

HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 26th April, 2012

No. Leg. 17/2012.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 16th April, 2012, and is hereby published for general information:—

HARYANA ACT NO. 15 OF 2012

THE NATIONAL LAW UNIVERSITY HARYANA ACT, 2012

AN

ACT

*to establish and incorporate a National Law University Haryana for
evolving and imparting comprehensive legal education to
achieve excellence in all branches of
law and its allied disciplines.*

BE it enacted by the Legislature of the State of Haryana in the Sixty-third Year of the Republic of India as follows:—

CHAPTER – I

PRELIMINARY

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| Short title. | 1. This Act may be called the National Law University Haryana Act, 2012. |
| Definitions. | <p>2. In this Act, unless the context otherwise requires,—</p> <p>(a) “Academic Council” means the Academic Council of the University;</p> <p>(b) “Bar Council of India” means the Bar Council of India constituted under the Advocates Act, 1961 (Central Act 25 of 1961);</p> <p>(c) “Chancellor” means the Chancellor of the University;</p> <p>(d) “Chief Justice” means the Chief Justice of India;</p> <p>(e) “Executive Council” means the Executive Council of the University;</p> <p>(f) “Finance Committee” means the Finance Committee of the University;</p> <p>(g) “Governing Council” means the Governing Council of the University;</p> <p>(h) “Government” means the Government of the State of Haryana;</p> <p>(i) “Registrar” means the Registrar of the University;</p> <p>(j) “Statutes, Ordinances and Regulations” means Statutes, Ordinances and Regulations of the University made under this Act;</p> |

- (k) "University" means the National Law University Haryana established under section 3 of this Act;
- (l) "Vice-Chancellor" means the Vice-Chancellor of the University;
- (m) "Visitor" means the Visitor of the University.

CHAPTER – II

3. (1) There shall be established a University in the State of Haryana by the name of National Law University, Haryana. Establishment.

(2) The University shall have perpetual succession and a common seal with power to acquire, hold and dispose of property both movable and immovable, and to contract and may by the said name sue or be sued through its Registrar.

(3) The University shall be engaged in teaching and research in law and its allied disciplines.

(4) The main seat of the University shall be at Rajiv Gandhi Education City, Sonipat.

4. The objects of the University shall be,—

Objects

- (a) to evolve and impart comprehensive legal education including distant and regular legal education at all levels to achieve excellence in the field of law and its allied disciplines;
- (b) to organize advanced studies and promote research in all branches of law and allied disciplines;
- (c) to disseminate legal knowledge and legal processes and their role in national development by organizing lectures, seminars, symposia, workshops and conferences;
- (d) 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;
- (e) to improve the ability to analyse contemporary issues of public concern and their legal implications for the benefit of public;
- (f) to liaise with institutions of higher learning and research in the field of law in India and abroad ;
- (g) to publish periodicals, treatises, study books, reports, journals and other literature on all subjects relating to law;
- (h) to promote legal awareness in the community for achieving social and economic justice;
- (i) to do all such things as are incidental, necessary or conducive to the attainment of all or any of the objectives of the University.

Powers and
functions.

5. The powers and the functions of the University shall be,--

(1) 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;

(2) to provide for instructions in all branches of knowledge or learning pertaining to law and allied subjects as the University may deem fit;

(3) to make provisions for research and for the advancement and dissemination of knowledge of law through different modes including distance learning/continuing education programmes;

(4) to institute degrees, titles, diplomas, certificates and other distinctions;

(5) to hold examinations and to confer degrees, titles, diplomas and other academic distinctions on persons and to withdraw any such degrees, titles, diplomas and other academic distinctions subject to such conditions, as the University may determine;

(6) to fix, demand and receive fees and other charges, as may be prescribed under the Ordinances;

(7) to construct and maintain halls and hostels for the students of the University;

(8) to establish specialized study centres or other units for research and instructions as are, in the opinion of the University, necessary in furtherance of its objects;

(9) to supervise and control the residence and regulate the discipline amongst the students and staff of the University and to make arrangements for promoting their health and general welfare;

(10) to make arrangements in respect of residence, discipline and teaching of women students;

(11) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;

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

(13) to institute professorships, associate professorships, assistant professorships, and to create other teaching, academic or research posts required by the University;

(14) to appoint persons as professors, associate professors, assistant professors, or otherwise as teachers and research scholars in the University;

(15) to institute and award fellowships, scholarships, prizes and medals;

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

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

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

(19) 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;

(20) to regulate the expenditure and to manage accounts of the University;

(21) 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 adequately furnish the same to establish and maintain such libraries and reading rooms, as may appear convenient or necessary for the University ;

(22) to receive grants, subventions, subscriptions, donations and gifts consistent with the objects of the University;

(23) 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 or alter and maintain any such building or works;

(24) 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 deem fit and proper without prejudice to the interests and activities of the University;

(25) to draw and accept, to make and endorse, to discount and negotiate Government of India and other promissory notes, bills of exchanges, cheques or other negotiable instruments;

(26) 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;

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

(28) to give up and cease from carrying on any classes or departments of the University;

(29) to enter into an agreement with the Central Government, State Government, the University Grants Commission or other authorities for receiving grants;

(30) to accept grant of money, securities or property of any kind or description on such terms and conditions, as may be deemed expedient;

(31) 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 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;

(32) 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;

(33) to make such Statutes, Ordinances, 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;

(34) to institute for the benefit of the academic, technical, administrative officers and other staff, in such manner and subject to such conditions as may be prescribed by the Statutes, insurance fund, contributory provident fund 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 benefit of the staff and the students of the University;

(35) to confer honorary degrees and other distinctions in the manner laid down in the Statutes;

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

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

Teaching.

6. (1) All teaching in connection with the degrees, diplomas and certificates of the University shall be conducted in accordance with the syllabi 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 Statutes.

Visitor.

7. (1) The Chief Justice of India or his nominee, who shall be sitting Judge of the Supreme Court, shall be the Visitor of the University.

(2) The Visitor when present shall preside over the convocations of the University and the meetings of the Governing Council.

8. (1) The Governor of Haryana shall be the Chancellor of the University. Chancellor

(2) The Chancellor, when present and in the absence of the Visitor shall preside over the convocations of the University and the meetings of the Governing 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 he may deem fit with reference to the result of such 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.

(7) The Chancellor may invite a person or persons of eminence in law and legal education to advise the University in relation to affairs of the University as and when he deems it necessary.

CHAPTER - III

AUTHORITIES OF UNIVERSITY

9. The following shall be the authorities of the University, namely:— Authorities.

- (a) the Governing Council;
- (b) the Executive Council;
- (c) the Academic Council ;
- (d) the Finance Committee ;and
- (e) such other authorities as may, from time to time, be declared as such by the Statutes.

10. (1) The Governing Council shall be the supreme authority of the University and shall consist of the following persons, namely:— Governing Council and its term of the office.

- (a) the Chancellor as the Chairperson or in his absence the Vice-Chancellor. However, the Visitor when present shall preside over the meetings of the Governing Council;
- (b) the Vice-Chancellor as Convener;
- (c) the Chief Secretary, Government of Haryana;

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- (d) two members from amongst the sitting Judges nominated by the Government with the concurrence of the Chief Justice or retired Judges of the Punjab and Haryana High Court nominated by the Chancellor on recommendation of the State Government;
 - (e) the Chairman, Bar Council of India or his nominee from amongst the members of the Bar Council of India;
 - (f) the Advocate General, Haryana;
 - (g) two eminent persons in the disciplines of social sciences and humanities, nominated by the Chancellor on the recommendation of the State Government;
 - (h) two eminent persons in the legal and educational fields, nominated by the Chancellor on the recommendation of the State Government;
 - (i) the Financial Commissioner and Principal Secretary to Government, Haryana, Finance Department, or his nominee;
 - (j) the Financial Commissioner and Principal Secretary to Government, Haryana, Higher Education Department, or his nominee;
 - (k) the Commissioner and Secretary to Government, Haryana, Law and Legislative Department, or his nominee;
 - (l) the Financial Commissioner and Principal Secretary to Government, Haryana, Administration of Justice Department, or his nominee; and
 - (m) the Registrar as Member Secretary.

(2) Where a person has become a member of the Governing Council by reasons of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment.

(3) The term of office of the nominated members under clauses (d), (g) and (h) of sub-section (1) shall be three years and shall not be extended in any case.

(4) 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. A member, other than the Vice-Chancellor 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 Governing Council without the leave of the Chancellor.

(5) A member other than an ex-officio member, may resign from his office by a letter addressed to the Chancellor and such resignation shall take effect as soon as it has been accepted by him.

(6) Any vacancy in the Governing Council shall be filled by nomination of a person by the respective authority entitled to make the same and the person so nominated shall hold office so long only as the member in whose place he is appointed or nominated could have held office if the vacancy had not occurred.

11. (1) The Governing 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 :—

Powers,
functions and
meetings of the
Governing
Council.

- (a) 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;
- (b) 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) The Governing Council shall meet at least once in a year. An annual meeting of the Governing Council shall be held on a date to be fixed by the Executive Council, unless some other date has been fixed by the Governing Council in respect of any year.

(3) A report of the working of the University during the previous year, togetherwith a statement of receipt and expenditure, the balance sheet as audited, and the financial estimates shall be presented by the Vice-Chancellor to the Governing Council at its annual meetings.

(4) The meetings of the Governing 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 Governing Council.

(5) For every meeting of the Governing Council, fifteen days notice shall be given.

(6) One-third of the members existing on the rolls of the Governing Council shall form the quorum.

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

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

(9) 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 so proposed to be taken shall not be taken unless agreed to by a majority of members of the Governing Council. The

action so taken shall be forthwith intimated to all members of the Governing Council. The papers shall be placed before the next meeting of Governing Council for confirmation. In case the authority concerned fails to take decision, the matter shall be referred to the Chancellor, whose decision shall be final.

Executive
Council.

12. (1) The following shall be the members of the Executive Council, namely:—

- (a) the Vice-Chancellor of the University as the Chairperson;
- (b) the Chairman, the Bar Council of India, or his nominee from amongst the members of the Bar Council of India;
- (c) the Financial Commissioner and Principal Secretary to Government, Haryana, Finance Department, or his nominee;
- (d) the Financial Commissioner and Principal Secretary to Government, Haryana, Higher Education Department, or his nominee;
- (e) three professors of law outside the University nominated by the Chancellor on the recommendation of the Government for a period of three years;
- (f) three teachers of the University to be nominated by the Vice-Chancellor, of whom one shall be from amongst the Professors, one from amongst the associate professors and one from amongst the assistant professors by rotation for a period of two years; and
- (g) two teachers of the University teaching departments other than Professors, to be elected from amongst themselves, for a period of two years.

(2) 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.

(3) A member of the Executive Council shall cease to be 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.

(4) A member of the Executive Council other than an ex-officio member may resign from 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.

(5) Any vacancy in the Executive Council shall be filled by nomination or election, as the case may be and on expiry of the period of vacancy, such member shall cease to hold the office.

13. (i) 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 there- under; and may make Regulations for the said purpose.

Powers,
functions and
meetings of the
Executive
Council.

(2) The Executive Council shall have the following powers and functions, namely:---

- (a) to prepare and present the annual report to the Governing Council at its annual meeting, which shall include-
 - (i) a report on the working of the University;
 - (ii) a Statement of accounts; and
 - (iii) budget proposals for the ensuing academic year;
- (b) 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;
- (c) to invest any money belonging to the University, including any undeployed income, in such stock, funds, shares or securities, as it may, from time to time, think fit, or in the purchase of immovable property in India, with the like power of varying such investments from time to time;
- (d) to transfer or accept transfer of any movable or immovable property on behalf of the University ;
- (e) to enter into, vary, carryout and cancel contracts on behalf of the University and for that purpose to appoint such officers, as it may think fit;
- (f) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University ;
- (g) to entertain, adjudicate upon, and if it think fit, to redress any grievances of the officers, teachers, students and employees of the University;
- (h) 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;
- (i) 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 ;

- (j) to select a common seal for the University; and
- (k) 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) The Executive Council shall meet, at least, once in three months and not less than fifteen days notice shall be given of such meetings.

(4) 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.

(5) One-third of the members of the Executive Council shall form the quorum at any meeting.

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

(7) 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 in the case may be, the member presiding over that meeting shall, in addition, have a casting vote.

(8) 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.

(9) 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. The action so proposed to be taken shall not be taken unless agreed to by a majority of members. The action so taken shall be forthwith intimated to all the members. The papers shall be placed before the next meeting for confirmation. In case, the authority concerned fails to take decision, the matter shall be referred to the Chancellor whose decision shall be final.

Academic
Council.

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

- (a) the Vice-Chancellor who shall be the Chairperson;
- (b) three persons from amongst educationists of repute or members of the legal profession or eminent public men, who are not in the service of the University, nominated by the Chancellor on the recommendations of the Government;
- (c) Director General/Director Higher Education, Haryana or his nominee;
- (d) a nominee of the Bar Council of India from amongst its members;
- (e) all the Deans of faculties;

- (f) all the Head of the Departments;
- (g) two members of the teaching staff, one each respectively representing the associate and assistant professors of the University, nominated by the Vice-Chancellor for a period of two years on rotation;

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

15. (1) Subject to the provisions of this Act, Statutes, Ordinances 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 have the following powers and functions, namely:—

Powers,
functions and
meetings of the
Academic
Council

- (a) to report on any matter referred or delegated to it by the Governing Council or the Executive Council;
- (b) 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 the conditions attached thereto;
- (c) 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 with regard to the expediency of the abolition or sub-division of any faculty or the combination of one faculty with another;
- (d) to recommend arrangements for the instruction and examination of persons other than those enrolled in the University;
- (e) to promote research within the University and to require from time to time, reports on such research ;
- (f) to consider proposals submitted by the faculties;
- (g) to lay down policies for admission to the University;
- (h) 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;
- (i) to fix, subject to any conditions accepted by the Governing Council, the time, mode and conditions of competitions for fellowships, scholarships and other prizes and to recommend for award of the same;
- (j) to make recommendations to the Executive Council with regard to the appointment of examiners and, if necessary, their removal, fixation of their fees, emoluments, traveling and other expenses;

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- (k) to recommend arrangements for the conduct of examinations and the dates for holding them;
 - (l) to 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;
 - (m) 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;
 - (n) to approve or revise lists of prescribed or recommended text books and to publish the syllabus for the prescribed courses of study;
 - (o) to approve such forms and registers as are, from time to time required by the Regulations;
 - (p) to formulate, from time to time, the desired standards of legal education to be adhered in drawing up the curriculum /syllabi for being taught in the University; and
 - (q) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for carrying out of the provisions of this Act and the Regulations made thereunder.
- (2) The Academic Council shall meet as often as may be necessary, but not less than twice during an academic year.
- (3) One-half of the existing members of the Academic Council shall form the quorum for a meeting.
- (4) In case of difference of opinion among the members, the opinion of the majority shall prevail.
- (5) Each member including the Chairman of the Academic Council, shall have one vote and if there be an equality of votes on any question to be determined, the Chairman, or, as the case may be, the member presiding over the meetings, shall in addition, have a casting vote.
- (6) Every meeting shall be presided over by the Vice-Chancellor and in his absence by a member chosen in the meeting to preside on the occasion.
- (7) If urgent action by the Academic Council becomes necessary, the Chairman may permit the business to be transacted by circulation of the papers to the members. The action proposed to be taken shall not be taken unless agreed to, by a majority of the members. The action so taken shall forthwith be intimated to all the members. The papers shall be placed before the next meeting for confirmation. In case, the authority concerned fails to take decision, the matter shall be referred to the Chancellor, whose decision shall be final.

16. (1) The Finance Committee shall consist of the following persons, namely:—
- Finance
Committee.
- (I) Ex-officio members—
- (a) the Vice-Chancellor (Chairperson) ;
 - (b) the Financial Commissioner and Principal Secretary to Government, Haryana, Finance Department, or his nominee;
 - (c) the Financial Commissioner and Principal Secretary to Government, Haryana, Higher Education Department, or his nominee; and
 - (d) the Director General/Director, Higher Education Department or his nominee.
- (II) Other members—
- (a) one outside member having expertise in finance to be nominated by the Chancellor on the recommendation of the Vice-Chancellor; and
 - (b) two Deans of faculties to be nominated by the Vice-Chancellor.
- (2) The Registrar shall be the Member Secretary of the Committee
- (3) Nominated members of the Finance Committee shall hold office for a term of two years.
- (4) Three members, out of whom at least one member shall be Government nominee, shall form the quorum.
- (5) The functions and duties 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 statements 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; and
 - (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.

(6) The Finance Committee shall meet at least twice in every year.

(7) The Vice Chancellor shall preside over the meetings of the Finance Committee, and in his absence, a member elected at the meeting shall preside.

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

(9) Each member including the Vice Chancellor shall have one vote and if there be an equality of votes on any question to be determined, the Chairman or as the case may be, the member presiding over the meeting, shall in addition, have a casting vote.

CHAPTER IV

OFFICERS OF THE UNIVERSITY

Officers of
University

17. The following shall be the officers of the University, namely:—

- (a) the Vice-Chancellor
- (b) the Registrar,
- (c) Head of the Departments, and
- (d) such other officers, as may be prescribed by the Statutes.

Vice-
Chancellor

18. (1) The Vice Chancellor shall be an academic/administrative person and an outstanding scholar. He shall be a whole time salaried officer of the University.

(2) The Government shall constitute a Search Committee consisting of one nominee of the Chancellor and two nominees of the State Government, which shall prepare a panel of at least three names, in alphabetical order, from which the Chancellor shall appoint the Vice-Chancellor, on the advice of the Government. The Financial Commissioner and Principal Secretary to Government, Haryana, Higher Education Department shall be the convener of the Search Committee.

(3) The terms and conditions of the services of the Vice Chancellor, shall be determined by the Chancellor, on the advice of the Government.

(4) The Vice Chancellor shall hold office for a term of three years which may be renewed for not more than one term.

Provided that no person shall be appointed or continue in the office of the Vice Chancellor, if he has attained the age of 68 years.

(5) 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 an administrator/academician 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.

- (6) The Vice-Chancellor shall-
- (a) ensure that the provisions of this Act, Statutes, Ordinances and Regulations are duly observed, and shall have all powers as are necessary for that purpose;
 - (b) 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;
 - (c) preside over the meetings of the Governing Council in the absence of the Chancellor;
 - (d) be the competent authority to appoint the teacher, librarian, finance officer and other officers in consultation with the Chancellor on the recommendations of the appropriate committees;
 - (e) be the competent authority to take disciplinary action against the above officers in accordance with the Statutes;
 - (f) have all powers relating to the maintenance of order and discipline in the University; and
 - (g) if, in his opinion, any emergency has arisen which requires to be taken immediate action, 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.

19. (1) The Registrar shall be appointed by the Chancellor on the advice of the Government, in such manner as may be prescribed by the Statutes. The Registrar shall be ex-officio Secretary of all the authorities, committees and other bodies of the University. He shall note and maintain the minutes of the meetings.

Registrar

(2) The Registrar shall be the Principal adjutant of the Vice-Chancellor in all matters pertaining to the administration of the University.

20. Notwithstanding anything contained in this Act, the first Vice-Chancellor and the first Registrar shall be appointed by the Chancellor on the advice of the Government for a period as deemed appropriate by the Government.

Appointment of first Vice-Chancellor and first Registrar

21. (1) There shall be a head for each department in the University.

Heads of Department

(2) The powers, functions, appointments and conditions of service of the heads of the departments shall be as prescribed by the Statutes.

22. The manner of appointment and powers and duties of other officers of the University shall be such, as may be prescribed by the Statutes.

Other officers and employees

23. A selection Committee for any appointment of teaching and non-teaching staff shall be such, as prescribed under the Statutes.

Selection Committees

Statutes and
their scope.

24. Subject to the provisions of this Act, the Statutes shall provide for all or any of the following matters, namely: --

- (a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;
- (b) the constitution of the selection committees for appointment of Professors, Associate Professors, Assistant Professors and non-teaching staff, the classification, mode of appointment, powers and duties of the teachers and the officers of the University other than the Vice-Chancellor and the Registrar;
- (c) the conditions of the service including provision for contributory provident fund or insurance scheme for the benefit of the employees of the University;
- (d) the conferment of honorary degrees;
- (e) the establishment and abolition of Faculties and Departments;
- (f) the institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (g) the maintenance of discipline among the students;
- (h) the delegation of powers vested in the authorities or officers of the University; and
- (i) all other matters which by this Act, are to be or may be provided for, by the Statutes.

Framing of
statutes

25. The Statutes of the University shall be made by the Vice-Chancellor with the approval of the Chancellor. They shall be placed before the Governing Council at its first meeting, which may adopt them with or without modifications.

Ordinances and
their scope

26. Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:--

- (a) the admission of students to the University and their enrolment as such;
- (b) the admission to the examinations, degrees and diplomas of the University;
- (c) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University and the eligibility for such degrees and diplomas;
- (d) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University; and further to make progressively the fee structure so flexible that the courses could become self-financing to the extent possible;
- (e) the conditions of the award of fellowships, studentships, exhibitions, medals and prizes;

- (f) the conduct of examinations, including the terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (g) the conditions of residence of students of the University; and
- (h) all other matters which by this Act or the Statutes are to be made or may be provided for by the Ordinances.

27. (1) The Ordinances shall be made, amended, repealed or added to by the Executive Council:

Framing of ordinances.

Provided that no Ordinance shall be made—

- (i) affecting the admission or enrolment of students or prescribing examinations to be recognized as equivalent to the University examinations; and
- (ii) affecting the conditions, mode of appointment or duties of examiners or the conduct or standard of examination or any courses of study, unless the draft of such an Ordinance has been proposed by the Academic Council.

(2) The Executive Council may return to the Academic Council for consideration, either in whole or in part, any draft proposed by the Academic Council under sub-section (1) along with its suggestions:

Provided that the Executive Council shall not amend the draft proposed by the Academic Council itself. It may, however, reject such draft when submitted to it by the Academic Council for the second time.

(3) All Ordinances made by the Executive Council shall have effect from such date as it may direct and every Ordinance made shall be communicated, as soon as may be, to the Chancellor.

28. The authorities of the University shall make Regulations consistent with this Act, the Statutes and the Ordinances—

Regulations.

- (a) laying down the procedure to be observed at their meetings;
- (b) providing for giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of the meetings; and
- (c) for any other purpose, as may be deemed necessary by the authority.

29. Notwithstanding anything contained in this Act, the University shall not create any teaching and non-teaching post or revise the pay scale of the teaching and non-teaching employees without obtaining the prior approval of the Government.

Creation of teaching and non-teaching posts.

30. A minimum of 25% seats for admissions in the University shall be reserved for students of the State of Haryana. One-fifth of the total seats reserved for Haryana domicile shall be reserved for the wards of landowners whose land has

Admissions and reservation.

been acquired under land acquisition policy of the Government for Rajiv Gandhi Education City, Sonapat. Further, admission on these one-fifth seats shall be made on the basis of merit in Common Law Admission Test (CLAT).

Reservation policy of the State Government, as amended from time to time, shall be applicable on Haryana domicile students.

Annual report.

31. The annual report of the University giving details of broad programmes, policies and finances, amendments of Statutes and Ordinances made during the year under report, shall be prepared under the directions of the Executive Council and shall be submitted to the Governing Council on or after such date as may be prescribed by the Statutes and the Governing Council shall consider the report in its annual meeting.

Annual accounts

32. (1) The annual accounts and the balance-sheet of the University shall be prepared under the directions of the Executive Council and shall once at least every year and at intervals of not more than fifteen months be audited by the Director, Local Audit, Haryana or any other auditor that may be appointed by the Government. The annual accounts when audited shall be published in the Haryana Government Gazette and a copy of the annual accounts along with the report of the Director, Local Audit, Haryana or the auditor shall be submitted to the Governing Council and the Chancellor along with the observations of the Executive Council. Any observations made by the Chancellor on the annual accounts shall be brought to the notice of the Governing Council and observations of the Governing Council, if any, shall after being considered by the Executive Council, be submitted to the Chancellor.

(2) The annual accounts and the balance sheet of the University shall also be submitted to the Government at the time of its submission to the Chancellor.

CHAPTER - V

GENERAL

Honorary degrees.

33. If not less than two-thirds 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 of a position, fit and proper to receive such degree or academic distinction, the Governing Council may, by a resolution, decide that the same be conferred on the person recommended.

Withdrawal of degree or diploma.

34. (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 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 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 Governing Council shall be immediately sent to the person concerned.

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

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

35. (1) Notwithstanding anything contained in this Act or any other State law, for the time being in force, no person or institution, other than the University, shall confer, grant or issue or hold himself or itself out as entitled to confer, grant or issue any degree, diploma or certificate in the specialized areas of knowledge assigned to it within the territorial jurisdiction of the University which is identical with or is a colorable imitation of any degree, diploma or certificate conferred, granted or issued by the University.

Bar on conferring, granting or issuing degrees, diplomas or certificates by unauthorized institutions.

(2) Contravention of the provisions of sub-section (1) shall be a cognizable offence punishable with imprisonment not exceeding three years or with a fine not exceeding ten thousand rupees or with both.

(3) Where an offence under this section has been committed by a college or an institution, every person incharge of, and responsible to the college or the institution for the conduct of its business at the time of the commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against as per law.

(4) Notwithstanding anything contained in sub-section (3), where an offence made under this section has been committed by an institution and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any officer of the institution, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.- For the purpose of this section "institution" means any body corporate and includes a firm or other association of individuals.

36. (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 department, hostels and institutions.

Discipline.

(2) The punishment of debarring a student from an examination or rustication from the University shall be imposed by the Vice-Chancellor and the decision taken by the Vice-Chancellor shall be considered by the Executive Council in its next meeting:

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.

University open to all races, classes, castes and creeds.

37. The University shall be open to all persons irrespective of race, creed, caste or class and no test or condition shall be imposed as to religion, faith, belief or profession in admitting or appointing members, students, teachers, workers, or in any other connection whatsoever and no benefaction shall be accepted which in the opinion of the authorities of the University involves conditions or obligations opposed to the spirit and objectives of this provision:

Provided that nothing contained in this section shall be deemed to prevent the University from making any special provisions in respect of weaker sections of the society and in particular Scheduled Castes and Scheduled Tribes.

Vacancy, etc. not to invalidate any act or proceeding.

38. No act or proceeding of the Governing 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.

Indemnity.

39. 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 done in good faith or intended to be done in pursuance of the provisions of this Act, Statutes, Ordinances, Regulations made thereunder.

Overriding effects.

40. The provisions of this Act, Statutes, Ordinances and Regulations made thereunder shall have effect notwithstanding anything inconsistent contained therewith in any other State law or instrument having the force of law for the time being in force.

Power to remove difficulties.

41. 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, the Government may, by order, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty:

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

Sponsored schemes.

42. Whenever the University receives funds from any Government, the University Grants Commission or other agencies sponsoring a scheme to be executed by the University, notwithstanding anything in this Act—

- (a) the amount received shall be kept by the University separately from the University fund 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:

Provided that if the University receives such grants for creation of posts from University Grants Commission, the prior approval of the State Government shall be obtained.

43. Subject to the provisions contained in the Indian Evidence Act, 1872 (1 of 1872), or in any other law for the time being in force, a copy of any receipt, application, notice, order, proceedings, resolution of any authority or committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as evidence of such receipt, application, notice, order, proceedings, resolution, document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence.

Mode of proof
of University
record.

MANJIT SINGH,

Secretary to Government Haryana,
Law and Legislative Department.