



# NATIONAL UNIVERSITY OF JURIDICAL SCIENCES

**Act, Regulations & Rules**

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## **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*, appoint, and different dates may be appointed for different provisions of this Act.

### **Definitions:**

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



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

### **Establishment and incorporation of the University**

- 3. (1) With effect from the coming into force of this Act, there shall be established, 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.
- (3) In all suits and other legal proceedings by or against the University, the 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.
- (4) The headquarters of the University shall be at Calcutta.

### **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 inter-disciplinary 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 conducive 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;
- (vii) to institute and maintain halls and hostels and to recognize places or residence for 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;
- (xi) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;
- (xii) to regulate and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary;
- (xiii) to institute professorships, associate professorships, assistant professorships, readerships, lectureships, and any other teaching academic or research posts required by the University;
- (xiv) to appoint persons as professors, associate professors, assistant professors, readers, lecturers or otherwise as teachers and researchers of the University;
- (xv) to institute and award fellowships, scholarships, prizes and medals;
- (xvi) to provide for printing, reproduction and publication of research and other works and to organize exhibitions;
- (xvii) to sponsor and undertake research in all aspects of law, justice and social development;
- (xviii) to co-operate with any other organization in the matter of education, training and research in law, justice, social development and allied subjects for such purposes as may be agreed upon on such terms and conditions as the University may from time to time determine;
- (xix) to co-operate with institutions of higher learning in any part of the world having objects wholly or partially similar to those of the University by exchange of teachers and scholars and generally in such manner as may be conducive to the common objects;

- (xx) to regulate the expenditure and to manage the accounts of the University;
- (xxi) to establish and maintain, within the premises of the University or elsewhere, such 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;
- (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 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 immovable on such terms as it may think fit and proper without prejudice to the interest and activities of the University;
- (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, 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 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;
- (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, conducive 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.
- (2) The course and curricula of and the authorities responsible for organizing such teaching shall be such as may be prescribed by regulations.

### **Chancellor of the University**

7. (1) The Chief Justice of India shall be the Chancellor of the University.
- (2) The 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 be made in like manner in respect of any matter connected with the administration and finances of the University;
- (3) The Chancellor shall, in every case, give notice to the University of his intention 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 any, as it proposes to take or as 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 :-
  - (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.





### **The General Council**

9. The General Council shall be the supreme authority of the University

### **The Executive Council**

10. (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 vest in the Executive Council which shall control and administer the property and funds of the University.

### **The Academic Council**

11. The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Act and the regulations, have the power of control and general regulation of and shall be responsible for the maintenance of standards of instruction, education and examination of the University, and shall exercise such other powers, and shall perform such other duties, as may be conferred or imposed upon it by this Act or the regulations. It shall also have the right to advise the Executive Council on the academic matters.

### **Officers of the University**

12. The following shall be the officers of the University:-  
(a) The Vice-chancellor;  
(b) The Heads of the Departments;  
(c) The Registrar; and  
(d) Such other officers as may be prescribed by regulations.

### **Regulations**

13. (1) Subject to the provisions of this Act, the Executive Council shall have in addition  
to all other powers vested in it, the power to make regulations to provide for the administration and management of the affairs of the University;  
Provided that the Executive Council shall not make any regulation 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 all or any of the following matters;  
(a) The constitution, powers and duties of the Academic Council;



- (b) The authorities responsible for organizing teaching in connection with the University courses and related academic programmes;
  - (c) The withdrawal of degrees, diplomas, certificates and other academic distinctions;
  - (d) The establishment and abolition of Faculties, Departments, halls and institutions;
  - (e) The institution of fellowships, scholarships, studentships, exhibition, medals and prizes;
  - (f) Conditions and modes of appointment of examiners, or conduct or standard of examinations, or any other course of study;
  - (g) Mode of enrolment or admission of students;
  - (h) Examinations to be recognized as equivalent to school examinations.
- (2) The Academic Council shall have the power to propose regulations on all or any of the matters specified in clauses (a) to (h) and matters incidental or related thereto.
- (3) Where the Executive Council has rejected any regulation proposed by the Academic Council, the Academic Council may appeal to the Chancellor and the the Chancellor may, by order, direct that the proposed regulation may be laid before the next meeting of the General Council for its approval and that pending such approval of the General Council such regulation shall have effect from such date as may be specified in the order:  
Provided that if the regulation is not approved by the General Council at such meeting, it shall cease to have effect.
- (4) All regulations made by the Executive Council shall be submitted, as soon as may be for approval, to the Chancellor and to the General Council at its next meeting, and the General Council shall have by a resolution passed by a majority of not less than two-thirds of the members present, the power to cancel any regulations made by the Executive Council and such regulations shall, from the date of such resolution, cease to have effect.

### **Appointment of a University Review Commission**

- 14.** (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 not than three eminent educationists, one of whom shall be the Chairman of such Commission appointed by the Chancellor in consultations with the State Government.
- (3) The terms and conditions of appointment of the members shall be such as the Chancellor may determine.
- (4) The Commission shall after holding such enquiry as it deems fit, make its recommendations to the Chancellor.
- (5) The Chancellor may take such action on the recommendations as he deems fit.

### **Action not invalidated merely on the ground of defect in constitution vacancy etc.**

**15.**

- (1) Notwithstanding that the General Council, the Executive Council, the Academic Council or any other authority or body of the University is not duly

constituted or there is a defect in its constitution or reconstitution at any time or there is a vacancy in the membership of any such authority or body, no act or proceedings of such authority or body shall be deemed to be invalid on any such ground or grounds.

- (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 were not prejudicially affected by such irregularity.

### **Removal of difficulties at the commencement**

16. 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 first giving effect to the provisions of this Act or the regulations, the Chancellor or the Vice-chancellor, if the Chancellor so decides, may, at any time, before all the 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 and the regulations, which appear to him to be 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 or the regulations, as the case may be : Provided that before making any such order, the Chancellor or the Vice-chancellor, as the case may be, shall ascertain and consider the opinion of the Vice-Chancellor or the Chancellor , as the case may be, and of such appropriate authority of the University as may have been constituted;  
Provided further that no order shall be made under this section after the expiration of a period of two years from the date on which this Act comes into force.

### **Transitory provisions**

17. Notwithstanding anything in this Act or the regulations, the Vice-Chancellor may, with the previous approval of the Chancellor and subject to the availability of funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of the Act and the regulations and for that purpose may exercise any power or perform any duty, 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 the Act or the regulations.

### **Authorities and officers of the University**

18. The authorities of the University and their composition, powers, functions and other matters relating to them and all other matters relating to the finances, powers, teaching, administration and management of affairs of the University shall subject to the provisions of this act be as specified in the Schedule or as may be provided by regulations.

**Indemnity**

19. 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 in good faith done or purported to have been done in pursuance of this act or the regulations.

**Power to amend Schedule**

20. (1) The General Council may, with the prior approval of the Chancellor and the State Government, by notification published in the Official Gazette, amend, either prospectively or retrospectively, the Schedule.
- (2) A copy of every notification made under sub-section (1) shall be laid before the State Legislature, as soon as may be, after it is made.

**Act to have overriding effect**

21. The provisions of this Act and the regulations 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.



## **The West Bengal National University of Juridical Sciences Act, 1999**

### **(W.B. Act IX of 1999)**

#### **SCHEDULE (See Section 18 of the Act)**

##### **1. Definitions:-**

In this Schedule, unless the context otherwise requires-

- (1) “Clause” means a clause of this Schedule;
- (2) “teacher” includes a professor, associate professor, assistant professor, Reader, lecturer or any other person imparting instructions in the University.

##### **2. Memberships of General Council-**

There shall be a General Council of the University which shall consist of the following members –

- (a) The Chancellor
- (b) The Vice-Chancellor
- (c) The Chief-Justice, High Court at Calcutta
- (d) The Speaker, West Bengal Legislative Assembly;
- (e) The Minister for Higher Education Government of West Bengal;
- (f) The Minister for Law, Government of West Bengal;
- (g) The Minister for Finance, Government of West Bengal;
- (h) The Advocate-General of West Bengal;
- (i) Three members from among the jurists and eminent scholars in the fields of science, technology, and Social Sciences nominated by the Government of West Bengal.
- (j) The Chairman, Bar Council of India;
- (k) The Chairperson of the University Grants Commission or his nominee from among the members of the University Grants Commission.
- (l) The Chairman, Bar Council of West Bengal;
- (m) Two Judges of the Supreme Court or a High Court, Nominated by the Chancellor;
- (n) Two distinguished lawyers, nominated by the Chief Justice of the High Court at Calcutta;
- (o) Two distinguished educationists, nominated by the Vice-Chancellor in consultations with the Chancellor;
- (p) The Director of Indian Institute of Management, Calcutta;
- (q) The Chairman of the West Bengal Human Rights Commission;
- (r) Such other members of the Executive Council as are not otherwise members of the General Council;

Provided that an employee of the University shall not be eligible for nomination under sub-clause (n) and (p).

##### **3. Chairman and Treasurer :**

- (1) The Chancellor shall be the Chairman of the General Council
- (2) A nominee of the General Council from among its members, other than employees of the University, shall be the Treasurer of the University.



#### **4. Term of office of members of the General Council**

- (1) The term of office of the members of the General Council to the provisions of sub-clauses (2) and (3) be five years;  
Provided that the term of the first General Council shall be six years.
- (2) Where a member of the General Council becomes such member by reason of the office or appointment he holds or is a nominated member, his membership shall terminate when he ceases to hold such office or appointment or, as the case may be, his nomination is withdrawn or cancelled.
- (3) A member of the General Council shall cease to be a member if he resigns or becomes of unsound mind or becomes insolvent, or is convicted of a criminal offence involving moral turpitude or if a member, other than the Vice-chancellor, accepts a full time appointment in the University.
- (4) A member of the General Council may resign his office by a letter addressed to the Chancellor and such resignation shall take effect as soon as it is accepted by the Chancellor.
- (5) Any vacancy in the General 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 for so long as the member in whose place he is appointed or nominated could have held office if the vacancy had not occurred.

#### **5. Powers of the General Council –**

The General Council shall have the following powers:-

- (a) To review from time to time the broad policies and programme of the University and suggest measures for the improvement and development of the University;
- (b) To consider and pass the resolution on the annual report, financial estimates and audit reports on the accounts of the University;
- (c) To perform such other functions as it may deem necessary for the efficient functioning and administration of the University.

#### **6. Meeting of the General Council-**

- (1) The General Council shall meet at least once in a year. An annual meeting of the General Council shall be held on a date to be fixed by the Executive Council unless some other date has been fixed by the General Council in respect of any year.
- (2) The Chancellor shall preside over the meetings of the general Council. In the absence of the Chancellor, the Chancellor shall nominate a member of the Executive Council to preside and in the absence of both of them, the Vice-chancellor shall preside.
- (3) A report of the working of the University during the previous year, together with a statement of receipts and expenditure, the balance sheet as audited, and the financial estimates shall be presented by the Vice-chancellor to the General Council at its annual meeting.
- (4) The meetings of the General Council shall be called by the Chancellor or, in his absence by the Vice-chancellor, either on his own or at the request of not less than ten members of the General Council.
- (5) For every meeting of the General Council, 15 days' notice shall be given.

- (6) One-third of the members of the General Council shall form the quorum for the meeting.
- (7) Each member shall have one vote and if there be equality of votes on any question to be determined by the General Council, the Chancellor or the person presiding over the meeting shall, in addition, have a casting vote.
- (8) In the case of difference of opinion among the members, the opinion of the majority shall prevail.
- (9) If urgent action by the General Council becomes necessary, the Chancellor may permit the business to be transacted by circulation of papers to the members of the General Council. The action proposed to be taken shall not be taken unless agreed to by a majority of the members of the General Council. The action so taken shall be forthwith intimated to all the members of the General Council and the papers shall be placed before the next meeting of the General Council for confirmation.

## **7. Membership of the Executive Council-**

- (1) The Executive Council shall consist of the following persons:-
  - (a) The Vice-chancellor;
  - (b) A Judge from among the members of the General Council-nominated by the Chancellor;
  - (bb) Judge of Calcutta High Court – nominated by the Chancellor
  - (c) A distinguished Lawyer-member of the General Council nominated by the Chancellor;
  - (cc) Advocate General of West Bengal
  - (d) Three distinguished educationist-member of the General Council nominated by the Chancellor;
  - (dd) The Law Minister, Govt. of West Bengal
  - (e) The Law Secretary to the Government of West Bengal;
  - (f) The Higher Education Secretary to the Government of West Bengal
  - (g) The Principal Finance Secretary to the Government of West Bengal;
  - (h) Three members from the jurists and eminent scholars in the fields of sciences, technology and social sciences nominated by the Government of West Bengal in consideration with the Chief Justice of Calcutta High Court.
  - (i) Two Professors or Associate Professors of the University by rotation.
  - (j) Two Lecturers or Assistant Professors of the University by rotation.
- (2) The Vice-Chancellor shall be the Chairman of the Executive Council.

## **8. Term of office of Executive Council-**

- (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 if he resigns or becomes of unsound mind or becomes insolvents or is convicted of a criminal offence involving moral turpitude or if a member, other than the Vice-Chancellor or a member of the Faculty, accepts a full time appointment in the University.

- (3) Unless the membership of a member of the Executive Council is previously terminated as provided in the preceding sub-clauses, such member shall relinquish his membership on the expiry of five years from the date on which he becomes member of the Executive Council but shall be eligible for re-nomination or reappointment, as the case may be;

Provided that the term of the first Executive Council shall be six years.

- (4) A member of the Executive Council, other than an 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 is 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, 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.

## 9. Powers and functions of the Executive Council-

Without prejudice to clause 5. The Executive Council shall have the following powers and functions:-

- (1) To appointment, from time to time, the Vice-Chancellor, the Registrar, the Librarian, Professors, Associate Professors, Assistant Professors and other Members of the teaching staff, as may be necessary, on the recommendations of the Selection Committee constituted by regulations for the purpose.

Provided that no action shall be taken by the Executive Council, except in the cases covered by the second proviso, in regard to the number, qualifications and emoluments of teachers, otherwise than after consideration of the recommendations of the Academic Council:

Provided further that it shall not be necessary to constitute any selection committee for making appointments –

- (a) To any supernumerary post; or
  - (b) To the post of Professor or a person of high academic distinction, eminence and professional attainment invited by the Executive Council to accept the post;
- (2) To create administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify minimum qualifications for appointment to such posts, and to appointment persons to such posts on such terms and conditions of service as may be prescribed by regulations in this behalf, or to delegate the power of appointments to such authority or authorities or officer or officers as the Executive Council may, from time to time, by resolution, either generally or specifically, direct :
- (3) To grant in accordance with the regulations leave of absence, other than casual leave, to any officer of the University and to make necessary arrangements for the discharge of the functions of such officer during his absence;
- (4) To manage and regulate the finance, accounts, investments, property, business and all other administrative affairs of the University and, for that purpose, to appoint such agents as it may think fit;
- (5) To invest any money belonging to the University, including any unapplied income, in such stock, funds, shares or securities, as it may, from time to time, think fit, or in the purchase of immovable property in India, with the like power to vary such investments from time to time;

- (6) To transfer on accept transfers of any movable or immovable property on behalf of the University.
- (7) To enter into, vary, carry out, or cancel contracts on behalf of the University and, for that purpose, to appoint such officers as it may think fit;
- (8) To provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;
- (9) To entertain, adjudicate upon, and if it thinks fit, to redress any grievances of the officers of the University, the teachers, the students and the University employees, who may, for any reason, feel aggrieved, otherwise than by an act of a court;
- (10) 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:
- (11) To select a common seal for the University and to provide for the custody of the seal; and
- (12) To exercise such other powers and to perform such other duties as may be conferred or imposed on it by or under this Act.

#### **10. Meeting of the Executive Council-**

- (1) The Executive Council shall meet at least once in six months and not less than fifteen days' notice shall be given of such meeting.
- (2) Six members of the Executive Council shall constitute a quorum for any meeting thereof.
- (3) In the case of difference of opinion among the members, the opinion of the majority shall prevail.
- (4) Each member of the Executive Council shall have one vote and, if there is 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 the meeting shall, in addition, have a casting vote.
- (5) Every meeting of the Executive Council shall be presided over by the Vice-Chancellor or, in his absence, by a member chosen by the members present.
- (6) If any urgent action by the Executive Council becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation of papers to the members of the Executive Council. The action proposed to be taken shall not be taken unless agreed to by a majority of members of the Executive Council. The action so taken shall be forthwith intimated to all the members of the Executive Council. The papers shall be placed before the next meeting of the Executive Council for confirmation.

#### **11. Constitution of the Standing Committees and appointment of ad hoc committees by the Executive Council-**

- (1) Subject to the provisions of this Act and the regulations as may be made in this behalf, the Executive Council may, by resolution, constitute such Standing Committees or appoint ad hoc 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 for enquiring into, and reporting or advising upon, any matter relating to the University.

- (2) The Executive Council may co-opt such persons to a Standing Committee or an ad hoc Committee as it considers suitable and may permit them to attend the meetings of the Executive Council.

### 12. Delegation of powers by the Executive Council-

The Executive Council may, by resolution, delegate to the Vice-chancellor or to a committee, such of its powers as it may deem fit, subject to the condition that the action taken by the Vice-Chancellor or such committee in the exercise of the powers so delegated shall be reported at the next meeting of the Executive Council.

### 13. Membership of the Academic Council-

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

- (a) The Vice-chancellor, who shall be the Chairman,
- (b) A nominee of the Chairman of the Bar Council of India from among the members of its Legal education Committee;
- (c) A nominee of the Chairman of the University Grants Commission from among the members of its Law Panel;
- (d) Two distinguished law teachers nominated by the Vice-chancellor;
- (dd) (i) The Vice Chancellor of one of the Technological Universities in the State of West Bengal to be nominated by the Vice Chancellor.
- (ii) The Vice Chancellor of the West Bengal Health University or the Director of the Central Forensic Science Laboratory in Kolkata to be nominated by the Vice Chancellor.
- (e) A nominee of the Government of West Bengal;
- (f) All Professors and Additional Professors of the University;
- (g) A representative each of the Associate Professors, Assistant Professors and Lecturers of the University (one from Law ; One from Social Sciences);

Provided that an employee of the University shall not be eligible for nomination under item (d);

- (2) The term of the members, other than *ex officio* members, shall be five years;

Provided that the term of the first Academic Council shall be six years.

### 14. Powers and duties of the Academic Council-

Subject to the provisions of this Act and the regulations, the academic Council shall, in addition to all other powers vested in it, have the following powers :-

- (1) To report on any matter referred or delegated to it by the General Council or the Executive Council
- (2) To make recommendations to the Executive Council with regard to the creation, abolition or classification of teaching posts in the University and the emoluments and the duties attached thereto;
- (3) To formulate and modify or revise schemes for the organization of the Faculties, and to assign to such Faculties their respective subjects and also to report to the Executive Council as to the expediency of the abolition or sub-division of any Faculty or the combination of one Faculty with another;
- (4) To make arrangements by regulations for the instruction and examination of persons other than those enrolled in the University;





- (5) To promote research within the Universities and to require , from time to time, reports on such research;
- (6) To consider proposals submitted by the Faculties;
- (7) To appointment committees for admission to the University;
- (8) To recognize diplomas and degrees of other University and institutions and to determine their equivalence in relation to the diplomas and degrees of the university;
- (9) To fix, subject to any conditions accepted by the General council, the time, mode and conditions of competition for fellowships, scholarships and other prizes, and to award the same :
- (10) To make recommendations to the Executive Council in regard to appointment of examiners and , if necessary, their removal and the fixation of their fees, emoluments and travelling and other expenses;
- (11) To make arrangements for the conduct of examinations and to fix dates for holding them:
- (12) To declare 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, licenses, titles and marks of honour ;
- (13) To Award stipends, scholarships, medals and prizes and to make other awards in accordance with the regulations and on such conditions as may be attached to the awards;
- (14) To publish lists of prescribed or recommended text-books and to publish syllabus of the prescribed courses of study;
- (15) To prepare such forms and registers as are, from time to time, prescribed by regulations ; and
- (16) To perform, in relation to academic matters all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the regulations.

#### **15. Procedure of the Meetings of the Academic Council-**

- (1) The Academic Council shall meet as often as may be necessary, but at least once during an academic year.
- (2) One half of the total number of members of the academic Council shall form quorum for a meeting of the Academic Council.
- (3) In the case of difference of opinion among the members, the opinion of the majority shall prevail.
- (4) Each member of the Academic Council including the Chairman of the Academic Council, shall have one vote and if there shall be an equality of votes on any question to be determined by the Academic Council, the Chairman of the academic Council or as the case may be, the member presiding over the meeting shall in addition, have a casting vote.
- (5) Every meeting of the academic Council shall be prescribed over by the Chairman of the academic Council and in his absence, by a member chosen by the members at the meeting to preside over the meeting.
- (6) If any urgent action by the Academic Council becomes necessary, the Chairman of the Academic Council may permit the business to be transacted by circulation of papers to the members of the Academic Council. The action proposed to be taken shall not be taken unless agreed to by a majority of members of the Academic Council. The action so taken shall be forthwith intimated to all the members of the



Academic Council. The papers shall be placed before the next meeting of the Academic Council for confirmation.

#### **16. Finance Committee-**

- (1) There shall be a Finance Committee constituted by the Executive Council consisting of the following members:
  - (a) The Treasurer of the University;
  - (b) The Vice-Chancellor;
  - (c) Three members nominated by the Executive Council from amongst its members, out of whom at least one shall be from the Government of West Bengal.
- (2) The members of the Finance Committee other than the Vice-Chancellor shall hold office for a term of five years.
- (3) 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, to consider re-appropriation statements, and audit reports, and to make recommendations to the Executive Council;
  - (d) To give its view and to make recommendations to the Executive Council on any financial question affecting the University either on its own initiative or on reference from the Executive Council or the Vice-chancellor.
- (4) The Finance Committee shall meet at least once every year. Three members of the Finance Committee shall form the quorum for a meeting of the Finance Committee.
- (5) The Treasurer of the University shall preside over the meetings of the Finance Committee, and in his absence, the Vice-chancellor shall preside. In the case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

#### **17. Selection Committee-**

- (1) The Executive Council shall constitute Selection Committee for making recommendations to the Executive Council for appointment to posts of Professors, Associate Professors and other Teachers of the University.
- (2) The Selection Committee shall consist of the following members :-
  - (a) The Vice-chancellor, who shall be the Chairman of the Selection Committee;
  - (b) The Head of the Department concerned , if any, provided he holds a post not lower than the level of the post for which the selection is to be made;
  - (c) Three experts for selecting Professors, Associate Professors and Assistant Professors, nominated by the Vice-chancellor from amongst a panel of names recommended by the Academic Council and approved by the Executive Council.
- (3) If an endowment from a donor is accepted by the University for instituting a Chair, the donor may be co-opted as a member of the Selection Committee for the purpose of filling up of that particular position.



- (4) The meeting of the Selection Committee shall be convened by the Vice-chancellor whenever necessary. The Vice-chancellor shall preside over the meetings of the Selection Committee. Three members of the Selection Committee, of whom one shall form the quorum for a meeting of the Committee.

#### **18. Vice –Chancellor-**

- (1) The Vice-Chancellor of the University shall be appointed by the Executive Council in consultation with the Chancellor in accordance with the regulations made in that behalf;
- (2) Subject to the specific and general directions of the Executive Council, the Vice-Chancellor shall exercise all the powers of the Executive Council for management and administration of the University.
- (3) The Vice-chancellor, who shall be a Professor of Law, shall hold office for a term of five years, which shall be renewable for one more term only by a resolution to that effect by the Executive Council. Upon the expiry of his term, he shall continue in office until his successor is appointed and enters upon his office.
- (4) The Vice-chancellor shall –
  - (a) Ensure that the provisions of this Act and the regulations are duly observed, and he shall have all such powers as are necessary for that purpose;
  - (b) Convene the meetings of the General Council, the executive Council, and the Academic Council and shall perform such other acts as may be necessary to give effect to the provisions of this Act;
  - (c) Represent the University in suits or proceedings by or against the University, sign powers of attorney and verify the pleadings or depute representatives for the purpose;
  - (d) Have all such powers as are necessary for proper maintenance of discipline in the University.
- (5) If, in the opinion of the Vice-chancellor, any emergency has risen, and such emergency requires that immediate action should be taken, he shall take such action as he deems necessary; and shall report the same for confirmation to the next meeting of the authority, which, in the ordinary course, would have dealt with the matter.

#### **19. Head of Departments/Schools-**

- (1) There shall be 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 Departments shall be such, as may be prescribed by the regulations.

#### **20. Registrar-**

- (1) The Registrar shall be appointed by the Executive Council and shall be a whole time officer of the University. The terms and conditions of service of the Registrar shall be such as may be prescribed by regulations.
- (2) The Registrar shall be the ex officio Secretary of the Executive Council, the Finance Committee and the Faculties, but shall not be deemed to be a member of any of these authorities.
- (3) The Registrar shall –



- (a) Comply with all directions and orders of the Executive Council and the Vice-chancellor;
  - (b) Be the custodian of the records, common seal and such other property of the University as the Executive Council may commit to his charge;
  - (c) 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 any authority of the University;
  - (d) Keep the minutes of all meetings of the Executive Council, the Academic Council, the Finance Committee, the Faculties, and any Committees appointed by any authority of the University;
  - (e) Conduct the official correspondence of the Executive Council and the Academic Council;
  - (f) 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;
  - (g) Call a meeting of the Executive Council forthwith in an emergency, when neither the Vice-Chancellor nor the officer duly authorized is able to act and to take its directions for carrying on the work of the University;
  - (h) Be directly responsible to the Vice-chancellor for the proper discharge of his duties and functions; and
  - (i) Perform such other duties as may be assigned to him from time to time, by the Executive Council or the Vice-Chancellor.
- (4) In the event of the post of the Registrar remaining vacant for any reason. It shall be open to the Vice-chancellor to authorize any officer in the service of the University to exercise such powers and perform such functions and duties of the Registrar, as the Vice-chancellor deems fit.

## **21. Other Officers and Employees-**

- (1) Subject to the regulations made in this behalf, every other officer or employee of the University shall be appointed under a written contract setting out the conditions of service as prescribed by 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 a Tribunal for arbitration consisting of three members appointed by the Executive Council in such manner as may be prescribed by regulations.

## **22. Provident Fund, Gratuity, pension and other benefit scheme-**

All permanent employees of the University shall be entitled to the benefit of the provident fund and gratuity in accordance with such regulations as may be made in that behalf by the Executive Council.

## **23. Funds of the University-**

- (1) There shall be a fund for the University to be called University Fund, the Fund shall include-
  - (a) Any contribution or grant made by the state Government;

- (b) Any contribution or grant made by the University Grants Commission or the Central Government;
  - (c) Any contribution made by the Bar council of India;
  - (d) Any contribution made by the State Bar Councils;
  - (e) Any bequests, donations, endowments or other grants made by private individuals and trusts, public or private.
  - (f) Income received by the University from fees and charges ; and
  - (g) Amounts received from any other source.
- (2) The amount in the said Fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, or may be invested in such securities authorized by the Indian Trusts Act, 1882, as may be decided by the Executive Council.
- (3) The said fund may be employed for such purpose of the University, and in such manner, as may be prescribed by regulations.

#### **24. Annual Accounts and Audit-**

- (1) The Annual Accounts 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 auditors appointed by the Executive Council.  
Provided that the State Government shall have the power to direct, whenever considered necessary, an audit of the accounts of the University including the institutions managed by it, by such auditors as the State Government may specify.
- (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 Executive Council and shall also be submitted to the State Government.
- (4) The Annual Accounts shall be considered by the General Council at its annual meeting. The General 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 General Council and take such action thereon as it thinks fit. The Executive Council shall inform the General Council at its next meeting all actions taken by it or the reasons for not taking action.

#### **25. Financial Estimates-**

- (1) The Executive Council shall prepare, before such date as may be prescribed by regulations the financial estimates for the ensuing year and place the same before the General Council.
- (2) The Executive Council may in the case where an expenditure in excess of the amount provided in the budget is to be incurred or in the case of urgency, for reasons to be recorded in writing, incur expenditure subject to such conditions and restrictions as may be specified in the regulations. Where no provision has been made in the budget in respect of such excess expenditure, a report shall be made to the General Council at its next meeting.

**26. Annual Report-**

- (1) The Executive Council shall prepare the Annual Report containing such particulars as the General Council may specify, covering each financial year, and submit it to the General Council on or before such date as may be prescribed by regulations. The General Council may pass resolutions thereon and the Executive Council shall take action in accordance therewith. The action taken shall be intimated to the General Council.
- (2) Copies of the Annual Report along with the resolution of the General Council thereon shall be submitted to the state Government. The State Government shall pay the same before the State Legislature at its next earliest session.

**27. Execution of Contracts-**

All contracts relating to the management and administration of the University shall be expressed to be made by the Executive Council and shall be executed by the Vice-Chancellor when the value of the contract is above twenty lakhs of rupees and by the Registrar when its value does not exceed twenty lakhs of rupees.

**28. Eligibility for Admission of students-**

No student shall be eligible for admission to a course of study for a degree or diploma, unless he possesses such qualifications as may be prescribed by regulations.

**29. Honorary degree-**

If not less than two-thirds of the members of the academic Council recommend that a honorary degree of academic distinction be conferred on any person on the ground that he is, in their opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the General Council may, by a resolution, decide that the same may be conferred on the person recommended.

**30. Residence of students-**

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

**31. Withdrawal of degree or diploma-**

- (1) The General Council may, on the recommendation of the Executive Council, Withdraw any distinction, degree, diploma or privilege conferred on, or granted to, any person by a resolution passed by the majority of the total membership of the General Council and by a majority of not less than two-thirds of the members of the General Council present and voting at the meeting, if such, person has been convicted by a court of law for an offence, which in the opinion of the General Council, involves moral turpitude or if he has been guilty of gross misconduct.
- (2) No action under sub-clause (1) shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.
- (3) A copy of the resolution passed by the General Council shall be immediately sent to the person concerned.





- (4) Any person aggrieved by the decision taken by the General Council may appeal to the Chancellor within thirty days from the date of receipt of such resolution.
- (5) The decision of the Chancellor in such appeal shall be final.

### **32. Discipline-**

- (1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in that behalf shall be carried out by the Heads of Departments, hostels and institutions.
- (2) Notwithstanding anything contained in sub-clause(1), the punishment of debarring a student from an examination or rustication from the University or a hostel or an institution shall, on the report of the Vice-chancellor, be confused and imposed by the Executive Council.

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

### **33. Sponsored Scheme-**

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 or the regulations-

- (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.



## **Regulations made under Sections 13 of West Bengal Act IX of 1999 by the Executive council for Administration of the Affairs of the University**

### **PART II**

#### **Regulations relating to Financial Matters**

##### **Definitions**

- a) “NUJS” means the West Bengal National University of Juridical Sciences
- b) “Vice-Chancellor” means the Vice-chancellor of NUJS (Section 12)
- c) “Executive Council” means the Executive Council of the NUJS [Section 10]
- d) “Finance Committee” means the Finance Committee of the NUJS [Section 8]
- e) “Registrar” means the Registrar of the NUJS (Section 12 )
- f) “University” means the NUJS University.

##### **Financial Directives**

- 1. Funds to be spent on the basis of approved budget only
  - (a) The Financial Year of the University will be from 1<sup>st</sup> April to 31<sup>st</sup> March of the subsequent year.
  - (b) The funds of the University shall be utilized only in furtherance of the objectives and functions of the University as stipulated in the Act and accordance with the provisions made in the budget by the Executive Council from time to time.

##### **Management of Funds and Expenditure**

- 1. (a) All moneys received by or on behalf of the University shall be brought into account and the amount so received shall be credited into the account of the University in the bank of the same day or on the next working day following at the latest subject, however, that an imprest amount of Rs. 10,000/- is allowed to be maintained with the officer of the University authorized by the Vice-chancellor.
  - (b) The money received shall be acknowledged by a receipt signed by a duly authorized person.
- 2. No expenditure shall be incurred unless such expenditure has been sanctioned by the authority competent to do so under the Act and the Regulations framed thereunder.
- 3. Refund of deposit on any account shall be made with the sanction of the Vice-chancellor or any other officer specially authorized by the Vice-chancellor for this purpose.
- 4. Capital expenditure shall not be incurred without the previous sanction of the Finance Committee and the Executive Council.
- 5. The Vice-chancellor shall be entitled to incur expenditure sanctioned in the budget save as otherwise directed by the Executive Council.
- 6. The Executive Council may authorize the Registrar to incur expenditure within limits prescribed by the Executive Council.

7. All payments should ordinarily be made by cheque only. However, payment up to Rs. 2,000/- may be made in cash for meeting petty expenditures.
8. The Vice-chancellor shall have the authority to spend or incur expenditure of an emergent nature not provided for in the budget not exceeding Rs. 10,000/- at a time for the purpose of the University subject. However, that the total amount so spent during one year does not exceed Rs. 50,000/-. The expenditure so incurred shall be got ratified from the Executive Council in its earliest meeting following the period during which such expenditure was incurred.

### **Funds of the University**

All long term investments of the funds of the University shall be invested in Bank Deposits in a Scheduled Bank as defined in the Reserve Bank of India Act, 1938 or in a corresponding bank constituted under the Banking Companies Acts 1970 and 1980 and /or such securities as authorized by the Indian Trust Act, 1982 as may be determined by the Executive Council from time to time.

However, to meet day to day expenses of the University a separate bank account with a Nationalised Bank may be opened jointly by the Registrar and the Accounts Officer/Accountant.

### **TA/DA of Officials**

The Faculty members and staff of the University shall be eligible for travelling and halting allowances according to the rates prescribed in the Regulations. The Vice-chancellor shall be the authority to sanction travelling allowance and daily allowance bills of the faculty members and staff and will act as Controlling Officer.

### **Budget**

Budget estimates of income and expenditure for the coming financial year shall be prepared according to the direction of the Finance Committee and be placed before the Executive Council for approval before 30<sup>th</sup> June of every year and after such approval a copy will be sent to the Government.

### **Accounting Responsibilities and Procedures**

#### **1. Accounts Officer to ensure compliance of Accounting Regulations**

1. The Accounts Officer shall be responsible for the proper maintenance of all the accounts of the University. The Cash Book shall be balanced at the close of every working day and signed by the Accounts Officer and the Registrar.
2. The University shall keep and maintain such books of accounts, registrars, receipt books and files as required, conforming to those maintained by the other Universities in the State of West Bengal. An illustrative list of the same is given in Section 26 of these Regulations.
3. Postage stamp account shall be maintained separately and expenditure on postage incurred in a day shall be posted in the book and signed by the Accounts Officer,
4. The books of accounts and all other books and documents connected with them shall remain under custody of the accounts Officer/Accountant of the University.
5. The annual audit of accounts shall be conducted by Chartered Accountants appointed by the executive Council on such terms and conditions as the



Executive Council on such terms and conditions as the Executive Council may deem fit and the accounts so audited shall be laid before the Executive Council not later than 31<sup>st</sup> October of each year.

6. At the end of each financial year, but not later than 31<sup>st</sup> December of the year, the Vice –Chancellor shall forward a copy of the audited accounts and report of the auditors thereon to the Government of West Bengal through the Department of Law and Judicial Affairs.
7. All property, buildings, assets, money and securities belonging to the University, shall stand in the name of the West Bengal National University of Juridical Sciences, Kolkata.

## **2. Creation of Funds**

The Executive Council may establish one or more Funds for identified purposes by transferring such sums as it may deem fit out of the amount of the receipt of the University.

## **3. Stock Register**

The University shall maintain a Stock Register in which it shall be entered all pieces of duly labeled and numbered furniture and fixtures, equipments and other articles owned by the University. The said Register shall be maintained upto date by the Accounts Officer. The Accounts Officer shall be responsible for their upkeep, custody and accounting.

## **4. Provident Fund**

The University shall maintain a Provident Fund Account of each of the eligible employees and open a separate bank account for keeping the PF Fund as authorized by the Executive Council in accordance with the regulations formulated for the purpose.

## **5. Supplementary Demands**

The Finance Committee may present not before 6 (six) months from 1<sup>st</sup> April and not more than two times in one financial year, to the Executive Council supplementary demands for grant at any time during the course of a financial years.

## **6. Maintenance of Registers and Accounts**

(a) The University shall, inter alia, maintain the following accounts books in English:

- (1) Cash Book / Bill Register
- (2) Ledger
- (3) Register of Investment
- (4) Stock Register
- (5) Property Register
- (6) Register of Books and Periodicals
- (7) Provident Fund Register
- (8) Salary Register
- (9) Attendance Register
- (10) Receipt of Mail Register
- (11) Dispatch Register
- (12) Such other books as may be prescribed from time to time.

- (b) The books of Accounts and Registers shall be strongly bound and paged on the first and title page and the number of pages of the book or Register shall be noted and signed by the Registrar, Correction in the entries shall be made in red ink and attested. Erasing, over writing shall be avoided under all circumstances.
- (c) Receipt forms shall be numbered consequently and bound into books of 100 forms each. On the front page of each book shall be entered first and last number of the receipts in that book. Receipts shall be in duplicate. The first shall remain in the books and the carbon copy can be given to the payer. Receipt shall be signed by the accounts Officer or such other person duly authorized by the Vice-chancellor
- (d) Property Register should be completed by incorporating details regarding additions, sales and depreciation. Similarly, the Accession Register in respect of books be kept and necessary entries made in respect of loss/damage etc. at periodic intervals. Identification marks be provided on the books purchased and other fixed assets of the University.
- (e) Bills presented for payment shall be examined by the Accounts Officer/Accountant and upon his being satisfied that the claim is admissible, he shall make the payment after the payment is authorized by Vice-chancellor / Registrar. The entry in the Cash Book shall show whether the payment is made in cash or by cheque. The bills and the relevant receipts shall be tagged together and shall be numbered consecutively for the year as payment voucher.
- (f) Salary Bill / Salary Register shall contain the following items or such other items as the authorities may direct :
  - (1) Sl. No.
  - (2) Name and Designation
  - (3) Pay & Scale of Pay
  - (4) D.A.
  - (5) H.R.A.
  - (6) C.C.A.
  - (7) Other Allowances, if any
  - (8) Total Gross Salary
  - (9) Income Tax
  - (10) Provident Fund
  - (11) Recoveries (others)
  - (12) Professional Tax
  - (13) Total Recoveries
  - (14) Net Salary
- (g) All money received and spent shall be immediately brought into account in the cash Book and the ledger

**REGULATIONS MADE UNDER SECTIONS 13 OF****WEST BENGAL ACT IX OF 1999 BY  
THE EXECUTIVE COUNCIL FOR  
ADMINISTRATION OF THE  
AFFAIRS OF THE  
UNIVERSITY****PART III****Regulations relating to Services under the University****CHAPTER – I****Title and Definition****1. Title :**

These Regulations framed under Section 13 of the act shall be called “The W.B. National University of Juridical Sciences Employees Service Regulations” and will be applicable to all whole-time employees of the University. Unless otherwise distinctly provided under the terms of contract, agreement or letters of appointment.

**2. Definitions :**

In these Regulations unless the context requires otherwise, the following words and phrases have meanings hereby assigned to them :-

- (1) “Act” means the NUJS Act 1999. West Bengal Act IX of 1999.
- (2) “Academic Council” means the Academic Council of NUJS.
- (3) “Absentee” means an employee absent from appointment on which he has lien either on leave or on deputation to another appointment whether permanent or temporary or on special duty, unconnected with his own appointment or on joining time during transfer to another appointment or under suspension and an employee on suspension is an absentee if the suspension is confirmed.
- (4) “Average pay” means the average monthly pay earned during the 12 completed months immediately preceding the month in which the event occurs which necessitates the calculation of the average pay.
- (5) “Completed years of service’ or ‘one year’s continuous service’ means continuous service of specified duration under the University and included the period spent on duty as well as absence on leave including extraordinary leave on Medical Certificate.
- (6) “Competent Authority” in relation to exercise of any power, means the Executive Council or any authority to which the power is delegated by or under these Regulations.
- (7) “Date of Retirement” or ‘Date of his retirement” means the afternoon of the last day of the month in which the University employee attains the age prescribed for retirement under the terms and conditions governing his services.





- (8) “Day” means a calendar day, beginning and ending at midnight, but an absence from headquarters which does not exceed 24 hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or end.
- (9) “Duty” includes (i) services as a probationer provided such service is followed by confirmation : and (ii) joining time.
- (10) “Vice-Chancellor” means the V.C. of the National University of Juridical Sciences.
- (11) “Executive Council” means the Executive Council of the University.
- (12) “Family” means employee’s wife or husband, as the case may be, residing employee and legitimate children and step children residing with and wholly dependent upon the employee. It includes, in addition, parents, sisters and minor brother, if residing with and wholly dependent upon the employee.

**Note :** Not more than one wife’s is included in the term ‘family’ for the purpose of these Regulations.

- (13) “Holiday” means: Holiday as declared by the competent authority of the University.
- (14) “Joining time” means the time allowed to an employee in which to join a new Post or to travel to or from a station to which he is posted.
- (15) “Leave Salary” means the monthly amount paid by the University to an employee on leave.
- (16) “Lien” means the title of University employee to hold substantively, either immediately or on the termination of a period of periods of absence, a permanent post, including a tenure post to which he has been appointed substantively.
- (17) “Pay” means the amount drawn monthly by a University employees as –
  - (i) The pay, other than special pay or pay granted in view of his personal qualifications which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and
  - (ii) Overseas pay, special pay and personal pay, and
  - (iii) any other emoluments which may be specially classed as pay by the Executive Council.
- (18) “Personal Pay” means additional pay granted to an employee;
  - (a) To save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure, or
  - (b) In exceptional circumstances, on other personal considerations.
  - (c) The personal pay will be absorbed in subsequent increase of pay.
- (19) “Permanent post” means a post carrying a definite rate of pay sanctioned without limit of time.
- (20) “Special Pay” means an addition, of the nature of pay, to the emoluments of a post or of an employee, granted in consideration of –
  - (a) The specially arduous nature of the duties ; or
  - (b) A specific addition to the work or responsibility, and includes non-practising allowance sanctioned to a practicing professional.
- (21) “School” means a Department or a specialized centre established under the University.



- (22) “Tenure Post” means a permanent post which an individual may not hold for more than a limited period without re-appointment or extension.
- (23) “Time-Scale of Pay” means scale of pay which rises by periodical increments from a minimum to a maximum .
- (24) “Temporary Post” means a post carrying a definite rate of pay sanctioned or a limited period.
- (25) “University employee in permanent employ’ means an employee who holds substantively a permanent post or who holds a lien on a permanent post or who would have held a lien on permanent post had the lien not been suspended.
- (26) “Chancellor” means the Chancellor of the University.
- (27) “University” means the W.B/ National University of Juridical Sciences, Kolkata.
- (28) “Year”:
  - (i) Academic Year : A 12 month period during this a cycle of academic work is to be completed:
  - (ii) Financial Year : A 12 month period commencing from first of April to 31<sup>st</sup> March of the following year.
- (29) “Employee” means a person employed in connection with the work of the University on temporary , ad hoc, or permanent basis or academic or non-academic purposes. Provided that persons who are appointed on ad-hoc basis for implementing approved research projected shall not be deemed to be employees of the University.

## CHAPTER – II

### APPOINTMENTS

#### 3. Number of Posts :

Subject to Section 12 of the Act, the number of posts under each category of employees of the University shall be such as may be determined by the Executive Council from time to time on the recommendations of the Vice-chancellor in respect of all non-teaching posts and on the recommendations of the Academic Council in respect of teaching and research posts.

#### 4. Grade of pay :

The grade of pay of the Vice-Chancellor shall be such as may be determined by the Executive Council while the grades of pay of all other employees other than the teachers shall be determined by the Executive Council on the recommendations of the Vice-chancellor. While doing so, pay scales recommended by the Central Government along with corresponding Central Government allowances shall be adopted. In respect of teachers, the grades of pay shall be determined by the Executive Council on the recommendations of the academic Council in conformity with the UGC pay scales given from time to time, provided that nothing in these Regulations shall affect the inherent rights of the Executive Council at any time to revise the sanctioned grade of pay of any post. Such revision shall, however, not adversely affect the interest of any employee of the University already holding such a post.

#### 5. Qualifications for Posts :



- a. The qualifications for the post of Vice-Chancellor shall be determined by the Executive Council based on the recommendations of a high-level expert committee of three persons constituted by the Executive Council.
- b. The qualifications for the posts of other officers, administrative and ministerial staff shall be determined by the Executive Council based on the recommendations of the Vice-chancellor.
- c. The qualifications for the posts of teachers shall be determined by the Executive Council based on the recommendations of the Academic Council in keeping with the UGC norms prescribed from time to time in this regard.

## 6. Tenure of Appointments :

Appointments against posts created be made-

- a. Either for a specific period of contract basis, which shall be on such terms as may be agreed upon by the Executive Council and the person concerned and the same may, at the discretion of the Executive Council, be renewed any number of times, each such renewal being for a period ranging between two to five years.

Provided that no appointment on a permanent basis till the age of superannuation against a substantive post shall be made unless the person concerned has served the University at least for period of five years on contract.

- b. On a permanent basis till the age of superannuation against a substantive post. Provided further that at the expiry of two consecutive renewal of five year terms of contract an appointment shall be deemed permanent.

## 7. Age of Appointment :

The age of a person at the time of appointment to the service of the University shall ordinarily be not less than 18 years and not more than 40 years in respect of administrative and ministerial staff and 60 years in respect of officers and teachers provided that the Executive Council shall have the discretion to relax or waive these limits whenever it considers necessary in the interest of the University.

## 8(1) Mode of Appointment :

### A. OFFICERS :

#### I. *Vice-chancellor*

- (a) Subject to the proviso to clause 18(1) of the Schedule to the Act, the Vice-chancellor of the University shall be appointed by the executive Council in consultation with the Chancellor based on the recommendations of a high level committee consisting of two persons of eminence nominated by the Executive Council and one distinguished educationist nominated by the Chancellor. The person nominated by the Chancellor shall be the Chairman of the Committee.
- (b) The Committee, after considering scholars and academics of great distinction in the field of legal education who could eminently fit into the post, shall submit a panel of not more than three persons out of whom the Chancellor shall choose one in consultation with the Executive Council.

Provided that at the time of considering the panel of names submitted by the Committee, the Executive Council shall be presided over by a member of the Executive Council chosen by the members present at the meeting.

- (c) Subject to clause 18(3) of the Schedule to the Act., the salary and other terms of appointment shall be as determined by the Executive Council in consultation with the Chancellor.

## **II. Registrar**

- (a) The Executive Council shall approve panel(s) of experts for various appointments from which the Vice-chancellor shall nominate two persons on the Selection Committee.

The Registrar shall be appointed by the Executive Council based on the recommendations of a Selection Committee consisting of the Vice-chancellor as Chairman and two experts from outside the University nominated by the Vice-chancellor from among a panel of names approved by the Executive Council as members.

- (b) The Selection Committee, after considering the applications of all eligible candidates received in response to the advertisement for the post, shall submit a panel of not more than three persons suitable for the post from one of whom the Executive Council shall appoint one as the Registrar either on a permanent basis or for a specified term of not less than 5 years at a time.

Provided that the Executive Council shall reserve the right to appoint a person of proven administrative and academic experience as Registrar on a contract basis for a specific period/s on such terms as maybe mutually agreed upon, or on deputation from other Universities or Institutes without going through the advertisement and selection process as stipulated above.

Provided further that the Executive Council on recommendation of the Vice-chancellor may appoint for specified period not exceeding three years, a Professor/Additional Professor of the University as the Registrar of the University.

- (c) The post of Registrar shall carry the same pay scale as in the case of a Professor in the University.

## **III. Head of Departments/Schools**

The number, qualifications, salary and other service conditions, mode of appointment, powers, and functions of Heads of Schools/Departments, shall be determined by the Executive Council on the recommendations of the Academic Council in the form of Regulations.

## **IV. Librarian :**

- (a) The Librarian shall be a whole time officer of the University in the scale of a Professor.
- (b) The Librarian shall be appointed by the Executive Council based on the recommendations of a Selection Committee consisting of the Vice-chancellor as Chairman, with two experts from outside the University nominated by the Vice-Chancellor from out of a panel approved by the Executive Council.

- (c) The Selection Committee, after considering the applications of all eligible candidates received in response to the advertisement for the post, shall submit a panel of not more than three persons suitable for the post from one of whom shall be appointed by the Executive Council. Provided that the Executive Council shall reserve the right to appoint a person of proven ability and experience in the field on a contract basis for a specific period on such terms as may be mutually agreed upon or on deputation from other Universities or Institutes without going through the selection process as stipulated above.

**B. TEACHERS:**

The procedure for the appointment of Teachers shall be in accordance with the second proviso to Clause 9 and Clause 17 of the Schedule to the Act.

**C. ADMINISTRATIVE AND MINISTERIAL POSTS:**

The administrative and Ministerial posts shall be advertised and/or receive nominations from Employment Exchange or other sources and filled up by the Executive Council based on the recommendations of a Selection Committee constituted by the Vice-chancellor, consisting of the Vice-chancellor as Chairman, with the Registrar and not more than two experts of whom at least one should be from outside the University as members.

Provided that for posts of ministerial nature carrying a basic pay of not more than Rs. 3000/- p.m. the Vice-chancellor is authorized to make the appointments based on the recommendations of a Selection Committee consisting of Registrar as the Chairman and two experts nominated by the vice-chancellor as members.

Provided further it is open to the Executive Council to appoint persons of proven ability and experience to certain administrative posts of technical nature on contract basis on such terms and conditions as may be mutually agreed upon or by deputation without going through the selection process stated above, but based on the recommendations of the Vice-chancellor.

**8(2) Proof of Date of Birth**

Every person newly appointed in the University shall, if he has had the SSLC or Matriculation Certificate, produce the original of such certificate. In case of those who have not obtained such a certificate, copy of the extra from the Registrar of Births or a certificate from the /Head of the Institution where he studied or a declaration made before a magistrate be produced.

On the acceptance of the date of birth it shall be entered in the service records of the person concerned to be authenticated both by the employer and person concerned and shall not be altered under any circumstance.

**8(3) Agreement of Service:**

Every employee of the University, other than the vice-chancellor and those who are appointed on specific terms and conditions appointed to any substantive post the minimum pay scale attached to which is not less than Rs. 1000/- p.m. or to such other posts as may be determined by the Executive Council from time to time shall sign an agreement of service in the prescribed form (Annexure I) accepting in writing the terms and conditions of appointment before joining duty.



**8(4) Commencement of Service:**

All appointments shall take effect from the dates on which the appointee reports himself for duty at the University or the place prescribed in his order.

**8(5) Probation:**

- (a) Every person appointed in the University against substantive posts, other than the Vice-chancellor and those appointed by invitation unless otherwise, provided for in the appointment order of the person concerned, shall be on probation for a period of not less than one year. In computing the period of probation extraordinary leave, if any, granted to an employee on probation shall be omitted.
- (b) There will be no automatic confirmation. It can only be done by specific order.
- (c) Well before the termination of the period of probation, the Registrar shall call for the report of work and conduct from the immediate superior of the employee. If, at the end of the period of probation the work and conduct of the employee continues to be unsatisfactory, a report to the Vice-chancellor shall be made by the immediate superior of the employee as certifying officer as to whether the services of the employee should be terminated or the period of probation extended.
- (d) Any extension of the period of probation shall not be longer than one year and there shall be only one such extension except as provided under clause (f) below:  
The following shall be the officers empowered to certify satisfactory completion of the period
  - (i) Heads of Departments or Schools in respect of all teachers and service personnel. If any, working in their respective Schools or departments;
  - (ii) Librarian in respect of all employees working in the Library;
  - (iii) Registrar in respect of all other administrative and ministerial staff working in the rest of the office;
  - (iv) The Vice Chancellor in respect of all officers.
- (e) As soon as possible after completion of the prescribed period of probation, orders of declaration of probation shall be issued by the Registrar based on the report of the certifying officer and approved by the Vice-chancellor. The certifying officers shall base their decisions on the evaluation reports and such other additional evidence as may be available to them.
- (f) If the work of an employee is found to be unsatisfactory even after the extended period of probation, the Executive Council shall have the right to terminate the services of the employee on the recommendation of the Vice-chancellor and discharge him from the service of the University provided, however, that in the event of the Executive Council desiring to give one more chance to the employee recommended by the Vice-chancellor for termination of his probation, the Executive Council for reasons recorded, cause the issue of a final warning with a special extension of probation for a period not exceeding six months. If after this extension, his performance is still not satisfactory as reported by the certifying officer, the Vice- chancellor shall terminate his services automatically. No appeal shall lie against the order of discharge of a probationer.
- (g) Any delay in the issue of an order either extending the period of probation or discharging a probationer shall not entitle an a employee to claim that he has satisfactorily completed such probation.





- (h) All employees shall be eligible for the grant of first increment in the time scale in which they are appointed only from the date of confirmation or declaration of probation.
- (i) Notwithstanding anything contained in the foregoing, if a probationer's work or conduct is found to be grossly unsatisfactory, a probationer can be terminated at any time during the period of probation by the authority who has appointed him with one month's notice or salary for the period.

#### **8(6) Career Advancement of Social Science Teachers**

Only substantive post of Lecturer is envisaged under existing rules for teachers teaching social science subjects. However, keeping in view, the desire for improving academic standards and avoid stagnation of teachers in the employment of the University, there shall be Merit Promotion Scheme for such teachers according to rules laid down hereunder for that purpose.

1. From Lecturer to Assistant Professor after eight years of continuous services.

Provided that the initial appointment on a five year contract has been renewed by the University.

2. From Assistant Professor to Associate Professor after six years of continuous service as Assistant Professor

Provided that the contract of service for a period of five years has been renewed for a second consecutive term without an intervening break

3. From Associate Professor to Additional Professor after Six years of continuous service as Associate Professor.

Provided that the contract of service for a period of five years has been renewed consecutively without any intervening break.

4. From Additional Professor to Professor selection and appointment are purely on merit basis through open selection.

#### **8 (7) Career Advancement of Law Teachers :**

The University shall advertise for various faculty positions in law from time to time under section 5(xi) (xiv) and it shall be open to the law teachers to apply for the higher positions that concerned persons may choose and are eligible under the rules.

Provided that such advertisements shall ordinarily be made at least once in five years.

Provided further that where there are no substantive vacancies available or no advertisement for faculty position has been made for over five years, the norms laid down under Section 8(6) shall become applicable to Law Teachers as well.

#### **9. Increment:**

Increment at the end of one year of completed service shall be granted as a matter of course unless withheld. However, in case of disciplinary proceedings all orders regarding withholding of an increment to any employee shall indicate the period for which it is withheld and also whether the withholding shall have the effect of postponing future increments. The increments of the employees may be admitted from the first of the month in which it would fall due under the operation of the normal Rules and Orders regulating increments.

**10. Service Counting for increments :**

The following periods shall count for earning increments of an employee:

- (i) All periods of duty in a post on a time scale;
- (ii) All periods of leave including extra-ordinary leave for prosecuting higher studies;
- (iii) All periods spent on foreign service;
- (iv) All periods of joining time on transfer;
- (v) All periods of illness supported by Medical Certificate.

**11. Rule for Resignation:**

Resignation once submitted cannot be withdrawn. It will be effective from the date of his resignation. At least one month's notice is required for submitting resignation excepting in cases of disciplinary proceedings.

**12. Age of Retirement :**

No employee of the University shall be entitled to be in the service of the University after the reaches the age of 60 years.

Provided that in the case of teachers, the age or retirement shall be 65 years.

Provided further that the age of retirement of Vice-chancellor shall be governed by Clause 18(3) of the Schedule.

Provided further that in respect of officers and teachers, the Executive Council may, on the recommendation of the Vice-chancellor, appoint persons of exceptional standing on contractual basis, after their retirement, for specific periods.

Provided further that in respect of an employee attaining the age of 60 years, where the date of such age falls on a day other than the first day of the months, he shall retire on the last day of that month and when the date falls on the first day of the month, on the last date of the preceding month.

## **CHAPTER – III**

### **LEAVE**

**13 General**

All employees of the University other than those paid out of contingencies are entitled and governed by the following leave regulations.



14. **Right to Leave**

No leave can be claimed as a matter of right. Leave is earned by duty only. When the exigencies of University services are required, discretion to refuse and revoke leave of any kind is reserved to the authority empowered to grant it.

15. **Kinds of Leave**

- (A) Earned Leave
- (B) Half-Pay Leave
- (C) Commuted Leave
- (D) Extraordinary Leave without pay
- (E) Maternity Leave/Paternity Leave
- (F) Casual Leave

15 A **Rules of Leave for Non-Vacation Employees**

A **EARNED LEAVE**

- (I) A non-vacation employee may earn thirty days leave in one calendar year. The leave account of every employee who is serving in a non vacation department shall be credited with earned leave in advance, installments of 15 days each on the first day of January and July of every calendar year. Earned Leave shall be credited to the leave account of an employee at the rate of 2 ½ days for each completed calendar month of service, which he is likely to render in a half year of the calendar year in which he is appointed.
- (II) When the employee is removed or dismissed from service or dies while in service credit of earned leave shall be allowed at the rate of 2½ days for each completed calendar month of service up to the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service,
- (III) The leave at the credit of an employee at the close of pervious half year shall be carried forward to the next half year subject to the condition that the leave so carried forward plus the credit for half year do not exceed the maximum limit of 300 days.
- (IV) A period spend in foreign service shall count as duly for purpose of this rule, if contribution towards leave salary is paid on account of such period and such service is approved by the University.
- (V) The maximum earned leave that may be allowed at a time to an employee shall be 120 days, provided it may be extended for a period exceeding 120 days but not exceeding 240 days if the entire leave so granted or any portion thereof is spent outside India.
- (VI) A non-vacation employee shall be entitled to an equal number of compensatory leave if he is required to work on holidays.
- (VII) A non-vacation employee shall be entitled to Casual Leave and Maternity/Paternity Leave.
- (VIII) A non-vacation employee shall be entitled to Extraordinary leave without pay under exceptional circumstances with the permission of University authority.



## **B. HALF-PAY LEAVE**

- (i) The half- pay leave account of an employee shall be carried with half-pay leave in advance. In two installments of 10 days each, on the first day of January and July in every calendar year.
- (ii) (a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half-year of the calendar year in which he is appointed.
- (b) The credited for the half-year in which an employee is due to retire or resign from the services shall be allowed at the rate 5/3 days per completed calendar month upto the date of retirement or resignation.
- (c) When an employee is removed or dismissed from service or dies in service, credit of half-pay leave shall be allowed at the rate 5/3 days per completed calendar month upto the end of the calendar month in which he is removed or dismissed from service or dies in service.
- (iii) The Leave under this rule may be granted on medical certificates or on private affairs.
- (iv) While affording credit of half-pay leave, fraction of a day shall be rounded off to the nearest day.

Provided that in the case of an employee not in permanent employ or quasi-permanent employ, no half-pay leave shall be granted unless the authority competent to grant leave has reasons to believe that the employee will return to duty on its expiry except in the case of an employee who has been declared completely and permanently incapacitated for further service by a medical authority.

## **C. COMMUTED LEAVE:**

Commutated Leave not exceeding half the amount of half-pay leave due may be granted on medical certificate to an employee subject to the following conditions:

- (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the employee returning to duty on its expiry.
- (b) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due.
- (c) Commuted leave during the entire service should be limited to a maximum of 240 days. The maximum commuted leave on private affairs that may be granted at a time shall be 120 days. If commuted leave is combined with earned leave the total period should not exceed 180 days.
- (d) The total duration of earned leave and commuted leave on private affairs taken in conjunction shall not exceed 240 days.
- (e) An employee on half-pay leave or on commuted leave is entitled to leave salary equal to half the pay or full pay he would be entitled to had he not gone on leave. An employee on half-pay leave is entitled to salary equal to half of the pay he would be entitled to had he not gone on leave and an employee on commuted leave will be entitled to pay he would be entitled to had he not gone on leave.
- (f) Where an employee has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half-pay leave and the difference between the leave salary in respect of commuted leave and half-pay leave shall be recovered.

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the employee for further service or in the event of his death.



#### D. EXTRAORDINARY LEAVE:

- (i) Extraordinary leave may be granted to an employee in special circumstances –
  - (a) When no other leave is admissible;
  - (b) When other leave is admissible, but the employee applied in writing for the grant of extraordinary leave, including extraordinary leave due to teaching in foreign country.
- (ii) The authority competent to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.
- (iii) An employee on extraordinary leave is not entitled to any leave salary.

#### E. MATERNITY LEAVE :

- (i) A female employee may be granted maternity leave by the authority competent to grant leave for a period of 90 days from the date of its commencement. During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (ii) Maternity leave may also be granted in case of miscarriage, including abortion, subject to the conditions that –
  - (a) the leave does not exceed six weeks;
  - (b) the application for the leave is supported by a medical certificate of an approved medical authority.
- (iii) Maternity leave may be combined with leave of any other kind.
- (iv) Maternity leave shall not be debited against the leave account.

#### F. CASUAL LEAVE :

Casual leave may be granted to all employees of the University for 8(eight) days in each calendar year. Casual leave to temporary staff will be granted in the same manner as to those holding permanent appointments.

Casual leave shall be granted only when it can be given without inconvenience to University services.

It shall not ordinarily be granted in continuation of other leave but it may be combined in any manner with Sundays and other authorized holidays but not more than three days casual leave exclusive of such Sundays and holidays shall be taken during one period of absence and provided also that such period of absence shall not exceed six days in all. There is no provision for half-day Casual Leave.

#### 16. **Leave to Probationer – a person on probation :**

- (i) (a) A probationer shall be entitled to leave under these rules if he had held his post subsequently otherwise than on probation.
- (b) If, for any reason, it is proposed to terminate the services of a probationer, any leave which may be granted to him shall not exceed –
  - (i) beyond the date on which the probationary period as already sanctioned or extended expires, or
  - (ii) beyond any earlier date on which his services are terminated by the others of an authority competent to appoint him.
- (iii) A person appointed to a post on probation shall be entitled to leave under these rules as a temporary or a permanent employee according as his appointment is against a temporary or a permanent post.



**17. Persons re-employed after retirement:**

In the case of a person re-employed after retirement, the provisions of these rules shall apply insofar as the leave is concerned, as if he had entered the University services for the first time on the day of his re-employment.

**18. Leave preparatory to retirement :**

An employee may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding 300 days together with half-pay leave due, subject to the condition that such leave extends upto and includes the date of retirement.

Note : The leave granted as leave temporary to retirement shall not include extraordinary leave.

**19. Leave/cash payment in lieu of leave beyond the date of retirement or quitting of service:**

- (i) No leave shall be granted to an employee beyond –
  - (a) the date of his retirement, or
  - (b) the date of his final cessation of duties, or
  - (c) the date on which he retires by giving notice to the University or he is retired by the University by giving him notice or pay and allowances in lieu of such notice, in accordance with the terms and conditions of his service or
  - (d) the date of resignation from service.
- (ii)
  - (a) Where an employee retires on attaining the normal age prescribed for retirement under the terms and conditions governing his service, the authority competent to grant leave shall suomotu issue an order granting cash equivalent of leave salary for earned leave if any, at the credit of the employee on the date of his retirement, subject to a maximum of 300 days.
  - (b) The cash equivalent under Clause (a) shall be calculated as follows and shall be payable in one lump sum as a one-time settlement. No House Rent Allowance or City Compensatory Allowance shall be payable.

Cash maximum Equivalent	Pay admissible on the date of Retirement plus dearness Allowance admissible on that	x	Number of days of unutilized earned leave at credit on the date of retirement subject to a
	= date .....		of 300 days
	30		

- (iii) The authority competent to grant leave may withhold whole or part of cash equivalent of earned leave in the case of an employee who retires from service on obtaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility of some money becoming recoverable from him. On conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount so withheld after adjustment of University dues, if any.



- (iv) Where the services of an employee have been extended, in the interest of the University, beyond the date of his retirement, he may be granted-
  - (a) During the period off extension, any earned leave due in respect of the period of such extension plus the earned leave which was at his credit on the date of his retirement subject to a maximum of 120 days / 240 days, as the case may be as prescribed in regulations 18-A.
  - (b) After the expiry of the period of extension, cash equivalent in the manner provided in sub-rule 22(ii) in respect of earned leave at credit on the day of retirement plus the earned leave earned during the period of extension, reduced by the earned leave availed of during such period, subject to a maximum of 240 days.
- (v) A University employee who retires or is retired from service in the manner mentioned in Clause (c) of sub-rule 22(i). may be granted, suomotu, by the authority competent to grant leave, cash equivalent of the leave salary in respect of earned leave at his credit subject to maximum of 300 days and also in respect of all the half-pay leave at his credit provided this period does not exceed the period between the date on which he so retires or is retired from service and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent shall be equal to the leave salary as admissible for earned leave and / or equal to the leave salary as admissible for half-pay leave plus dearness allowance admissible on that leave salary for the first 240 days, at the rates in force on the date the employee so retires or is retired from service. The pension and pension equivalent of other retirement benefits and ad-hoc relief/granted shall be deducted from the leave salary paid for the period of half-pay leave. If any, for which the cash equivalent is payable. The amount so calculated shall be paid in one lump sum as a one-time settlement. No House Rent Allowance or City Allowance shall be payable:  
 Provided that if leave salary for the half-pay leave component falls short of pension and other pensionary benefits cash equivalent of half-pay leave shall not be granted.
- (vi) (a) (i) Where the service of an employee are terminated by notice or by payment of pay and allowances in lieu of notice, or otherwise in accordance with the terms and conditions of his appointment, he may be granted, suo moto by the Authority competent to grant leave, cash equivalent in respect of earned leave at his credit on the date on which he ceases to be in service subject to a maximum of 300 days.
  - (ii) If an employee resigns or quits service, he may be granted, suomotu, by the authority competent to grant leave., cash equivalent in respect of earned leave at his credit on the date of cessation of service, to the extent of half of such leave at his credit, subject to a maximum of 120 days.
  - (iii) An employee, who is re-employed after retirement, may on termination of his re-employment subject to a maximum of 300 days (including the period for which encashment was allowed at the time of retirement).
- (b) The cash equivalent payable under Clause (a) shall be calculated in the manner Indicated in Clause (b) of sub-rule 22(ii) and for the purpose of computation of cash equivalent under sub-clause (iii) of Clause (vi) (a), the pay on the date of the termination or re-employment shall be the pay fixed in the scale of post re-



employment before adjustment of pension equivalent of other retirement benefits and the dearness allowance appropriate to that pay.

20. **Leave Rules for vacation enjoying employees:**

- (1) All teachers of the University other than those appointed on ad hoc and consolidated salary basis shall be treated as those enjoying vacation and as such are not entitled to any kind of Earned Leave in respect of duty performed in any academic year.
- (2) A teacher coming under the above category is entitled to not less than six weeks of vacation in an academic year during the periods so declared by the University.
- (3) One week before the closure of the semester, the Registrar shall notify the commencement and the ending of the vacation between the semesters.
- (4) If in any academic year a teacher is required by a general or special order of the Vice-chancellor to forego such vacation or a portion of a vacation in the interest of the University work, he/she shall be entitled to :
  - (a) an earned leave at the rate of one day for every three days of vacation, and such earned leave could be accumulated upto a maximum of 300 days in one's period of service in the University or
  - (b) A 'Compensatory Leave' of equal number of days foregone which shall however, be utilized within one year from the date of refusal of leave.

(1) Other kinds of Leave:

The other kind of leave to which a teacher is eligible are

- (a) Extraordinary Leave
- (b) Maternity Leave and
- (c) Casual Leave
- (d) Paternity Leave
- (e) An employee enjoying vacation is entitled to 7 days of Medical Leave on half pay basis on medical grounds in each year.

Provided that such leave shall be obtained on production of medical evidence and fitness certificate.

On the same basis as are applicable to other employees of the University.

21. **“Ad-hoc leave rules for temporary employees in the University”:**

A. These rules shall apply to employees who are appointed on temporary and consolidated salary basis.

B. The kinds of leave and leave entitlement shall be as follows :

(a) For employees who have completed one year of service

- (i) Casual Leave : 8 days in a calendar year
- (ii) Earned Leave : 15 days to be credited in advance as on 1<sup>st</sup> January and 1<sup>st</sup> July every year, provided if an employee joins in the middle of a month, credit shall be given only for the remaining calendar months at the rate of 2<sup>1</sup>/<sub>2</sub> days per month.



- (iii) Compensatory: If an employee required to work on Sundays/general holidays by an order, compensatory leave to the extent of the number of such days worked.

(b) For employees during the first year of service.

- \ (i) Casual Leave : 8 days in a calendar year

**Note :** If an employee leaves the services of the University or if an employee's services are terminated by the University. The earned Leave entitlement will be regulated at the rate of 2½ days per calendar month completed and the salary to the extent of excess availment of earned leave if any as on the date of relief, shall be deducted from the salary due to him.

**General :**

1. Leave cannot be claimed as a matter of right and the leave sanctioning authority may refuse and revoke leave.
2. No encashment of leave is permitted for any accumulated Earned Leave.

## CHAPTER – IV

### Contribution provident fund-cum-gratuity Scheme

**22. Provident Fund :**

Every whole time employee, on confirmation, shall subscribe monthly to the University Provident Fund. The rate of subscription may not be less than 10% of his emoluments and not more than his total emoluments, the amount so calculated being rounded off to the nearest rupee, provided that in the case of subscription at the minimum or maximum rates, the rounding off will be to the next higher or the next lower rupee respectively. The Provident Fund deductions will be made after confirmation with effect from the date of appointment.

The University shall contribute to this fund 10% of pay from the date of subscription. No subscription or contribution shall be made in the Provident Fund by an employee who is on leave without pay.

Subject to the condition that no deduction be made which reduces the credit by more than the amount of any contribution by University with interest thereon credited under Clause 28(ii) before the amount standing to the credit of the subscriber in the fund is paid out of the Fund.

The Vice-chancellor may direct the deduction there from and payment to University of

- (i) All amounts representing such contribution and interest, if the subscriber within five years of commencement of his service as such, resigns from the service or ceases to be an employee of the University otherwise than by reason of death, superannuation, or a declaration by a competent medical authority that he is unfit further service, or the abolition of the post or the reduction of establishment or under a contract.
- (ii) Any amount due under a liability incurred by a subscriber to University.

- (iii) All amounts representing such contribution and interest if the subscriber is dismissed from service due to misconduct, insolvency or inefficiency; Provided that where the Vice-chancellor is satisfied that such deduction would cause exception hardship to the subscriber, he may, by order exempt from such deduction an amount not exceeding two-third of the amount of such contribution and interest which would have been payable to the subscriber, if he had retired on medical grounds. Provided further that if any such order of dismissal is subsequently cancelled, the amount so deducted shall on his reinstatement in the service be replaced to his credit in the Fund.

**Note :** For the purpose of Sub-Clause (i) of this regulation the period of five years shall be reckoned from the commencement of the subscriber's continuous service under University.

Notwithstanding the foregoing provisions and the provisions of Clause (3) persons who have retired from State/Central Government, Universities or National Institutes, if re- employed in the University may be permitted to subscribe to the Provident Fund.

Provided that where the term of re-employment is initially for a year or less but is later extended so as to exceed one year the contribution with interest will be credited only after the completion of one year's re-employed service. The contribution with interest shall be payable for the entire period for which the re-employed person is allowed to contribute to the Provident Fund if such period exceeds one year.

**23. Entitlement:**

- (i) No employee of the University shall be entitled to the benefits of Provident Fund whose services in the University entitle him to a pension or on whose account the University contributes towards his pension or who has been appointed by the University on a consolidated salary on special terms or on a part-time or daily wage basis.
- (ii) If an employee admitted to the benefit of the Fund was previously a subscriber to any contributory/non-contributory Provident Fund of the Central/State government, or of a body corporate, owned or controlled by Government or Universities/Colleges or Institutes of University status or an autonomous organization registered under the Societies Registration Act of 1860 immediately before his appointment in the University. The amount of his accumulations in such contributory or non-contributory Provident Fund shall be transferred to his credit in the Fund.

**24. Payment :**

When the amount of Provident Fund becomes payable to a subscriber, the Accounts Officer of the University will be entitled to deduct therefrom any amount due under any liability incurred by the subscriber to the University but not exceeding in any case the total amount of the contributions credited to the account of the subscriber by the University and of any interest which has accrued on such contributions.

Notwithstanding anything contained in the preceding clauses of these Regulations, a subscriber who ceases to be in service of the University by reason of his taking upon appointment with another University or College or a national institute without any



break and with prior permission, may be declared to be entitled to the contribution of the University in accordance with the rules framed by the Executive Council.

25. **Management :**

The management of the Provident Fund shall vest in the Executive Council which may, from time to time make regulations or issue such general or special directions as may be consistent with the Regulations as to the conduct of the business of the Fund, or its management or the privileges of the depositors, not herein expressly provided for, or vary, or cancel any regulations made or direction given.

Provided that there shall be a Provident Fund Committee, consisting of the Vice-Chancellor, the Treasurer, the Registrar and one member nominated by the executive Council from amongst its own members for purpose of advising the Executive Council in the matters relating to investments, payments, and other matters in respect of the Provident Fund.

All members of the Provident Fund Committee, other than ex-officio members, shall hold office for a term of three years.

26. **Nominee :**

Every employee of the University entitled to the benefits of the Provident Fund shall be required to sign a written declaration in the prescribed form that he has read the regulations and agrees to abide by it, and shall hand in for registration in the University Office the names of the person or persons to whom he wishes the balance at his credit to be paid in the event of his death.

Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than a member of his family.

Provided further that the nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination under this Regulation until he makes a nomination in accordance with these Regulations.

The subscriber may, from time to time, add or change his nominee by written application to the Vice-chancellor.

A register of such nominees shall be kept in the University office.

27. **Provident Fund Account :**

(i) The amounts accruing to the Fund shall be placed in such bank or banks as may be approved, from time to time, by the Executive Council, or invested in securities authorized by the Indian Trust act, 1882 (II of 1882) at the discretion of the Executive Council.

Interest at the rate fixed for the purpose by the Executive Council, from time to time, shall be credited to each subscriber's account.

(ii) The subscription paid by the subscriber and the contribution by the University shall be entered monthly in a separate account for each subscriber.

(iii) The accounts of the Fund shall be audited once a year and a statement of the total amount to the credit of each subscriber shall be furnished to him.



28. **Interest :**  
Subject to the provisions of Clause (3) , a subscriber, at the termination of his service, shall be entitled to receive the amount which accumulates to his credit , viz. his subscription with interest and contribution by the University with interest thereon.
29. **Payment on death :**  
On the subscriber's death, the amount at the credit of the subscriber shall be paid to the person or persons duly nominated by him or when no such nomination is made to his legal heir or heirs.
30. **Advance from Provident Fund :**
- (i) No final withdrawal shall be allowed until the termination of the subscriber's service or his death. But in case or necessity, of which the vice-chancellor be sole judge. The Vice-chancellor may allow a subscriber an advance of sum not exceeding the total amount subscribed by him.
  - (ii) Recoveries towards the amount shall be made in equal monthly instalments not exceeding twenty as may be decided by the Vice-chancellor commencing from the first payment of a full month salary after the advance is granted, but no recovery shall be made from a subscriber when he is on leave otherwise than on full pay.
  - (iii) When an advance is sanctioned under clause (2) before repayment of last installment of any previous advance not recovered shall be added to the advance so sanctioned and the installments for recovery shall be fixed with reference to the consolidated amount.
  - (iv) Withdrawal from the fund :  
Subject to the conditions specified hereunder , the withdrawals from the Fund may be sanctioned by the Vice-chancellor at any time:
1. After completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier for one or more of the following purposes:
- (a) Meeting the cost of higher education, including where necessary the travelling expenses of any child of the subscriber actually dependent on him in the following cases:
    - (i) for education outside India for academic, technical, professional or vocational course beyond the High School State and
    - (ii) for any medical, engineering, or other technical or specialized course in India beyond the High School stage provided that the course of study is for not less than three years.
  - (b) Meeting the expenditure in connection with the marriage of subscriber's son or daughter and of any other female relation dependent on him;
  - (c) Meeting the expenditure in connection with the illness, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him;
  - (d) Building or acquiring a suitable house for his residence including the cost of site or reconstructing or for making additions and alterations to a house already owned or acquired by a subscriber.
  - (e) Purchasing a house site;





- (f) For constructing a house on a site purchased, utilizing the sum withdrawn under sub-clause(s).
2. Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in clause 31(iv)(1), from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six month's pay of the subscriber whichever is less. The Vice-chancellor, however, sanction the withdrawal of an amount in excess of these limits upto three-fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the fund.
  3. A subscriber who has been permitted to withdraw money from the Fund under Clause 31 (iv) (i) shall satisfy the Vice-chancellor within a reasonable period as may be specified by him that the money has been utilized for the purpose for which it was withdrawn and if he fails to do so. the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it withdrawn shall forthwith be repaid in one lump sum and in default of such payment it shall be ordered by the Vice-chancellor recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Executive Council.
  4. A subscriber who has already drawn or may draw in future an advance under clause 31 (ii) for any of the purposes specified in Clause 31 (v) (1) (a), (b), (c) (d), (e) and (f) may covert at his discretion by written request to the sanctioning authority, the balance outstanding into a final withdrawal on his satisfying the conditions laid down in Clause 31 (iv).
31. **Life Insurance Premium :**  
On a written application from a subscriber to the Provident Fund and with the approval of the Vice-chancellor, the University may allow premium on the Life Insurance Policy of the subscriber to be paid out of the subscriber's share in his Provident Fund. In all such cases the Life Insurance Policy for which the premia are so paid shall be assigned in favour of the University. On the retirement of the subscriber from the service of the University. The Policy shall be reassigned to him by the University.  
In case of the maturity of the Policy during the service of the subscriber in the University, the full amount of the Policy shall be credited to the Provident Fund of the subscriber. In case of death of the subscriber, during the service of the University, the full amount of the Policy shall be paid to the nominee or, in the absence of nomination, to the legal representative of the deceased entitled to the Provident Fund.
32. **Subscription :**  
The word "subscription", wherever it occurs in these Regulations means the amount paid by the subscriber and similarly the word "contribution" means the amount contributed by the University.
33. **Gratuity:**  
(i) An employee who has completed five years of qualifying service at the University shall be granted Death-cum-Retirement Gratuity in accordance with the scale indicated in Regulation 35. This gratuity shall be payable on his retirement from the service of the University. In the event of his demise this gratuity shall be payable to the nominee or nominees of the deceased in the manner prescribed in this regard.

- (ii) If there is no such nomination or if the nomination made does not subsist, the gratuity shall be paid in the manner indicated below :
  - (a) If there are one or more surviving members of the family as in the following sub-clauses (aa), (bb), (cc) and (dd) to all such members in equal shares;
    - (aa) Wife or wives, in case of male employee ;
    - (bb) husband, in case of female employee\;
    - (cc) sons including step-sons and adopted sons;
    - (dd) unmarried daughters including step-daughters and adopted daughters.
  - (b) If there are no such surviving members of the family as in Clause (a) above, but there are one or more members as in the following sub-clauses (aa), (bb), (cc), (dd) (ee), (ff) and (gg) to all such members in equal shares :
    - (aa) widowed daughters including step-daughters and adopted daughters ;
    - (bb) Father-including adoptive parents in the case of individuals whose Personal parents are not there.
    - (cc) mother-law permits adoption ;
    - (dd) brothers below the age of eighteen years including step-brothers;
    - (ee) unmarried sisters and a widowed sisters including step-sisters
    - (ff) married daughters, and
    - (gg) children of pre-deceased son

**Note 1:** The right of a female member of a family, or that of a brother of an employee who dies while in service or after retirement, to receive the share of gratuity shall not be affected if the female member marries or remarried, or the brother attains the age of eighteen years after the death of the employee and before receiving her or his share of the gratuity.

**Note 2 :** Where gratuity is granted under this rule to a minor member of the family of the deceased employee. It shall be payable to the guardian on behalf of the minor.

**Note 3 :** Where an employee dies while in service or after retirement without receiving the amount of gratuity and –

- (a) Leaves behind no family ; or
- (b) Has made no nomination ; or
- (c) The nomination made by him does not subsist.

The amount of death-cum-retirement gratuity payable to him under this rule shall lapse to the University.

- (iii) No gratuity shall be payable on resignation from service of the University or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age.

#### 34. **Eligibility:**

If a person who has become eligible for payment of University's share of contribution to the Contributory Provident Fund under the rules of the University dies within a period of 5 years after he retires from the service of the University, and the sums actually received by him at the time of death on account of University's share of contribution to the Contributory Provident Fund together with a gratuity under the above clause is less than the amount equal to 12 times the emoluments, a gratuity equal to the deficiency shall be granted to the person or persons nominated by him.



35. **Death of Permanent Employee :**

If a person in permanent employment dies before becoming eligible for the University's share of the contribution to the Contributory Provident Fund of the Universities, his family will be eligible for a gratuity equal to six times his emoluments at the time of his death, except in cases in which death occurs in the first year of service, when the gratuity admissible shall be equal to two months' emoluments.

36. **Persons in Temporary Employment :**

(i) **TERMINAL GRATUITY**

A person in temporary employment who retires on superannuation or is discharged on account of retrenchment or is declared invalid for further service will be eligible for a gratuity at the rate of one-third of a month's pay for each completed year of service. Provided that he has completed not less than five years of continuous service at the time of retirement, discharge or invalidment.

**Note :** As decided by the Executive Council in its meeting held on .....

These benefits are extended to the administrative Staff appointed on consolidated salary.

(ii) **DEATH GRATUITY**

The family of a person in temporary employment who dies while in service will be eligible for a death gratuity on the scale and subject to the conditions specified below :

- |  |  |
|--|--|
| (a) On death after completion of less than one year.   | A gratuity equal to two month's pay                      |
| (b) On death after completion of one year of service but before completion of three years of service | A gratuity equal to six month's pay                      |
| (c) On death after completion of one year of service but before completion of five years of service  |  |
| (d) On death after completion of five year of service but less than 20 years                         | A gratuity equal to twelve month's pay                   |
| (e) On death after completion of 20 years service or more  | A gratuity equal to ½ of emoluments for every six months |

37. **Amount of Gratuity :**

For the purpose of determining the amount of terminal or death gratuity under Clause 38(i) will mean only basic pay at the time of relinquishing service or of death, as the case may be. It will not include special pay. personal pay and other emoluments as pay. In case the person concerned was on leave with or without allowance immediately before retirement, discharge, invalidment or death, pay for this purpose will be pay which, he would have drawn had he not proceeded on such leave.



## CHAPTER – V

### TRAVELLING AND DAILY ALLOWANCES

#### 38. For Non-official Members :

- (a) Travelling Allowance : Members of the General Council, Executive Council, Academic Council, Finance Committee, Selection Committees, External Examiners or any of their sub-committees, shall be paid travelling allowance as follows :
  - i. Where the journeys are made by Air : Return air fare by the economy class, subject to not exceeding the rates of Indian Airlines.
  - ii. Travel by Train : A.C. First Class or 2<sup>nd</sup> Class A.C. 2-tier return fare or the actual fare paid, whichever is less, together with the reservation charges paid but not the agency charges paid to a travel agency.
  - iii. Travel by Taxi/own Car : When the Journeys are made by taxi/own car, either fully or partly, the T.A. shall be limited to the 1<sup>st</sup> Class rail if two stations are connected by Rail. When they are not connected by rail, road mileage for such travel or portion thereof will be paid at Rs. 500 per k.m. on certification by member.
- (b) Daily Allowance  
Payment of daily allowance shall be as follows :
 

1. Meeting days – Sitting Fee	Rs. 300/- per day
2. Journey period	Rs. 100/- per day

#### Notes :

- (a) If the members arrive one day prior to the date of the meeting or depart one day after the meeting, they would be entitled for the D.A. of Rs. 150/- per day.
- (b) Local experts/members will be entitled to the reimbursement of actual conveyance charges in addition to the sitting fee/Honorarium of Rs. 300/- per day. When the University has not provided its conveyance.
- (c) Travel to /from airport/railway stations : Conveyance hire charges incurred by the member/expert for travel from/to residence/Head Quarters to /from the airport/Railway station as the case may be and from airport/railway station to the place of meeting/stay and back at the Station of meeting will be reimbursed a sum not exceeding Rs. 300/- each way.

#### 39. For Officers, Teachers and others employees of the University :

1. For purpose of travelling and daily allowance the employees of the University are classified as follows :
 

a. All officers, Teachers (including Visiting Professors) (Adjunct Professor and Research Associates)	Group A
b. Other employees with a basic pay of Rs. 2,000/- and above	Group B
c. All other employees with a basic pay of less than Rs. 2,000/-	Group C



2. Entitlement of travel shall be as follows :

- |                                  |  |
|----------------------------------|--|
| a. Vice Chancellor               | Air Fare / A.C. First Class Train fare or by A.C. Coach.   |
| b. Group A and Group B Employees | First Class or 2 <sup>nd</sup> Class AC 2-tire Train Fare. |

3. Daily Allowances :

Category	University Work
I. Group A Employees	Rs. 400/-
ii. Group B Employees	Rs. 350/-
iii. Group C Employees	Rs. 220/-

The D.A. should be calculated for the period from the time of arrival at the outstation to the time of departure from the outstation and as under :

For absence not exceeding 6 hours	50%
For absence between 6-12 hours	70%
For absence above 12 hours	100%

4. Students who undertake tours on official work :

Students who are on authorized official tours outside the University are treated on par with the Group 'C' employees of the University for the purpose of T.A. & D.A. with the modification that they may be eligible for a II Class sleeper fare whenever they have to travel by that category.

40. **General :**

- the air/Train Fares payable shall be by the shortest route.
- The daily allowance for journey periods shall be restricted for the minimum possible time absolutely required to complete the journeys to and from by the shortest route.
  - An employee who takes casual leave while on tour on University work or extends stay for non-availability of accommodation in train etc. is not entitled for any daily allowance for such extended stay.

41. **Power of Vice Chancellor:**

Notwithstanding anything contained in the above Regulations the Vice-chancellor shall have power to authorize Air Travel in such cases as he deems fit and necessary.



42. **T.A. and D.A. for attending Conference, Seminars, Workshops etc. :**

Notwithstanding anything contained above, Teachers and other employees sponsored by the University to attend Conferences, Seminars, Workshops etc., shall be entitled for the payment of only 1<sup>st</sup> Class Train Fare to and fro and a Daily Allowance of Rs. 100/- for the conference days, besides the registration fee, if any.



## **Regulations made under Section 13 of West Bengal Act IX of 1999 by the Executive Council for Administration of the Affairs of the University**

### **Part – I (Power to make Regulation)**

#### **Regulations**

- 13 (1) Subject to the provisions of this act, the Executive Council shall have in addition to all other powers vested in it, the power to make regulations to provide for the administration and management of the affairs of the University:

Provided that the Executive Council shall not make any regulation 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 all or any of the following matters :-

- (a) The constitution, powers and duties of the academic Council;
  - (b) The authorities responsible for organizing teaching in connection with the University courses and related academic programmes;
  - (c) The withdrawal of degrees, diplomas, certificates and other academic distinctions;
  - (d) The establishment and abolition of Faculties, Departments, halls and institutions;
  - (e) The institution of fellowships scholarships, studentships, exhibitions, medals and prizes;
  - (f) Conditions and modes of appointment of examiners or conduct or standard of examinations or any other course of study;
  - (g) Mode of enrolment or admission of students;
  - (h) Examinations to be recognized as equivalent to school examinations.
- (2) The academic Council shall have the power to propose regulations on all or any of the matters specified in clauses 9a) to (h) and matters incidental or related thereto.
- (3) Where the Executive Council has rejected 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 regulation may be laid before the next meeting of the General Council for its approval and that pending such approval of the General Council, such regulation shall have affect from such date as may be specified in the order;

Provided that if the regulation is not proved by the General Council at such meeting, it shall cease to have effect.

- (4) All regulations made by the executive Council shall be submitted, as soon as may be, for approval, to the Chancellor and to the General Council at its next meeting and the General Council shall have by a resolution passed by a majority of not less than two-thirds of the members present, the power to cancel any regulations made by the Executive Council and such regulations shall from the date of such resolution, cease to have effect.

## Section 16. Finance Committee:

- (1) There shall be a Finance Committee constituted by the Executive Council consisting of the following members :-
  - (a) The Treasurer of the University
  - (b) The Vice-chancellor;
  - (c) Three members nominated by the Executive Council from amongst its members, out of whom at least one shall be from the Government of West Bengal.
- (2) The members of the Finance Committee, other than the Vice-chancellor, shall hold office for a term of five years.
- (3) 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 of 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 finance of the University from time to time, to consider re-appropriation statements and audit reports and to make recommendations to the Executive Council;
  - (d) To give its views and to make recommendations to the Executive Council on any financial question affecting the University either on its own initiative or on reference from the Executive Council or the Vice Chancellor.
- (4) The Finance Committee shall meet at least once every year. Three members of the Finance Committee shall form the quorum for a meeting of the Finance Committee.
- (5) The Treasurer of the University shall preside. In the case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

## Section 23. Funds of the University

- (1) There shall be a Fund for the University to be called University Fund. The Fund shall include –
  - (a) Any contribution or grant made by the state Government;
  - (b) Any contribution or grant made by the University Grants Commission or the Central Government;
  - (c) Any contribution made by the Bar Council of India;
  - (d) Any contribution made by the State Bar Councils;
  - (e) Any bequests, donations, endowments or other grants made by private individuals and trusts, public or private;
  - (f) Income received by the University from fees and charges ; and
  - (g) Amounts received from any other source.
- (2) The amount in the said Fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934 or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, and the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 or may be invested in such securities authorized by the Indian Trusts Act, 1982, as may be decided by the executive Council.



- (3) The said fund may be employed for such purpose of the University, and in such manner as may be prescribed by regulations.

#### **Section 24. Annual Accounts and Audit-**

- (2) The Annual Accounts of the university shall be prepared under the directions of the Executive Council;
- (3) The accounts of the University shall at least once in a year, be audited by auditors appointed by the Executive Council.;  
Provided that the State Government shall have the power to direct, wherever considered necessary, an audit of the accounts of the University, including the institutions managed by it, by such auditors as the State Government may specify,
- (4) 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 Executive Council and shall also be submitted to the State Government.
- (5) The Annual Accounts shall be considered by the Executive Council at its annual meeting. The General 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 General Council and take such action thereon as it think fit. The executive Council shall inform the General Council at its next meeting all actions taken by it or the reasons for not taking action.

#### **Section 25. Financial Estimates-**

- (1) The Executive Council shall prepare, before such date as may be prescribed by regulations, the financial estimates for the ensuing year and place the same before the General Council.
- (2) The Executive Council may, in the case where expenditure in excess of the amount provided in the budget is to be incurred or in the case or urgency for reasons to be recorded in writing, incur expenditure subject to such conditions and restrictions as may be specified in the regulations. Where no provision has been made in the budget in respect of such excess expenditure, a report shall be made to the General Council at its next meeting.

## **The NUJS Contributory Provident Fund cum Gratuity Rules**

**(FRAMED UNDER THE NUJS CONTRIBUTORY PROVIDENT FUND CUM GRATUITY SCHEME) IN ACCORDANCE WITH SUB-SECTION (2) OF SECTION 8 OF THE PROVIDENT FUND ACT, 1925 ( XIX OF 1925) APPROVED AND ADOPTED BY THE EXECUTIVE COUNCIL ON SEPTEMBER 07, 2001 FOR ADMINISTRATION OF THE AFFAIRS OF THE UNIVERSITY.**

### **I. Short title and commencement**

1. These Rules shall be known as **the NUJS Contributory Provident Fund Cum Gratuity Rules** framed under the NUJS Contributory Provident Fund Cum Gratuity Scheme.

**The scheme shall be deemed to have come into force from first day of April, two thousand.**

### **II. Definitions**

In this Rule, unless the context otherwise requires,

“University” means the West Bengal National University of Juridical Sciences as established under Section 3 of The West Bengal National University of Juridical Sciences Act, 1999.

“Vice-Chancellor” means the Vice-Chancellor of the University

“Treasurer” means the Treasurer nominated by the General Council of the University

“Registrar” means the Registrar of the University

“Accounts Officer” means the Accounts Officer of the University

“Basic Wage” means all emoluments, which are earned by an employee while on duty or on leave or on holidays with wages in either case in accordance with the contract of employment and which are paid and payable to the employee. It does not include the following:

1. Cash value of any food concessions.
2. Dearness allowance, house rent allowance or any other similar allowance.
3. Any gift, presentation or award given by the University

“Emolument” means basic wage drawn on monthly basis.

“Employee” means a person appointed by the University on a regular scale of pay.

“Family” means employee’s spouse, children, parents, minor or unmarried sister and minor brother residing with the employee and wholly dependent upon the employee.

Explanation: Children include children of full blood, half blood and uterine blood.

Provided that where there are two persons claiming to be the spouse of the employee, only the spouse proving a validly solemnised marriage under the personal laws applicable to the said employee shall be deemed to be a spouse for the purposes of these rules.

Provided further that where the context so admits the words denoting singular number shall include plural and vice versa and the words denoting the masculine gender shall include also feminine gender and vice versa.

“Provident Fund” means a fund in which subscriptions or deposits of employees are received and held in their individual accounts and includes any contributions interests, increment accruing on such subscriptions, deposits or contributions under these rules.

“Contribution” means any amount credited in a provident fund by any authority administering the fund by way of addition to, a subscription to, or deposit or balance in the credit of an individual account in the fund.

“Contributory Provident Fund” means a provident fund, the rules of which provide for crediting of contributions.

“Gratuity” means a sum of money given to an employee at the time of his retirement in accordance to the amount fixed by the Central Government from time to time for this purpose.

“Continuous service” means a period of uninterrupted service including interruption on account of sickness, accident, leave, and absence without leave in accordance with the rules and regulations of services of the University.

“Completed year of service” means continuous service for one year.

### **III Provident fund**

There shall be a Contributory Provident Fund for the benefit of the employees of the University.

- i) Every employee of the University shall subscribe monthly to the Provident Fund.
- ii) The rate of subscription shall not be less than 10 % of emoluments and more than the total emoluments of an employee and shall be expressed in whole rupees.  
Provided that in the case of subscription at the minimum or maximum rates, the rounding will be in next higher or next lower rupee respectively.
- iii) The University shall contribute at the rate of 10 % of emoluments from the date of commencement of subscription by an employee to his Provident Fund.
- iv) No subscription to his Provident Fund shall be made by an employee during the period of leave without pay and no corresponding contribution will be made by the University.

### **IV Members of the Fund**

- i) Employees of the University shall be the members of the Fund. However, no employee, whose services in the University entitle him to a pension or on whose account the University contributes toward his pension, shall be entitled to the benefits of the Provident Fund.



- ii) Persons who have retired from State/Central Government, Universities or National Institutes, if re-employed in the University, as an employee in regular scale of pay, may be permitted to subscribe to the provident Fund.

Provided that where the term of re-employment is initially for a year or less but is later extended so as to exceed one year, the contribution with interest will be credited only after the completion of one year's re-employed service. The contribution with interest shall be payable for the entire period for which the re-employed person is allowed to contribute to the Provident Fund if such period exceeds one year.

*Note:* If an employee admitted to the benefit of the Fund was previously a subscriber to any contributory/non-contributory Provident Fund of the Central/State Government or of a body corporate, owned or controlled by Government or Universities/Colleges or Institutions of University status or an autonomous organization registered under the Societies Registration Act of 1860 immediately before his appointment in the Universities the amount of his accumulations in such contributory or non-contributory Provident Fund shall be transferred to his credit in the Fund with the consent of the previous employer.

## V. Declaration & Nominations

- i). Every employee of the University shall, immediately on joining the fund, sign a written declaration in the prescribed form that he has read the scheme and agrees to abide by its rules. Declaration shall be kept in the personal record of the employee after attestation of it by the Registrar
- ii). Every member shall immediately on joining the Fund, make a nomination in the prescribed form conferring the right to receive the amount that may stand to his credit in the Fund in the event of his death occurring before this amount is paid. The nomination shall be in favour of one or more members of his family and in the absence of having a family at the time of the nomination, the same may be in favour of any other person or persons. Such nomination shall, however, automatically stand cancelled upon the subscriber acquiring a family and he shall file fresh nomination in favour of one or more members of his family. The subscriber may from time to time, add or change his nominee by written application to the Vice-Chancellor. A register of such nominees shall be kept in the University office.

*Note:* The nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination under this scheme until he makes a fresh nomination.

## Advances & Withdrawals

The Vice Chancellor may sanction payment of advance/withdrawal from the Provident Fund of a subscriber subject to the following:

- i) **Advance from the Fund :**
  - a) A subscriber may take an advance of sum not exceeding two thirds of the amount subscribed by him subject to these rules.
  - b) Recoveries towards the amount so advanced shall be made in equal monthly instalments not exceeding twenty commencing from the first payment of a full monthly salary after the advance is granted, but no



recovery shall be made from a subscriber when he is on leave otherwise than on full pay.

- c) If a second advance is sanctioned before completion of repayment of last installment of a previous advance, the sum not recovered shall be added to the advance so sanctioned and the installments for recovery shall be fixed with reference to the consolidated amount.

## ii) **Withdrawal from the fund**

- a). Subject to the conditions specified hereunder, a subscriber may withdraw from the Fund any time after completion of twenty years of service (including broken periods of service, if any) or within ten years before the date of his retirement on superannuation, whichever is earlier, for one or more of the following purposes:
  - 1) Meeting the cost of higher education, including, where necessary, the travelling expenses of any child of the subscriber.
  - 2) Meeting the expenditure in connection with the marriage of Subscriber's son, daughter or sister wholly dependent on him.
  - 3) Meeting the expenditure in connection with the illness, including where necessary, travelling expenses of the subscriber or any person actually dependent on him
  - 4) Building or acquiring a suitable house for his residence including the cost of site or reconstructing or for making additions and alternations to a house already owned or acquired by a subscriber:
  - 5) Purchasing a house site or construction of a house or both.
- b) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified above from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay of the subscriber whichever is less. The Vice-Chancellor may however, sanction the withdrawal of an amount in excess of these limits up to three-fourths of the balance at his credit in the Fund, having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund.
- (c) A subscriber who has already drawn or may draw in future an advance, may convert at his discretion by written request to the sanctioning authority the balance outstanding into a final withdrawal on his satisfying the conditions laid down in these rules.

## **VII Deductions**

- i) The Vice-Chancellor may direct the deductions from the Provident Fund of a subscriber and payment to the University of –
    - (a) All amounts representing such contribution and interest, if the subscriber within five years of commencement of his service as such, resigns from service or ceases to be an employee of the University otherwise than by reason of death, superannuation, or a declaration by a competent medical authority that he is unfit for further service, or the abolition of the post or the reduction of establishment or under a contract,
    - (b) Any amount due under liability incurred by a subscriber to the University.
    - (c) All amounts representing such contribution and interest, if the subscriber is dismissed from service due to misconduct, insolvency or inefficiency.
- Provided that where the Vice-Chancellor is satisfied that such deduction would cause undue hardship to the subscriber, he may by order, exempt from such

deduction an amount not exceeding two third of the amount of such contribution and interest which would have been payable to the subscriber, if he had retired on medical grounds.

Provided further that if any such order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service, be replaced to his credit in the Fund.

*Note :* The period of five years referred to above shall be reckoned from

the commencement of the subscriber's continuous service under the university.

- (ii) When the amount of Provident Fund becomes payable to a subscriber, the Accounts officer shall be entitled to deduct therefrom any amount due under any liability incurred by the subscriber to the University but not exceeding in any case the total amount of the contributions credited to the account of the subscriber by the University and of any interest which has accrued on such contributions.

### **VIII Final payment of Accumulation in the Provident Fund**

- (j) On retirement, resignation, discharge or dismissal from service with the University, the amount standing to the subscriber's credit in the Fund shall, subject to any deduction, become payable to him.
- (ii) At the time of conveying his intention to quit service, the subscriber shall make an application to the Accounts Officer for final withdrawal of the accumulation in the Fund in the prescribed form. The Accounts Officer shall forthwith take action to close the Provident Fund Account of the subscriber and call for any supplementary information that may be necessary either from the subscriber directly or from any other concerned authority, who shall forthwith provide the information.
- (iii) The claim of the subscriber shall ordinarily be settled within one month of the date of quitting of service or furnishing of all relevant information called for, whichever is later.
- (iv) Notwithstanding anything contained in the preceding clauses, a subscriber who quits service of the University to take up appointment with another University, Institution or Body, with prior permission of the University and without a break, shall furnish relevant information regarding his entitlement of Provident Fund benefits in the latter employment. Subject to the existence of suitable provision in the Provident Fund rules of the latter establishment and on the basis of mutual consent of the employers, the accumulated balance in the P.F. account of the subscriber shall be transferred to his P.F Account in the latter establishment.

### **IX Management of the Fund**

- (i) The management of the Provident Fund shall vest in the Executive Council which may from time to time alter, amend, vary or repeal the regulations and the rules of the Provident Fund cum Gratuity scheme and/or issue such general or special direction as may be required from time to time for the conduct of the business of the Fund, or its management or the privileges of the depositors, not herein expressly provided for.
- (ii) The Fund shall be administered by a Board of Trustees constituted by the Executive Council. Vice-Chancellor, Treasurer, Registrar, Accounts Officer and a teacher nominated by the Vice-Chancellor provided he/she is a subscriber to the fund, shall constitute the Board of Trustees. Trustees shall have entire control of the fund and the assets thereof and shall decide all differences or disputes, which may arise under these



rules either as to the interpretation thereof or as to the rights or obligations of the University and / or the members. In the case of any differences between the Trustees, the matter in differences shall be put to vote and opinion of the majority shall prevail and in equality of votes the Vice-Chancellor as Chairman of the Board of Trustees shall have a casting or second vote.

- (iii) All expenses relating to the administration of the Fund including expenses incurred by the trustees in the discharge of their duties shall for the time being be met out of the University Fund.

## **X Provident Fund Account**

- (i). The amount accruing to the Fund shall be placed in a separate bank account approved by the Vice-Chancellor. The money not immediately required shall be invested in fixed deposits or securities approved by the Reserve Bank of India and/or securities recognized and approved by the Central or State Government. The Trustees shall be at liberty to realize and sell any investments and to reinvest the proceeds in Government Securities.
- (ii). The bank account shall be operated jointly by any two trustees nominated by the Board of Trustees. All drawals out of the Fund shall be made by Account Payee Cheque only.
- (iii) Detailed account of monthly subscriptions, contributions and accrued interest in the Provident Fund account of each member of the Fund shall be maintained which shall be audited once in a year by the statutory Auditors of the University. A statement showing the amount at the credit of each subscriber at the end of 31<sup>st</sup> March shall be furnished to him by 30<sup>th</sup> June every year.

## **XI Interest**

There shall be paid to the credit of the account of a subscriber interest, at such rate as prescribed by the Central Government on the accumulations of the General Provident Fund account of its employees for the relevant year. If, in any accounting year, the liability to pay interest is not fully met out of the interest earned by investment of the Fund, the shortfall, as determined by the Board of Trustees, shall be made good out of the University Fund.

## **XII Gratuity**

- (1). An employee who has completed five years of continuous service shall be eligible to receive gratuity.
- (2) An employee who is eligible for payment of gratuity under this scheme may authorize a person in writing to receive the amount on his behalf and act on his behalf for such payment.
- (3) An employee may, from time to time, add or change his nomination/authorization by written application to the Vice-Chancellor. Employee-wise registrar of nominations/authorizations shall be maintained in the University office.
- (4) Where an employee dies while in service, or after retirement without receiving the amount of gratuity and leaves behind no family or has made no nomination or the nomination made by him does not subsist, the amount of death-cum-retirement gratuity payable to him under this rule shall lapse to the University.
- (5) No gratuity shall be payable on resignation from service of the University or dismissal or removal from it for misconduct, insolvency, inefficiency not due to age.



- (6) Death Cum Retirement Gratuity is admissible to a regular employee who retires, resigns or dies, as the case may be, after five years of service at the rate of 'half' of emoluments for each completed half yearly period of completed service subject to a maximum of sixteen and half times the emoluments or the maximum amount as fixed by the Central Government for this purpose, whichever is less.

Note 1. For the purpose of the rules relating to gratuity, emoluments include Dearness Pay and Dearness Allowance over pay receivable on the date of retirement/death.

Note 2. The amount of gratuity shall be rounded off to the next higher rupee.

Note 3. Recovery of University dues if any, may be enforced by the Vice- Chancellor without the consent of the employee or, if he is not alive, of his nominee/family members

### **XIII. Gratuity not attachable**

No gratuity payable under this scheme to an employee shall be liable to attachment in execution of any decree or order of any civil revenue or criminal court.

### **XIV. Payment of Gratuity**

At the time of making the application for final payment of balances in the Provident Fund account, the employee concerned or his nominee, as the case may be, shall also make an application to the University for payment of the amount of gratuity admissible under the Scheme. The amount of gratuity, reduced by recoverable dues of the University, if any, shall be sanctioned by the Vice Chancellor and paid out of the University Fund.

### **XV. Settlement of dispute**

Any dispute regarding title, quantum and share of gratuity payable to any person shall be referred to the Executive Council of the University, whose decision, to be recorded in writing, shall be final and binding on all concerned.



## NOMINATION FOR GRATUITY

*See Rule 12 (2)*

(To be filed in duplicate)

To

The Vice-chancellor

The West Bengal National University of Juridical Sciences,

Kolkata.

I, Shri/Shrimati/Kumari.....

Name in full here

whose particulars are given in the statement below, hereby nominate the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

2. I hereby certify that the person(s) mentioned is a /are member(s) of my family within the meaning of sub-rule (i) of Rule 2 of the NUJS Contributory Provident Fund-Cum-Gratuity Rules.

OR

I hereby declare that I have no family within the meaning of clause (i) of Rule 2 of the said Rules.

3. Nomination made herein invalidates my previous nomination filed on.....  
and accepted on.....

### Nominee (s)

Name in full with address of nominees (s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared



1.			
2.			
3.			
so on			

### *Statement*

1. Name of employee in full.
2. Post held on the date of nomination
3. Sex.
4. Date of appointment
5. Permanent address.

Place

Signature

Date

Declaration by witness

Nomination signed before me.





Name in full and full address of witness

Signature of witnesses

1.

1.

2.

2.

Place

Date

Certificate of acceptance

The particulars of the above nomination have been verified and accepted for University record.

REGISTRAR



### *NOMINATION FOR CONTRIBUTORY PROVIDENT FUND*

*See Rule 5(2)*

Account No NUJS/CPF/.....

I,..... hereby nominate the person(s) mentioned below who is / are member(s) / non-member(s) of my family as defined in sub-rule (i) of Rule 2 of the NUJS Contributory Provident Fund cum Gratuity Rules, to receive the amount that may stand to my credit in the fund as indicated below, in the event of my death before that amount has payable or having become payable has not been paid.

Name and address of the nominee(s)	Relationship with the subscriber	Age of the nominee(s)	Share payable to each nominee	Contingencies on the happening of which the nomination will become invalid	Name, address and relationship of the person(s) if any to whom the right of nominee shall pass in the event of his /her predeceasing the subscriber	If the nominee is not a member of the family as provided in rule 2, indicate the reasons

Dated this .....day of ..... 20 .....at.....

Signature of the subscriber

Name in Block letters



Designation

Signature

Two witness to signature

Name and address

1.

2.

Nomination Accepted

REGISTRAR



*Application for withdrawal from the Provident fund*

1. Name of the subscriber
2. Account Number
3. Designation
4. Pay
5. Date of joining service and the date of Superannuation
6. Balance at credit of the subscriber on the Date of application as below-
  - (i) Closing balance as per statement for the year
  - (ii). credit from..... to.....
  - (iii). Refunds made to the Fund after the closing balance, vide (i) above
  - (iv) Withdrawal during the period from ..... to .....
  - (v) Net balance at credit on date of application.
7. Amount of withdrawal required
8. Purpose for which the withdrawal is required.
9. Whether any withdrawal was taken for the same purpose earlier. If so, indicate the amount and the year.

Dated:

Signature of Applicant

Name

Designation

Forwarded to the Accounts Officer for necessary action.



### *DECLARATION*

See Rule 5 (1)

I hereby declare that I have read and understood the NUJS Contributory Provident Fund cum Gratuity Rules framed under the NUJS Contributory Provident Fund Cum Gratuity Scheme and I agree to subscribe to and become a member of the said Provident Fund and to be bound by the said Rules.

Dated \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Name in full – \_\_\_\_\_

Designation \_\_\_\_\_

Date of birth – \_\_\_\_\_

Date of Joining Service – \_\_\_\_\_

Present salary per month – \_\_\_\_\_

Signature \_\_\_\_\_

Witness – (1) \_\_\_\_\_

(2) \_\_\_\_\_

ATTESTED

**REGISTRAR**

See Rule 8 (2)

Subject: Final payment of balances in the Provident Fund A/c  
No NUJS/CPF/ and Gratuity under NUJS CPF cum Gratuity Rules  
2001.

I \_\_\_\_\_, having retired/resigned/discharged/dismissed from service of the University with effect from \_\_\_\_\_, request that the entire balance standing in my Provident Fund Account no. NUJS/CPF/\_\_\_\_\_, together with up to date interest, and reduced by the amount of deduction, if any, under Rule 7 of the NUJS Contributory Provident Fund cum Gratuity Rules, as also the amount receivable by me as gratuity, may be paid to me.

2. I certify that the termination of my employment with the NUJS is not for taking up an appointment with another University, Institution or Body where transfer of balances in my Provident Fund Account is permissible.

Signature

Designation

Full Postal Address

**Application for Final Payment of Balance in the Contributory Provident Fund**

To  
The Accounts Officer,  
West Bengal National University of Juridical Sciences  
Kolkata

Subject: Final payment of balances in the Provident Fund                      A/c  
No NUJS/CPF/

Sir,

I, \_\_\_\_\_, having resigned from service of the University with effect from \_\_\_\_\_, request that the entire balance standing in my Provident Fund Account no. NUJS/CPF/ \_\_\_\_\_, together with up to date interest, and reduced by the amount of deduction, if any, under Rule 7 of the NUJS Contributory Provident Fund cum Gratuity Rules, may be paid to me.

2. I certify that the termination of my employment with the NUJS is not for taking up an appointment with another University, Institution or Body where transfer of balances in my Provident Fund Account is permissible.

Yours faithfully,

Signature

Date

Name of the subscriber :

Designation :

Full Postal Address :





## **WBNUJS PROCUREMENT OF GOODS AND SERVICES REGULATIONS, 2017**

*Whereas it may be necessary to consolidate and rationalize the existing regulations and practices on procurement of goods and services in behalf of the University so as to ensure efficiency, transparency and fairness in the procurement processes, the following regulations are hereby adopted.*

### **Chapter – I Preliminaries**

#### **Regulation 1. Title and Commencement**

- (1) These regulations shall be called WBNUJS Procurement of Goods and Services Regulations 2017.
- (2) These regulations shall come into effect on such date as may be notified by the University.

#### **Regulation 2. Definitions**

- (1) “NUJS” means the West Bengal National University of Juridical Sciences.
- (2) “Vice Chancellor” means the Vice chancellor of NUJS, as defined in Section 12 of WBNUJS Act.
- (3) “Executive Council” means the Executive Council of NUJS, as defined in Section 8 of WBNUJS Act.
- (4) “Finance Committee” means the Finance committee of NUJS, as defined in Section 8 of WBNUJS Act.
- (5) “Registrar” means the Registrar of the NUJS, as defined in Section 12 of WBNUJS Act.
- (6) “University” means the NUJS.
- (7) “User” means such persons who use or are likely to use any particular services or goods or gadgets procured or being procured by the University and includes such employees as responsible for maintenance or monitoring such services, goods or gadgets.
- (8) “Goods” includes all articles ,material ,commodities, livestock, furniture, fixtures ,all materials ,spares, instruments, plants, machinery ,equipment, etc. purchased or otherwise acquired for the use of the Universitybutexcludesbooks,publications,periodicals,etc.foralibrary.
- (9) “Consultants” includes Vendor, Service Provider.



- (10) “Value” means, unless the context otherwise requires, the estimated value.
- (11) “Services” means any activity carried out by a person for the University for its consideration and includes, is not restricted to, the following :
  - (a) Annual Maintenance Contract (AMC)
  - (b) Supply of Security personnel
  - (c) Supply of Housekeeping Staff
  - (d) Pest Control
  - (e) Local Transportation Services
  - (f) Travel & Ticketing Services
  - (g) Campus / Infrastructure Maintenance Services
  - (h) IT enabled Services
  - (i) Printing and Photocopy Services

Explanation: The Services shall not however include “Works” as defined under appropriate Regulations.

### **Regulation 3. Fundamental Principles of Procurement**

- (1) The Vice Chancellor / Registrar delegated with the financial powers of procuring goods/ Services for the University shall strive to bring efficiency, economy, and transparency in matters relating to such procurement and for fair and equitable treatment of suppliers and promotion of competition.
- (2) Without prejudice to the interest of the University, the procedure to be followed in making procurement for the University shall endeavour to conform to the following yardsticks:-
  - (a) The specifications in terms of quality, type etc.,as also quantity of goods to be procured, should be clearly spelt out keeping in view the specific needs of NUJS. The specifications so worked out should meet the basic needs of NUJS without resulting in unwarranted expenditures. Care should also be taken to avoid unnecessary purchases;
  - (b) Offers should be invited following a fair, transparent and reasonable procedure;
  - (c) The Procurement Committee Should be satisfied that the selected offer adequately meets the requirement;
  - (d) The Procurement Committee should satisfy itself that the price of the selected offer is reasonable and consistent with the quality required;



- (e) At each stage of procurement the concerned procuring authority must place on record, in precise terms, the considerations which weighed with it while taking the procurement decision;
- (f) efforts should be made to identify more number of vendors / suppliers so as to obtain more bids on competitive basis.

## **CHAPTER – II AUTHORITIES**

### **Regulation 4. Authority to Sanction Procurement of Goods and Services:**

- (1) Notwithstanding anything contained in any other regulation relating to financial matters, the Vice Chancellor shall have the authority to sanction any procurement of goods and services of a value not exceeding Rupees five lakhs.  
Provided all such sanction exceeding Rupees one lakh shall be placed in the next meeting of the Finance Committee for its ratification.
- (2) The Finance Committee shall have the authority to sanction any procurement of goods and services above Rupees five lakhs.

### **Regulation 5. Constitution, Composition and Term of the Procurement Committee**

- (1) There shall be a Procurement Committee of the University for the purpose of recommending and overseeing administrative aspects of procurement of goods and services for the University.
- (2) The Vice-Chancellor shall constitute the Procurement Committee.
- (3) The Committee shall comprise of :
  - a) a Chairperson from amongst the Officers of the University;
  - b) Two members from the Faculty; and
  - c) Two members from the Administration, one of whom shall be the Member Secretary,
- (4) Three members, amongst whom at-least one shall be the member of the faculty, shall be necessary to form the quorum for the Committee.
- (5) The term of the procurement committee shall ordinarily be for one year unless the Vice-Chancellor decides otherwise.

### **Regulation 6. Functions of the Procurement Committee**

- (1) The Procurement Committee shall have the responsibility for overseeing procurement of goods and services and outsourcing of services. Without prejudice to the generality of the preceding sentence, the functions of the Procurement Committee shall include :
  - (a) Finalization of Tender Documents
  - (b) Procurement of Goods



- (c) Procurement of Services
  - (d) Preparation of requests for Proposals
  - (e) Identification of relevant specifications
  - (f) Submission of relevant certifications
  - (g) Selection of Vendors / firms /bidders / consultants / service providers, etc.
  - (h) Drafting of Purchase Orders / MOU / Tender Documents, etc.
  - (i) Conduct of Formal or informal inquiry for identification of vendors, etc.
  - (j) Drafting of any other document as deemed fit by the Procurement Committee
  - (k) Any other related matter as the Procurement Committee may deem fit.
- (2) Unless there are compelling reasons to be recorded in writing, for direct procurement, all procurement under these Regulations shall be carried out on the basis of the recommendation of the Procurement Committee.

## CHAPTER III - PROCUREMENT OF GOODS

### Regulation 7. Procurement of goods without quotation

- (1) Purchase of goods up to the value of Rs.15,000/-(Rupees Fifteen Thousand )only on each occasion may be made without inviting quotations or bids on the basis of a certificate to be recorded by such person as authorized by the Procurement Committee in the following format.

“I, am personally satisfied that these goods purchased are of the requisite quality and specification and have been purchased from are liable supplier at a reasonable price.”

- (2) The Procurement Committee may also authorize online purchase through reputed online portals. In all such cases the Procurement Committee shall authorize a University staff to make the requisite purchase through his account and the university shall provide reimbursement on submission of bills and a certificate in the following format.

“I, am personally satisfied that these goods purchased are of the requisite quality and specification and have been purchased from....., after comparison with prices and specifications offered by at least two other online portals.”

### Regulation 8. Purchase of goods by Procurement Committee

- (1) Purchase of goods costing above Rs.15,000/- (Rupees Fifteen Thousand)only and uptoRs.1,00,000/-(Rupees One lakh) only, on each occasion ,may be made on the



recommendations of the Procurement Committee. Three persons, including at least one member of the Procurement Committee, as authorized by the Chairperson shall survey the market to ascertain the reasonableness of rate, quality and specifications and identify the appropriate supplier. Before recommending the purchase, the three persons shall jointly record a certificate as under.

“Certified that we, are jointly and individually satisfied that the goods recommended for purchase are of the requisite specification and quality, priced at the prevailing market rate and the supplier recommended is reliable and competent to supply the goods in question.”

- (2) The Procurement Committee may also authorize online purchase through reputed online portals. In all such cases the Procurement Committee shall authorize a team of three persons, including at least one member of the Procurement Committee, as authorized by the Chairperson, to carry out a survey of at least three reputed online portals to ascertain the reasonableness of rate, quality and specifications and identify the appropriate portal for making the purchase. One of the members of this team shall make the requisite purchase through his account and the university shall provide reimbursement on submission of bills and a certificate in the following format.

“Certified that we, are jointly and individually satisfied that these goods purchased are of the requisite quality and specification and have been purchased from....., after comparison with prices and specifications offered by at least two other online portals.”

### **Regulation 9. Procurement of Goods and Services directly under Rate Contract**

For reasons to be recorded in writing, the Procurement Committee, may decide to directly procure goods, that are rate contracted by DGS&D / National Informatics Centre / Purchase organization authorized by the State or Central Government to fix rate contracts, from a supplier duly registered / enlisted with that organization. This power shall be available only for procurement not exceeding Rs. 25 lakhs in value of a single procurement order. In case of such procurement, the prices to be paid for such goods shall not exceed those stipulated in the rate contract and the other salient terms and conditions of the purchase should be in line with those the rate contract. The University shall make its own arrangement for inspection and testing of such goods where required.

**Regulation 10. Purchase of goods by obtaining bids**

Subject to the preceding regulations, the University shall procure goods by following the standard method of obtaining bids:

- a) Advertised Tender Enquiry;
- b) Limited Tender Enquiry;
- c) Single Tender Enquiry.

**Regulation 11. Advertised Tender Enquiry**

- (1) Unless otherwise provided under these regulations, invitation to tenders by advertisement shall be used for procurement of goods of estimated value exceeding Rs.25 lakh (Rupees Twenty Five Lakh). Advertisement in such case shall be given in the Indian Trade Journal (ITJ), published by the Director General of Commercial Intelligence and Statistics, Kolkata, in at least one national daily having wide circulation, and also on the University website.
- (2) Ordinarily, the minimum time to be allowed for submission of bids should be three weeks from the date of publication of the tender notice. Where the University also contemplates obtaining bids from abroad, the minimum period should be kept as four weeks for both domestic and foreign bidders.
- (3) The process of advertised tender enquiry may be adopted, on recommendation of the Procurement Committee, for tender of value of less than Rupees 25 lakhs also. Where the tender value is less than Rs. 5 lakhs, the time for submission of bids may be at least seven days. Where the tender value is less than Rs. 25 lakhs, the time for bids may be at least fourteen days.
- (4) For all advertised tender value exceeding Rupees 5 lakhs, e-tendering through the centralized e-tender portal of the central or state government shall be complied with.

**Regulation 12. Limited Tender Enquiry**

- (1) This method may be adopted when estimated value of the goods to be procured is up to Rupees Twenty-five Lakhs. Copies of the bidding document should be sent directly by speedpost/registeredpost/courier/ e-mail to firms which are empanelled by the University or are registered with DGS&D or any Purchase organization authorized by the State or Central Government. The number of supplier firms in Limited Tender

Enquiry should be at least three. Further, web based publicity should be given for limited tenders.

- (2) At least fourteen days should be allowed for submission of bids in Limited Tender Enquiry cases
- (3) Purchase through Limited Tender Enquiry may be adopted even where the estimated value of the procurement is more than Rupees Twenty-Five Lakhs , in the following circumstances.
  - (a) The Vice-Chancellor, subject to ratification by the Finance Committee, on recommendation of the Procurement Committee, may direct that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquiry is justified in view of urgency. The Procurement Committee should also put on record the nature of the urgency and reasons why the procurement could not be anticipated.
  - (b) There are sufficient reasons, to be recorded in writing by the competent authority, indicating that it will not be in the interest of the University to procure the goods through advertised tender enquiry.

### **Regulation 13. Two bid system**

- (1) For procurement of complex and technical nature of Goods and Services, irrespective of value, the Procurement Committee may decide to obtain bids in two parts as under:-
  - (a) Technical bid consisting of all technical details along with commercial terms and conditions; and
  - (b) Financial bid indicating item-wise price for the items mentioned in the technical bid.
- (2) The technical bid and the financial bid should be sealed by the bidder in separate covers duly super scribed and both the sealed covers are to be put in a bigger cover which should also be sealed and duly super scribed.
- (3) The technical bids are to be opened by the Procurement Committee at the first instance and evaluated by the Procurement Committee or such other person / Committee as authorised by the Procurement Committee. At the second stage financial bids of only the technically accepted offers should be opened for further evaluation and ranking before awarding the contract.



**Regulation 14. Late Bids**

In the case of advertised tender enquiry or limited tender enquiry, late bids (i.e. bids received after the specified date and time for receipt of bids) should not be considered.

**Regulation 15. Single Tender Enquiry**

Procurement from a single source may be resorted to in the following circumstances:

- (a) It is in the knowledge of the Procurement Committee that only a particular firm is the manufacturer of the required goods.
- (b) In a case of emergency the required goods to be purchased from a particular source and the to be recorded and approval of competent authority obtained.
- (c) For standardization of machinery or spare parts to be compatible to or in continuity with the existing sets of equipment (on the written advice of user or technical personnel of the University, the required item is to be purchased only from a selected firm).
- (d) In case of procurement of proprietary article (subject to submission of such certificate specified in **Annexure no. 1**)
- (e) On the written advice of user and /or on the recommendation of technical personnel of the University, or in case of purchase of products of reputed brands.

Provided however that except in case of emergency procurement, for any purchase of value exceeding Rs. 5 lakhs, the procurement under this rule shall not be done unless the details of the proposed procurement through single tender enquiry have been uploaded on the website for the comments of the concerned stakeholders within fourteen days from the date of publication of the notice.

**Regulation 16. Procurement of Goods by Request for Proposals (RFP)**

- (1) Where the estimated cost of procurement of goods is up to Rupees. 5 lakhs, the Procurement Committee may carry out the procurement through issue of request for proposals (RFP) from selected vendors.
- (2) The selected vendors shall be identified by the Procurement Committee on the basis of past procurement by the University or formal or informal enquiries from other Governmental or Non-Governmental Organizations involved in similar activities or any other persons having relevant knowledge or experience in the concerned field.



- (3) Proposal (RFP) shall be sought from at least three vendors. The RFP may also be uploaded on the University website for wide publicity. The vendors shall be given a minimum of seven days to submit their proposals.
- (4) The RFP shall clearly define/describe the scope of procurement and the evaluation criteria.

## **CHAPTER IV PROCUREMENT OF SERVICES**

### **Regulation 17. Procurement of Services by Request for Proposals (RFP)**

- (1) Where the value of procurement of services does not exceed Rupees Twenty-Five Lakhs only, the Procurement Committee may carry out the procurement through issue of request of proposals (RFP) from selected vendors.
- (2) The Selected vendors shall be identified by the Procurement Committee on the basis of past services to the University or formal or informal enquiries from other Governmental or Non-Governmental Organizations involved in similar activities or any other persons having relevant knowledge or experience in the concerned field.
- (3) The proposal (RPF) shall be sought from at least three vendors. The RFP may also be uploaded on the University website for wide publicity. The vendors shall be given a minimum of seven days to submit their proposals.
- (4) The RFP shall clearly define/describe the scope of service and the evaluation criteria.

### **Regulation 18. Procurement of Services of value exceeding Rupees Twenty-Five lakhs**

- (1) Where the value of the service exceeds Rupees Twenty-Five Lakhs, an enquiry for seeking 'Expression of Interest' from consultants shall be published on the University website, the Centralized e-tender portal of the State or Central Government and in at least one daily newspaper. Enquiry for seeking Expression of Interest shall include, in brief, the broad scope of work or service eligibility and the pre-qualification criteria to be met by the consultant and their past experience in similar services.
- (2) On the basis of responses received from the interested parties as per this rule, the consultants meeting the requirements should be shortlisted for further consideration. The number of shortlisted consultants should not be less than three.
- (3) The shortlisted consultants shall be sent a Request For Proposal (RFP). The consultants shall be given a minimum of fourteen days to submit their proposals.
- (4) The RFP shall clearly describe/define the scope of procurement and the evaluation criteria. The RFP should contain:



- a) A letter of Invitation
- b) Information to consultants regarding the procedure for submission of proposal.
- c) Terms of Reference (TOR).
- d) Eligibility and pre-qualification  
criteria in case the same has not been ascertained through Enquiry for "Expression of Interest".
- e) List of key position whose CV and experience would be evaluated.
- f) Bid evaluation criteria and selection procedure.
- g) Standard formats for technical and financial proposal.
- h) Proposed contract terms.
- i) Procedure proposed to be followed for midterm review of the progress of the work and review of the final draft report.

#### **Regulation 19. Receipt and opening of the Proposals**

The Proposals may be asked for from consultants in Two-Bids System, Technical and Financial Bids sealed separately, wherever the Procurement Committee so decides. On receipt, the technical proposals should be opened first by the Procurement Committee on a specified date, time and place.

#### **Regulation 20. Evaluation of Technical Bids**

- (1) The Technical bids shall be analyzed and evaluated by a Technical Committee as constituted by the University on the recommendation of the Procurement Committee.
- (2) The Technical Committee shall record, in detail, the reasons for acceptance or rejection of the technical bids.

#### **Regulation 21. Evaluation of Financial Bids of the Technically Qualified Bidders**

The Procurement Committee shall open the financial bids of only those bidders who have been declared technically qualified by the Technical Committee.

#### **Regulation 22. Consultancy by Nomination**

Under some special circumstances, it may become necessary to select a particular consultant where adequate justification is available for such single-source selection in the context of the overall interest of the University. Full justification for single sources election should be



recorded in the file by the Procurement Committee before resorting to such single-source selection.

## **CHAPTER V OUTSOURCING OF SERVICES**

### **Regulation 23. Outsourcing of Services**

The University may outsource certain services in the interest of economy and efficiency and it may prescribe detailed instructions and procedures for this purpose without, however, contravening the following basic guidelines.

### **Regulation 24. Identification of Likely Contractors**

The University shall prepare a list of likely and potential Contract or so on the basis of formal or in formal enquiries from other Organisations /Institutions, scrutiny of ‘Yellowpages’,and trade journals,if available, relevant websites,etc.

### **Regulation 25. Preparation of Tender enquiry**

The University shall prepare a tender enquiry containing, *inter alia*:

- a) The details of the work or service to be performed by the contractor;
- b) The facilities and the inputs which will be provided to the contractor by the University;
- c) Eligibility and qualification criteria to be met by the contractor for performing the required work/service; and
- d) The statutory and contractual obligations to be complied with by the contractor.

### **Regulation 26. Invitation of Bids**

- (1) For services of value not exceeding Rupees Ten Lakhs ,the University shall scrutinize the preliminary list of likely contractors as identified as per Regulation 24, identify the prima facie eligible and capable contractors and issue limited tender enquiry to the masking for their offers by a specified date and time etc. as per standard practice. The number of the contractors so identified for issuing limited tender enquiry should not be less than three.
- (2) For services of value exceeding Rupees Ten Lakhs ,the University shall issue advertised specified date and time etc .in the University website and through centralized e-tender portal of the State or Central Government.

**Regulation 27. Late Bids**

Late bids i.e .bids received after the specified date and time of receipt shall not be considered.

**Regulation 28. Evaluation of Bids Received**

The University shall evaluate, segregate , rank the responsive bids and select the successful bidder for placement of the contract.

**Regulation 29. Outsourcing by Choice**

Should It become necessary ,in an exceptional situation to outsource a job to a specifically chosen Contractor, the Procurement Committee may do so .In such cases the detailed justification, the circumstances leading to the outsourcing by choice and the special interest or purpose it shall serve shall form an integral part of the proposal.

**CHAPTER VI MISCELLANEOUS****Regulation 30. Contents of Bidding Document**

All the terms, conditions, stipulations and information to be incorporated in the bidding document shall be specified in the tender documents.

**Regulation 31. Bid Security**

- (1) In order to safeguard against a bidder with drawing or altering its bid during the bid validity period in the case of advertised or limited tender enquiry, Bid Security (also known as Earnest Money) shall be obtained from all bidders except those who are registered with the Central Purchase Organization, National Small Industries Corporation (NSIC) or the concerned Ministry or Department.
- (2) The bidders shall be asked to furnish bid security along with their bids.
- (3) Amount of bid security should ordinarily range between two percent to ten percent of the estimated value of the goods and services to be procured. The exact amount of the bid security shall be determined accordingly by the Procurement Committee and indicated in the bidding documents.
- (4) Submission of bid security may be waived by the Procurement Committee for procurement of value not exceeding Rupees Five Lakhs only.
- (5) The bid security may be accepted in the form of Account Payee Demand Draft ,Fixed Deposit Receipt, Banker's Cheque or Bank Guarantee from any of the commercial

banks in an acceptable form ,safeguarding the purchaser's interest in all respects .The bid security shall remain valid for a period of ninety days beyond the final bid validity period.

- (6) The bid security shall be forfeited if the bidder withdraws or amends its bids or impairs or derogates from the bid in any respect within the period of validity of the bid. Further, if the successful bidder fails to furnish the required performance security within the specified period, the bid security shall be forfeited.
- (7) Bid security of the unsuccessful bidders should be returned to them at the earliest after the expiry of the final bid validity and not later than 90 days from the award of the contract.

### **Regulation 32. Performance Security**

- (1) Performance Security shall be obtained from every successful bidder irrespective of its registration status.
- (2) The rate of Performance Security may range between five to ten percent of the value of the contract, as may be decided by the Procurement Committee.
- (3) Performance Security may be furnished in the form of an account payee demand draft, fixed deposit receipt from a Commercial bank ,bank guarantee from a Commercial bank in an interest of the University.
- (4) Performance Security shall remain valid for a period of one year beyond the date of issue of completion certificate of all contractual obligations of the supplier including warranty obligations.
- (5) Bid security shall be refunded to the successful bidder on receipt of the Performance Security.

### **Regulation 33. Monitoring the Contract**

The Vice Chancellor may constitute a Committee to evaluate and monitor the execution of the contract and performance of the contractor for any contract, as he may deem fit.

### **Regulation 34.Maintenance Contract for Goods and Services**

Depending on the cost and nature of the goods and services to be procured. It may also be necessary to enter into maintenance contracts of suitable period as specified by the



Procurement Committee, either with the supplier of the goods or services with any other competent firm, not necessarily the supplier of the subject goods or services.

Provided however, that the equipment or machinery or services shall be maintained free of charge by the supplier during its warranty period or such other extended periods as the procurement contract terms may provide and the paid maintenance shall commence only thereafter.

### **Regulation 35. Advance payment to Contractor/Vendor**

- (1) Ordinarily, payments for services rendered or supplies made should be released only after the goods/services have been supplied or rendered as the case may be.
- (2) However, advance payments may be done in the following types of cases:-
  - (a) Other case as may be approved by the Procurement Committee.
  - (b) The total Advance payment demanded by firms holding maintenance contracts for servicing of air-conditioners, computers other costly equipment, etc.
  - (c) Advance payment demanded by firms against fabrication contracts, turn-key contracts etc.
- (3) Any advance payment shall not exceed the following limits:
  - (a) Thirty percent or forty percent of the contract value to private firms;
  - (b) In case of maintenance the amount should not exceed the amount payable for six months contract.  
Provided that Procurement Committee may relax the ceilings in appropriate cases as it may deem fit.
- (4) While making any advance payment, adequate safeguard in the form of bank guarantee etc. may be obtained from the Contractor/Vendor.

### **Regulation 36. Part payment to Vendor/Contractor**

Depending on the terms of delivery in corporate in a contract or in such cases as the Procurement Committee may deem fit, part payment to the Vendor/Contractor may be released after it dispatches the goods from its premises or partial execution of the services in terms of the contract.



**Regulation 37. Transparency, Competition, Fairness and Elimination of Arbitrariness in the Procurement Process**

(1) All procurements should be made in a transparent, competitive and fair manner, to secure best value for money. This will also enable the prospective bidders to formulate and send their competitive bids with confidence. Some of the measures for ensuring the above areas follows:-

(a) The text of the bidding document should be self-contained and comprehensive without any ambiguities. All essential information, which a bidder needs for sending responsive bid, should be clearly spelt out in the bidding document in simple language. The bidding document should contain, inter alia;

- (i) The criteria for eligibility and qualifications to be met by the bidders such as minimum level of experience, past performance, technical capability, manufacturing facilities and financial position etc.;
- (ii) Eligibility criteria for goods indicating any legal restrictions or conditions about the origin of goods etc which may be required to be met by the successful bidder;
- (iii) The procedure as well as date, time and place for sending the bids;
- (iv) Date, time and place of opening of the bid;
- (v) Terms of delivery;
- (vi) Special terms affecting performance, if any.

(b) Suitable provision should be kept in the bidding document to enable a bidder to question the bidding conditions, bidding process and/ or rejection of its bid.

(c) Suitable provision for settlement of disputes, if any, emanating from the resultant contract, should be kept in the bidding document.

(d) The bidding document should indicate clearly that the resultant contract will be interpreted under Indian Laws.

(e) The bidders should be given reasonable time to send their bids.

(f) The bids should be opened in public and authorized representatives of the bidders should be permitted to attend the bid opening.

(g) The specifications of the required goods should be clearly stated without any ambiguity so that the prospective bidders can send meaningful bids. In order to attract sufficient number of bidders, the specification should be broad based to the extent feasible



.Efforts should also be made to use standard specifications which are widely known to the industry.

- (h) In case of turn-key contracts or contracts of special nature for procurement of sophisticated and costly equipment, a suitable provision is to be kept in the bidding documents for a pre-bid conference for clarifying issues and clearing doubts ,if any ,about the specifications and other allied technical details of the plant, equipment and machinery projected in the bidding document. The date, time and place of pre-bid conferences should be indicated in the bidding document. This date should be sufficiently ahead of bid opening date.
- (i) Criteria for determining responsiveness of bids, criteria as well as factors to be taken in to account for evaluating the bids on a common platform and the criteria for awarding the contract should be clearly indicated in the bidding documents.
- (j) Bids received should be evaluated in terms of the conditions already incorporated in the bidding documents; no new condition which was not incorporated in the bidding documents should be brought in for evaluation of the bids. Determination of a bid's responsiveness should be based on the contents of the bid itself without recourse to extrinsic evidence.
- (k) Bidders should not be permitted to alter or modify their bids after expiry of the deadline for receipt of bids.
- (l) Negotiation with bidders after bid opening must be severely discouraged. However ,in exceptional circumstances where price negotiation for the procurement is necessary in the opinion of the Procurement Committee ,the same may be resorted to.
- (m) The lowest evaluated bid shall not be the only decisive factor in selection of the contractor/vendor. The Procurement Committee may also take into consideration any other relevant factor.

### **Regulation 38. Cost Escalation**



The Vice-Chancellor shall have the powers to accept and approve, on the recommendation of the Procurement Committee, any escalation to the cost of the awarded Contracts.

Provided that where after escalation the revised value of the contracts exceeds Rupees Five Lakhs, the sanction of the Finance Committee shall be necessary.

### **Regulation 39. Savings**

- (1) Where any contract is being contemplated or executed in furtherance of any project or grant, execution of such contract shall be governed by the terms and conditions of such project or grant as the case may be. However, in absence of any such terms or conditions the present regulation shall apply.
- (2) The validity of any contract for which the tender/bid process has already been started shall not be questioned only on the ground of divergence from the present regulation.
- (3) Any matters pertaining to contract not covered under the aforesaid rules shall be governed by the decision of the Procurement Committee subject to the approval of the Vice-Chancellor.

### **Annexure 1**

#### **Proprietary Article Certificate (as per Regulation 15)**

- (i) The indented goods are manufactured by M/s.....
- (ii) No other make or model is acceptable for the following reasons:  
.....
- (iii) Concurrence of finance wing to the proposal vide:.....
- (iv) Approval of the competent authority vide:.....

Dated

Signature

Chairperson, Procurement Committee



## WBNUJS “WORKS” REGULATIONS, 2017

*Whereas it may be necessary to consolidate and rationalize the existing regulations and practices on “Works” carried out on behalf of the University so as to ensure efficiency, transparency and fairness, the following regulations are hereby adopted.*

### CHAPTER – I PRELIMINARIES

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- f) “University” means the NUJS.
- g) “User” includes students, faculty, staff and any such persons who uses or provides any particular facilities in the University.
- h) ‘Original Works’ includes all new constructions , works, special repairs to newly purchased or previously abandoned buildings or structures ,including remodeling or replacement.
- i) ‘Repair works ’includes works undertaken to maintain building and fixtures.

### CHAPTER – II AUTHORITIES

#### Regulation 3. Constitution of Works Committee

- (6) There shall be a Works Committee of the University for the purpose of recommending and overseeing administrative aspects of works for the University.
- (7) The Vice - Chancellor shall constitute the Works Committee.
- (8) The Committee shall comprise of :
  - d) a Chairperson from amongst the Officers of the University;
  - e) Two members from the Faculty; and
  - f) Two members from the Administration, one of whom shall act as Member Secretary;
- (9) Three members shall form the quorum for the Committee.
- (10) The term of the procurement committee shall ordinarily be for one year unless the Vice-Chancellor decides otherwise.

#### **Regulation 4. Functions of the Works Committee**

The functions of the Works Committee shall include :

- a) Drafting of work order / DPR / EOI/ Tender Document/NIQ / etc.
- b) Finalization of Tender Documents
- c) Advising the Vice Chancellor on relevant matters
- d) Identification of relevant specifications
- e) Evaluation of submitted documents
- f) Selection of Vendors / firms /bidders / consultants / service providers, etc.
- g) Conduct of formal or informal inquiry on identification of Contractors/ Architects/ Engineers/ etc.
- h) Drafting of any other document as deemed fit by the Works Committee
- i) Any other related matter as the Committee may deem fit or as may be directed by the Vice-Chancellor.

#### **Regulation 5. Administrative control of ‘Works’**

Administrative Control of the ‘Works’ shall be with:

- (a) the Head of the concerned Department or
- (b) any other person authorized by the Vice-Chancellor,

Provided however that the day-to-day supervision shall vest with the Campus Supervisor of the University.

#### **Regulation 6. Authority to sanction ‘Works’**

- (3) Notwithstanding anything contained in any other regulation relating to financial matters, the Vice Chancellor shall, on recommendation of the Works Committee, have the authority to sanction any works under this regulation up to a value of Rupees Five Lakhs.

Provided all such sanction exceeding Rupees One Lakh shall be placed in the next meeting of the Finance Committee for its ratification.

- (4) The Finance Committee shall have the authority to sanction all works above Rupees Five Lakhs.

### **CHAPTER – III WORKS**

#### **Regulation 7. Procedure for Execution of Works**

The broad procedure to be followed by the execution of ‘Works’ shall be as under:-

- (a) Preparation of detailed design and estimates shall precede any sanction for works.
- (b) No work shall be undertaken without the Administrative and Financial Approval by the Vice-Chancellor or Finance Committee, as the case may be;
- (c) For works of value of up to Rupees five lakhs, the Works Committee shall select a contractor through limited tender process. For all such ‘Works’, limited tender quotations shall be obtained from at least three contractors. Notice inviting quotation shall be uploaded in the University website and minimum of seven days shall be given for submission of quotation;
  - i. Provided that for works of value up to Rupees one lakh, the Works Committee may

A. select a contractor in consultation with the Campus Supervisor, or

- B. Authorize the Campus Supervisor to execute the work through hired labor and/or to procure required materials from open market, with such condition as the Works Committee may deemed fit.
- (d) For works of value exceeding Rupees five lakhs, the Works Committee shall select a contractor through open tender advertisement .Notice inviting tender shall be published on the centralized e-tender portal of the central/state government. Intimation of such notice shall also be given in the Indian Trade Journal(ITJ),published by the Director General of Commercial Intelligence and Statistics, Kolkata and at least in one daily newspaper having wide circulation and also on the University website;
- (e) Execution of Contract Agreement or Award of work should be done before commencement of the work;
- (f) Final payment for work shall be made only on the personal certificate of the Campus Supervisor and/or Engineer and/or Head of Department and/or any other authorized person, an of execution of the work in the format given below:  
 “ I/We ..... ,Campus Supervisor/Engineer/Head of Department/any other authorized person am/ are personally satisfied that the work (Description of Work) has been executed as per the specifications laid down in the Contract Agreement/Work order and the workmanship is up to the requisite standards.”

### **Regulation 8. Works through Public Works Organization**

Notwithstanding anything contained in the Regulation 7, the Works Committee may, at its discretion, assign any original/repair works of any value to any Public Works Organization which includes State Public Works Divisions ,other Central Government organizations authorized to carry out civil or electrical works such as Central Public Works Department(CPWD),Military Engineering Service(MES),Border Roads Organisation etc. or Public Sector Undertakings set up by the Central or State Government to carry out civil or electrical works, etc.

### **Regulation 9. Prerequisites**

- (1) No works shall be commenced or liability incurred in connection with it until,-
  - (a) Administrative approval has been obtained from the appropriate authority as specified in Regulation 6.
  - (b) Sanction to incur expenditure has been obtained as mentioned in Regulation 6;
  - (c) A properly detailed design has been sanctioned;
  - (d) Funds to cover the charge during the year have been provided by competent authority;
  - (e) Tenders invited and processed in accordance with Regulation 7;
  - (f) A Work Order issued.
- (2) On grounds of urgency or otherwise, if it becomes necessary to carry out a work or incur a liability under circumstances when the provisions set out under paragraph 1 of regulation 9 cannot be complied with ,the Vice-Chancellor may authorize such work on his own judgment.
- (3) Any development of a project considered necessary while a work is in progress, which is not contingent on the work as first sanctioned, shall have to be covered by a supplementary approval.



## **CHAPTER IV MISCELLANEOUS**

### **Regulation 10. Group of works**

For purpose of approval and sanctions, a group of works which forms on e project ,may be considered as one work.

### **Regulation 11. Cost Escalation**

The Vice-Chancellor shall have the powers to accept and approve, on the recommendation of the Works Committee, any escalation to the cost of the awarded works.

Provided that where after escalation the revised value of the works exceeds Rupees Five Lakhs the sanction of the Finance Committee shall be necessary.

### **Regulation 12. Savings**

- (4) Where any “Works” is being contemplated or executed in furtherance of any project or grant, execution of such work shall be governed by the terms and conditions of such project or grant as the case may be. However, in absence of any such terms or conditions the present regulation shall apply.
- (5) The validity of any “Works” for which the tender process has already been started shall not be questioned only on the ground of divergence from the present regulation.
- (6) Any matters pertaining to “Works” not covered under the aforesaid rules shall be governed by the decision of the Works Committee subject to the approval of the Vice-Chancellor.





# ACADEMIC REGULATIONS

## **B.A./B.SC. LL.B. (HONS.) ACADEMIC AND EXAMINATION REGULATIONS**

**B.A./B.Sc. LL.B. (Hons.) Academic and Examination Regulations as approved by the 20<sup>th</sup> meeting of the Academic Council held on 11.7.2012**

This regulation is to consolidate, replace, and amend the existing regulations relating to academic and examination at the West Bengal National University of Juridical Sciences, Kolkata.

**Short Title:** These regulations may be called the West Bengal National University of Juridical Sciences Academic and Examination Regulations, 2012 (In short, 'Regulations').

The following regulations shall govern all aspects of the undergraduate academic programme at the West Bengal National University of Juridical Sciences, Kolkata, and shall override all the existing regulations and practices related to undergraduate academic programme, unless stipulated otherwise.

**Extent and Application:** This regulation shall be applicable to BA/B.Sc. LL.B (Hons.) programme starting from the academic year 2012-2013 (i.e. batch of 2012-2017) onwards.

### **Part I: Preliminary**

1. **Definitions:** In the Regulations, unless specifically defined otherwise, the following definitions will prevail:
  - (a) 'Academic Calendar' means the schedule published by the Office of the Assistant Registrar (Academic), before the beginning of every academic year, and amended thereon, pertaining to starting date of classes, period(s) within which different components of evaluation shall take place, date for closure of attendance, publication of results, etc.;
  - (b) 'Attendance' means the presence of the student in the class, which is duly entered in the register maintained for each course separately;



- (c) 'Authorised leave of absence' means leave sanctioned under part II of the Regulations;
  - (d) 'Certificate Courses' means the courses offered in the University, but does not carry any credit;
  - (e) 'Credit Courses' means the courses offered in the University following part VI of the Regulation;
  - (f) 'CGPA' means Cumulative Grade Point Average;
  - (g) 'Compulsory' course means such courses specified by the Academic Council as compulsory courses, and evaluated as per part IV of the Regulation;
  - (h) 'Elective' means all courses other than the Compulsory courses, and evaluated as per part IV of the Regulation;
  - (i) 'Office of the Assistant Registrar (academic)' means the section of the University, headed by the Assistant Registrar (Academic)(in short AR (Acad)) that deals with academic and examination related administrative matters, and assist the UC in the administration and implementation of the Regulations.
  - (j) 'Faculty Advisor' means the concerned faculty who is duly deputed by the University for particular SJA Committees/Other Committees and notified by the University circulars from time to time;
  - (k) 'Moderation Committee' means the Committee constituted by the Vice-chancellor, for the purpose of moderation of question papers and examination results;
  - (l) 'Undergraduate Council' (in short UC) means the Committee constituted by the Vice-Chancellor for administration and implementation of the Regulations, every year;
  - (m) 'University' means the West Bengal National University of Juridical Sciences, Kolkata.
2. Constitution of UC: The UC shall be constituted by the Vice-chancellor. UC shall have a Chairperson, and five (05) other members, all nominated by the Vice-Chancellor by rotation. 50% of the members shall be substituted with new members, every year. No member shall continue in the UC for more than two consecutive terms. AR (Acad) shall act as the Secretary to the UC. Functioning of the UC is to be governed by the clause 3 of Regulations. Meetings of the UC shall be convened by the Secretary in consultation with the Chairperson. Presence of at least four members shall constitute the quorum.



Decisions of the UC shall be by majority. In case of a tie, Chairperson shall have an additional casting vote. The Secretary shall maintain the Minutes of the meetings and also act as the custodian of records of the UC. Minutes of the UC shall be circulated among the members of the faculty.

3. Functioning and Powers of the UC: All matters related to undergraduate education will be referred to the UC for its decision after an application is made in writing, to the AR (Acad). The UC shall arrive at a reasoned decision within seven working days from the date of receipt of the application from AR (Acad). The Vice-chancellor shall be the appellate authority on the decisions of the UC. Appeals shall be made within seven working days of communication of such decision.

## **Part II: Attendance**

### 4. Attendance

No student of any of the degree programme shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorised representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India.<sup>1</sup>

#### 4.1. Procedure for condonation of absence:

1. Application in writing to the office of the AR (Acad) for the purposes of condonation shall be submitted with all relevant and sufficient supporting documents to substantiate the reasons of absence within seven working days

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<sup>1</sup>Modified vide 28<sup>th</sup> ACM dt. 12.11.2016



from the date of first leave of absence sought. All other relevant documents which are obtained later than the initial submission shall be submitted within the next working day of re-joining. **[Annexure 1A, 1B]**

2. AR (Acad) shall forward all such applications within seven days of receipt of the final documents to the UC for consideration.
3. The UC shall take a decision on the matter within seven working days of receipt of such documents from the office of the AR (Acad). AR (Acad) in turn shall communicate it to the student forthwith.
4. The student may appeal to the Vice-chancellor for redressal of grievance, if any, over the decision of the UC, as per clause 3 of the Regulation.

#### 4.2. Publication and Notification of Attendance Status

1. The Office of the AR (Acad) shall publish the status of attendance of students for every month within the first week of the next month.
2. The list shall also be uploaded to the University Website within the same week.
3. In appropriate cases, parents/guardians shall be notified in writing about the shortfall of attendance of their concerned wards by the AR (Acad).
4. The list of students declared ineligible to appear in the End Semester Examination shall be notified by the AR (Acad) on the next day of closing of attendance of each semester.
5. Office of the AR (Acad) shall inform the parents/guardians of debarred students in writing about the ineligibility of their ward.

#### 4.3. Closure of Attendance – Date for the closure of attendance shall be as specified in the Academic Calendar announced at the beginning of the semester.

#### 4.4. Bar to Appear for Examination – Any student having attendance below 70%, and any student having attendance below 66% (for those eligible for condonation as specified in Clause 4.1) shall not be permitted to appear for the End Semester Examination. A student debarred for reasons of shortage of attendance of that academic year shall appear for the examination when the course is offered in the next academic year.



### **Part III: Course Structure**

#### **5. Norms for Selection and Finalisation of Elective Courses, offered to students of third, fourth and fifth years**

5.1. The Faculty shall submit to the Office of the AR (Acad) the names of the Elective Courses (along with course descriptions, , maximum number of students allowed and criteria for selection, if any) they plan to offer during the forthcoming academic year (Monsoon Semester and Winter Semester) on or before April 15 every year.

5.2. A. The AR (Acad) shall forward the aforementioned documents to the UC and the Vice-Chancellor.

B. The preliminary list of all these courses shall be finalised by the UC and circulated to the students on or before April 22 every year.

*Explanation* – This publication is intended to afford an opportunity to the students to request for introduction of additional Elective Courses in the forthcoming academic year.

5.3. A. Any Faculty planning to offer a course, not earlier taught by him/her in the University, shall present the Course Outline in the Faculty Meeting on such time and date as fixed by the AR (Acad) but not later than April 30.

B. Based on the comments received during the Faculty Presentation (wherever applicable) and from the Vice-Chancellor, the Course Outlines for the Elective Courses shall be finalised and submitted by the concerned Faculty to the AR (Acad) at least one month before the commencement of the Semester in which the Course is to be offered.

5.4. A final list of Elective Courses, along with the Course Outlines, to be offered in a Semester shall be published in the Notice board and uploaded to the University Website, by the AR (Acad) at least three weeks prior to the commencement of that semester.

5.5. Students are required to submit their choices of Elective Course by email/in person to the Office of the AR (Acad) during such period as determined by the



AR (Acad). [**Annexure-2A**] However, the aforesaid period shall be at least 15 days prior to the commencement of the concerned Semester.

1. Students have to fill up the stipulated form in person or/and email it to the designated email address.
  2. Unless specified otherwise, students shall be selected for Elective Courses with caps on class size on a first-come-first served basis.
  3. In cases of Elective Courses which are restricted on a first-come-first served basis, students shall be selected on the basis of the date and time of the submission of their choices to the Office of the AR (Acad).
- 5.6. The Office of the AR (Acad) shall publish a first list of students enrolled for each of the Elective Course not later than at least one week prior to the commencement of the Semester.
- 5.7. After commencement of the Semester, students shall have a window of ten working days to withdraw from a course and join another course.
- 5.8. Students can change a course only by submitting a form [**Annexure-2B**] to the Office of the AR (Acad) in person or by email. On submission of such form, necessary changes shall be made in the Register of Enrolment.
- 5.9. No student shall be allowed to register or deregister in a course directly with the course teacher. It must be done through the office of the A.R (Acad) as specified in Clause 5.8.
- 5.10. The Office of the AR (Acad) shall publish a final list of students enrolled for each of the Elective Course, not later than on twelfth day from the commencement of the Semester. This list shall be final and subject to 5.10A, there cannot be any change after its publication.
- 5.10A. In case, any student is aggrieved due to an error in the published list, he/she may appeal to the Undergraduate Council within three days of publication of the list under 5.10. If the Undergraduate Council finds that there has indeed been an





error in the published list, it shall direct the rectification of that error.

- 5.11. Students shall not be allowed to deregister from the courses after the publication of the final list and the grades for such course shall be included in their transcripts (even where they fail to attend the classes/exams).
- 5.12. Attendance shall be marked for all elective courses from the first working day of every Semester.
- 5.13. The total number of classes that a student attended in an Elective Course in a semester before migrating to another course, in accordance with clause 5.12, shall be added to the tally of the total number of classes attended in the latter course at the end of Semester for determining his/her eligibility to appear in the End-Semester Examination.
- 5.14. The Attendance Regulations, as specified in part II of the Regulation, shall apply to all Elective Courses.

#### **Part IV: Evaluation**

##### 6. Evaluation of Compulsory Courses:

6.1 Every Compulsory Course for 3rd, 4th and 5th Year LL.B. students must have the following evaluation components:

1. End-Semester Examination - 70 Marks
2. Essay - 25 Marks (following the regulations under clause 6.4)
3. Viva on Essay - 5 Marks (following the regulations under clause 6.7)

6.2 Every Compulsory for 1<sup>st</sup> and 2<sup>nd</sup> year LL.B. student must have the following evaluation components:

1. End-semester examination--70 marks
2. Tutorial--25 marks
3. Class participation marks awarded by tutor--5 marks

6.3 A course teacher, with the prior written permission of the Vice-Chancellor, may

allocate marks for class participation, Mid-Semester Examination, or any other modes of evaluation, in lieu of or in addition to those defined under clause 6.1 and 6.2 or Part VII as the case may be, within fourteen working days from the beginning of the semester, and subsequently inform the AR (Acad), who shall notify the students. No course teacher is allowed to conduct take home examination as a part of evaluation.

#### 6.4 Essay

1. Every student, third year onwards, shall write an essay of approximately two thousand words for every compulsory subject that s/he has to complete.
2. The aforesaid essay shall be evaluated out of 25 marks.

#### 6.5 Finalisation of Topics

1. Essay topics shall be finalized within twenty days from the commencement of the semester by the student in consultation with the course teacher concerned.
2. The complete list of essay topics shall be submitted to the AR(Acad) within four weeks from the beginning of the semester.

#### 6.6 Submission Deadline

1. Students shall submit the essay before 5 p.m. on the first working day after the end of 8th week from the commencement of the semester.
2. Essays shall be submitted in print to the designated staff in the Office of the AR (Acad). An electronic copy of the essay shall either be uploaded on the NUJSPRO Database /Turnitin, or be mailed to the designated e-mail address in accordance with the instructions of Office of the AR (Acad), within the aforementioned deadline.
3. Submission of a project paper shall be deemed to be complete only after the submission of a printed copy to the Office of the AR (Acad) and upload on the NUJSPRO Database/Turnitin or email to designated e-mail address as the case may be.



4. If a student does not submit the project on or before the aforementioned deadline, any such late submission shall attract a penalty of deduction of one mark for every day of delay in submission.

Provided that no project shall be accepted for submission after the fourth calendar day from the notified deadline for submission and the student shall receive no marks for both, project and viva-voce in the concerned subject. In the event that the fourth day is not a working day, no project shall be accepted after the next working day.

Explanation: The penalty for late submission shall apply even where a printed copy has been submitted but the soft copy has not been submitted or where a soft copy has been submitted but the printed copy has not been submitted in accordance with Rule 6.6.3.

#### 6.7 Viva

1. There shall be a viva conducted by the course teacher on the basis of the final essay submitted.
2. Such viva shall carry 5 marks. It shall be conducted within 3 weeks from the date of submission of the essay.
3. Schedule for the Project Vivas shall be prepared by the Office of the AR (Acad).
4. All the vivas shall be completed by the course teacher at least ten days ahead of the last teaching day of the Semester.

### 7. Evaluation of the Elective Courses

#### Evaluation

7.1 Every Elective Course for third, fourth and fifth Year LL.B. students must have the following evaluation components:

1. End-Semester Examination - 50 Marks
2. Research Project - 30 Marks (following clause 7.3)
3. Presentation - 20 Marks (following clause 7.4)

7.2 A course teacher, with the prior written permission of the Vice-Chancellor, may allocate marks for class participation, Mid-Semester Examination, or any other modes of evaluation, in lieu of or in addition to those defined under Clause 7.1 within fourteen working days from the beginning of the semester, and subsequently inform the AR (Acad), who shall notify the students. A course teacher is allowed to conduct take home examination as a part of evaluation, subject to the approval of the Vice Chancellor.

### 7.3 Research Projects

1. Every student shall be required to write a research project of approximately three thousand words in each elective course that he/she registers for.
2. Such research project shall be evaluated out of 30 marks.

### 7.4 Project Presentation

1. Every student shall also have to present the research project in a class-room before the course teacher concerned and such number of students as the course teacher deems fit.
2. The presentation shall carry a total of 20 marks.
3. All the presentations shall be completed by the course teacher at least 7 days ahead of the last teaching day of the Semester

7.5 The distribution of marks for the research project and presentation may be altered by the Course Teacher, but only with the written consent of the Vice-Chancellor.

1. Such consent must be obtained by the course teacher before the finalisation of the Course Outline under clause 7.2 of the Regulations.
2. An intimation of grant of such consent shall be served to the UC.

### 7.6 Finalisation of Topics

1. Research Project topics shall be finalized within forty five days from the commencement of the semester by the student in consultation with the course teacher concerned. The latter shall submit the complete list of essay



topics to the Academic Section within seven weeks from the beginning of the semester.

#### 7.7 Deadline for Submission

1. The deadline for the submission of the research project shall be finalized by the Course Teacher, with the written permission from the Vice-Chancellor.
2. Such deadline shall however be in no case be later than seven days from the date of the last end-semester examination.
3. Rule 7.7.3: If a student does not submit the project on or before the aforementioned deadline, any such late submission shall attract a penalty of deduction of one marks for everyday of delay in submission.

Provided that no project or any other written submission shall be accepted for submission after the fourth day from the notified deadline for submission and the student shall receive no marks for both, project and viva-voce in the concerned subject. In the event that the fourth day is not a working day, no project shall be accepted after the next working day.

Explanation: The penalty for late submission shall apply even where a printed copy has been submitted but the soft copy has not been submitted in accordance with Rule 7.7.4 or where a soft copy has been submitted but the printed copy has not been submitted in accordance with Rule 7.7.4.

7.8 The requirement of a research project in an Elective Course can be substituted with equivalent writing assignments by the Course Teacher, with the written permission of the Vice-Chancellor.

1. Such consent must be obtained by the Course Teacher before the finalisation of the Course Outline under Chapter 8.2 of the Regulations.
2. An intimation of grant of such consent shall be served to the Under-Graduate Council.

Note: Applicability of the system of project for clinic courses shall be decided by the Course Teacher in consultation with the Vice-Chancellor.



## 8. Extension for Participation in Moot Courts

### 8.1 Extension

1. No exemption from project submission shall be provided to students who publish any research paper, including those published in a University journal or represent the University in any Inter-University moot court competition.
2. A student representing the University in any Inter-University moot court competition (where such participation has been sanctioned by the Moot Court Society) would be entitled to claim 15 additional days beyond the official deadline, for submission of project paper in any one subject in that semester.
3. The aforesaid extension would be available only in the semester in which the concerned moot court competition is scheduled to be held or, where such moot court competition is scheduled to be held during the Summer Vacation or the Winter Vacation (separating two semesters), in the semester immediately preceding such Vacation.
4. Such extension can be claimed for any one subject - compulsory or elective. However, it cannot be claimed for more than one subject (even where a student is participating in more than one moot court competition in a semester).

### 8.2 Procedure for Obtaining Extension

1. Any student seeking to avail of this extension must submit a letter, specifying the subject for which extension has been sought as well as the details of the Moot Court Competition, to the AR (Acad).  
**[Annexure-3]**
2. A copy of such letter must also be submitted to the concerned Course Teacher.
3. The aforesaid letter must also be endorsed by the Faculty Advisor of the Moot Court Society who shall attest that the concerned student has in fact been selected for representing the University in such moot court competition as stated in the letter.
4. AR (Acad) shall forward such application to the UC.

## Part V: Evaluation and Promotion Criteria

**9. Evaluation Criteria:** Students shall be evaluated on grades in a seven point scale with the corresponding grade values given below:

Sl. No.	Percentage of marks obtained	Grade	Grade Value
1.	75 and above	E ( Excellent)	7
2.	70 and above but below 75	A+ (Distinction)	6
3.	65 and above but below 70	A (Very Good)	5
4.	60 and above but below 65	B+(Good)	4
5.	55 and above but below 60	B (Fair)	3
6.	50 and above but below 55	C+ (Average)	2
7.	40 and above but below 50	C (Pass)	1
8.	Below 40	F (Fail)	0

**10. Indication of Repeat in Transcript:** the transcript shall carry the letter “R” next to the subject in the following cases:

1. A student who secured “F” grade in the first attempt and secured a pass grade on a subsequent attempt. This regulation shall also be applicable to re-admitted students as per regulation (clause 11).
2. A student whose examination has been cancelled due to violation of examination regulations during the previous academic year.

### *Illustration:*

- i) Transcript of a student who has failed only in Contract - I among the subjects offered in the first year, and subsequently passed in his/ her second year will carry ‘R’ besides his/her grade against Contract-I.
- ii) Transcript of a student who has failed in Contract, Commercial Law, Sociology-I among the 10 courses offered in the first year and subsequently passes these three courses in a subsequent attempt will have ‘R’ besides his/her grade against these three courses.





10A. Indication of Debarred in Transcript: The transcript of a student who has been debarred from appearing in end semester exam due to a shortage of attendance in the previous academic year shall carry the letter “D” besides his/her grades in the concerned subjects for which he/she was debarred.

## 11. Promotion Criteria

- 11.1 A student must secure at least a minimum of “C” grade in 8 out of 10 courses offered in one academic year to get promotion to the next academic year (Details in clause 11.5).
- 11.2 A student who has failed in more than two subjects in an academic year shall be deemed unsuccessful as per the promotional criteria specified in clause 11.5, and shall be admitted to the same class in the next academic year and shall study the subjects which she/he could not pass and get evaluated afresh, following all the requirements of a regular student.

*Illustration:* A student who has failed only in Commercial Law, Sociology-I and Tort, in an academic year, will take readmission in the next academic year and will appear in these three subjects.

Explanation: Following all the requirements of a regular student entails compliance with attendance requirements as specified in Rule 4. However, the total number of classes under Rule 4.1 shall be calculated in all such cases from the date of readmission to the same class.

Rule 11.2A. Every student who fails to obtain promotion as per Rule 11.2. shall have to take re-admission in the same batch. Re-admission shall entail payment of the following fees:

- a) Examination Fee
- b) Library Fee
- c) Re-admission Fee



- d) Composite (Hostel) Fee
- e) Adjustable (Hostel) Deposit
- f) Re-registration Fee as per Rule 11.3

The amount to be paid under these heads shall be notified by the Accounts Section from time to time.

11.3.1. A student, who has failed in a maximum of two subjects after the Repeat Examination in the same academic year, shall carry forward the subjects only to the next academic year subject to clause 11.5. Such student shall undergo all the components of evaluation prescribed in those subjects, except class participation. He/she shall re-register for examination in the failed subjects and clear the same to be considered for promotion in the subsequent academic year, as per clause 11.5.

Explanation: In such a case, the marks obtained in the Repeat Examination shall be scaled up in lieu of class participation of marks.

*Illustration:* A student, who secured pass grade in all the subjects in his First Year and passes eight subjects and fails in Family Law – II and Economics – II in his Second Year, shall be promoted to third year. He/she shall re-register for in Family Law – II and Economics – II and complete all the requirements of that course, except class participation and attendance, in the next academic year.

11.3.2. Notwithstanding anything contained in Rule 11, a student who has secured at least grade C in at least 8 subjects of that academic year but failed to clear the backlog of previous academic year shall not be promoted as per clause 11.5. He/she shall re-register for examination in the failed subjects and clear the same to be considered for promotion in the subsequent academic year, as per clause 11.5.

*Illustration:*

A student, who has secured pass grade in all subjects of Second Year but still could not pass Contract I offered in the First Year, shall not be promoted to third year but shall re-register for Contract I and complete all the requirements



of that course including attendance and clear the subject. Once the subject is cleared, he/she shall be promoted to the Third Year.

Explanation I: In case the subjects are not offered in the relevant academic year, the University shall conduct a special examination for the same.

Explanation II: For the purpose of re-registration, a student shall pay the stipulated amount per course to the University. Student shall apply for re-registration in writing to the Examination Section with a copy of the receipt of payment mentioned above within the time specified by the University.

11.4. Subject to Rule 56, a student shall pass all the fifty subjects, within a maximum period of 10 years from the date of admission for the successful completion and award of the degree.

11.5. Detailed criteria for Promotion:

1. For promotion to second year – candidates have to pass at least 8 out of 10 subjects offered in the first year.
2. For promotion to third year – candidates have to pass
  - (a) pass all the subjects offered in the first year, and
  - (b) pass at least 8 subjects out of 10 offered in the second year
3. For promotion to fourth year, candidates have to
  - (a) pass all the subjects offered in the first and second years, and
  - (b) pass at least 8 subjects out of 10 offered in the third year
4. For promotion to fifth year, candidates have to
  - (a) pass all the subjects offered in the first, second and third years, and
  - (b) pass at least 8 subjects out of 10 offered in the fourth year

12. Eligibility to appear in a Repeat Examination shall be the following[Annexure 4]:

1. Securing F grade in a subject.



2. A student who has missed a regular end semester examination due to participation in a University approved moot court competition held during the end semester examination.

Such approval shall be obtained prior to the examination.

3. A student who was unable to write the end semester examination due to hospitalization or incapacitation due to any contagious disease or ailment of similar serious nature.

Provided that no student shall be eligible to write repeat examination of any subject under this clause unless he or she informs, by phone or in writing, the office of the Assistant Registrar (Academic) or any other person designated as the Controller of Examinations, of his/her illness before the commencement of the examination in that subject.

4. A student whose examination has been cancelled due to violation of examination regulations during the previous academic year.
5. A student who participated in a Foreign Exchange Programme under Part X and allowed to write a repeat exam under Rule 58.

Explanation I: A student who has been debarred from appearing in end-semester examination due to shortage of attendance will not be eligible to appear for repeat examination in that academic year (clause 4.5).

Explanation II: Marks obtained in a repeat examination written under 12.1 and 12.4 shall not be considered for the purpose of any medal, **prize or honour**<sup>2</sup> to be awarded on the basis of grades obtained in any subject.

**No student who write a Repeat Examination shall however be debarred for gold medal, award, prize or honour awarded for overall rank in the University/class.**<sup>3</sup>

Explanation III: Any student who secures F grade in a subject and seeks to write the repeat examination for that subject in the same academic year shall, have the option of:

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<sup>2</sup>Modified vide 25<sup>th</sup> ACM dt. 17.08.2015

<sup>3</sup>Modified vide 25<sup>th</sup> ACM dt. 17.08.2015



- i) Retaining his/her marks obtained for project and other components of evaluation originally, or
- ii) Submitting a fresh project **and** other components of evaluation [**except class participation**]. **A student cannot selectively choose to resubmit/redo only some of the internal components of evaluation. In case they choose to resubmit/redo any component, they shall have to resubmit/redo all the components [apart from class participation marks which shall be retained].**

**However, a student who writes a repeat examination of a subject in the next academic year shall, however, complete all components of evaluation, except class participation, as prescribed for that subject in the relevant academic year. The marks allocated for class-participation shall be assigned to end-semester examination in such a case.<sup>4</sup>**

*The honourable members of the Academic Council vide their meeting dated 17.08.2015, directed to give option to students to retain the internal components or to do the components afresh. It is also approved by the members that if the marks scored in internal components is 50% or more, the internal marks to be retained. If the student does not have 50% he/she may be allowed to re-do the Projects/Internal Components.<sup>5</sup>*

## **Part VI: Conduct of Credit Courses and use of earned Credits**

This part of the regulation seeks to ensure quality and parity between elective courses as defined in clause 8 and credit courses. It outlines a process of prior scrutiny of the substantive content of the proposed credit courses and establishes minimum guidelines for bringing about a degree of standardization and smoother integration of these courses into the regular academic structure.

- 13. Allocation of Credits: Credit courses can have credits ranging from 1 to 3, depending on the number of actual contact teaching hours.

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<sup>4</sup>Modified vide 25<sup>th</sup> ACM dt. 17.08.2015

<sup>5</sup>Modified vide 25<sup>th</sup> ACM dt. 17.08.2015



14. Duration of a Credit Course

1. 1 credit elective: minimum of 14 contact teaching hours
2. 2 credit elective: minimum of 28 contact teaching hours
3. 3 credit elective: minimum of 40 contact teaching hours

15. Requirements for a course proposal: Any person intending to offer a Credit Course shall submit to the Office of the AR (Acad), a detailed course outline which shall include:

1. Brief description of the course including course objectives and broad issues in the course,
2. Break up of topics to be covered,
3. Prescribed Readings,
4. Description of assignments, if any, proposed to be prescribed,
5. Evaluation pattern,
6. Proposed number of teaching hours (classroom sessions), and
7. Any basic pre-requisites for course (for example, knowledge of another branch of law, completion of another course, etc).

16. Prior Scrutiny of the Proposed Course

16.1 The Vice-Chancellor shall constitute a Faculty Committee comprising of two members of faculty who are teaching/researching in the area in which the Credit Course is proposed. The Office of the AR (Acad) shall facilitate the work of this Committee. The above Committee shall scrutinise the proposed course and forward, in writing, its recommendations to the Vice-Chancellor

16.2 In its scrutiny, the Committee shall have the following parameters:

1. Relevance of topics proposed to be covered
2. Possibility of covering the suggested topics within the suggested timeline,
3. Suggested readings, and
4. Evaluation pattern.



16.3 The Committee shall submit its recommendations to the Vice Chancellor within a week of the receipt of a copy of the proposed course-outline.

16.4 The final decision on whether or not to permit the credit course shall lie with the Vice Chancellor.

17. Evaluation of the credit course:

17.1 Mode of Evaluation shall consist of the following:

1. Written examination including a take home exam, or
2. Research paper, or
3. Any model that is adopted by the course teacher and approved by the Faculty Committee constituted under clause 16.1.

17.2 All evaluation shall be out of a total of 100 marks. Evaluation shall be completed and marks declared within two months of completion of the said Credit Course or the end of the semester in which the Course is offered, whichever is earlier.

17.3 A credit course shall be deemed to have been successfully completed if the student has:

1. minimum requisite percentage of attendance (as prescribed), and
2. obtained a minimum pass percentage following clause 9.

18. Number of credit courses that can be taken by a student:

18.1 No student shall be allowed to enroll in more than 3(9) Credit Courses of any weightage in a single semester.

18.2 Signing up for a credit course and being allotted a seat shall count towards the number of credit courses a student can take in an academic year.



*Illustration* - If a student signs up and is allotted a course but does not, for whatever reasons, complete the course, it would still count towards the limit of number of credit courses a student can take.

## 19. Utilisation of Credits for Exemption from Elective Courses

19.1 Students can seek exemption from an elective course (and not from a compulsory course) only on the basis of equivalent credits already earned and not otherwise. Such exemption can be obtained at any time after completion of the credit course, including the very next semester.

*Explanation:* - Credits utilised for obtaining an exemption from an elective course cannot be further utilised for seeking exemption from another elective course.

*Illustration:* A student who has successfully completed a three-credit course in Law and Ethics may utilise the same for seeking an exemption from an elective course, Media and Law. Credits earned for Law and Ethics cannot be further utilized for seeking an exemption from any other elective course.

19.2 Repeat examinations shall not be conducted for any credit course offered in pursuance of this Part.

19.3.1 Once credits have been earned [marks have been released and a student has passed the credit course], a student can swap such credits against elective courses at any point of time. For example, credits earned in 5<sup>th</sup> semester can be swapped with an elective course offered in the tenth semester.

19.3.2 An elective course can be swapped only when equivalent credits [three credits] have been earned through one or more credit courses.

19.3.3 A student can swap earned credits with an elective course only before the last date of the window for transfer between elective courses for that semester, as per Rule 5.7.

### Illustration

(a) A student completes 3 credits through a credit course on 'Law and Religion' in her 5<sup>th</sup> Semester. She can in her 10<sup>th</sup> semester, before the last day in the



window for transfer of electives, swap these 3 credits with an elective course, 'Sports Law'.

- (b) A student completes 2 credits through a credit course on 'Law and Religion' in her 5<sup>th</sup> Semester and 1 credit through a credit course on 'Perry Mason and Critical Legal Theory'. She can in her 10<sup>th</sup> semester, before the last day in the window for transfer of electives swap these 3 credits with an elective course, 'Sports Law'.

## 20. Procedure for Seeking Exemption

20.1 In the event an exemption is sought under clause 19, the following shall be done:

1. The student shall submit an application to this effect in the prescribed format to the Office of the AR (Acad) within the prescribed time. Once submitted, the application shall be deemed final and irrevocable.

### **[Annexure-5]**

2. The Office of the AR (Acad) shall keep a record of all the exemptions sought.
3. The records maintained by the Office of the AR (Acad) shall be final and conclusive for all exemptions sought.
4. At the end of an academic year, the Office of the AR (Acad) shall issue a year wise list of all exemptions sought.

20.2 The student may also choose not to claim an exemption.

## 21. Mention in transcript

- 21.1 All Credit Courses selected by a student, unless deregistered within the stipulated deadline, shall be mentioned in his/her transcript. In the event a student fails to clear the credit course, a grade F shall be mentioned.

*Explanation:* Period of deregistration shall be announced by the Faculty Committee.



21.2 For Certificate Courses, a certificate would be issued by the academic department on successful completion.

22. Calculation of CGPA: Marks in only those credit courses which have been selected by a student for claiming an exemption shall be taken into consideration for the calculation of CGPA.

23. Credit Course Co-ordinator: In the event a credit course is being offered by an external expert, a member of the faculty appointed by the Vice Chancellor shall act as the course co-ordinator. The course co-ordinator would be the single point of contact for the concerned course

24. Responsibilities of Academic Section

24.1 The Office of the AR (Acad), shall after consultation with the Faculty Committee constituted under cause 16.1, announce all credit courses to be offered in a given semester with the following details:

1. Duration of the course (one, two or three credit course),
2. Duration of the lecture (one, two or three hour lecture/seminar)
3. Course outline and readings,
4. Classroom where the course would be held,
5. Open or restricted course, in the event of latter, clearly specifying the restrictions,
6. Attendance requirements and evaluation pattern in consultation with the course teacher, and
7. Last date for signing up for the credit course.

24.2 The Office of the AR (Acad) shall also extend all logistical and administrative support for ensuring successful conduct of any mode of evaluation that the course teacher may adopt.

## **Part VII: Tutorial**

Tutorials are meant as a training ground for the newly admitted students, in academic research and writing. Since the students of First and Second year LL.B. come straight from the school



to an University, they are not yet familiar with the basics of academic writing. Hence tutorials are devised as a system wherein a senior student guides those First and Second year of LL.B.

25. Tutorial selection

- 25.1 AR (Acad) shall invite applications from eligible students to be selected as tutors from Fourth and Fifth year LL.B. and LL.M. students.
- 25.2 Applications shall accompany a statement of purpose, CGPA as per the last declared result, and curriculum vitae. Application shall also specify the subject in which the applicant wishes to be the tutor. Such applications shall be forwarded to the Tutorial Coordinator for consideration and selection.
- 25.3 Tutorial Coordinator, on evaluation of the submitted documents and an interview, shall select the tutors, taking into consideration specific needs of the concerned subject teachers.

26. Tutorial Coordinator

- 26.1 The Vice Chancellor shall appoint a tutorial coordinator each for First and Second year from among the subject teachers of the respective years.
- 26.2 The tutorial coordinator shall schedule the tutorials.  
*Explanation:* Scheduling of tutorials include scheduling dates of release of the problem/question and readings, submission of drafts, tutorial discussions and submission of final tutorials.

27. Guidelines for the concerned Subject Teachers

- 27.1 The concerned teacher shall release the tutorial question/problem and at least three mandatory readings, simultaneously to the tutors and the students, as per the schedule.
- 27.2 It is mandatory for the concerned teacher to meet the tutors assigned for the Subject and hold discussions about the question and suggested readings, so as to offer guidance to the tutors to conduct the tutorial.
- 27.3 The maximum length for the final submission is 1500 word of texts, excluding footnotes, annexure and bibliography.
- 27.4 Tutorial shall be evaluated by the concerned teacher out of 25 marks.  
Photocopy of the evaluated tutorial with written comments are to be given the



students, within three weeks of the final submission.

- 27.5 The concerned teacher shall ensure that the tutorials are being held as per the schedule.

## 28 Guidelines for the Tutors

- 28.1 Tutors are to conduct the tutorials as per the schedule.
- 28.2 Tutors shall provide written feedback on the draft with the intention of improvement in content and quality.
- 28.3 Tutors shall return the drafts with the feedback before holding the tutorial Session. Students shall append the draft with feedback with the submission to the teacher.
- 28.4 Tutors shall report to the concerned subject teacher of any instance of copying or plagiarism, who in turn shall forward the complaint in accordance with the rules related to plagiarism/unfair means.
- 28.5 There shall be five marks for performance in the tutorials (draft plus contribution to tutorial discussions), which shall be awarded by the tutors and submitted to the AR (Academic) immediately after the last session of the tutorial.

## **Part VIII: End-semester Examination (both compulsory and elective courses)**

29. End-Semester Examination: Every course taught in the LL.B. programme shall have an end-semester examination, ordinarily of three hours duration. Such examination shall be conducted within the examination hall, either in an open-resource or a close-resource format.

### *Explanation:*

Close-resource format include use of Bare-Acts without commentary (but with explanations, if any), subject to the approval of the concerned subject teacher. The question paper in such cases shall include the name of the Act, which the examinee may refer to during the examination.

Open-resource format include use of any hard copy material by the examinee within the examination hall. However, the concerned teacher shall specify the materials permitted for consultation during the examination.



30. Time frame for the conduct of End Semester Examination- End Semester Examination shall be completed before the end of the semester. Examination Schedule shall be notified two months before the Examination.
31. Submission of question paper by the subject teacher- The concerned course teacher shall submit two end-semester question papers one month before the first day of end semester examination. All question papers shall clearly mention the total marks and the time duration of the examination. All question papers shall have a space for ID no, in which the examinee shall write his/her ID no.
32. Marks for the End Semester Examination- (1) The End Semester Examination of compulsory courses shall be ordinarily evaluated out of 70 marks (clause 6.1 and 6.2), (2) The End Semester Examination of optional courses shall be ordinarily evaluated out of 50 marks (clause 7.1).
33. Use of unfair means during the end-semester examination- Unfair means can be understood as any act committed by student/s whereby s/he may obtain advantage which is otherwise not allowed in an examination.
34. Extent of unfair means: Unfair means in the course of an examination includes, but is not limited to:
- a) carrying into an exam hall any unauthorized material such as manuscripts, papers and/or any electronic device or mobile phone that facilitates storage and communication of information;  
provided that any student found in the possession of such material shall be presumed to have carried it in deliberately;
  - b) copying from any other person in the examination hall;
  - c) writing on any part of the body / furniture / walls/question paper;
  - d) violating any specific instruction given by the course instructor or unauthorized use of information in the examination;
  - e) any threat / use of abusive language in exam or in the answer sheets;
  - f) smuggling an answer book / additional answer book into or out of the Examination Hall;



- g) disclosure of identity in the answer sheet in any form;
- h) inserting / substituting or removing any page from the answer book / additional answer book;
- i) impersonation in exam including interchanging of Roll Numbers and/or Answer Sheets;
- j) aiding or assisting another candidate to adopt any of the above.

35. Punishment for using unfair means:

- a) Automatic failure in the examination for the subject under question for the first offence;
- b) Repetition of the year along with a note in the student's marks sheet indicating that s/he was found guilty of using unfair means for the second offence;
- c) Rustication for the third offence.

Note: each instance of use of unfair means is regarded as a separate offence.

Therefore a student found committing three different instances of use of unfair means in one semester would be committing three separate offences.

36. Procedure to be adopted in case of matters related to unfair means: Any incident of adoption of unfair means in examination shall be reported in writing by the faculty member to the [Annexure 6] AR(Acad) immediately after the examination is over. The report shall be forwarded to the UC within seven days from the date of filing. The student shall be asked to explain his/her conduct before the decision is taken.

37. Coding of end semester examination scripts- Examination Section shall replace the identity details of the student in the End Semester answer scripts with a code before the evaluation.

38. Submission of marks for End Semester examinations - Corrected answer scripts of End-semester examinations along with marks awarded shall be submitted to the Examination Section within one month from the last date of the end-semester examination.

39. Scrutiny and Consultation of End Semester Answer Scripts:





39.1. Scrutiny of end semester answer script- Students may apply in writing [Annexure 7] for scrutiny of the answer scripts of the End Semester Examination to the AR (Acad) within the time prescribed by the University and on payment of a fee of Rs. 500/- per answer script payable to the University.

Procedure for scrutiny of answer scripts: The Academic Section on receipt of application for scrutiny with due proof of payment of the prescribed fee shall make provision to scrutinize the answer script.

*Explanation:* Scrutiny of the answer script shall be limited to the verification that all answers have been evaluated and that there has been no clerical or mathematical error in the marks appearing on the cover page of the answer script.

39.2. Consultation Process: A student can discuss her/his End Semester answer script or project with the concerned faculty member after making an application [Annexure 8] to the office of the AR (Acad) within fourteen days of the publication of results. This will only be a process wherein the student will discuss the methods of qualitatively improving analytical writing skills. There shall be no change in the marks already acquired.

40. Moderation of question papers:

- a. There shall be a Question Paper Moderation Committee, constituted by the Vice-Chancellor, at least one month before the beginning of the end-semester examination.
- b. The Moderation Committee shall moderate the question papers for the regular as well as repeat end-semester examinations, before the said examinations take place, according to the moderation rule.

*Explanation:*

Changes in the question paper, if any, as suggested by the Moderation committee, in writing, shall be incorporated only by the concerned subject teacher.

41. Moderation of results:

The Results Moderation Committee shall moderate results as per the rules relating

to moderation of result. The Vice Chancellor shall constitute a Result Moderation Committee from the Faculty Members before the declaration of result. The Vice Chancellor shall preside over the meeting of the result Moderation Committee.

42. **Improvement:** A student, who has passed a subject, but is desirous of improving existing grade in a subject, may write an Improvement Examination by paying fee of Rs. 2,000/- per subject. Repeat Examination in the same subject conducted by the University within one year from the declaration of result shall be considered to be the Improvement Examination for that student. The existing grade of the student writing Improvement Examination in that subject shall stand cancelled. The grade secured in such Improvement Examination shall be final. The transcript of student who has written Improvement Examination shall carry I beside his/her grade in that subject.

**Explanation I: A student who writes the improvement examination in a subject shall not be awarded medal, award, prize or honour awarded on the basis of the marks in that subject.**

**He/she, however, shall not be debarred from gold medal, award, prize or hounor awarded for overall rank in the University/class.<sup>6</sup>**

**Explanation II: No student shall however be allowed to write improvement examinations in more than ten subjects during the entire course. <sup>7</sup>**

43. Guidelines for Procedure to be followed for allowing scribes/computer/any other accommodation to differently-abled candidates

- a. A candidate seeking permission to use a scribe/computer/any other accommodation in a written examination shall make a formal application to the Office of the AR Academic, fifteen days prior to the commencement of such examination. **[Annexure 9]**

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<sup>6</sup>Modified vide 25<sup>th</sup> ACM dt. 17.08.2015

<sup>7</sup>Modified vide 25<sup>th</sup> ACM dt. 17.08.2015



- b. The application shall contain reasons highlighting the need to use a scribe/computer/any other accommodation and shall be accompanied by medical and/other documents establishing the need for such special accommodation of the candidate.
- c. Necessary action on the application shall be taken by the Office of the AR (Acad) at the earliest but not later than ten days prior to the start of the said written examination. In either case, of acceptance or rejection, the candidate shall be informed of the reasons of the decision.
- d. The scribe shall be arranged by the concerned candidate on the basis of his/her credentials consisting of
  - a) Present Occupation,
  - b) Age,
  - c) Educational Qualification,
  - d) Employment history, if any,
  - e) Self attested copies of documents supporting the information provided in point a) to d) above

Such a scribe, selected by the candidate, shall not be any person, who has knowledge of the subject for which the candidate is taking the end semester examination

*Explanation:*

A LL.B. or LL.M. degree holder or a student, who has enrolled in LL.B. or LL.M. programme, shall not be eligible to be a scribe. In addition, any graduate or a post graduate degree holder or any student enrolled in graduation or post-graduation degree programme in that or a related subject shall not be eligible to be a scribe.

*Illustration:*

A differently-abled candidate appearing in Economics examination shall not have as a scribe, a graduate or a post-graduate degree holder or a student of graduate or post-graduate programme in Economics or related subject like Management, Commerce etc.



#### 43A. Special Repeat Examination

In case a student fails a course, compulsory or elective, and the same course is not offered in the next academic year, the university shall conduct a special examination for the same subject along with other repeat examination in that academic year.

### **Part IX: Plagiarism and Allied Academic Misconduct**

*Cautionary statement:* Students are expected to exercise the greatest degree of caution in their conduct, in protecting their work and in ensuring that nobody has any opportunity to use it in an unauthorised manner.

44. 'Academic Misconduct' includes, but is not limited to:

- a) Plagiarism: Failure to cite or otherwise acknowledge in any paper, exercise, tutorial, essay or project submitted for credit, arguments, or phrases gained from another source including but not limited to published text or another person's work.
- b) Cheating/ Use of Unfair Means: Violating any specific instruction given by the course instructor or unauthorized use of information during any evaluated assignment or exercise.

#### *Illustration:*

Any discussion of any assignment or tutorial essay in which the whole or part of the class is given the same question but students are expected to come up with an answer individually and not through discussion, in contravention of the teachers' instruction, shall be considered as a form of cheating.

- c) Multiple Submissions: The submission of one piece of work in more than one offering or in any two exercises for credit.

#### *Explanation:*

If a student makes substantial addition to any work previously submitted for credit, it shall not amount to multiple submissions.

- d) Preparation by Another: The submission of work, a substantial part of which has been prepared by another, as one's own.

#### *Explanation:*



If a student got a friend to proofread his/her paper and point out prominent grammatical/typographic errors, this would not count as substantial help. However if the friend rewrote a significant part of the paper, this would count as substantial help.

#### 45. Punishment

##### 45.1 Category I:

45.1.1. Forms of Academic Misconduct punishable under this category:

- a) Plagiarism (less than 20% of the total work plagiarised or less than 15% of total work plagiarised from a single source).

45.1.2. Forms of Academic Misconduct under Category I would be punishable, for a first offence, by: Re-doing the assignment under question or deduction of such marks as may be considered appropriate by the UG Council.

*Explanation:*

The punishment provided under Category I would apply to repeat of a Category III offence, as though such second offence was the first offence in Category I

##### 45.2 Category II:

45.2.1. Forms of Academic Misconduct punishable under this category are:

- a) Cheating,
- b) Multiple Submissions,
- c) Preparation by another, and
- d) Plagiarism (20% or more of total work plagiarised OR 15% or more of total work plagiarised from a single source).

Forms of Academic Misconduct punishable under Category II would be punishable by:

- a) For the first offence since the date of admission, automatic failure in the subject under question;

Explanation: In case, a student is deemed to have failed in a subject in pursuance of this clause, he/she shall be allowed to write the Repeat Examination for that subject conducted in the same year and he/she must repeat all the components of evaluation for that subject, except class participation.

- b) For the second offence since the date of admission, automatic failure in the subject under question. In this case the concerned student shall be allowed to repeat the subject under question only in the next academic year;
- c) For the third offence since the date of admission, automatic failure in the subject under question and repetition of the year. The concerned student shall not be promoted even if he has passed the requisite number of courses;
- d) For the fourth offence since the date of admission, automatic failure in the subject under question and repetition of year, along with a note in the student's transcript indicating that he was found guilty of using unfair means.
- e) For the fifth offence since the date of admission, rustication.

#### 45.3 Category III:

45.3.1. Forms of Academic Misconduct punishable under this category are:

- a) Any violation of Instructions that does not constitute an offence under Categories I and II.

45.3.2. Forms of Academic Misconduct under Category III would be punishable by: A fine of Rs. 5,000/- (This amount may be reduced by the Vice-Chancellor if a student can demonstrate through copies of his/ her parents' Income Tax returns or salary/ pension slips that the amount would be an undue hardship for the family).



45.4 Where two or more projects submitted for a course are found to have been plagiarised from each other, all the concerned students would be deemed to be guilty of plagiarism under this Part.

46. Reporting, Complaint Procedure and Hearing:

- a. Any member of the Faculty of the University (including guest faculty), or anyone else may report any form of Academic Misconduct. Teachers and tutors would be required to take special care to detect Academic Misconduct. In addition, any student or other member of staff who has evidence of someone's Academic Misconduct may present the same, in writing, to the A R (Acad) and request that proceedings be initiated.
- b. The A R (Acad) shall forward the complaint within 7 working days to the UC and notify the same to the person complained against.
- c. The UC shall, within three days of receipt of the complaint from the A R (Acad), issue a show cause notice, to the person complained against.
- d. After providing to the person complained against, a reasonable opportunity to be heard, which may include personal hearing in appropriate cases, to present his or her defence, the UC shall submit its findings and recommendations to the Vice-Chancellor.
- e. If the student fails to respond to the show cause notice within the specified time, the UC shall proceed ex parte on the matter.
- f. The UC shall submit its findings and recommendations to the Vice-Chancellor within 15 days of the receipt of the complaint.

*Note* – Students would be required to provide a greater degree of proof whilst making an accusation of Academic Misconduct. For example, if a student reported that two other students colluded during an examination, the written assignments of both the accused students would have to reflect such collusion in order for them to be found to have violated these rules.

47. Plagiarism and Misconduct outside the University:

- a. In case, a student is found to have committed any act of academic misconduct listed in this Part, during his or her interaction outside the University (egs.



moots, conferences, submissions for publication), such student shall be subjected to the following penalties:

- i. A fine of Rs. 10,000/- (This amount may be reduced by the Vice-Chancellor if a student can demonstrate through copies of his/ her parents' Income Tax returns or salary/ pension slips that the amount would be an undue hardship for the family);
  - ii. Withdrawal of all scholarships awarded by the University,
  - iii. Disqualification from any medal awarded by the University ,
  - iv. Disqualification from Moots and Other University Activities for a term of a year; and
  - v. Disqualification from Student-Teacher Programme and Tutorial.
- b. In case of a second commission of an act of academic misconduct listed in this Part since the date of admission, the student shall be subjected to the following penalties:
- i. A fine of Rs. 20,000/- (This amount may be reduced by the Vice-Chancellor if a student can demonstrate through copies of his/ her parents' Income Tax returns or salary/ pension slips that the amount would be an undue hardship for the family);
  - ii. Complete prohibition from representing the University in any forum, national or international, academic or extra-curricular.

### **Part X: Student-Teacher Programme**

The Student-Teacher Programme is designed for students who are interested in a career in academia or are looking for exposure to responsibilities and skills exercised by an academic. The programme aspires to inculcate basic pedagogic skills in the participants and also motivate more students into pursuing academics as a serious career option.

#### **48. Eligibility**

- a. The Programme shall be offered in the Winter Semester of every academic year to Final Year LL.B. students and Second Year LL.M. students with excellent





academic credentials. The eligibility criteria for applying to this programme is a minimum CGPA of 4 (as on the date of application) or A+ grade in the subject the student wishes to teach.

- b. The list of courses in which student teachers can participate shall be finalised by the Vice-Chancellor in consultation with the Faculty, only if the concerned faculty member agrees to take in a student- teacher for the course s/he offers.
- c. This programme shall be open only for compulsory courses offered in the B.A. /B.Sc.-LL.B. Programme. Further, no faculty member shall be allowed to take more than one student-teacher per course.

**49. Components of the Programme: [Annexure-10]**

- a. Lectures (30 Marks)
  - i. The student-teacher shall be required to present 5 lecture-hours (for each Section) in a semester on her subject. The lectures are to be held in the month of March.
  - ii. The date and the topic of the lectures would be decided in consultation with the subject teacher.
  - iii. The subject-teacher shall, on or before January 31, communicate to the A R (Acad) the probable date and the topic of the lectures to be taken by the student-teacher.
  - iv. The faculty shall provide feedback on each of the lectures to the student-teacher, on a copy of the proforma.
  - v. The student-teacher shall be evaluated on the basis of her communication and articulation (6), knowledge of the subject-matter (6), level of preparation for the class (6), response to questions ability to generate class discussion (8), class management (4).
  - vi. The course teacher shall submit the marks to the Office of the A R (Acad) on a copy of the proforma.
- b. Presentation to a Faculty Panel (20 Marks)
  - i. The student-teacher shall make a presentation to the entire Faculty.
  - ii. Evaluation of the presentation shall be done by a Faculty Panel consisting of two faculty members, the subject teacher and another



Faculty Member, to be nominated by the Vice-Chancellor in consultation with the subject-teacher.

- iii. The presentation shall be on the subject of her research paper.
  - iv. The topic shall be finalised after consultation with the subject teacher.
  - v. The date and the venue for the presentation shall be notified by the Office of the A R (Acad),
- c. Research Paper (30 marks)
- i. The student-teacher shall write a research paper of 5000 words (excluding footnotes) on a topic of his/her choice and related to the concerned Course.
  - ii. The research paper must be of publishable quality, as determined by the same Faculty Panel constituted for evaluating the presentation.
  - iii. The Faculty-Panel shall evaluate the Reading Material on the basis of the heads outlined in the proforma.
  - iv. The average of the marks given by the Faculty Members shall be taken into account.
- d. Preparation of Reading Material (20 Marks)
- i. The Student-Teacher shall prepare a compilation of readings for the lectures that he/she would be delivering.
  - ii. The reading material would be only on the topic the student-teacher would be teaching.
  - iii. The material shall be handed over to the subject teacher (and a copy to the Office of the A R (Acad) by the end of the month of February.
  - iv. The subject-teacher shall evaluate the Reading Material on the basis of the heads outlined in the proforma.

50. Finalisation of Courses for which Student-Teachers:

- a. The A R (Acad) shall request, by a notification, on or before November 1 of each year, Faculty Members interested in having a student-teacher in the following Winter Semester. Such Faculty Members shall inform his office in writing.
- b. Thereafter, the A R (Acad) shall, on the basis of the response from Faculty



Members, compile a list of courses which shall be open to participation of student-teachers. This list shall be placed before the Vice-Chancellor for his/her approval.

- c. After obtaining the approval of the Vice-Chancellor, the A R (Acad) shall, not any later than on November 15 of every year, notify the list to students and invite applications for the programme.

51. Application Procedure: Interested students shall inform the office of the A R (Acad) of the courses they are interested and also mail a Statement of Purpose (not exceeding 500 words) to [a.r.academics@gmail.com](mailto:a.r.academics@gmail.com) before December 1 of each year.

52. Selection of Student-Teacher

- a. The Office of the A R (Acad) shall forward all the applications to the UC.
- b. The UC shall select the candidates on the basis of CGPA, grades of the students in the relevant subject and statement of purpose.
- c. The names of selected candidates shall be announced by the Office of the A R (Acad) by December 15 of every year.

53. Finalizing Lesson Plans: Selected students shall meet their respective subject teachers within the first fortnight from the commencement of the Winter Semester.

54. Deadline for Submission of Research Paper: Student-teachers shall have to submit their research papers to the office of the A R (Acad) on or before the last teaching day

55. of the Winter Semester.

## **Part XI – Exchange Programme with a Foreign University**

56. Minimum Credits to be completed as part of the Exchange Programme

All students who have on exchange to another University must complete 15 credits in a semester or 8 credits in a trimester as the case may be, in the designated foreign University. Completion of any further credits will not offset credits at NUJS.



### 57. Mention in Transcript and Calculation of CGPA

- (a) The grades obtained at the foreign Universities, as well as the University where the grades were obtained, shall be indicated in the Official Transcript of the student at the time of graduation.
- (b) The grades obtained at a foreign University shall not be included to calculate the CGPA of students who have gone on exchange. CGPA shall be calculated only on the basis of credits and grades obtained in NUJS.

Illustration: For a student who has completed 135 credits at NUJS and 15 credits in a designated foreign University, the CGPA will be calculated on the basis of the 135 credits completed at NUJS alone.

### 58. Eligibility for Exchange Programmes

Any exchange programme shall be confined to the students of III, IV and V years.

### 59. Compulsory Courses missed as a result of Exchange Programme

- (a) Students who miss any Course indicated as compulsory by the Bar Council of India due to participation in an exchange programme, shall be allowed to
  - i) Write the Repeat Examination for that course in the semester in which the course was offered to his class or
  - (ii) Re-register for that course in the next academic year [such re-registration shall not entail compliance with the attendance rule as per Rule 4].

Explanation 1: Grades obtained in such exam(s) shall be shown on the transcripts and considered for calculation of CGPA.

Explanation 2: Grades obtained in such exam(s) shall be shown on the transcripts without any indication of 'R'.

### 60. Limit on Participation by a Single Student

No student shall be allowed to participate in any Exchange Programme in pursuance of this Part more than once.



61. Exchange Programme Coordinator

Vice-Chancellor shall appoint a Faculty Member as the Exchange Programme Coordinator. The Exchange Programme Coordinator shall coordinate the details of the exchange programmes (before the end of the previous academic year in consultation with the UG and PG Councils as the case may be.



## **Master of Law (LL.M.) – Regulations, 2013**

**(Revised vide 25<sup>th</sup> Academic Council Meeting dated 17 August 2015)**

### **1. Degrees Offered**

University offers full-time LL.M. Degree with specialization in

- (a) Corporate and Commercial Law; and
- (b) International and Comparative Law.

### **2. Administration of LL.M.**

- 2.1 There shall be constituted a Centre of Post-Graduate Legal Studies (CPGLS) and a Post Graduate Curriculum Committee (PGCC)
- 2.2 The Vice-Chancellor in coordination with CPGLS and PGCC is responsible for the general supervision of LL.M. Degree at the University. The CPGLS and PGCC shall perform the functions in accordance with this Regulation.
- 2.3 The CPGLS would consist of minimum 10 faculty members and such other staff as may be required for the administration of LL.M. A minimum of 8 faculty members of CPGLS would be at the level of Professor/Associate Professor. The members of the CPGLS are nominated by the Vice-Chancellor.
- 2.4 The CPGLS is responsible for:
  - (a) recommending admission (as per Regulation 3), reviewing the students' progress and arranging for the supervision and examination of the student.
  - (b) reviewing and monitoring the conduct of the LL.M. examination and dissertation.
  - (c) ensuring compliance with the LL.M. Regulations.
  - (d) disclosing the information required under the UGC Guidelines for introduction of One Year LL.M. Degree Programme, 2012.
- 2.5 The PGCC shall consist of such number of Professors and Associate Professors forming part of CPGLS as may be required. The members of the PGCC are nominated by the Vice-Chancellor.
- 2.6 The PGCC is responsible for formulating, reviewing and revising the LL.M. curriculum on a regular basis.

### **3. Admission**



3.1 The requirements for admission to LL.M. program are as follows:

- a) The candidate must have completed a bachelor's degree in Law (LL.B.) with a percentage of at least 55 or an equivalent cumulative grade point average from any Indian University recognised by UGC or any equivalent degree offered by a foreign University;

Explanation: In case of degree by foreign University, the factor of equivalence would be decided by the CPGLS.

- b) The candidate must have been allotted with a seat through the All India Admission Test for LL.M. organized by NUJS coupled with the requisite merit in the form of work experience, publications and statement of purposes.

Explanation: The Admission test shall be conducted for 70 marks. The work experience, publications and statement of purposes shall be evaluated out of 30 marks.

3.2 Provisional admission may be offered, subject to the approval of CPGLS, for an applicant, whose result is due, to undertake the program provided the result / provisional degree certificate is submitted before the beginning of the first semester examination.

In case, the provisionally admitted candidate fails to submit the result / provisional degree certificate before the beginning of the first semester examination, the provisional admission of the candidate shall stand cancelled.

#### **4. Duration of the Course**

4.1 University offers a full-time one-year LL.M. program spread over two semesters.

4.2 Students are allowed a maximum of two years from the date of admission to complete the requirements of the degree.

#### **5. The Course Details**

5.1 Students in each stream of specialization are required to pass nine papers and a dissertation.

5.2 Out of the nine papers, students are required to pass the following three compulsory papers of three credits each.

- (i) Research Methods and Legal Writing
- (ii) Comparative Public Law/Systems of Governance
- (iii) Law and Justice in a Globalizing World

5.3 Students specializing in 'Corporate and Commercial Law' shall pass the following four papers of two credits each.

- (i) Company Law
- (ii) International Trade Law
- (iii) Bankruptcy Law



(iv) Competition Law / Investment Law

5.4 Students specializing in 'International and Comparative Law' shall pass the following four papers of two credits each.

(i) Public International Law

(ii) International Organizations

(iii) Air and Space Law

(iv) International Human Rights Law / International Criminal Law

5.5 Students are required to take two optional papers from the range of papers on offer during the concerned semester barring the papers already studied.

**Explanation:** Maximum two optional papers for each branch would be offered in each semester in addition to the option to choose a branch specific paper from the other branch.

**Note:** The detailed structure of papers to be taught in each semester is given in schedule I.

## 6. Project Work and Examination

6.1 Student shall be allowed to take end-semester examination in a paper only if the minimum attendance requirement fixed by the University is fulfilled.

6.1.1. Any student so debarred under 6.1 would be eligible to appear for the examination in that paper only in subsequent academic year after duly attending the course.

\* 6.2 Each paper is assessed based on the following components and marks:

Sl. No.	Name of the Component	Marks Allocated
1	Internal assessment (Test)	20
2	Project	20





3	Presentation	10
4	End Semester Examination	50
	TOTAL	100

However, the concerned course teacher shall have the discretion to change the components and marks with prior approval of the Vice Chancellor.

6.3 A student must secure a minimum of fifty percent marks in each paper and dissertation in order to fulfil the requirements of the Degree.

6.3.1. A student failing to conform to the above requirement in any of the papers shall appear in the repeat examination for that paper as and when it is held and secure the minimum marks prescribed in 6.3.

\* Amended vide 23<sup>rd</sup> Academic Council meeting dated 21 June 2014

6.4 Grading system

Percentage of Marks	Grade	Grade Value
70% and above	E (Excellent)	7
65% and above but below 70%	A+ (Distinction)	6
60% and above but below 65%	A (Very Good)	5
55% and above but below 60%	B+ (Good)	4
50% and above but below 55%	B (Pass)	3
Below 50%	F (Fail)	0

## 7. **Dissertation**

7.1 Student is required to submit a dissertation containing minimum of 30,000 words (**main text**) in the partial fulfilment of the Degree.

7.2 Dissertation carries three credits and a total of 200 marks, which includes the following components and marks.



Sl. No.	Components	Marks
1	Synopsis	10
2	Synopsis Presentation	15
3	Pre-submission Presentation	25
4	Thesis	150

- 7.3 Student is required to finalize the dissertation topic **and intimate the AR (Academics) within 7 days after the puja vacations along with a detailed synopsis (minimum 5000 words)** for evaluation and approval of the dissertation topic.
- 7.4 An initial presentation of the topic shall be made before the CPGLS after the submission of the synopsis but within **20 days after the puja vacations**.
- 7.5 After the successful completion of initial presentation, a guide shall be assigned to the student by the CPGLS based on the feasibility and subject-matter expertise of the concerned faculty.
- 7.6 **Each guide should have not more than 5 candidates.**
- 7.7 **After the completion of writing dissertation to the satisfaction of the guide**, student is required to make a pre-submission presentation before CPGLS during the period between **15 April** and **30 April** of the concerned year with an advance notice of 15 days to the office of AR (Academics).
- 7.8 Final written-submission (thesis) shall be submitted within one month from the date of pre-submission presentation. Five hard copies of the thesis must be submitted along with a softcopy in pdf format to the office of AR (Academics).
- 7.9 Thesis shall be assessed by both an internal and an external examiner selected by the CPGLS.[]
- \* 7.10 In case the assessment of thesis component as mentioned in 7.2 **by** the internal and external examiners varies by more than 15% (fifteen percent), the assessment of thesis shall be referred to the third examiner, and the third examiner will invariably **be** an external examiner, as decided by the Chairman of the CPGLS for assessment.
- The average of two nearest marks given by examiners shall be the final marks for determination of result.

\* Amended vide 24<sup>th</sup> Academic Council meeting dated 21 January 2015

**Addition:**

**Note:** A student failing to conform to any requirement mentioned above has to redo the entire dissertation by following the norms in the next academic year.

8. Any issue not covered by the foregoing rules, shall be governed by the decision of the Vice-Chancellor.



## Schedule - I

### DETAILED STRUCTURE OF THE PAPERS TO BE TAUGHT IN EACH SEMESTER

#### 1. Corporate and Commercial Law Specialization

- Semester I:**
- (a) Research Methods and Legal Writing
  - (b) Comparative Public Law/Systems of Governance
  - (c) Company Law
  - (d) International Trade Law
  - (e) Optional Paper - I

- Semester II:**
- (a) Law and Justice in a Globalizing World
  - (b) Bankruptcy Law
  - (c) Competition Law / Investment Law
  - (d) Optional Paper - II
  - (e) Dissertation

#### 2. International and Comparative Law Specialization

- Semester I:**
- (a) Research Methods and Legal Writing
  - (b) Comparative Public Law/Systems of Governance
  - (c) Public International Law
  - (d) International Organizations
  - (e) Optional Paper - I

- Semester II:**
- (a) Law and Justice in a Globalizing World
  - (b) Air and Space Law
  - (c) International Human Rights Law / International Criminal Law
  - (d) Optional Paper - II
  - (e) Dissertation



## **M.Phil. REGULATIONS, 2012**

**[Adopted under the WB National University of Juridical Sciences Act 1999 and following the guidelines of the University Grants Commission (Minimum Standards and Procedure for award of M.Phil./Ph.D. Degree), Regulations 2009]**

### **1. TITLE AND COMMENCEMENT**

1.1 These Regulations shall be called the Regulations governing the standards and procedures for the award of the degree of Master of Philosophy [M.Phil.] of the West Bengal National University of Juridical Sciences (NUJS), Kolkata.

1.2 These Regulations shall come into force from the date of assent by the Academic Council.

### **2. DEFINITIONS**

In these Regulations, unless the context otherwise requires

2.1 "Approved list of Examiners" means the panel of examiners chosen by the Vice Chancellor, recommended by the Academic Council and approved and appointed by the Executive Council of the University for adjudicating/evaluating the M.Phil. thesis.

2.2 "Candidate" means any person who satisfies the prescribed eligibility conditions as stated later in Section 5 and who intends to register for the M.Phil. degree.

2.3 "Co-guide" means the recognized supervisor(s) who supervises the M.Phil. work of a candidate jointly with the guide satisfying eligibility as in Section 4 below;

2.4 "Course work" means the compulsory preparatory study to be undertaken by a candidate as prescribed by PG Council;

2.5 "Degree" means the degree of Master of Philosophy [M.Phil.];

2.6 "Post Graduate Council (PG Council)" means the Council constituted by the Vice Chancellor and approved by the Academic Council.

2.7 "Foreign candidate" means any person who is a foreign national with a valid foreign Passport, satisfying the prescribed eligibility conditions as stated later in Section 5 and who intends to register for the degree, with a valid research visa;

2.8 "Guide" means the recognized supervisor for the research work of a candidate satisfying eligibility as in Section 4 below to oversee the research work of a candidate;

2.9 "University" means the West Bengal National University of Juridical Sciences, Kolkata.



### **3. CONSTITUTION AND FUNCTIONS OF THE PG COUNCIL**

#### **3.1 The PG Council shall consist of a Chairperson and two other members**

appointed by the Vice Chancellor.

Wherever the Chairperson is absent, the senior most member of the PG Council shall act as the Chairperson. The Assistant Registrar (Academics) shall be the secretary of the Council. Any research guide who is not a member of the PG Council may be specially invited whenever the presentation of his/her candidate before the PG Council is held.

#### **3.2 The PG Council shall**

- a) Prepare the list of recognized guides and co-guides
- b) Conduct pre-registration colloquium as in 6.5 below,
- c) Allocate guides and co-guides
- d) Assess bi-annual progress reports of a candidate submitted as in Section 7 below, and offer possible suggestions for improvement, if any, regarding the progress of research work to the candidate;
- e) Conduct pre-submission colloquium as in 8.1 below;
- f) Conduct open viva-voce of the candidate as in 8.6 below.

### **4. ELIGIBILITY CRITERIA FOR RECOGNITION AS GUIDE**

4.1 Professors, Associate Professors and Assistant Professors working in the University are eligible to be recognized as M.Phil. Guides if they have M.Phil. / Ph.D. in that subject and involved in the research.

4.2 Professors, Associate Professors and Assistant Professors working in the University not having M.Phil. / Ph.D. degree are eligible to be recognized as M.Phil. Guides if they have minimum five years of teaching experience in that subject as permanent faculty members.

4.3 Faculty members who attain superannuation or resign their jobs will forfeit recognition as Guide / Co-guide. However, such a person shall sign a letter that he/ she shall have the responsibility of continuing to guide candidates who were registered under him / her, before getting relieved from the University.

4.4 A Guide / Co-guide may supervise not more than eight candidates at a time.

### **5. ELIGIBILITY CRITERIA FOR A CANDIDATE**



Any candidate who satisfies the following conditions is eligible to seek registration for M.Phil. in the University upon application for provisional registration after going through these Regulations and Guidelines for M.Phil. which shall be supplied along with the application.

- 5.1 The candidate shall have Masters Degree of any recognized University, with a minimum of 55% marks or equivalent Cumulative Grade Point Average (CGPA). However, this condition is relaxed to 50% in case of candidates belonging to SC and ST.
- 5.2 Entrance Test: Admission to M.Phil. shall be through an Entrance Test and Interview. Applications for Entrance Test shall be invited once a year in the month of July, depending on the vacancies existing in each specialized area.
- 5.3 The Entrance Test shall consist of one paper of 80 marks with 3 hours duration. The syllabus of the paper shall cover, Law and Social Transformation in India, Indian Constitutional Law: the New Challenges, Judicial Process and Legal Education and Research Methodology.
- 5.4 Depending on the vacancies available in the University, candidates shall be called for Interview in the ratio 1:3 based on the marks scored in the Entrance Test. The Interview shall be for 20 marks to be conducted by the PG Council.
- 5.5 Candidates who have qualified for UGC/SLET/SET/JRF fellowships are exempted from the Entrance Test.
- 5.6 Foreign candidates who have LL M degree from a foreign university or Indian University with a minimum of 55% marks or equivalent Cumulative Grade Point Average (CGPA) shall be exempted from the requirement of entrance test, provided that the PG Council is satisfied about their research proposal.
- 5.7 Provisional Registration: Selected candidates shall apply in the prescribed form for Provisional Registration as M.Phil. Candidates after payment of stipulated fee to the University.

## **6. REGULAR REGISTRATION**

- 6.1 The provisionally registered candidates (Including candidates who have qualified for UGC JRF/NET/SLET/SET) shall undergo M.Phil. Course Work of one semester duration from the date of Provisional Registration, prescribed by the University in:
  - (a) Advanced Research Methodology (100 marks), and
  - (b) Research proposal along with the Review of Literature in the area of research (200 marks).

The syllabus for Advanced Research Methodology shall be common and evaluation for 50 marks shall be based on Tutorials, Seminars, Assignments and Evaluation for 50 marks shall be based on a Written Test.



6.2 After 16 weeks of Course Work, which shall consist a minimum of 32 hours of contact classes, the University shall conduct a Written Assessment Test for Advanced Research methodology paper. The PG Council shall assess for 200 marks in total: (a) Review of Literature submitted in writing (50 Marks); (b) Seminar presentations preceded by submission of Seminar Report/s (50 Marks) and (c) Research Proposal in the area of research and its presentation (100 Marks).

6.3 Candidates who are unsuccessful in the Course Work shall be permitted to re-appear for Assessment within six month from the date of announcement of the results. Provisional Registration of a candidate who fails in the Assessment of Course Work in two attempts shall be canceled.

#### **6.4 Allocation of Guide and Co-Guide**

The allocation of the guide and the co-guide selected student should be decided by the PG Council in a formal manner depending on the number of student per faculty member, the available specialization among the faculty supervisors, and the research interest of the student as indicated during interview by the student. The allotment/allocation of guide and co-guide shall not be left to the individual student or teacher. The co-guide may be from outside the university also.

#### **6.5 Pre-registration Colloquium:**

- a) After successful completion of Course Work a candidate, in consultation with his / her Guide, shall identify the Title of the proposed research topic within a month of announcement of results. The candidate shall then prepare a Synopsis in consultation with his / her Guide and shall submit ten hard copies of the M.Phil. Synopsis of five thousand words along with a soft copy to the University. On the request of Guide, PG Council shall organize a meeting at the earliest from the receipt of the Synopsis to conduct the Pre-registration Colloquium.
- b) The PG Council may suggest changes, if necessary, in the title/scope methodology of the topic selected for research, based on the performance of the candidate in the Pre-registration Colloquium.
- c) The PG Council shall assess the preparedness of the candidate for the research to be undertaken. It may, however, ask the candidate to present the Colloquium again if the performance/preparedness of the candidate in the first instance is not satisfactory. Only one re-appearance is permitted within 6 months from the date of the first Colloquium.
- d) The failure of the candidate to successfully complete the pre registration colloquium after the second attempt shall result in the cancellation of Provisional Registration.



6.6 M.Phil. Registration: Application for registration with prescribed fees shall be submitted to the university within one month from the date of informing the candidates about the successful completion of Pre- registration Colloquium along with 10 hard copies of the Synopsis and a soft copy of the synopsis through the Guide and co-guide, if any, after successful completion of the Pre-registration Colloquium.

6.7 The M.Phil. Registration is valid for Three years only from the date of Provisional Registration.

## **7. PROGRESS OF WORK**

7.1 After the Regular Registration, a candidate is required to submit the following once in six months within one month of completion of the sixth month to the University:

- (a) Progress Report of Research Work done,
- (b) Prescribed fees,
- (c) Recommendation of the Guide regarding progress of

research.

7.2 The Bi-annual Progress Report shall be placed before to the PG Council within 15 days of receipt. The PG Council shall assess the Progress Report and send its comments.

7.3 Failure to submit two Consecutive Bi-annual Progress Reports shall entail cancellation of registration.

7.4 The candidate shall publish at least one research article as main author, based on his / her Research Work in journals of repute in order to be eligible to submit the final thesis.

## **8. SUBMISSION OF THESIS AND EVALUATION**

### **8.1 Pre-submission Colloquium:**

- a) The candidate is eligible to submit his / her Thesis only after completing one year of Research Work from the date of his / her provisional Registration.
- b) The candidate has to submit 10 copies of the Synopsis of his / her M.Phil. Thesis highlighting contents of the Thesis and enclose evidences of one research publication in the area of research in Journals/books of repute in the form of acceptance letters or published papers, to the University.
- c) The Chairperson of the PG Council shall organize the Pre- Submission Colloquium meeting before the faculty members in the University at the earliest.
- d) The PG Council shall advise and offer suggestions to the candidate for the finalization of the Thesis.
- e) The decision of the PG Council shall be communicated to the candidate.





- f) If the PG Council is not satisfied with the Pre-thesis Submission Colloquium of a candidate, it may ask the candidate to appear for the Colloquium again after a gap of one month.

## **8.2 Pre-submission Colloquium:**

- a) After the successful completion of pre-submission colloquium, the candidate shall submit a soft copy of the final thesis for conducting the anti-plagiarism test.
- b) The candidate shall prepare a Thesis embodying results of original research and submit 5 copies of his / her M.Phil. Thesis along with five copies of abstract of not more than thousands words and the electronic version of the Thesis in pdf format (3discs) for evaluation.
- c) A certificate duly signed by the Guide and Co-guide, if any, indicating his / her supervision of the candidate and bonafide character of the work, along with a declaration by the candidate about the originality and the fact that it has not been previously submitted by the candidate either for award of any Degree or Diploma to this or any other University, shall be enclosed along with the Thesis.
- d) If any candidate fails to submit his / her M.Phil. Thesis within three years, he / she may apply to University for extension of his / her Registration for a maximum of one more year with the recommendation of the PG Council, through the Guide, by remitting a penalty of Rs. 20,000/- in addition to the annual fee.
- e) If a candidate fails to submit Thesis even after four years, his / her M.Phil. Registration is annulled.

**8.3 Evaluation of the M.Phil. Thesis:** The Thesis shall be evaluated by three external examiners selected by the Vice Chancellor from the list of six examiners shortlisted by the Vice Chancellor in consultation with the Guide from the approved list of examiners.

## **8.4 Evaluation Reports:**

- (a) The External Examiners shall send the Evaluation Report to the University.
- (b) Apart from the Evaluation Report, each Examiner is required to submit a Short Report in the prescribed proforma duly signed and sent as Hard Copy/ FAX/ Scanned Image by E-mail.

## **8.5 Decision about Evaluation:**

- a) For award of M.Phil. degree there shall be unanimous recommendation by all the three external examiners that the thesis be accepted for the award of M.Phil. degree.
- b) If all the External Examiners reject the Thesis outright, the University shall notify rejection of the Thesis and cancellation of M.Phil. Registration.



- c) If one of the External Examiners rejects the thesis, the thesis shall be referred to another examiner. If this Examiner also rejects the Thesis, the University shall notify Rejection of the Thesis and cancellation of M.Phil. Registration.
- d) If any one or more of the Examiners recommend/s revision and revaluation of the Thesis, then the candidate shall revise the Thesis based on the suggestions made by the Examiner(s) and submit the Revised Thesis, duly certified by the Guide and with payment of the prescribed fees to the University. The University shall send the Revised Thesis at the earliest to the same Examiner(s).
- e) If any Examiner recommends the award of degree after incorporating the suggested revisions / corrections, such modifications shall be complied with by the candidate. The Revised Thesis shall be submitted to the University along with the prescribed fees.

#### 8.6 **Viva-Voce Examination:**

- a) After receipt of three positive reports from the examiners, open Viva-Voce examination shall be conducted by the University in the presence of the members of the PG Council, research guide, members of the concerned Faculty, research scholars and students by giving wide publicity.
- b) If the candidate desires, the viva-voce examination may be held via video conferencing after payment of necessary additional fees prescribed by the University.

8.7 The M.Phil. degree would be awarded if three examiners give positive reports and the candidate successfully completes viva voce examination.

8.8 **M.Phil. Notification:** The M.Phil. Declaration Notification shall be done by the Registrar on the Official Letter Head.

### 9. CHANGE OF TITLE / GUIDE

- 9.1 A candidate desiring to change the title of the Thesis shall apply to the University with 10 copies of revised Synopsis and changed Title through the Guide after paying the prescribed fee.
- 9.2 The University shall seek the opinion of the PG Council for the change of title. Such a change can be permitted anytime before the Pre-thesis Submission Colloquium.
- 9.3 If a candidate decides to change the topic of research, his/ her regular registration stands canceled, and the candidate has to undergo the Regular Registration process again and may apply for pre-submission colloquium only after a period of one year from the date of registration of change.
- 9.4 Generally, change of Guide is not permissible. It may be permitted only under exceptional circumstances such as death / disability / other medical conditions of the



Guide or legal actions on the Guide by the administration. However, if there is any written complaint about conflict between the Guide and the candidate, the University shall refer the matter to the PG Council for final decision.

10. Any issue not covered by the foregoing Regulations, shall be governed by the decision of the Vice-Chancellor.

11. The earlier rules/regulations governing the award of the Degree of Master of Philosophy (M.Phil.) of NUJS are hereby repealed.



## **THE WB NUJS REGULATIONS GOVERNING AWARD OF THE DEGREE OF DOCTOR OF PHILOSOPHY (Ph.D.) 2017**

[Adopted under the WB National University of Juridical Sciences Act 1999 and following the guidelines of the University Grants Commission (Minimum Standards and Procedure for award of M.Phil./Ph.D. Degrees) Regulations 2016]

### **TITLE AND COMMENCEMENT**

- 1.1 These Regulations shall be called the Regulations governing the standards and procedures for the award of the degree of Doctor of Philosophy [Ph.D.] of the West Bengal National University of Juridical Sciences (NUJS), Kolkata.
- 1.2 These Regulations shall come into force from the date of assent by the Academic Council.

### **DEFINITIONS**

In these Regulations, unless the context otherwise requires

- 1.3 "Approved list of Examiners" means the panel of examiners chosen by the Vice Chancellor, recommended by the Academic Council and approved and appointed by the Executive Council of the University for adjudicating/evaluating the Ph.D. thesis.
- 1.4 "Candidate" means any person who satisfies the prescribed eligibility conditions as stated later in Regulation 5 and who intends to register for the Ph.D. degree;
- 1.5 "Co-guide" means the recognized supervisor(s) who supervises the Ph.D. work of a candidate jointly with the guide satisfying eligibility as in Regulation 4 below;
- 1.6 "Course work" means the compulsory preparatory study to be undertaken by a candidate as prescribed by Research Advisory Committee;
- 1.7 "Degree" means the degree of Doctor of Philosophy [Ph.D.];
- 1.8 "Research Advisory Committee (Ph.D.)" means the Committee constituted by the Vice Chancellor and approved by the Academic Council.
- 1.9 "Foreign candidate" means any person who is a foreign national with a valid foreign Passport, satisfying the prescribed eligibility conditions as stated later in Regulation 5 and who intends to register for the degree, with a valid research visa;
- 1.10 "Guide" means the recognized supervisor for the research work of a candidate satisfying eligibility as in Regulation 4 below to oversee the research work of a candidate;
- 1.11 "Notional Supervisor" means a guide appointed for the purpose of supervising course



work in relation to particular candidate appointed by the Research Advisory Committee.

1.12 "University" means the West Bengal National University of Juridical Sciences, Kolkata.

## 2. CONSTITUTION AND FUNCTIONS OF THE RESEARCH ADVISORY COMMITTEE (Ph.D.)

2.1 The Research Advisory Committee (Ph.D.) shall consist of

- (a) the Vice Chancellor,
- (b) Members designated by the Vice Chancellor among the Professors, Associate Professors and Assistant Professors of the University having Ph. D. degree.

The Vice Chancellor shall be the Chairperson of the Research Advisory Committee (Ph.D.). Wherever the Vice Chancellor shall be absent, the senior most Professor of Law in the Research Advisory Committee (Ph.D.) of the University shall be the Chairperson. The Assistant Registrar (Academics) shall be the secretary of the committee. Any research guide who is not a member of the Research Advisory Committee (Ph.D.) may be specially invited whenever the presentation of his/her candidate before the Research Advisory Committee (Ph.D.) is held.

2.2 The Research Advisory Committee (Ph.D.) shall:

- (a) Prepare the list of recognized guides and co-guides
- (b) Conduct pre-registration colloquium as in 6.5 below
- (c) Review the research proposal and finalize the topic of research
- (d) Guide the research candidate to develop the study design and methodology of research and identify the course(s) that he/she may have to do
- (e) Allocate guides and co-guides
- (f) Assess bi-annual progress reports and presentations of candidates as under Regulation 7 below
- (g) Conduct pre-submission colloquium as in 8.1 below
- (h) Conduct open viva-voce of the candidate as in 8.6 below
- (i) Perform any other work relating to administration of Ph.D. programme of the University.

## ELIGIBILITY CRITERIA FOR RECOGNITION AS GUIDE

2.3 Any regular Professor of the University with at least five research publications in refereed journals and any regular Associate/ Assistant Professor of the university with a Ph.D. degree and at least two research publications in refereed journals may be recognized as



### Research Guide.

- 2.4 Only a full time regular teacher of the University can act as a Guide. The external Guides are not allowed. However, Co-Guide can be allowed in inter-disciplinary areas from other related institutions with the approval of the Research Advisory Committee.
- 2.5 A Research Guide/Co-Guide who is a Professor, at any given point of time, cannot guide more than three (3) M.Phil. and Eight (8) Ph.D. candidates. An Associate Professor as Research Guide can guide up to a maximum of two (2) M.Phil. and six (6) Ph.D. candidates and an Assistant Professor as Research Guide can guide up to a maximum of one (1) M.Phil. and four (4) Ph.D. candidates.
- 2.6 Faculty member who attains superannuation or resigns job will forfeit recognition as Guide / Co-guide. However, such a person shall sign a letter that he/ she shall have the responsibility of continuing to guide candidates who were registered under him / her before getting relieved from the University.

## ELIGIBILITY CRITERIA FOR A CANDIDATE

Any candidate who satisfies the following conditions is eligible to seek registration for Ph.D. in the University upon application for provisional registration after going through these Regulations and Guidelines for Ph.D.

- 2.7 The candidate shall have Masters Degree of any University recognized by UGC or an equivalent Masters degree of foreign University, with a minimum of 55% marks or equivalent Cumulative Grade Point Average (CGPA). However, this condition is relaxed to 50% in case of candidates belonging to SC/ST/OBC (non-creamy layer) or differently-abled categories.

### Explanation:

In case of foreign University, the factor of equivalence shall be decided by the Research Advisory committee (Ph.D.) as per the applicable norms

- 2.8 **Entrance Test:** Admission to Ph.D. shall be through an Entrance Test and Interview. Applications for Entrance Test shall be invited once a year in the month of July, depending on the vacancies existing in each specialized area.
- 2.9 The Entrance Test shall consist of one paper of 100 marks with 3 hours duration. The syllabus of the paper for candidates with law background shall cover, Research Methodology, Comparative Public Law/Systems of Governance and Law and Justice in a Globalizing World. Candidates with non-law background shall have to undertake entrance test comprising of Research Methodology and subjects of their specialization. Qualifying marks in the entrance test shall be 50%.
- 2.10 The qualified candidates shall be present for an interview before the Research Advisory Committee (Ph.D.). The interview shall be evaluated out of 100 marks and



the candidates need to secure minimum 50 marks for passing the interview.

- 2.11 Candidates who have qualified UGC JRF/NET/SLET/SET are exempted from the Entrance Test. However, they have to undergo interview.
- 2.12 Candidates with M. Phil. degree from any recognized University are exempted from Entrance Test. However, they have to undergo interview.
- 2.13 Candidates who have cleared the M.Phil. course work and successfully completed the M.Phil. Degree in NUJS shall be directly eligible to proceed to do research work leading to the Ph. D. Degree.
- 2.14 **Provisional Registration:** Selected candidates shall apply in the prescribed form for provisional registration as doctoral candidates after payment of stipulated fee to the University.

## REGULAR REGISTRATION

- 2.15 The provisionally registered candidates (Including candidates who have qualified UGC JRF/NET/SLET/SET) shall undergo Ph.D. course work of one semester duration (10 credits) from the date of provisional registration, prescribed by the University.
- 2.16 After 16 weeks of course work, which shall consist a minimum of 50 hours of contact classes, the University shall conduct a written examination for 300 marks. The candidate shall be assessed under following heads:
  - (a) Advanced Research Methodology (100 marks)
  - (b) Research Proposal in the area of research (50 Marks) and its presentation (50 Marks)
  - (c) Preparation of an exhaustive module (around 800 pages) in the area of research in consultation with the notional supervisor appointed by the University (25 Marks), writing an essay of minimum 5,000 words on the basis of his/her module (25 Marks) and written examination on the module (50 Marks)
- 2.17 The candidate has to obtain a minimum of 55% of marks in the course work in order to be eligible to continue in the programme.
- 2.18 Candidates who are unsuccessful in the course work shall be permitted to re-appear for assessment within one year from the date of announcement of the results. Provisional registration of a candidate who fails in the assessment of course work in two attempts shall be canceled.
- 2.19 Candidates who have cleared the M.Phil. course work and successfully completed the M.Phil. Degree are exempted from Ph.D. course work. However, they have to submit their research proposal and undertake pre-registration colloquium before the Research Advisory Committee (Ph.D.). The Research Advisory Committee (Ph.D.) may ask the candidate to present the colloquium again if the performance/preparedness of the candidate in the first instance is not satisfactory. Only one re-appearance is permitted



within 6 months from the date of the first colloquium. The failure of the candidate to successfully complete the pre-registration colloquium after the second attempt shall result in the cancellation of provisional registration.

#### 2.20 **Allocation of Guide and Co-Guide**

The allocation of Guide and Co-Guide for a selected student shall be decided by the Research Advisory Committee (Ph.D.) in a formal manner depending on the number of student per faculty member, the available specialization among the faculty supervisors, and the research interest of the student as indicated during interview by the student. The allotment/allocation of Guide and Co-Guide shall not be left to the individual student or teacher. The co-guide may be from outside the University also.

- 2.21 **Ph.D. Registration:** Application for registration shall be submitted to the University through the Guide and co-guide, if any, within one month from the date of informing the candidates about the successful completion of course work/pre-registration colloquium as the case may be. Application shall be made along with prescribed fees, 3 hard copies and one soft copy of the synopsis. The regular registration of the candidate shall date back to the date of provisional registration.
- 2.22 Ph.D. programme shall be for a minimum duration of three years, including course work and a maximum of six years. Hence, the registration of the candidate gets cancelled after completion of six years from the date of provisional registration.
- 2.23 The women candidates and Persons with Disability (more than 40% disability) are allowed a relaxation of two years for Ph.D. in the maximum duration. In addition, the women candidates are entitled to Maternity Leave/Child Care Leave once in the entire duration of Ph.D. for up to 240 days.

## **PROGRESS OF WORK**

- 2.24 After the regular registration, a candidate is required to submit the following twice in a year (January and July):
- (a) Progress report of research work done,
  - (b) Recommendation of the Guide regarding progress of research.
- 2.25 The candidate shall pay the prescribed annual fee once in a year from the date of provisional registration. Failure to pay annual fee within one month from the due date shall result in cancellation of registration.
- 2.26 The progress report shall be placed before the Research Advisory Committee (Ph.D.) within 15 days of receipt. The research candidate shall appear before the Research Advisory Committee once in six months to make a presentation of the progress of his/her work for evaluation and further guidance.
- 2.27 In case the progress of the research candidate is unsatisfactory, the Research Advisory Committee shall record the reasons for the same and suggest corrective measures. If the





research candidate fails to implement these corrective measures, the Research Advisory Committee may recommend with specific reasons for cancellation of the registration of the research candidate.

- 2.28 Failure to submit two consecutive progress reports or failure to present before the Research Advisory Committee shall entail cancellation of registration.
- 2.29 The candidate shall publish at least two research articles in journals of repute as main author and make at least two paper presentations in conferences/seminars/workshops, based on his / her research work in order to be eligible to submit the final thesis.

## SUBMISSION OF THESIS AND EVALUATION

### 2.30 Pre-submission Colloquium:

- (a) The candidate is eligible to submit his / her thesis only after completing 3 years of research work from the date of his / her provisional registration.
- (b) The candidate has to submit 10 copies of the synopsis of his / her Ph.D. thesis highlighting contents of the thesis, one soft copy and one hard copy of the draft thesis, and enclose evidences of two research publications in journals/books of repute in the form of acceptance letters or published papers, and two paper presentations in conferences/seminars/workshops in the area of research, to the University.
- (c) The Chairperson of the Research Advisory Committee (Ph.D.) shall organize the pre-submission colloquium meeting before the faculty members in the University at the earliest.
- (d) The Research Advisory Committee (Ph.D.) shall advise and offer suggestions to the candidate for the finalization of the thesis.
- (e) The decision of the Research Advisory Committee (Ph.D.) shall be communicated to the candidate.
- (f) If the Research Advisory Committee (Ph.D.) is not satisfied with the pre-submission colloquium of a candidate, it may ask the candidate to appear for the colloquium again after a gap of one month.

### 8.2 Submission of Ph.D. Thesis

- (a) After the successful completion of pre-submission colloquium, the candidate shall submit six bound copies of his / her Ph.D. thesis along with six copies of abstract of not more than thousand words and the electronic version of the thesis in .pdf format (2 discs) for evaluation.
- (b) A certificate duly signed by the Guide and Co-guide, if any, indicating his / her supervision of the candidate and bonafide character of the work, along with a declaration by the candidate about the originality and the fact that it has not been previously submitted by the candidate either for award of any Degree or Diploma

to this or any other University, shall be enclosed with the thesis.

### **Evaluation of the Ph.D. Thesis:**

- (a) The Ph.D. thesis submitted by a research candidate shall be evaluated by his/her Research Guide and at least two external examiners, who are not in employment of the University. The external examiners are selected by the Vice Chancellor from the list of four examiners shortlisted by the Vice Chancellor in consultation with the Research Guide from the approved list of examiners.
- (b) Within three weeks of submission of thesis, the AR (Academics) shall get the consent of the external examiners selected by the Vice Chancellor via e-mail to evaluate and submit the thesis within 45 days from the receipt by them. If the external examiner/s rejects the offer, the AR (Academics) shall inform this to the Vice Chancellor and get the consent of other external examiner/s as directed by the Vice Chancellor within another 7 days.
- (c) The *viva voce* examination, based among other things, on the critiques given in the evaluation report, shall be conducted in the presence of the Research Guide and at least one of the two external examiners, and shall be open to be attended by Members of the Research Advisory Committee, all faculty members of the University, other research candidates and other interested experts/researchers.

### **Evaluation Reports:**

- (a) The external examiners shall send the evaluation reports to the University.
- (b) Apart from the evaluation report, each examiner is required to submit a short report in the prescribed proforma duly signed and sent as hard copy/ FAX/ scanned image by e-mail.

### **Decision about Evaluation:**

- (a) For award of Ph.D. degree there shall be unanimous recommendation by all the three examiners that the thesis be accepted for the award of Ph.D. degree.
- (b) If the two external examiners reject the thesis outright, the University shall notify rejection of the thesis and cancellation of Ph.D. registration.
- (c) If one of the external examiners rejects the thesis, the thesis shall be referred to another examiner. If this examiner also rejects the thesis, the University shall notify rejection of the thesis and cancellation of Ph.D. registration.
- (d) If any one or more of the examiners (including the research guide) recommend/s revision and revaluation of the thesis, the candidate shall revise the thesis based on the suggestions made by the examiner(s) and submit the revised thesis, duly certified by the Guide and with payment of the prescribed fees to the University. The University shall send the revised thesis at the earliest to the same examiner(s).
- (e) If any examiner recommends the award of degree after incorporating the



suggested revisions / corrections, such modifications shall be complied with by the candidate. The revised thesis shall be submitted to the University along with the prescribed fees.

### **Viva-Voce Examination:**

- (a) After receipt of three positive reports from the examiners, open viva-voce examination shall be conducted by the University in the presence of the members of the Research Advisory Committee (Ph.D.), research guide, one external examiner, members of the Faculty, research candidates and students by giving wide publicity.
  - (b) If the candidate desires, the viva-voce examination may be held via video conferencing after payment of necessary additional fees prescribed by the University.
- 8.3 The Ph.D. degree would be awarded if three examiners give positive reports and the candidate successfully completes viva voce examination.
- 8.4 **Ph.D. Notification:** The Ph.D. notification shall be done by the Registrar on the official letter-head.

### **CHANGE OF TITLE / GUIDE**

- 2.31 A candidate desiring to change the title of the thesis after the regular registration shall apply to the University with 10 copies of revised synopsis and changed title through the Guide after paying the prescribed fee.
- 2.32 The University shall seek the opinion of the Research Advisory Committee (Ph.D.) for the change of title. Such a change can be permitted anytime before the pre-submission colloquium.
- 2.33 If a candidate decides to change the topic of research after the regular registration, his / her regular registration stands canceled, and the candidate has to undergo the regular registration process again and may apply for pre-submission colloquium only after a period of three years from the date of registration of change.
- 2.34 Generally, change of Guide is not permissible. It may be permitted only under exceptional circumstances such as death/disability/other medical conditions of the Guide or legal actions on the Guide by the administration. However, if there is any written complaint about conflict between the Guide and the candidate, the University shall refer the matter to the Research Advisory Committee (Ph.D.) for final decision.
3. All communications by the Ph.D. candidates under these Regulations to the University shall be made to the AR (Academics).

**Depository with INFLIBNET:**

- 11.1 Following the successful completion of the evaluation process and before the announcement of the award of the Ph.D. degree, the AR (Academics) shall submit an electronic copy of the Ph.D. thesis to the INFLIBNET, for hosting the same so as to make it accessible to all Institutions/Colleges.
- 11.2 Prior to the actual award of the degree, the University shall issue a provisional Certificate to the effect that the Degree has been awarded in accordance with the provisions of UGC (Minimum Standards and Procedure for award of M.Phil./Ph.D. Degrees) Regulations 2016.
4. Any issue not covered by the foregoing Regulations shall be governed by the decision of the Vice-Chancellor.
5. The earlier Rules/Regulations governing the award of the Degree of Doctor of Philosophy (Ph.D.) of NUJS are hereby repealed.



## **THE WB NUJS REGULATIONS GOVERNING AWARD OF THE DEGREE OF DOCTOR OF LAW (LL.D.) 2012**

### **1. TITLE AND COMMENCEMENT**

1.1 These Regulations shall be called the Regulations governing the standards and procedures for the award of the degree of Doctor of Law [LL.D.] of the West Bengal National University of Juridical Sciences (NUJS), Kolkata.

1.2 These Regulations shall come into force from the date of assent by the Academic Council.

### **2. DEFINITIONS**

In these Regulations, unless the context otherwise requires

2.1 "Approved list of Examiners" means the panel of examiners chosen by the Vice Chancellor, recommended by the Academic Council and approved and appointed by the Executive Council of the University for adjudicating/evaluating the LL.D. thesis.

2.2 "Candidate" means any person who satisfies the prescribed eligibility conditions as stated later in Regulation 4 and who intends to register for the LL.D. degree;

2.3 "Degree" means the degree of Doctor of Law [LL.D.];

2.4 "Doctoral Committee" means the Committee constituted by the Vice Chancellor and approved by the Academic Council.

2.5 "University" means the West Bengal National University of Juridical Sciences, Kolkata.

### **3. CONSTITUTION AND FUNCTIONS OF THE DOCTORAL COMMITTEE**

3.1 The Doctoral Committee shall consist of

- a) The Vice Chancellor,
- b) Seven members designated by the Vice Chancellor for three years among the Professors, Associate Professors and Assistant Professors of the University having Ph D degree.

The Vice Chancellor shall be the Chairperson of the Doctoral committee. Wherever the Vice Chancellor shall be absent, the senior most Professor of Law of the University shall



be the Chairperson. The Assistant Registrar (Academics) shall be the secretary of the committee.

### 3.2 The Doctoral Committee shall

- a) Conduct pre-submission colloquium as in 6.1 below;
- b) Assist the Vice Chancellor in selecting ten examiners for the evaluation of the thesis from the Approved List of Examiners as in 7.1 below.
- c) Conduct open viva-voce of the candidate as in 7.4 below.

## 4. ELIGIBILITY CRITERIA FOR A CANDIDATE

Any candidate who satisfies the following conditions is eligible to seek registration for LL.D. in the University upon application for registration after going through these Regulations and Guidelines for LL.D. which shall be supplied along with the application.

4.1 The candidate shall have Ph.D. Degree in Law of any recognized University.

4.2 The candidate must have published as the main author a minimum of ten articles in the peer reviewed/refereed journals having ISSN number or books of repute with ISBN number after the completion of Ph.D.

## 5. REGISTRATION

5.1 Application for Registration with prescribed fees shall be submitted to the University along with 10 hard copies and one soft copy of the synopsis.

5.2 The LL.D. Registration is valid for FIVE years only from the date of Registration.

## 6. SUBMISSION OF THE THESIS

6.1 (a) The candidate is eligible to submit his / her Thesis only after completing 3 years of Research Work from the date of his / her Registration.

(b) The candidate shall submit to the University 10 copies of the Synopsis of his / her LL.D. Thesis highlighting contents of the Thesis and enclose evidences of three research publications authored solely by him/her in Journals/books of repute in the form of acceptance letters or published papers.

(c) The Chairperson of the Doctoral Committee shall organize the Pre-Submission Colloquium meeting before the faculty members in the University at the earliest.



- (d) The Doctoral Committee shall advise and offer suggestions to the candidate for the finalization of the Thesis.
- (e) The decision of the Doctoral Committee shall be communicated to the candidate.
- (f) If the Doctoral Committee is not satisfied with the Pre-thesis Submission Colloquium of a candidate, it may ask the candidate to appear for the Colloquium again after a gap of one month.

6.2 After the successful completion of pre-submission colloquium, the candidate shall submit a soft copy of the final thesis for conducting the anti-plagiarism test.

6.3 The candidate shall prepare a thesis embodying results of original research and submit 8 copies of his/her LL.D. Thesis along with 10 copies of abstract of not more than thousand words and the electronic version of the Thesis in .pdf format (3 discs) for evaluation.

6.4 A declaration by the candidate about the originality and the fact that it has not been previously submitted by the candidate either for award of any Degree or Diploma to this or any other University, shall be enclosed along with the Thesis.

6.5 If any candidate fails to submit his / her LL.D. Thesis within five years, he / she may apply to University for extension of his / her Registration for a maximum of two more years with the recommendation of the Doctoral Committee by remitting a penalty of Rs. 25,000/- in addition to the annual fee.

6.6 If a candidate fails to submit Thesis even after seven years, his / her LL.D. Registration shall stand annulled.

## **7. EVALUATION OF THE THESIS**

7.1 The Thesis shall be evaluated by five external examiners selected by the Vice Chancellor from the list of ten examiners shortlisted by the Vice Chancellor in consultation with the Doctoral Committee from the approved list of examiners.

### **7.2 Evaluation Reports:**

- (a) The External Examiners shall send the Evaluation Report to the University.
- (b) Apart from the Evaluation Report, each Examiner is required to submit a Short Report in the prescribed proforma duly signed and sent as Hard Copy/ FAX/ Scanned Image by E-mail.



### 7.3 Decision about Evaluation:

- (a) For award of LL.D. degree there shall be unanimous recommendation by all the five external examiners that the thesis be accepted for the award of LL. D. degree.
- (b) If a minimum of two out of five External Examiners reject the Thesis outright, the University shall notify rejection of the Thesis and cancellation of LL.D. Registration.
- (c) If one of the External Examiners rejects the thesis, the thesis shall be referred to another examiner. If this Examiner also rejects the Thesis, the University shall notify Rejection of the Thesis and cancellation of LL.D. Registration.
- (d) If any one or more of the Examiners recommend/s revision and revaluation of the Thesis, then the candidate shall revise the Thesis based on the suggestions made by the Examiner(s) and submit the Revised Thesis with payment of the prescribed fees to the University. The University shall send the Revised Thesis at the earliest to the same examiner (s).
- (e) If any Examiner recommends the award of degree after incorporating the suggested revisions / corrections, such modifications shall be complied with by the candidate. The Revised Thesis shall be submitted to the University along with the prescribed fees.

### 7.4 Viva-Voce Examination:

After receipt of five positive reports from the examiners, open Viva-Voce examination shall be conducted by the University in the presence of one of the external examiners, the members of the Doctoral Committee, members of the concerned Faculty, research scholars and students by giving wide publicity.

7.5 The LL.D. degree would be awarded if five examiners give positive reports and the candidate successfully completes viva voce examination.

7.6 **LL.D. Notification:** The LL.D. Declaration Notification shall be done by the Registrar on the Official Letter Head.

## 8. CHANGE OF TITLE

8.1 A candidate desiring to change the title of the Thesis shall apply to the University with 10 copies of revised Synopsis and changed Title after paying the prescribed fee.





8.2 The University shall seek the opinion of the Doctoral Committee for the change of title. Such a change can be permitted anytime before the Pre-thesis Submission Colloquium.

8.3 If a candidate decides to change the topic of research, his/ her registration stands cancelled, and the candidate has to undergo the Registration process again and may apply for pre- submission colloquium only after a period of three years from the date of registration of change.

**9.** Any issue not covered by the foregoing rules, shall be governed by the decision of the Vice-Chancellor.



# LIBRARY REGULATIONS



## **WBNUJS LIBRARY PROCUREMENT OF BOOKS AND ACADEMIC MATERIALS REGULATIONS 2017**

*Whereas it may be necessary to consolidate and rationalize the existing regulations and practices on procurement of books, journals, databases and other academic materials on behalf of the University Library so as to ensure efficiency, transparency and fairness in the procurement processes, the following regulations are hereby adopted.*

### **CHAPTER I: PRELIMINARIES**

#### **(5) Title and Commencement**

- (12) These regulations shall be called the WBNUJS Library Procurement of Books and Academic Materials Regulations, 2017.
- (13) These regulations shall come into effect on such date as may be notified by the University.

#### **(6) Definitions**

- (1) “**Act**” means the West Bengal National University of Juridical Sciences Act, 1999
- (2) “**Databases**” includes research resources and Titles and Periodicals in electronic form.
- (3) “**Library**” means the Library of the University.
- (4) “**Librarian**” means the Librarian of the University.
- (5) “**NUJS**” or “**University**” means the West Bengal National University of Juridical Sciences.
- (6) “**Periodicals**” includes journals, magazines and reports.
- (7) “**Registrar**” means the Registrar of the NUJS, as defined in Section 12 of the Act.
- (8) “**Titles**” includes books, commentaries, treatises or other printed publications.
- (9) “**Vice-Chancellor**” means the Vice chancellor of NUJS, as defined in Section 12 of the Act.



## **CHAPTER II : CONSTITUTION OF LIBRARY COMMITTEE**

### **(7) Authority to Sanction Procurement of Titles, Periodicals and Databases**

- (1) Notwithstanding anything contained in any other regulation relating to financial matters, the Vice Chancellor shall have the authority to sanction any procurement of Titles, Periodicals and Databases for the Library.

*Provided* that nothing contained in this paragraph shall prejudice the authority of the Library Committee to sanction procurement of Titles, Periodicals and Databases for the Library under Chapter V of these Regulations.

- (2) Unless there are compelling reasons to be recorded in writing, sanction for all procurement and purchase of Titles, Periodicals and Databases under these Regulations shall be given by the Vice-Chancellor only on the basis of the recommendation of the Library Committee.

### **(8) Constitution, Composition and Term of the Library Committee**

- (11) There shall be a Library Committee of the University for the purpose of exercising administrative oversight over the Library.
- (12) The Vice -Chancellor shall constitute the Library Committee.
- (13) The Committee shall comprise of:
  - g) The Librarian who shall act as the ex-officio Chairperson
  - h) Assistant Librarian; and
  - i) Four members from the Faculty
- (14) Four members shall be necessary to form the quorum for the Committee.
- (15) The term of the Library Committee shall ordinarily be for one year or till such time as the Vice-Chancellor reconstitutes the committee, whichever is later.

### **(9) Observers**

- (1) The Librarian shall nominate two members of the Library Staff as observers to the Library Committee
- (2) The President of the Student Juridical Association shall nominate two current students as observers to the Library Committee

*Explanation:* Observers shall not have any voting right over any matter under consideration of the Library Committee.



(10) **Functions of the Library Committee**

- (1) The Library Committee shall have the responsibility for exercising administrative oversight over the functioning of the Library. Without prejudice to the generality of the preceding sentence, the functions of the Library Committee shall include :
- (l) Identification and approval of Titles, Periodicals and Databases to be purchased;
  - (m) Formulation of policy for communicating and negotiating with vendors for the purpose of procurement of items as per (a) above;
  - (n) Formulation of policy on access to Library services; and
  - (o) Any other related matter as the Library Committee may deem fit.

### **CHAPTER III: ORDINARY PROCUREMENT OF TITLES**

(11) **Online Form for Requisition**

- (3) The Library Committee shall set up an online form, in such format as it may deem fit, for requisition of Titles by students and faculty. The link to such online form shall be published on the Library Website and shall also be periodically emailed to all students and faculty.

(12) **Request for Quotation from Publishers/Vendors**

- (1) On a weekly basis, such Library Staff as authorized by the Librarian, shall prepare a list of Titles requisitioned and request for quotation from such publishers and vendors as the Library Committee may deem fit.

*Provided* however that email seeking quotations shall be sent to least six publishers or vendors in every case

- (2) The request for quotation shall be made through email and shall specify a timeframe of at least 5 days for submission of quotation.
- (3) All quotations shall be submitted by the vendors and publishers through email only
- (4) Late quotations, received after the specified date and time of receipt ,shall not be considered.



(13) **Approval of Purchase and Selection of Vendors**

- (1) The Library Committee shall meet at least once every fortnight to approve the purchase of Titles in relation to which quotations have been received from publishers and vendors.

- (2) On the basis of academic relevance and quoted price, the Library Committee may approve the purchase of a requisitioned book.

Provided however that unless there are compelling reasons to decide otherwise, the Library Committee shall approve a book requisitioned by member of the faculty.

Provided further where a Faculty requests for a book authored or published by him, either jointly or on his own, the Library Committee shall decide the number of copies based on the academic relevance, quoted price and affordability of the book.

- (3) Subject to paragraph (4) below, after the purchase of a book is approved, the Library Committee shall identify the vendor to whom the order of purchase is to be placed, on the following basis in order of preference:

- (a) Quoted price (after considering discounts); and
- (b) Estimated time of delivery.

- (4) Where Titles have been ordered for the current semester or for the forthcoming semester commencing within 50 days of the date of requisition (such fact to be indicated at the time of requisition), the vendor shall be selected solely on the basis of the estimated time of delivery, subject to a provision of minimum of 10 per cent discount by the vendor.

- (5) Where the number of quotations received are less than three, the Library Committee shall direct the Library Staff to issue a fresh request for quotation under Regulation 8. Provided that in exceptional cases involving books published by less renowned international university press, the Library Committee may dispense with a fresh request for quotation.

(14) **Budgetary Approval**

- (1) After grant of approval of purchase of a book and identification of the vendor by the Library Committee, the list of Titles so approved for purchase along with the vendor identified and quoted price, shall be forwarded to the Accounts Officer for budgetary approval.



- (2) The Accounts Officer shall grant budgetary approval for such purchases subject to availability of funds.
- (3) Wherever the Accounts Officer refuses budgetary approval for a purchase, he shall record the reasons for his refusal and communicate the decision to the Library Committee
- (4) Where the Accounts Officer grants budgetary approval, he shall forward the file to the Registrar for final sanction.
- (5) The Accounts Officer shall strive to take decisions under this regulation as expeditiously as possible.

(15) **Grant of Administrative Approval by Registrar**

- (1) On receipt of a file under clause (4) of Regulation 10, the Registrar may grant administrative approval for such purchase.
- (2) Wherever the Registrar refuses Final Sanction, he shall record the reasons for his refusal and communicate the decision to the Library Committee.
- (3) Where the Registrar grants final sanction, he shall forward the file to the Vice-Chancellor for final sanction.
- (4) The Registrar shall strive to take decisions under this regulation as expeditiously as possible.

(16) **Grant of Final Sanction**

- (1) On receipt of a file under clause (3) of Regulation 11, the Vice-Chancellor may grant Final Sanction for such purchase.
- (2) Wherever the Vice-Chancellor refuses Final Sanction, he shall record the reasons for his refusal and communicate the decision to the Library Committee.
- (3) Where the Vice-Chancellor grants final sanction, he shall forward the file to the Librarian for issue of Purchase Order.
- (4) The Vice-Chancellor shall strive to take decisions under this regulation as expeditiously as possible.



(17) **Issue of Purchase Order**

- (1) On receipt of a file under clause (3) of Regulation 12, the Librarian shall issue a Purchase Order in the name of the vendor identified against the Titles and prices approved by the Library Committee under Regulation 9.
- (2) The Librarian shall strive to take decisions under this regulation as expeditiously as possible.

## **CHAPTER IV: ORDINARY PROCUREMENT OF PERIODICALS AND DATABASES**

(18) **Request for Subscription to Journals and Databases**

- (5) Where any request for subscribing to any database or journal is made by any student or faculty, such request shall be placed for the consideration of the Library Committee, either in a meeting or through email.
- (6) On approval by a majority of the Library Committee members, the Librarian or such member of the Library Committee, as may be authorized by the Librarian, shall request for proposal or quotations from the relevant publisher.  
*Provided that where the subscription to the concerned journal or database is available through third party vendors, proposals may additionally be sought from such vendors.*
- (7) Proposals or quotations received from publishers or vendors further to requests under paragraph (2) above shall be placed for the consideration of the Library Committee, either in meeting or through email.
- (8) The Library Committee may approve subscription to a database or journal on the basis of academic relevance and quoted price in the proposal or quotation placed before the Committee further to paragraph (3) above.
- (9) Following grant of approval by the Library Committee under paragraph (4) above, the details of such approved purchase shall be forwarded to the Accounts Officer for budgetary approval as per Regulation 10.
- (10) For subscription of journals and databases approved by the Library Committee under this Regulation, grant of Budgetary Approval, Final Sanction and issue of Purchase Orders shall be governed under Regulation 10, Regulation 11, Regulation 12 and Regulation 13 respectively.





## **CHAPTER V: EMERGENCY PROCUREMENT**

### **(19) Process for emergency procurement**

- (1) Notwithstanding anything contained in these Regulations but subject to paragraph (4) below, in urgent circumstances, the Librarian shall issue purchase orders to relevant vendors for Titles, Periodicals or Databases, the procurement of which has already been approved by the Library Committee pursuant to Regulation 9.
- (2) In such cases of emergency procurement, the Library Committee may dispense with the rule on minimum of three quotations as stipulated in Regulation 9 (5).
- (3) In each case under paragraph (1) the Library Committee shall certify that the procurement is to be undertaken on an emergency basis pursuant to this Regulation and that the relevant procurement (together with all prior procurements under this Regulation) do not exceed the Emergency Budget for the financial year.
- (4) Following the issue of purchase orders by the Librarian under paragraph (1), the Librarian shall provide to the Vice-Chancellor, Registrar and Accounts Officer particulars of such procurement.
- (5) The Emergency Budget in any financial year shall mean an amount of 5% of the annual budget of the Library in that year sanctioned for procurement of Titles and Periodicals.

### **(20) Online Purchase of Titles**

- (1) The Library Committee may, in cases of urgent request by faculty or students participating in moot court competitions authorize online purchase of Titles through reputed online portals.
- (2) In all such cases the Library Committee shall authorize a team of three persons to carry out a survey of at least three reputed online portals to ascertain the reasonableness of rate, quality and specifications and identify the appropriate portal for making the purchase.
- (3) One of the members of this team shall make the requisite purchase through his account and the Registrar shall issue instructions to the Accounts Officer directing reimbursement on submission of bills and a certificate to be signed by the team authorized under the preceding clause. The certificate shall be in the following format.



*“Certified that we, [●], are jointly and individually satisfied that these books purchased are of the requisite specification and have been purchased from[●] after comparison with prices and specifications offered by at least two other online portals.”*

- (4) The cost of a single online purchase of book shall not exceed Rs. 25,000 and the total amount expended on online purchase under this Regulation shall not exceed Rs. 1 lakh in a single financial year.

## CHAPTER VI: MISCELLANEOUS

### (21) **Advance payment to Vendors**

- (5) Ordinarily payments for Titles purchased under these Regulations should be released only after such Titles, Periodicals and Databases have been delivered to the University.
- (6) Advance payments may be done for Periodicals and Databases.
- (7) In other cases, advance payments may be done as specifically approved by the Library Committee.

### (22) **Procurement in Furtherance of Project/Grant/School**

- (1) Where any procurement is being contemplated or executed in furtherance of any project, grant, or school, such procurement shall be carried out by the Project Coordinator or such other Faculty responsible for the said project/grant.
- (2) In all such cases, the titles shall be sent to the Library for completion of accession, cataloguing and processing.
- (3) The details of the titles shall be entered into the Main Accession Register.
- (4) Such titles can then be kept in the library or returned to the project, grant coordinator or the school, as per the decision of the coordinator of such project, grant or school.

### (23) **Savings**

- (1) Where any procurement is being contemplated or executed in furtherance of any project or grant, such procurement shall be carried out by the Project Coordinator or such other Faculty responsible for the said project/grant.
- (2) The validity of any procurement for which the process has already been started shall not be questioned only on the ground of divergence from the present regulation.



- (3) Any matters pertaining to procurements not covered under the aforesaid rules shall be governed by the decision of the Library Committee subject to the approval of the Vice-Chancellor.
- (4) Other matters pertaining to administration of the Library and not directly related to procurement shall be governed by the decision of the Library Committee.



## HOSTEL RULES AND REGULATIONS



## **The West Bengal National University of Juridical Sciences Hostel (Discipline and Conduct) Rules, 2009 (As Amended in 2016)**

### **I. PRELIMINARY**

#### **1. Nomenclature, extent and commencement:**

- (1) These rules shall be called The West Bengal National University of Juridical Sciences Hostel (Discipline and Conduct) Rules, 2009 (as amended in 2016).
- (2) They shall apply to all student residents of WBNUJS hostels of the WBNUJS as on the date of commencement of these rules.
- (3) These rules shall come into force from 1.7.2010.

### **2. Definitions**

- (a) 'Disciplinary Committee' means the body selected by committee consisting of faculty members and wardens for the purposes of dealing with matters regarding the hostels.
- (b) 'Grounding' means to be restricted from going out of the university premises and remaining in specified areas of university as directed and shall amount to eight hours a day to serve simultaneously or otherwise as specified in the order.
- (c) 'Community service' means any service related to academic, administrative or mess works.
- (d) 'Hostel' means the halls of residence for students of the WBNUJS and includes all areas within the gates of such halls of residence.
- (e) 'Night Out' means staying out of the hostel of the WBNUJS overnight with the authorization prescribed from the relevant authorities.
- (f) 'Student' means any registered student of the WBNUJS.
- (g) 'Student Resident' means a student who has been allotted a room in hostel and would include a student of the university who has not been allotted a room in hostel, but who is found on university campus after 8:00 p. m.



- (h) 'Warden' means Wardens appointed by the University and includes Chief Warden and Warden-in-Charge.
- (i) 'University' means the West Bengal National University of Juridical Sciences.
- (j) 'Visitor' means a person who is not a resident of the hostel.
- (k) 'Campus timing' means period from 5 a.m. to 11 p.m. or any other timing which may be prescribed from time to time by the competent authority.
- (l) 'Hostel timing' shall correspond to the library timing.

## II. AUTHORITIES

3. Authorities exercising jurisdiction on matters pertaining to hostel discipline and conduct:

(1) The Disciplinary Committee has the primary responsibility of ensuring discipline and proper conduct of the student residents in the hostels. It is competent to exercise powers as prescribed in these rules.

Explanation: The Disciplinary Committee shall not have any jurisdiction with regard to any matter concerning post graduate students.

(2) The Wardens appointed by the University are competent to deal with all matters pertaining to discipline and conduct of the hostels, of which they have been appointed as Wardens. They are empowered to exercise powers as prescribed in these rules and other relevant rules of the university. The wardens are competent to deal with the above said matters and exercise the above said powers with regard to all students including the post graduate students.

(3) The Warden-in-Charge appointed by the university is competent to exercise powers as prescribed in these rules and other rules and regulations of the university, with regard to all students and hostels.

(4) The Registrar of the University is the Chief Warden of the hostels. The Chief Warden is the highest amongst the authorities mentioned in sub rules (1) and (2) above. Of the authorities mentioned in these rules, the Chief Warden has the final say in all matters pertaining to discipline and conduct of the hostels.



#### **4. Procedure & eligibility for Disciplinary Committee meetings**

- (1) The Disciplinary Committee shall meet fortnightly except in the cases where there are special reasons for not doing so.
- (2) All decisions of the Disciplinary Committee are to be reached by vote and are to be duly recorded.
- (3) Every proceeding or decision of the committee shall be maintained in writing, and may be examined by any resident of the Hostels with permission of the Warden-in-Charge on written application with reasons stated.
- (4) If a breach of Hostel Rules is brought to the notice of the DC, the Convener shall, after a preliminary investigation by the concerned DC members,
  - (a) Hold a meeting of the entire Committee if the breach concerns both the Hostels.
  - (b) Hold a meeting of the DC members of the concerned Hostel, if the breach concerns only one of the Hostels. This procedure however, may be avoided for those offences which require immediate action to be taken.
- (5) If the commission of the breach is in dispute, the affected persons shall be called and heard individually in the presence of all the DC members available as far as possible but not below the quorum
- (6) Any final decision on such dispute has to be reached only through consensus, or a vote if such consensus is lacking.
- (7) The quorum for the purposes of functioning of DC including voting has to be one third of the total number of the DC members of that semester. Quorum is not complete unless the Convener and Co Convener is present
- (8) No student against whom any disciplinary action is taken and punished shall be eligible for membership of the Disciplinary Committee.

Explanation: This shall not include disciplinary actions taken by the Disciplinary Committee

**5. Periodic Reports-** (1) The Disciplinary Committee shall report to the Wardens of the respective hostels at regular intervals and keep them apprised of events, violation of rules and action taken with regard to matters within their jurisdiction and otherwise.



The wardens shall at regular intervals report to the Warden-in-Charge and Warden-in-Charge in turn to the Chief Warden.

6. **Jurisdiction-** (1) The Disciplinary Committee shall have jurisdiction over all minor offences as prescribed in these rules and is empowered to administer the punishments and penalties prescribed for the same.

(2) The Wardens shall have jurisdiction over all offences reported or referred to their office and those of which cognizance has been taken by themselves.

### III. **MINOR OFFENCES**

7. **Violation of Campus and Hostel Timings-** (1) Any student, who fails to enter the campus premises within the prescribed hostel timings, has committed an offence under this rule.

(2) Any student, who fails to enter the hostel premises within the prescribed hostel timings, has committed an offence under this rule.

Provided, that no student who has been authorized by the Wardens on application, to enter the campus or hostel premises after the prescribed timings shall be considered to have committed an offence under this rule, if the said student enters the campus or hostel premises within the time authorized in the application.

### 8. **Punishment for violation of campus and hostel timings-**

(1) Any student who violates rule 7(1) shall be punished with fine upto Rs 1000 and community service.





(2) Any student who violates rule 7(2) shall be punished with grounding for two days.

(3) Any student who has been authorized under the proviso to rule 7 and who fails to return within the authorized time in the application shall be punished with fine upto Rs 2000 and community services

(4) Any student who commits an offence under rule 7 for the second time Shall be punished with double of punishment as prescribed in the relevant sub rule.

9. **Absenteeism-** Any student who fails to enter the hostel premises before 5:00 a.m. of the following day, without the prescribed authorization for a night-out by Chief Warden, has committed the offence of absenteeism.

10. **Punishment for Absenteeism -** Any student who has committed the offence of absenteeism upto seven ( 7 ) da ys shall be punishable with fine upto R s . 1 0 0 0 a n d grounding for a period upto 10 days and if the absenteeism continues beyond seven (7) days, such a student may forfeit his or her hostel accommodation.

11. **Misbehaviour-** Any student who misbehaves with fellow students, other residents of the hostel or with any person working in the hostels including the security staff, mess staff, cleaners and others, shall be punished with seven days of grounding along with a fine upto Rs. 2000 (Rupees two thousand only)

12. **Nuisance-** Any student who causes nuisance to other residents of the hostel in any manner shall be fined with a sum u p t o Rs. 1000 (Rupees one thousand only.)

**Illustration**

A student playing loud music, bursting fire crackers, behaving in an unruly manner or littering the hostel premises whereby causing difficulties to fellow residents, is said to be causing nuisance to them.

13. **Changing of rooms without permission -** Any student who shifts from the room allotted to him/her by the Wardens and occupies a different room in the hostels shall be punishable with grounding upto 7 days and a fine of Rs. 1000 (rupees one thousand only) which may extend up to Rs. 3000 (Rupees three thousand only).



14. **Repeat Offence** - For a repeat offence under Rule 7, 9, 11, 12 and 13 the quantum of punishment shall be double the one prescribed under the said rule. A third or further offence would invite punishment to be decided by the Chief Warden, which may extend to expulsion from the Hostel.

14A. Misbehaviour with the guards or speaking with the guards in an unruly manner would lead to imposition of penalty on the concerned student / students. Penalty amount to be decided by the Chief Warden.

14B. Unauthorised movement of furniture from one room to the other room / common area without permission of the Warden-in-Charge would incur heavy penalty on the concerned resident. Penalty amount to be decided by the Chief Warden.

#### IV. **MAJOR OFFENCES**

15. Consumption and possession of tobacco or alcohol- (1) Any student found consuming alcohol or tobacco or found to be in the possession of any of the two, within the university premises shall be punishable with community service and a fine which may extend up to Rs. 4000 (rupees four thousand only).

Explanation: If alcohol or cigars, cigarettes, biddies (Biri) or any other substance which consists of tobacco in any form is found in/just outside the room of a student, then such student(s) shall be deemed to be in possession of such substance. In case of a double room both the residents will be liable.



(2) Any student, who has been punished once under sub rule (1) above, and found punishable under the same for a second time shall be punished with community service and a fine which may extend up to Rs. 8,000 (rupees eight thousand only).

(3) Any student who violates sub rule 1 for the third time or more shall be suspended from the hostel with immediate effect pending enquiry and shall be liable to be expelled from the hostels.

16. Substance Abuse- Any student found using substances, apart from tobacco and alcohol, which are known to have intoxicating effect, for any purpose other than medicinal, shall be punished with a minimum fine of Rs. 5000 (rupees five thousand only) which may extend up to Rs. 10,000 (rupees ten thousand only) and suspension from the hostel.

Explanation 1: Consumption of 'bhang' is included in this rule. Explanation 2: To prove the fact of medicinal purpose, the concerned student shall produce relevant documentary and other evidence and shall present himself/herself for medical examination by the university doctor or as directed by the university as and when required.

17. Consumption and possession of narcotic substances - Any student found to be consuming any narcotic substance or being in possession of any such substance shall be suspended from the hostel pending enquiry and shall be liable to be expelled from the hostel and shall also be fined with Rs. 5000 (Rupees Five thousand only) which may be extend upto Rs. 10000 (Rupees Ten thousand only).

Explanation – Narcotic substance includes ganja (Indian hemp).

18. Ragging- RAGGING IS PROHIBITED IN WBNUJS. Any student found prima facie to be engaging in the act of ragging shall be suspended from the hostel with immediate effect pending enquiry and shall be punished with suspension from the hostels for a minimum period of one semester and may extend up to expulsion from the

hostels. The matter shall also be reported to the concerned authorities under the relevant legislations governing such acts.

19. Damage to university and hostel property - Any student who causes damage to or destroys any property of the university in the hostel or any property of the hostels shall be liable to make good for the loss caused by such damage and a minimum fine of Rs. 1,000/- (Rupees one thousand) up to Rs. 10,000 (Rupees ten thousand) and shall also be punished with grounding for a period extending up to 14 days or with suspension from the hostels for a period which may extend up to 6 months. Suspension may be in addition to and subsequent to the punishment of fine and grounding.

Explanation – changing the colour of the room or making painting(s) on the walls of the room amounts to damage to hostel property.

20. Entering other hostels without permission- (1) Any student, who is not a resident of the girls' hostel with the exception of female students, found to be entering the premises of the girls' hostel without the permission of the Wardens shall be punished with a minimum fine of Rs. 2000 (Rupees Two thousand only) and which may extend upto Rs. 5000 (Rupees Five Thousand only) and/ or suspension from the hostel.

(2) Any student, who is not a resident of the boys' hostel with the exception of male students, found to be entering the premises of the boys' hostel without the permission of the Wardens shall be punished with a minimum fine of Rs. 2000 (Rupees Two thousand only) and which may extend upto Rs. 5000 (Rupees Five Thousand only) and/ or suspension from the hostel.

Provided that sub rule (1) and (2) above shall not be applicable to the boy's hostel mess till 10:00 p.m. everyday and other premises of the hostels which are declared to be common areas by the university authorities.

## **V. SEARCH AND SEIZURE**

21. Powers of search and seizure- (1) The Chief Warden, the Warden-in- Charge and the Wardens have the right to search the rooms of any resident of the hostels and seize goods, materials and substances the possession of which are illegal or amount



to an offence under the provisions of these rules. No prior intimation is required for such search and seizure.

Provided that in case of a search conducted in the boys hostel, a male member of the disciplinary committee or any male authority under these rules, as far as possible, shall be present during the search and in cases of a search conducted in the girl's hostel a female member of the disciplinary committee or any female authority under these rules, as far as possible, shall be present during the search.

(2) In case of any action of search and seizure by the disciplinary committee, the Wardens shall be informed of the same preferably, prior to the action, or in any case immediately after the action is taken.

## 22. Raids and Inspection by the Disciplinary Committee:

(1) A raid may be conducted by at least two or more members of the DC with or without prior notification to the residents, but with prior permission of the warden.

(2) For the purpose of effectiveness of raids, the DC has full discretion to check rooms at random and not necessarily uniformly.

(3) Records of every raid shall be kept with the convener the DC.

(4) During every raid a member of the General Body shall accompany the DC for the purpose of impartiality.

(5) The DC reserves the right to enter a resident's room without his consent, provided he/she is present during the raid.

(6) No person's room may be entered into by the DC during a raid if found locked or latched, or in the absence of the resident. If telephonic consent of the resident is granted, the DC may enter the room in the absence of a person sharing a neighboring



room. However, such a room can be opened if permission is granted by the warden on request in writing.

(7) No DC member is authorized to conduct a raid on his/her own without proper authorization.

(8) No DC member shall conduct or be party to a raid or search for any purpose outside the jurisdiction of the DC or unless authorized by the wardens. If the contrary is reported or complained of, he/she shall be asked to furnish a written explanation by the wardens.

## **VI. OTHER VIOLATIONS AND APPEAL**

23. For any other disciplinary violation not mentioned herein, punishment shall be decided by the Chief Warden.

24. For all decisions, the Vice Chancellor shall be the appellate authority. Appeals shall be filed within seven working days of the receipt of the punishment order. In case the order is sent by registered post, within 15 days of sending.

24A. Notwithstanding anything contained in the rules, the Vice Chancellor in exercise of his appellate power may reduce the quantum of punishment awarded in exceptional cases stating the reasons in writing for the same.

25. For matters which in the opinion of the Chief Warden require enquiry, the Chief Warden may appoint a commission of enquiry comprising such members of the faculty as he deems appropriate. The finding of the committee shall be final.

## **VII. MISCELLANEOUS**

26. Room Allotment shall be made by the Wardens in their discretion.

27. Allotment of rooms in hostels- (1) all students of the first and second years shall be allotted double rooms. This rule does not apply to Cyber Committee members who would be allotted rooms with switches.

(2) All students of the third, fourth and fifth years shall be eligible for allotment of single rooms subject to the availability of rooms.



(3) With regard to allotment of single rooms to the students mentioned in sub rule (2) above, the students of a higher year shall be considered before students of a lower year and as between students of the same year, preference would be given to students having a higher academic rank in the class.

(4) In case any double rooms remain vacant after completion of allotment to first and second years, they shall be allotted to students of a higher year and as between students of the same year, preference would be given to students having a higher academic rank in the class.

(5) If any single rooms remain vacant after application of above rules, they shall be allotted to students of second year in accordance with their academic rank.

28. Visitors- No unauthorized visitors shall be permitted inside the hostels. Visitors shall take permission from the respective wardens

29. Electrical Appliances- Students shall not use any electrical appliances in the hostels other than the ones provided by the university, unless they obtain permission in writing from the Chief Warden. Violators shall be punished with a fine up to Rs. 5,000/- (Rupees five thousand)

30. Directions by Warden – Wardens may in their discretion issue directions to maintain hostel discipline. Failure to comply with the directions would be considered a major offence and punished with measures decided by the Chief Warden.

Explanation : The amended rules shall come into force on July 1st, 2016.

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