

# **NATIONAL LAW UNIVERSITY OF MEGHALAYA**

**Established by the Government of Meghalaya vide National Law University of  
Meghalaya Ordinance, 2022**

**FIRST STATUTES**

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FIRST STATUTES

# **NATIONAL LAW UNIVERSITY OF MEGHALAYA**

(Promulgated by the Governor on the 11<sup>th</sup> July, 2022)

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The first Statutes to provide for the establishment of a Law University by the name of the National Law University of Meghalaya at Shillong for imparting legal education for development of teaching and higher learning in law with powers to award degrees, diplomas, and other academic distinctions and also to impart legal education and training as mandated by the Ministry of Law and Justice, Government of India.

## **PREAMBLE:**

Whereas it is expedient to provide for the establishment of a Law University in Shillong by the name of the National Law University of Meghalaya for imparting legal education for development of teaching and higher learning in law with powers to award degrees, diplomas and other academic distinctions;

Whereas in furtherance of the said objects, the Government has decided that teaching and research facilities available in the Law University can also be utilized to offer comprehensive legal training apart from development of teaching and higher learning in law with powers to award degrees, diplomas, and other academic distinctions and for matters connected therewith or incidental thereto;

It is hereby enacted in the Seventy-third Year of the Republic of India the following First Statute-

# **DRAFT OF FIRST STATUTE**

## **CHAPTER 1- PRELIMINARY**

### **Short Title Extent and Commencement**

1. These Statutes may be called the National Law University of Meghalaya Ordinance, 2022;
2. They shall come into force on the date of their approval by the Governing Council.

### **Definitions**

In these Statutes, unless the context otherwise requires;

- a. “Ordinance” means the National Law University of Meghalaya Ordinance, 2022;
- b. “Academic Council” means the Academic Council of the University;
- c. “Authorities of the Law University” means the authorities mentioned in Section 8 of the Ordinance;
- d. “Bar Council of India” means the Bar Council of India constituted under the Advocate Act, 1961;
- e. “Chancellor” means the Chancellor of the University mentioned in Section 7 of this Ordinance;
- f. “Clause” means a clause of the Statutes in which that expression occurs;
- g. “Executive Council” means the Executive Council of the University;
- h. “Finance Committee” means the Finance Committee of the University;
- i. “General Council” means the General Council of the University;
- j. “Law University” means National Law University Meghalaya;
- k. “Registrar” means Registrar of the University;
- l. “Section” means Section of the National Law University of Meghalaya Ordinance,2022;
- m. “UGC” or “University Grants Commission” means the University grants Commission established under the University Grants Commission Act, 1956;
- n. “Vice-Chancellor” means Vice-Chancellor of the University.

## **CHAPTER II- THE LAW UNIVERSITY**

### **1. Establishment of the Law University**

The Establishment of the National Law University of Meghalaya is provided under Section 3 of the National Law University of Meghalaya Ordinance, 2022.

### **2. Objects of the Law University**

The objects of the Law University are provided under Section 4 of the National Law University of Meghalaya Ordinance, 2022.

### **3. Powers and functions of the Law University**

The power and functions of the Law University are provided under Section 5 of the National Law University of Meghalaya Ordinance, 2022.

### **4. Teaching in the Law University**

All recognized teachings of the Law University and the courses and curricula are prescribed in the Regulations.

### **5. Visitor and Chancellor of the University**

- (1) The Chief Justice of India or his nominee, who shall be Senior Judge of the Supreme Court of India, shall be the Visitor of the University;
- (2) The Chief Justice of the High Court of Meghalaya will be the Chancellor of the University;
- (3) The Chancellor shall be Ex-officio Chairperson of the Governing Council. However the Visitor when present shall preside over the meetings of the Governing Council;
- (4) The Chancellor, if he so desires, may attend the meeting of any authority of the University. When present, he will preside over the meeting of the authorities;
- (5) The Chancellor shall have the powers as provided under Section 7 of the National Law University of Meghalaya Ordinance, 2022;

- (6) The Chancellor shall be the competent authority to sanction any kind of leave to the Vice-Chancellor.

### **CHAPTER III- AUTHORITIES OF THE LAW UNIVERSITY**

#### **6. Authorities of the Law University**

The authorities of the Law University are provided in the manner as provided in Sec 8 of National Law University of Meghalaya Ordinance, 2022.

#### **7. General Council and its term of Office**

- (1) The General Council shall be the supreme authority of the University.
- (2) The composition, term, Resignation procedures of General Council shall be as provided under Section 9 of National Law University of Meghalaya Ordinance, 2022.

#### **8. Powers and functions of General Council**

- (1) The powers and functions of the Governing Council shall be as prescribed under Section 10 of National Law University of Meghalaya Ordinance, 2022.
- (2) The Governing Council shall have the powers to decide the matter not otherwise provided for.

#### **9. Executive Council**

The composition of Executive Council shall be as provided under Section 11 of National Law University of Meghalaya Ordinance, 2022.

#### **10. Power and functions of Executive Council**

- (1) The Executive Council shall have the powers and functions as prescribed under Section 12 of National Law University of Meghalaya Ordinance, 2022.
- (2) The Executive Council shall have the powers of management and administration of affairs of the University not otherwise provided for.

- (3) The Executive Council may delegate any of its powers to the Vice-Chancellor, and on the recommendations of the Vice-Chancellor to the Registrar or any other officer, employee or authority of the University or to a Committee appointed by it.
- (4) The Executive Council shall exercise all the powers of the University not otherwise provided for by the Act, the Statutes, the Ordinances and the Regulations for the fulfilment of the objects of the University.

### **11. Academic Council**

1. The composition of the Academic Council shall consist of the following members as prescribed under Section 13(1) of National Law University of Meghalaya Ordinance, 2022.
2. The term of nominated members of the Academic Council is prescribed under Section 13 (2) of National Law University of Meghalaya Ordinance, 2022.

### **12. Powers and Functions of Academic Council**

1. The power and functions and the meetings of the Academic Council is prescribed under Section 14 (1) of National Law University of Meghalaya Ordinance, 2022.
2. A member of the Academic council shall cease to be a member, if he/she 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/she accepts a full time appointment in the University.

### **13. Finance Committee**

- (1) The composition of the Finance Committee shall be as prescribed under Section.15 (1) of National Law University of Meghalaya Ordinance, 2022.
- (2) The term of nominated members of the Academic Council shall be as specified under Section 15 (2) of National Law University of Meghalaya Ordinance, 2022.
- (3) The functions and duties of the Finance Committee is prescribed under Section 15 (3) of National Law University of Meghalaya Ordinance, 2022.
- (4) A member of the Finance Committee shall cease to be member, if he/she resigns or becomes of unsound mind or becomes insolvent or is convicted of a criminal offence, involving moral turpitude. A member of the Finance Committee other than an ex- officio



member, may resign his/her office by a letter addressed to the Vice-Chancellor and such resignation shall take effect as soon as it has been accepted by him/her.

- (5) Any vacancy in the Finance Committee shall be filled by nomination by the respective nominating authority and on expiry of the period of vacancy; such nomination shall cease to be effective.
- (6) Subject to the provisions of the Act, Statutes and Regulations and overall supervision of the Executive Council, the Finance Committee shall exercise such powers and discharge such functions as prescribed under Section 15 of National Law University of Meghalaya Ordinance, 2022.

## **CHAPTER IV- OFFICERS OF THE LAW UNIVERSITY**

### **14. Officers of the Law University**

The officers of the Law University are prescribed under Section 16 of National Law University of Meghalaya Ordinance, 2022.

### **15. The Vice-Chancellor of Law University**

- (1) The Vice-Chancellor shall be an academic person and an outstanding scholar in law or an eminent jurist. The Vice-Chancellor shall be whole-time salaried Officer of the University.
- (2) The Vice-Chancellor shall be appointed by the Chancellor in the manner as provided in Sec 17 (1) of National Law University of Meghalaya Ordinance, 2022.
- (3) The term of the office of the Vice-Chancellor of the Law University is as provided under Sec 17 (1) of National Law University of Meghalaya Ordinance, 2022.
- (4) The Vice-Chancellor of Law University shall ensure due process of law, preside meetings, initiate appointments, ensure disciplinary actions, and take emergency actions whenever necessary as provided in Sec 17 (2) of National Law University of Meghalaya Ordinance, 2022.
- (5) The emoluments and other conditions of service of the Vice-Chancellor shall be at par with the Vice-Chancellor of a Central University prescribed by the Central Govt./U.G.C. from time to time. The Vice-Chancellor shall be entitled to:
  - (i) free use of the University staff car;
  - (ii) free furnished accommodation from University throughout his term and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such staff car and residence;

(6) In addition to the salary specified in sub-clause (5) above, the Vice-Chancellor shall be entitled to such leave, benefits and other allowance as are admissible to the University employees from time to time.

(7) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Executive Council with the approval of the Chancellor.

(8) The Vice-Chancellor shall be entitled to travel by air and shall be entitled to travelling/other allowances prescribed by the Executive Council from time to time.

(9) The authority competent to sanction leave to the Vice-Chancellor shall be the Chancellor.

### **16. Powers & Functions of Vice-Chancellor**

(1) The Vice-Chancellor shall be ex-officio Chairperson of the Executive Council, the Academic Council, the Finance Committee and the Planning Board.

(2) The Vice-Chancellor shall be empowered to grant leave to any Officer of the University and make necessary arrangements for the discharge of the functions of such Officer during his absence.

(3) The Vice-Chancellor shall grant leave of absence to any employee of the University in accordance with the rules and, if he so decides may delegate such power to another officer of the University.

(4) The Vice-Chancellor shall have the power to make appointments as per provisions of the Act, Rules and Regulations.

Provided that, if the action taken by the Vice-Chancellor is not approved by the authority concerned, he may refer the matter to the Chancellor, whose decision thereon shall be final. Provided further that, where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date on which he receives notice of such action, an appeal to the Executive Council.

(5) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Ordinances or the Regulations.

### **17. Registrar of the Law University**

(1) The Registrar shall be an academic person in law not below the rank of a Professor.

- (2) The Registrar shall be the principal administrative officer of the Law University as provided under section Sec 18 (3) of National Law University of Meghalaya Ordinance, 2022
- (3) The Registrar shall be appointed by the Chancellor as per the provision under Section 18(1) and 18(2) of National Law University of Meghalaya Ordinance, 2022 The Registrar has the power to appoint and take disciplinary actions as provided under Section 18 (4) of National Law University of Meghalaya Ordinance, 2022.
- (4) The emoluments and other conditions of service of the Registrar shall be equivalent to the Registrar of a Central University or as prescribed by the Ordinances, Rules & Regulations.
- (5) If the office of the Registrar is vacant or when the Registrar is unable to perform his duties due to ill health or any other cause, the Vice-Chancellor shall have the authority to assign the duties of the Registrar to a teacher/officer of the University until the new Registrar assumes his office or until the existing Registrar attends to the duties of his office, as the case may be.
- (6) In cases where an inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, consequent to the inquiry, make a report to the Vice-Chancellor alongwith his recommendations for such action as the Vice-Chancellor may deem fit. Provided that in such a case an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty on an employee.
- (7) The Registrar shall:
  - (a) issue notices and convene meeting of authorities of the University and the committee(s) constituted by such authorities;
  - (b) keep the minutes of the meetings of the authorities and the committee(s) constituted by authorities; and
  - (c) Conduct the official proceedings and correspondence;
- (8) The Registrar shall represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose.
- (9) The Registrar shall perform such other functions as may be specified in the Act, Statutes, Ordinances or Regulations or as may be required from time to time by the Executive Council or the Vice-Chancellor.

### **18. Finance and Accounts Officer**

The Finance and Accounts Officer in the Law University are prescribed under Section 20 of National Law University of Meghalaya Ordinance, 2022.

### **19. Search and Selection Committee**

The role of Executive Committee in Search and Selection Committee is prescribed under Section 22 of National Law University of Meghalaya Ordinance, 2022.

### **20. Reservation**

The appointment of various posts which shall include the post of the Registrar, Officers, teaching and non teaching staffs shall be done as prescribed under Section 23 of National Law University of Meghalaya Ordinance, 2022.

### **21. Honorary degrees**

It is prescribed under Section 27 of National Law University of Meghalaya Ordinance, 2022.

### **22. Withdrawal of Degree and Diploma**

It is prescribed under Section 28 of National Law University of Meghalaya Ordinance, 2022.

### **22. Sponsored Schemes**

It is prescribed under Section 29 of National Law University of Meghalaya Ordinance, 2022.

### **23. Vacancy, not to invalidate any proceeding**

No act or proceeding of General Council, the Executive Council, Finance Committee or any other authority or officer or Council of the Law University shall be invalidated or questioned on the ground merely of the existence of any vacancy or defect in the Constitution itself.

FIRST STATUTES