

The West Bengal National University of Juridical Sciences Act, 1999

(W.B. Act IX of 1999)

Preamble

[3-8-1999]

An Act to establish and incorporate a National University of Juridical Sciences at Calcutta in West Bengal.

WHEREAS the Committee appointed by the Chief Justices' Conference on Legal Education and Training (1993) has recommended the establishment in each State of an institution on the model of the National Law School of India University at Bangalore;

AND WHEREAS the All India Law Ministers' Conference (1995) has resolved to set up in each State a Law School modeled on the lines of the National Law School of India University at Bangalore for improving the quality of professional legal education.

AND WHEREAS it is considered necessary to encourage the establishment of such a national level institution of excellence in higher learning of law in the State of West Bengal.

AND WHEREAS it is deemed expedient to establish the National University of Juridical Sciences for the purpose hereinafter appearing;

It is hereby enacted in the Fiftieth Year of the Republic of India, by the Legislature of West Bengal, as follows:-

Short title and commencement:

- 1. (1) This Act may be called the West Bengal National University of Juridical Sciences Act, 1999.
 - (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appointment, and different dates may be appointed for different provisions of this Act.

Definitions:

- 2. In this Act, unless the context otherwise requires -
 - "Academic Council" means the Academic Council of the University; (1)
 - "Bar Council of India" means the Bar Council of India constituted under the (2) Advocates Act, 1961:
 - "Bar Council" means the Bar Council of West Bengal constituted under the (3) Advocates Act, 1961:
 - "Chancellor" means the Chancellor of the University; (4)
 - "Executive Council" means the Executive Council of the University; (5)



- (6) "General Council" means the General Council of the University;
- "Registrar" means the Registrar of the University; **(7)**
- "Regulations" means the regulations of the University made under section 13; (8)
- "Schedule" means the Schedule to this Act; (9)
- "Chief Justice" means the Chief Justice of West Bengal and includes the Judge (10)performing the duties of Chief Justice of High Court;
- "University" means The West Bengal National University of Juridical (11)Sciences established under Section 3;
- "Vice Chancellor" means the Vice-Chancellor of the University; (12)
- "Finance Committee" means the Finance Committee of the University; (13)

Establishment and incorporation of the University

- With effect from the coming into force of this Act, there shall be established, **3.** (1) in the state of West Bengal, a University by the name of the West Bengal National University of Juridical Sciences, which shall consist of the Chancellor, the Vice-Chancellor, the General Council, the Executive Council, Academic Council and the Registrar.
 - (2) The University shall be a body corporate by the name as aforesaid having perpetual succession and common seal, with power, subject to the provisions of this act, to acquire and hold property and to contract, and shall, be the said name, sue and the sued.
 - In all suits and other legal proceedings by or against the University, the (3) pleadings shall be signed and verified by the Registrar and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.
 - The headquarters of the University shall be at Calcutta. (4)

The objects of the University

4. (1) The objects of the University shall be to advance and disseminate learning and knowledge of law and legal processes and their role in national development, to develop in the student and research scholar a sense of responsibility to serve society in the field of law by developing skills in regard to advocacy, legal service, legislation, law reforms and the like to organize lectures, seminars, symposia and conferences, to promote legal knowledge and to make law and legal processes efficient instruments of social development, to promote interdisciplinary study of law in relation to management, technology, international co-operation and development, to hold examinations and confer degrees including joint degrees in law combined with other disciplines and other academic distinctions and to do all such things as are incidental, necessary or conductive to the attainment of all or any of the objects of the University.

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



Powers and functions of the University

- 5. The powers and functions of the University shall be –
- (i) to administer and manage the University and such centres for research, education and instruction as are necessary for the furtherance of the objects of the University;
- (ii) to provide for instruction in such branches of knowledge or learning pertaining to law as the University may think fit and to make provision for research and for advancement and dissemination of knowledge of law;
- (iii) to organize and undertake extramural teaching and extension services;
- (iv) to hold examinations and to grant diplomas or certificates and to confer degrees including joint degrees in law combined with other disciplines and other academic distinctions on persons subject to such conditions as the University may determine and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good any sufficient cause;
- (v) to confer honorary degrees or other distinctions in such manner as may be laid down by regulations;
- (vi) to fix, demand and receive fees and other charges;
- to institute and maintain halls and hostels and to recognize places or residence for (vii) the students of the University and to withdraw such recognition accord to any such place or residence;
- (viii) to establish such special centres, specialized study centres or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;
- (ix) to supervise and control the residence, and to regulate the discipline of the students of the University and to make arrangements for promoting their health;
- (x) to make arrangements as foresaid in respect of the residence, discipline and teaching of women students;
- to create academic, technical, administrative, ministerial and other posts and to (xi) make appointments thereto;
- to regulate and enforce discipline among the employees of the University and to (xii) take such disciplinary measures as may be deemed necessary;
- to institute professorships, associate professorships, assistant professorships, (xiii) readerships, lectureships, and any other teaching academic or research posts required by the University;
- to appoint persons as professors, associate professors, assistant professors, readers, (xiv) lecturers or otherwise as teachers and researchers of the University;
- (xv) to institute and award fellowships, scholarships, prizes and medals;
- to provide for printing, reproduction and publication of research and other works and to organize exhibitions;
- to sponsor and undertake research in all aspects of law, justice and social development;
- (xviii) to co-operate with any other organization in the mater of education, training and research in law, justice, social development and allied subjects for such purposes as may be agreed upon on such terms and conditions as the University may from time to time determine;
- to co-operate with institutions of higher learning in any part of the world having (xix) objects wholly or partially similar to those of the University buy exchange of teachers and scholars and generally in such manner as may be conducive to the common objects;



- to regulate the expenditure and to manage the accounts of the University; (xx)
- to establish and maintain, within the premises of the University or elsewhere, such (xxi) class rooms and study halls as the University may consider necessary and adequate and to establish and maintain such libraries and reading rooms as may appear convenient or necessary for the University;
- 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 or to alter and maintain, any such building or works;
- (xxiv) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immoveable on such terms as it may think fit and proper without prejudice to the interest and activities of the University;
- 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, reconveyances, mortgages, leases, licences and agreements in respect of property, movable or immovable. Including Government securities belonging to the University or to be acquired for the purpose of the University;
- (xxvii) to appoint, in order to execute an instrument or transact any business of the University, any person as it may deem fit;
- (xxviii)to give up and to cease from carrying on any classes or departments of the University;
- (xxix) to enter into any agreement with the Central Government or the State Government or the Government of any other State or the University Grants Commission or any other authorities for receiving grants;
- (xxx) to accept grants of money, securities or property of any kind on such terms as it may deem expedient;
- (xxxi) to raise and borrow money on bonds, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms 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;
- (xxxii) to invest the funds of the University or the money entrusted to the University in or upon such securities and in such manner as it may deem fit and from time to time transpose any investment;
- (xxxiii) to make, from time to time, such regulations as may be considered necessary for regulating the affairs and the management of the University and to alter, modify or rescind such regulations:
- (xxxiv)to constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be prescribed by regulations, pensions, insurance, provident fund (which shall be governed by the provisions of the Provident Fund Act 19025, as if such fund were a Government Provident Fund) and gratuity as it may deem fit, to make such grants as it may think fit for the benefit of any employees of the University, and to aid the establishment



- and support or associations, institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the University;
- (xxxv) to delegate all or any of its powers to the Vice-chancellor or any committee, or any sub-committee, constituted by any authority or the University or to any one or more members of the General Council of the University or to any officers of the University;
- (xxxvi)to do all such other acts and things as the University may consider necessary, conductive or incidental to the attainment or enlargement of the objects of the University.

Teaching of the University

- **6.** (1) All recognized teachings in connection with the degree, diplomas and Certificates of the University shall be conducted under the control of the General Council, by the teachers of the University in accordance with the syllabus prescribed by regulations.
 - The course and curricula of and the authorities responsible for organizing such (2) teaching shall be such as may be prescribed by regulations.

Chancellor of the University

- The Chief Justice of India shall be the Chancellor of the University. **7.** (1)
 - The Chancellor shall have the right to cause an inspection, to be made by such (2) 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 be made in like manner in respect of any matter connected with the administration and finances of the University;
 - The Chancellor shall, in every case, give notice to the University of his intention (3) to 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 or inquiry.
 - (4) The Chancellor may address the Vice-chancellor with reference to the result of such inspection or inquiry and the Vice-chancellor shall communicate to the General Council the views of the Chancellor along with such advice as the Chancellor may offer on the action to be taken thereon.
 - (5) The General Council shall communicate through the Vice-chancellor to the Chancellor such action, if an, as it proposes to take or as has been taken on the result of such inspection of inquiry.

Authorities of the University

- **8.** The following shall be the authorities of the University:-
 - (1) The General Council;
 - (2) The Executive Council;
 - (3) The Academic Council;
 - (4) The Finance Committee; and
 - (5) Such other authorities as may be declared by the University to be the authorities of the University.

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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL LAW DEPARTMENT

Legislative

NOTIFICATION

No. 519-L.—21st May, 2019.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXXII of 2018

THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL SCIENCES (AMENDMENT) ACT, 2018.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette*, *Extraordinary*, of the 21st May, 2019.]

An Act to amend the West Bengal National University of Juridical Sciences Act, 1999.

Whereas it is expedient to amend the West Bengal National University of Juridical Sciences Act, 1999, for the purposes and in the manner hereinafter appearing;

West Ben. Act IX of 1999.

It is hereby enacted in the Sixty-ninth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the West Bengal National University of Juridical Sciences (Amendment) Act, 2018.

The West Bengal National University of Juridical Sciences (Amendment) Act, 2018.

(Section 2.)

(2) It shall come into force at once.

Insertion of new sections after section 4 of West Ben. Act IX of 1999. 2. In the West Bengal National University of Juridical Sciences Act, 1999, after section 4, the following sections shall be inserted:—

"Restriction an obligation of University.

4A. (1) The tuition fees in the University shall be such as may be determined by the State Government from time to time.

(2) The University shall allow free-ship in tuition fees to at least five per centum of their total strength to the students belonging to poor and economically backward classes.

Note.— The relevant criteria for determining poor and economically backward class shall be such as may be determined by the State Government from time to time.

(3) The University shall compulsorily make provision for reservation of seats for the students domiciled in the State of West Bengal to the extent of at least thirty percent of the total intake in the University.

Admission of Student.

4B. (1) Admission of the student in the University shall be made on the basis of merit.

(2) Merit for admission in the University may be determined either on the basis of marks or grade obtained in the qualifying examination or on the basis of marks or grade obtained in a relevant entrance examination conducted by the University or by Common Entrance Test conducted at the State or National level.".

By order of the Governor,

AKHILESH KUMAR PANDEY,
Secy.-in-charge to the Govt. of West Bengal,
Law Department.