



Damodaram Sanjivayya National Law University Act, 2008

Act 32 of 2008

Keyword(s):

Academic Council, Executive Council, University of Law

Amendment appended: 1 of 2019

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THE ANDHRA PRADESH GAZETTE

PART IV-B EXTRAORDINARY

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**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 23rd September, 2008 and the said assent is hereby first published on the 24th September, 2008 in the Andhra Pradesh Gazette for general information:-

ACT No. 32 OF 2008.

**AN ACT TO PROVIDE FOR THE ESTABLISHMENT
OF UNIVERSITY OF LAW IN THE STATE AND FOR
MATTERS CONNECTED THEREWITH AND
INCIDENTAL THERETO.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Fifty-ninth Year of the Republic of India as follows:-

[1]

A.194-1

CHAPTER - 1

PRELIMINARY

Short
title,
extent
and
commen-
cement.

1. (1) This Act may be called the Andhra Pradesh University of Law Act, 2008.

Pradesh.

(2) It shall extend to the whole of the State of Andhra Pradesh.

(3) It shall be deemed to have come into force on the 9th July, 2008.

Defini-
tions

2. In this Act unless the context otherwise requires:

(i) "Academic Council" means the Academic Council of the University;

(ii) "Chancellor" means the Chancellor of the University;

(iii) "Executive Council" means the Executive Council of the University;

(iv) "General Council" means the General Council of the University;

(v) "Government" means the State Government of Andhra Pradesh;

(vi) "Prescribed" means prescribed by statutes or regulations;

(vii) "University" means the Andhra Pradesh University of Law established under section 3.

CHAPTER - II
THE UNIVERSITY

3. (1) There shall be established a University called the Andhra Pradesh University of Law with its headquarters at Visakhapatnam. The campuses of the University shall be located at Nizamabad and Kadapa and at such other places as may be decided by the General Council.

Establishment of University of Law.

(2) The University shall be a body corporate having perpetual succession and a common seal and shall sue and be sued in the name of the Registrar of the University.

4. The Objects of the University shall be,-

Objects of the University.

(i) To provide quality multi-disciplinary education in legal studies, keeping in view the demands of the global economy and the needs of the domestic society;

(ii) To evolve and impart comprehensive legal education at all levels to achieve excellence;

(iii) To organize advanced studies and promote research in all branches of Law;

(iv) To disseminate legal knowledge and legal process and their role in national development by organizing lectures, seminars, symposia, workshops and conferences.

(v) To promote cultural, legal and ethical values with a view to promote and foster the rule of law and the objectives enshrined in the Constitution of India;

(vi) To improve the ability to analyse and present for the benefit of the public contemporary issues of public concern and their legal implications;

(vii) To publish periodicals, treatises, study books, reports, journals and other literature on all subjects relating to law and applied studies;

(viii) To hold examinations and confer degrees and other academic distinctions;

(ix) To promote legal awareness for achieving social and economic justice for all;

(x) To undertake study and training projects relating to law, legislation and judicial institutions;

(xi) To promote inter disciplinary study of Law in relation to management, technology, International Co-operation and development;

(xii) to develop in the students and the research scholars a sense of responsibility to serve society in the field of law by developing skills in regard to advocacy, legal services, legislation, parliamentary practice, law reforms and such other matters; to make law and legal processes efficient instruments of social development; and;

(xiii) to do all such things as are incidental, necessary or conducive to the attainment of all or any of the objects of the University.

Powers
and
functions
of the
University.

5. The University shall have the following powers and perform the following functions, namely:-

(i) To administer and manage the University and all such centers for study, research, education and instructions as are necessary in furtherance of the objects of the University;

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

(iii) To make provision for research and for advancement and dissemination of knowledge of law;

- (iv) To institute degrees, titles, diplomas, certificates and other distinctions;
- (v) To hold examinations and to confer degrees, titles, diplomas and other academic distinctions on persons subject to such conditions as the University may determine and to withdraw any such degrees, titles, diplomas and other academic distinctions subject to such conditions as the University may determine;
- (vi) To confer honorary degrees or other distinctions in such manner as may be allowed in regulations;
- (vii) To fix, demand and receive fees and other charges as may be prescribed;
- (viii) To institute and maintain halls and hostels and to recognize places of residence for the students of the University and to withdraw such recognition accorded to any such place of residence;
- (ix) To establish special centers, specialized study centers or other units for research and instructions as are in the opinion of the University necessary to further its objects;
- (x) To supervise and control the residence and to regulate the discipline of the students and employees of the University and to make arrangement for promoting their health and general welfare;
- (xi) To make such special arrangements in respect of residence, discipline and teaching of women students;
- (xii) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto;

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

(xiv) To institute Professorships, Associate Professorships, Assistant Professorships, Readerships, Lecturerships and any other teaching, academic or research posts required by the University;

(xv) To appoint persons as Professors, Associate Professors, Assistant Professors, Readers, Lecturers or otherwise as teachers and researchers in the University and as holders of similar posts;

(xvi) To institute and award fellowships, scholarships, prizes and medals;

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

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

(xix) To cooperate with other organizations 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;

(xx) To cooperate with institutions of higher learning in any part of the world, having objects wholly or otherwise similar to those of the University by exchange of teachers and scholars and generally in such manner as may be conducive to the common objects;

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

(xxii) To establish and maintain within the premises of the University or elsewhere such schools, colleges study Halls as the University may consider necessary and to adequately furnish the same and to establish and maintain such libraries and reading rooms as may appear convenient or necessary for the University;

(xxiii) To receive grants, subventions, subscriptions, donations and gifts for the purposes of the University consistent with the objects for which the University is established;

(xxiv) To purchase, take on lease, or accept as gift, or otherwise any land or building or works which may be necessary or convenient for the purpose of the University and on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such building or works;

(xxv) To sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms and conditions as it may think fit and proper without prejudice to the interests and activities of the University;

(xxvi) To draw and accept, to make and endorse, to discount promissory notes, bills of exchange, cheques or other negotiable instruments and negotiate with Government of India;

(xxvii) To execute conveyances, transfers, reconveyances, mortgages, leases, licenses 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;

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

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

(xxx) To enter into any agreement with the Central Government, State Government, the University Grants Commission or other authorities for receiving grants;

(xxxi) To accept grants of money, securities or property of any kind or description on such terms and conditions, as may be deemed expedient;

(xxxii) 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 or debt made;

(xxxiii) To invest the funds of the University or moneys entrusted to the University in or upon such securities or deposits and in such manner as it may deem fit and from time to time transpose any investments;

(xxxiv) To make such statutes, regulations and other instruments as may, from time to time, be considered necessary for regulating the affairs and the management of the University and its properties and to alter, modify and to rescind them;

(xxxv) 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 pension, insurance, provident fund and gratuity other schemes as it may deem fit and to make such grants as it

may think fit for the benefit of the staff of the University and to aid in the establishment and support of associations, institutions, funds and trusts for the benefit of the staff and the students of University;

(xxxvi) To delegate all or any of its powers to the Vice-Chancellor or any committee, Council or Board or to any one or more members of its body or its officers; and;

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

6. (1) All teachings in connection with degrees, diplomas and certificates of the University shall be conducted in accordance with the syllabus prescribed by the Regulations.

Teaching in the University.

(2) The Courses and curricula and the authorities responsible for organizing the teaching of such courses and curricula shall be prescribed by the Regulations.

7. No person shall be excluded from holding any office in the University or from membership of any of the authorities of the University or from admission to any degree, diploma or other distinction or course of study, on grounds only of religion, race, caste, sex, place of birth or any of them, and it shall not adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to qualify for any degree, diploma or other distinction or to enjoy or exercise any of the privileges of the University:

University open to all persons.

Provided that,--

(1) the University may maintain, any college or institution, intended exclusively for women, either for their education, or for their residence;

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(2) the University may reserve seats in any University college for women, members of socially and educationally backward classes, Scheduled Castes, Scheduled Tribes and physically handicapped persons or allot seats on such regional basis as may be declared by the University.

Chancellor of the University.

8. (1) The Chancellor shall be appointed by the Government from amongst persons of eminence in the field of law.

(2) The Chancellor shall hold office for a term of three years.

(3) The Chancellor when present shall preside over the Convocations of the University and the meeting of the General Council.

(4) 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 equipment and of any institution maintained by the University and also of the examinations, teaching and other work conducted or done by the University and cause an inquiry to be made in like manner in respect of any matter connected with the administration and finances of the University.

(5) The Chancellor shall give notice to 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.

(6) The Chancellor may offer such advise to University as deemed fit with reference to the result of the inspection or inquiry.

(7) The University shall communicate to the Chancellor the action taken or proposed to be taken on such advise.

(8) Where the University does not take action to the satisfaction of the Chancellor within the time limit fixed by him, he may after considering any explanation furnished or representation made by the University, issue such direction as he may think fit and the University shall comply with such direction.

9. (1) The Vice Chancellor shall be an outstanding scholar in law.

Vice-
Chancel-
lor.

(2) The Vice Chancellor shall be appointed by the Chancellor from out of a panel of not less than three persons recommended by a Committee constituted under sub-section (3):

Provided that if the Chancellor does not approve any of the persons so recommended he may call for fresh recommendations.

(3) the committee referred to in sub-section (2) shall consist of three members of whom one shall be nominated by the Executive Council, one by University Grants Commission and one by the Government and the Member nominated by the Government shall be the Convener of the Committee:

Provided that the panel shall be prepared from out of the candidates who submit their curricular vitae which is sponsored by some reputed persons or institution in the field of law or legal profession.

(4) The Vice Chancellor shall hold office for a term of three years from the date on which he enters his office or until he attains the age of seventy years which ever is earlier and he shall be eligible for reappointment:

Provided that the Chancellor may require the Vice-Chancellor after his term has expired to continue in office for such period of not exceeding a total period of one year as may be specified by him.

(5) It shall be competent for the Chancellor to accept the resignation of the Vice-Chancellor.

(6) the emoluments and other conditions of service of the Vice-Chancellor shall be as prescribed by regulations.

(7) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise or if he is unable to perform his duties due to ill health or any other cause, the Chancellor shall have the authority to appoint a person to perform the functions of the Vice-Chancellor until the new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

(8) The Vice-Chancellor shall be the academic head and the principal executive officer of the University and shall exercise general control over its affairs. He shall be a whole-time officer of the University. He shall, --

(i) ensure that the provisions of this Act, statues and regulations are duly implemented and he shall have all powers as are necessary for that purpose;

(ii) convene the meetings of the General Council, Executive Council and the Academic Council and shall perform all other acts as may be necessary to give effect to the provisions of this Act;

(iii) preside over the meetings of the General Council in the absence of the Chancellor;

(iv) have all such powers as are necessary for proper maintenance of discipline in the University;

(9) Where, in the opinion of the Vice-Chancellor an emergency requires immediate action, he shall take such action as he deems necessary and shall report the action so taken for confirmation in the next meeting of the authority which in the ordinary course would have dealt with, with the matter.

(10) The Vice-Chancellor shall not be removed from his office except by an order of the Chancellor passed on the ground of willful omission or refusal to carry out the provisions of the Act or abuse of power vested in him and after due inquiry conducted in the manner prescribed.

CHAPTER - III

AUTHORITIES OF UNIVERSITY

10. The following shall be the authorities of the University:-

- (i) The General Council;
- (ii) The Executive Council;
- (iii) The Academic Council;
- (iv) The Finance Committee;
- (v) Planning and Monitoring Board;

(vi) such other authorities as may be declared by the University by the Regulation to be the authorities of the University.

Authori-
ties of
the
Univer-
sity.

11. The General Council shall be the Apex Authority of the University.

General
Council.

12. (1) The General Council of University shall consist of the following members, namely :-

- (i) Chancellor ;
- (ii) Vice-Chancellor ;

Constitu-
tion of
General
Council.

- (iii) Directors of Campuses established under this Act ;
 - (iv) Two sitting or retired Judges of the High Court of Andhra Pradesh, nominated by the Chancellor ;
 - (v) Chairman, Bar Council of India ;
 - (vi) A member of the Bar Council of India representing the State of Andhra Pradesh ;
 - (vii) Chair-person of University Grants Commission or his nominee ;
 - (viii) Advocate General of the State of Andhra Pradesh ;
 - (ix) Chairman, Bar Council of Andhra Pradesh or his nominee ;
 - (x) Two eminent persons in the disciplines of social sciences and humanities nominated by the Chancellor ;
 - (xi) Two eminent persons in legal or educational field nominated by the Chancellor ;
 - (xii) Chairman, the Andhra Pradesh State Council of Higher Education ;
 - (xiii) Four Ex-officio members whom one shall be in the rank of the Chief Secretary to Government and three members in the rank of Secretary to Government each one from Law, Finance and Higher Education Departments.
- (2) (i) Where a person has become a member of the General Council by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment ;

(ii) the term of the office of the nominated members of the General Council other than Ex-Officio members shall be three years;

(iii) A member of the General Council shall cease to be a member if he resigns or becomes unsound mind or becomes insolvent or is convicted of a criminal offence involving moral turpitude;

(iv) A member of the General Council may by writing addressed to the Chancellor, resign his office and such resignation shall take effect on the date it is accepted by the Chancellor;

(v) any vacancy in the General Council shall be filled by nomination by the respective nominating authority and on expiry of the period of vacancy and such nomination shall cease to be effective.

13. (1) The General Council shall have the following powers namely,--

(i) to formulate and review the broad policies and programmes of the University and suggest measures for the development of the University;

(ii) to direct the Executive Council to take such steps as are necessary for achieving the objects of the University;

(iii) to consider and pass resolution on the annual report, financial estimates and audit reports of the accounts of the University;

(iv) to exercise such other powers as it may deem necessary for the performance of functions and administration of the University.

(2) The General Council shall meet at least once in a year and annual meeting of the General Council shall be

Powers,
functions
and
meetings
of
General
Council.

held on a date to be fixed by the Executive Council or by the Vice Chancellor in consultation with the Chancellor.

(3) A report of the working of the University during the previous year together with the statements of receipts and expenditure, the balance sheet as audited and the financial estimates for the next financial year shall be presented by the Vice-Chancellor to the General Council at its annual meeting.

(4) Meetings of the General Council shall be called by the Chancellor or by the Vice-Chancellor either on his own or at the request of not less than ten members of the General Council.

(5) For every meeting of the General Council fourteen days notice shall be given.

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

(7) Any urgent action if required, the Chairman may with the approval of the majority of the members of the General Council, permit the business to be transacted by circulation among the members of the General Council. The report of the action so taken shall be placed before the next meeting of the General Council.

Execu-
tive
Council.

14. The Executive Council shall be the chief executive authority of the University and as such shall have all powers necessary to administer the University subject to the provisions of this Act and the statutes made thereunder and may make regulations for that purpose and also with respect to matters provided thereunder.

Constitu-
tion of
the
Execu-
tive
Council.

15. (1) The Executive Council shall consist of the following members namely, -

(i) the Vice-Chancellor of the University;

(ii) Directors of Campuses established under this Act

(iii) a member of the General Council who is a sitting or retired Judge nominated by the Chancellor ;

(iv) Chairman, the Andhra Pradesh State Council of Higher Education ;

(v) a member of the General Council who is an eminent legal person to be nominated by the Chancellor;

(vi) Secretary to Government, Legal Affairs, Law Department;

(vii) Principal Secretary to Government, Finance Department;

(viii) two Professors of Law outside the University nominated by the Vice-Chancellor;

(ix) three Teachers nominated by the Vice-Chancellor of whom one should be from amongst Heads of Departments, one from Professors and one from Associated Professors by rotation for a period of one year.

16. (1) The term of office of the Members of the Executive Council shall be three years.

(2) When a person becomes a member of the Executive Council by virtue of his office, he shall cease to be such member if he ceases to hold his office.

(3) When a person is nominated as a member of the Executive Council he shall cease to be such member if his nomination of such membership is withdrawn by the nominating person.

(4) A member of the Executive Council shall cease to be a member if he,-

(a) tenders his resignation and such resignation is accepted;

(b) becomes unsound mind and stands so declared by a competent Court;

Term of
Office of
Members
of the
Execu-
tive
Council.

(c) becomes undischarged insolvent;

(d) has been convicted for an offence involving moral turpitude.

(5) A member of Executive Council other than the Ex-officio member may resign his office by letter addressed to the Vice-Chancellor and such resignation shall take effect as soon as it has been accepted by him.

(6) Any vacancy in the Executive Council shall be filled by nomination by respective nominating authority and on expiry of the period of vacancies such nomination shall cease to be effective.

Powers
and
func-
tions of
the
Execu-
tive
Council.

17. The Executive Council shall have the following powers and functions:-

(1) To constitute a Selection Committee headed by the Vice-Chancellor to recommend the names of three persons to the Chancellor for appointment of Registrar of the University.

(2) to create teaching, administrative and ministerial posts, to determine the number and emoluments of such posts, to specify qualifications for such posts, and to appoint persons to such posts on such terms and conditions of a service as may be prescribed by regulations in this behalf, or to delegate the powers of appointment to such authority or officer as the Executive Council may, by resolution, specify either generally or specifically:

Provided that the Executive Council shall not appoint teachers without considering the recommendations of the Academic Council with regard to numbers, qualifications and emoluments.

Provided further that it shall not be necessary for the Executive Council to obtain the recommendation of the

Academic Council to appoint a person on the following posts, namely:-

- (a) any supernumerary post; or
- (b) Professor of eminence.
- (3) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University and, for that purpose, to appoint such person or agency as it may think fit;
- (4) to invest any money belonging to the University, including any unapplied income, in such stock, funds, shares or securities, as it may think fit, or to invest in the purchase of immovable property;
- (5) to transfer or acquire any movable or immovable property on behalf of the University;
- (6) to enter into, vary, carry out or cancel contracts on behalf of the University and to appoint such officers as it may think fit for that purpose;
- (7) to provide buildings, premises, furniture, apparatus and other means required for carrying out the functions of the University;
- (8) to appoint examiners and moderators, to fix their fees, emoluments and allowances, in consultation with the Academic Council;
- (9) to select a common seal for the University and to provide for the custody of the seal; and
- (10) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by or under this Act.

Meetings of the Executive Council. 18. (1) The Executive Council shall meet at least once in four months and not less than fifteen days notice shall be given of such meetings.

(2) Meeting of the Executive Council shall be called by the Registrar under instructions of the Vice-Chancellor or at the request of not less than five members of the Executive Council.

(3) Six members of the Executive Council shall form quorum at any meeting.

(4) Every meeting of the Executive Council shall be presided over by the Vice-Chancellor and in his absence by a member chosen by the members present.

(5) If urgent action by the Executive Council becomes necessary, the Vice-Chancellor may permit the business to be transacted by circulation of the papers to the members of the Executive Council. The decision so taken shall not be valid unless agreed to by a majority of the members of the Executive Council. Such decision shall be forthwith intimated to all the members of the Executive Council. In case the Executive Council fails to take a decision the matter shall be referred to the Chancellor whose decision shall be final.

Academic Council. 19. The Academic Council shall be the academic body of the University. It shall have powers to control, regulate and maintain the standards of instruction, education and examination of the University and advise the Executive Council on academic matters.

Constitution of Academic Council. 20. (1) The Academic Council shall consist of the following persons, namely:-

- (a) The Vice-Chancellor who shall be the Chairman;
- (b) Director of Campuses established under this Act.

(c) One sitting or retired judge of the Andhra Pradesh High Court nominated by the Chancellor;

(d) Two persons from amongst educationists of repute or men of letters or members of the legal profession or eminent public men, who are not in the service of the University nominated by the Chancellor;

(e) A nominee of Bar Council of India representing the State of Andhra Pradesh;

(f) A nominee of the Bar Council of Andhra Pradesh;

(g) A nominee of the University Grants Commission;

(h) All Professors of the University other than the Heads of the Department;

(i) All the Heads of the Department;

(j) Two members of the teaching staff; one each respectively representing the Associate and Assistant Professors of the University, nominated by the Vice-Chancellor for the terms specified;

(k) One Dean of Law Faculty of any other University established by law in the State by rotation to be nominated by the Vice-Chancellor.

(2) The term of the members other than Ex-officio members shall be three years.

21. (1) Subject to the provisions of the Act, Statutes and Regulations and overall supervision of the Executive Council, the Academic Council shall manage the academic affairs and matters in the University and in particular shall exercise and perform the following powers and functions namely:

Powers,
functions
and
meetings
of the
Acade-
mic
Council.

(i) To report on any matter referred or delegated to it by the General Council or the Executive Council;

(ii) To make recommendations to the Executive Council with regard to the creation, abolition or classification of

teaching posts in the University and the emoluments payable and the duties attached thereto;

(iii) 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;

(iv) To recommend arrangements for the instructions and examination of persons other than those enrolled in the University;

(v) To promote research under the University and to require from time to time, reports on such research;

(vi) To consider proposals submitted by the faculties;

(vii) To suggest policies for admissions to the University;

(viii) To recommend recognition of diplomas and degrees of other Universities and institutions and to determine their equivalence in relation to the certificates, diplomas and degrees of the University;

(ix) 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 recommend for the award of the same;

(x) To make recommendations to the Executive Council in regard to the appointment of examiners and if necessary their removal and fixation of their fees, emoluments and travelling and other expenses;

(xi) To recommend arrangements for the conduct of examinations and the date for holding them;

(xii) To declare or review the result of the various examinations or to appoint committees or officers to do

so, and to make recommendations regarding the conferment or grant of degrees, honours, diplomas, licences, titles and marks of honour;

(xiii) To recommend stipends, scholarships, medals and prizes and to make other awards in accordance with the regulations and such other conditions as may be attached to the awards;

(xiv) To approve or revise lists of prescribed or recommended text books and to publish the same and syllabus of the prescribed courses of study;

(xv) To approve such forms and registers as are from time to time, required by the Regulations; and

(xvi) To perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying of the provisions of this Act and the Regulations made thereunder.

2 (i) The Academic Council shall meet as often as may be necessary, but not less than two times during an academic year;

(ii) One half of the existing members of the Academic Council shall form the quorum for a meeting of the Academic Council;

(iii) In case of difference of opinion among the members, the opinion of the majority shall prevail;

(iv) Each member of the Academic Council, including the Chairman of the Academic Council, have one vote and if there 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 meetings, shall in addition, have a casting vote;

(v) Every meeting of the Academic Council shall be presided over by the Vice-Chancellor and in his absence

by a member chosen in the meeting to preside on the occasion;

(vi) If urgent action by the Academic Council becomes necessary, the Chairman of the Academic Council may permit the business to be transacted by the circulation of papers to the members of the Academic Council. The decision taken shall not be valid unless agreed to, by a majority of the members of the Academic Council. The decision so taken shall forthwith be intimated to all the members of the Academic Council. In case the Academic Council fails to take decision the matter shall be referred to the Chancellor whose decision shall be final.

Finance
Com-
mittee.

22. (1) The Finance Committee shall consist of the following members:-

(i) Vice-Chancellor;

(ii) Registrar;

(iii) Two members to be nominated by the Executive Council from among its members.

(2) The Term of Members of the Finance Committee shall be three years.

(3) A Member shall cease to be a member of Finance Committee if he ceases to be a member of the Executive Committee or if he ceases to hold the post of Vice Chancellor.

(4) The powers and functions of the Finance Committee shall be as follows :

(i) to examine and scrutinize the annual budget of the University and to make recommendations in financial matters to the Executive Council.

(ii) to consider all proposals for new expenditure and to make recommendations to the Executive Council;

(iii) to consider periodical statement of accounts and to review the finances of the University from time to time and to consider re-appropriation statements and audit reports and to make recommendations to the Executive Council;

(iv) to give its views and to make recommendations to the Executive Council on any financial matters affecting the University either on its own motion or on reference from the Executive Council or the Vice-Chancellor.

(5) The Finance Committee shall meet at least thrice in ever year. Three members of the Finance Committee shall form the quorum for a meeting.

(6) The Vice-Chancellor shall preside over the meeting of the Finance Committee or in his absence the Registrar shall preside.

23. (1) There shall be a Planning and Monitoring Board consisting of, -

Planning
and
Monitor-
ing
Board.

(i) Vice-Chancellor (Chairman);

(ii) Director of Campuses established under this Act;

(iii) Four Members among the Heads of Departments, University Professors nominated by the Vice-Chancellor;

(iv) Two eminent legal Scholars nominated by the Vice-Chancellor.

(v) A nominee of the University Grants Commission;

(vi) A Member of Bar Council of India representing the State of Andhra Pradesh;

(2) The Board shall be the Principal Planning and Reviewing Body and it shall also arrange for periodical monitoring and development programmes in teaching and research in the University.

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CHAPTER - IV

OFFICERS OF THE UNIVERSITY

- Officers of the University.** 24. The following shall be the Officers of the University;
- (i) Director of Campus,
 - (ii) Registrar;
 - (iii) Heads of the Departments;
 - (iv) Such other officers of the University as may be declared by the regulations to be officers of the University.
- Director of Campuses.** 25. (1) There shall be a Director for each campus who shall be appointed by the Chancellor from a panel of names recommended by the Executive Council in such manner as may be prescribed.
- (2) The terms and conditions of appointment of Director shall be such as may be prescribed.
- Powers and duties of Director.** 26. The Director shall,-
- (1) exercise general supervision and control over the affairs of campus.
 - (2) he shall be responsible for imparting of instruction and maintenance of discipline in the campus.
 - (3) exercise such other powers and perform such other duties as may be prescribed.
- Registrar.** 27. (1) An academician shall be appointed as Registrar by the Chancellor on the recommendation of the Selection Committee constituted by the Executive Council and headed by the Vice-Chancellor on such terms and conditions of service as may be specified subject to the provisions of Statutes and Regulations.

(2)(i) The Registrar shall be Ex-Officio Secretary of all the authorities, committees and other bodies of the University and shall also be the Convener of all the meetings. He shall note and maintain the minutes of meetings;

(ii) The Registrar shall be the principal adjutant of the Vice-Chancellor in all matters pertaining to the administration of the University. The Executive Council may entrust to him special responsibilities and powers;

(iii) The Registrar shall have the power to appoint, with the approval of the Vice-Chancellor, the non teaching staff, including employees of last grade service and contingent staff, in pursuance of the recommendations of the Selection Committee appointed for that purpose, in the prescribed manner. He shall be the competent authority to take disciplinary action against such employees in accordance with such procedure as may be prescribed;

(iv) The Registrar shall comply with all directions and orders of the Executive Council and Vice-Chancellor;

(v) The Registrar shall be the custodian of records, common seal and such other property of the University as the Executive Council shall commit to his charge.

28. (1) There shall be Heads of the Department for each subject or faculty in the University.

Heads
of the
Depart-
ments.

(2) The powers, functions, appointments and conditions of service of the Heads of the Departments shall be such as may be prescribed by the Regulations.

29. (1) Subject to the Regulations made for the purpose, every officer or employee of the University shall be appointed in accordance with a written contract, which shall be lodged with the University, and a copy thereof shall be furnished to the officer or employee concerned.

Other
officers
and
emp-
loyees
of the
Univer-
sity.

(2) Any dispute arising out of a 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 as may be prescribed by the Regulations.

Sele-
tion
Com-
mittee.

30. The Executive Council shall constitute various selection committees for appointment to the posts of officers, teaching and non-teaching staff including employees of last grade service and contingent staff. The procedure for appointment of members of Selection Committee and the procedure to be adopted by the Committees shall be such as may be prescribed by the Regulations.

Statutes
and
Regula-
tions.

31. (1) The first Statutes of the University shall be made by the Vice-Chancellor with the approval of the Chancellor. They shall be placed before the General Council at its first meeting, which may adopt them with or without modifications. Subsequent amendments or modifications in the Statutes shall be made by the Executive Council with the approval of the General Council.

(2) The First Regulations of the University shall be made by the Vice-Chancellor with the approval of the Chancellor. It shall be placed before the Executive Council at its first meeting, which may adopt with or without modifications. Subsequent amendments or modifications in the regulations shall be made by the Executive Council and it shall be reported to the General Council.

32. Notwithstanding anything in this Act and the Statutes, the first Vice Chancellor and the first Registrar shall be appointed by the Government and their salary and conditions of service shall also be fixed by it. Each of the said officers shall hold office for a term, fixed by the Government but not exceeding five years.

Appoint-
ment of
first
Vice-
Chancel-
lor and
first
Registrar.

33. The terms and conditions of service (including contract service) and the redressal of grievances relating thereto, of teachers, officers and employees of the University shall be such as may be prescribed by the regulations.

Terms
and
condi-
tions
of
emp-
loyees.

CHAPTER - V

FINANCE

34. (1) The University shall establish a fund to be called the University Fund.

Univer-
sity
Fund.

(2) The following shall form part of, or be paid into, the University Fund namely:-

(a) all contributions or grants made by the State Government, the Central Government, the Bar Council of India, the Bar Council of Andhra Pradesh and the University Grants Commission;

(b) the income of the University from all sources including income from fees and charges;

(c) all income or money from trusts, bequests, donations, endowments, subventions and other grants.

(3) The University fund shall at the discretion of the Executive Council, 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.

(4) The University Fund may be expended for such purpose of the University and in such manner, as may be prescribed by regulations.

Annual
Accounts
and
financial
estimates.

35. (1) The Annual accounts of the University shall be prepared under the directions of the Executive Council.

(2) The Executive Council shall prepare, before such date as may be prescribed by regulations, the annual financial estimates for the ensuing year and place the same before the General Council.

(3) Where an expenditure in excess of the amount provided in the budget is required to be incurred, the Executive Council may, for reasons to be recorded in writing incur expenditure subject to such conditions and restrictions as may be prescribed by the regulations and a report of such excess expenditure shall be made to the General Council at its next meeting.

(4) The accounts of the University shall be audited by the auditors appointed by the Executive Council:

Provided that the State Government may, whenever it considers necessary, direct that audit of the accounts of the University, including the institutions managed by it, shall be audited by such auditors as it may specify.

(5) The accounts together with the audit report shall be placed before the Executive Council and shall also be submitted to the State Government.

(6) The annual accounts and the Financial Estimates 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, which shall take them into consideration and take such action thereon as its things fit. The Executive Council shall inform the General Council at its next meeting of the action taken by it or its reasons for taking no action.

36. (1) The Executive Council shall prepare the annual report containing such particulars as the General Council may specify, covering each financial year, and shall be submitted to the General Council on or before such date as may be prescribed by regulations. The General Council shall consider such report and may pass resolutions thereon and the Executive Council shall take such action in accordance with the resolution. The action taken by the Executive Council or if no action is taken, the reasons for taking no action shall be communicated to the General Council at its meeting.

Annual Report.

(2) The Copy of the annual report along with the resolution of the General Council thereon shall be submitted to the State Government. The State Government shall lay the same before the State Legislature at its next session.

CHAPTER - VI

ENROLMENT AND DEGREE

37. (1) No student shall be enrolled as a student of the University, unless he possess such qualifications as may be prescribed by the regulations.

Qualification for admission of students.

38. A student of the University shall study on such terms and conditions as may be prescribed by the regulations.

Residence of students.

Honorary
degree.

39. The General Council may, on the recommendations of not less than two-thirds of members of the Academic Council, confer by resolution, honorary degree or academic distinction, on person who has eminent attainment and position.

With-
drawal
of
degree
or
diploma.

40. (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 who has been convicted by a court of law for an offence involving moral turpitude or if he has been guilty of gross misconduct, by a resolution passed by 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.

(2) No action under sub-section (1) shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(3) The resolution so passed by the General Council shall take effect immediately and the copy of the same shall be sent to the person concerned.

Discip-
line
among
students.

41. (1) The Vice-Chancellor shall be the final authority for maintenance of discipline among the students of the University. The directions given by the Vice-Chancellor in this behalf shall be complied with by the Heads of Departments, Schools, Hostels and Institutions.

(2) Notwithstanding anything contained in sub-section (1), the Executive Council may, on the report of the Vice-Chancellor, impose the punishment of debarring a student from an examination or rustication from the college or a hostel or an institution:

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.

42. Every employee or student of the University shall not withstanding anything contained in this Act, have a right to appeal within such time as may be prescribed by the Statutes to the Executive Council against the decision of any officer of the University affecting such employee or student and thereupon the Executive Council may confirm modify or reverse the decision appealed against.

Right to Appeal.

CHAPTER - VII

SUPPLEMENTARY PROVISIONS

43. The seats in the college shall be filled as per the provisions of the Andhra Pradesh Educational Institution (Regulation of Admissions) Order, 1974:

Filling of seats.

Provided that ten percent of seats over and above the sanctioned intake shall be filled with students from other States to promote national integration.

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

Execution of Contracts.

45. Every Officer and employee of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860.

Officers and employees to be public servant Central Act No. 45 of 1860.

Proceedings not invalidated by vacancies.

46. No act or proceedings of any authority of the University or body shall be invalid on the grounds merely of the existence of any vacancy in or any defect in constitution of such authority or body.

Protection of action taken in good faith.

47. No suit, shall be instituted against or other legal proceedings shall lie against or no damages shall be claimed from the University, the authority or officer of the University, 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 remove difficulties.

48. If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act or otherwise in giving effect to the provisions of this Act as the Government, may, by order, make such provisions not inconsistent with the provisions of this Act as may appear to them to be necessary or expedient for removing the difficulty:

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

Repeal of Ordinance 6 of 2008.

49. The Andhra Pradesh University of Law Ordinance, 2008 is hereby repealed.

V. SURIAPPA RAO,
Secretary to Government,
Legal Affairs,
Law Department.



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1] AMARAVATI, SUNDAY, 17th FEBRUARY, 2019.

ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 16th February, 2019 and the said assent is hereby first published on the 17th February, 2019 in the Andhra Pradesh Gazette for general information :-

ACT No. 1 of 2019

AN ACT FURTHER TO AMEND DAMODARAM SANJIVAYYA
NATIONAL LAW UNIVERSITY ACT, 2008.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventieth Year of the Republic of India, as follows:-

1. (1) This Act may be called Damodaram Sanjivayya National Law University (Amendment) Act, 2019.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In Damodaram Sanjivayya National Law University Act, 2008 (hereinafter referred to as the principal Act), in section 8,-

Amendment of Section 8. Act No. 32 of 2008.

(i) In the marginal heading, before the words, "Chancellor of the University." the words, "Visitor and" shall be inserted.

(ii) The existing sub-section (1) shall be renumbered as sub-section (2).

(iii) Before sub-section (2), as so renumbered, the following sub-section shall be inserted, namely,-

“(1) (i) The Chief Justice of the Supreme Court of India, or his nominee from among the sitting judges of the Supreme Court of India shall be the Visitor of the University.

(ii) The Visitor shall have the right to call for the report on any matter pertaining to the affairs of the University and suggest recommendations to the General Council of the University.”.

Amendment of
Section 35.

3. In the Principal Act, in Section 35, for sub-section (4), the following shall be substituted, namely,-

“(4) The accounts of the University shall be audited by the Accountant General, Andhra Pradesh or any other auditor appointed by him.”.

Amendment of
Section 43.

4. In the Principal Act, in Section 43, in clause (iii), after the expression “Non Resident Indians.”, the expression “/Non Resident Indians sponsored.” shall be added.

DUPPALA VENKATARAMANA,

Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.