Act and the regulations are to be exercised or performed by any authority of the University until such authority comes into existence as provided by this Act and the regulations.
Indemnity	**47.**	No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from the University, the Vice Chancellor, the authorities or officers of the University or any other person in respect of anything which is done or purported to have been done in good faith in pursuance of this Act or any regulations.
Act to have overriding effect	**48.**	The provisions of this Act and any regulation shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.
Repeal and savings	**49.**	**(1)** The Uttarakhand National Law University Ordinance, 2010 is hereby repealed. **(2)** Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.