

The India International University of Legal Education and Research of the Bar Council of India Trust at Goa Act, 2021; published in Official Gazette Series I No.20 (Extraordinary No.2) dated 18-08-2021.

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Department of Law
Legal Affairs Division

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Notification
7/23/2021-LA

The India International University of Legal Education and Research of the Bar Council of India Trust at Goa Act, 2021 (Goa Act 16 of 2021), which has been passed by the Legislative Assembly of Goa on 29-07-2021 and assented to by the Governor of Goa on 13-08-2021, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai,
Joint Secretary (Law).

Porvorim, 18th August, 2021.

India International University of Legal Education and Research of the Bar Council of India Trust
at Goa Act, 2021

(Goa Act 16 of 2021) [13-08-2021]

AN

ACT

to establish India International University of Legal Education and Research of the Bar Council of India Trust at Goa.

Whereas, the functions of the Bar Council of India include the promotion of legal education;

And whereas, the Bar Council of India, with the aim to carry out the said function has created a public charitable trust known as the “Bar Council of India Trust for Promotion of Education (Legal and Professional) and Reforms in Law and For Improvement of Research and Social Training” (In Short “Bar Council of India Trust-PEARL-FIRST”) (Registered on 26-09-2020 in the office of Sub-Registrar-III, New Delhi/Delhi vide Registration No. 443, Book No. 4, Volume No.4,448 and Page No.1 to 30) commonly known as B.C.I. Trust, the objects of which inter-alia includes the establishment, maintenance and running of model Centers of Legal Education viz. Law University/ies and or Law colleges in India;

And whereas, the Bar Council of India through its Trust had established the institution namely National Law School of India University (NLSIU) at Bangalore with the support of Government of Karnataka, which continues to be the model Law School of the country, in the year 1986. The Committee appointed by the Chief Justices Conference in the year 1993 on Legal Education and Training recommended the establishment of such institutions taking the NLSIU of Bar Council of India Trust as a Model Institution in all the States;

And whereas, the Bar Council of India has created this Public Charitable Trust (Registered on 26-09-2020 in the office of Sub-Registrar-III, New Delhi/Delhi vide Registration No. 443, Book No. 4, Volume No. 4,448 and Page No. 1 to 30) for the growth of Legal Education and Research work in India and Abroad;

And whereas, the Bar Council of India Trust aforesaid has resolved to sponsor, establish, regulate and manage the India International University of Legal Education and Research at Goa.

And whereas, the Bar Council of India Trust is an independent and autonomous unit of Bar Council of India, which includes Two Judges of Supreme Court of India or One Judge of Supreme Court and other Judge of some High Court nominated by the Board of Trustees in consultation with Chief Justice of India in accordance with the resolutions of Bar Council of India. The Board also includes noted Academicians, Jurists, Members of Bar Council of India, other eminent leaders of the Bar and persons of eminence.

And whereas, the Board of Trustees have also resolved to include the Chief Minister of Goa or his nominee to be a permanent Special Invitee in the Board.

And whereas, the Bar Council of India and Bar Council of India Trust aforesaid have resolved to find out and provide suitable land, building, hostels, guest houses, residences of officers of the Trust and of the India International University of Legal Education and Research at Goa.

And whereas, the Bar Council of India and Bar Council of India Trust have resolved to make a request to Government of Goa to provide suitable land on long term lease to Bar Council of India Trust for establishment of the School, International Arbitration, Mediation and Conciliation Centre, a Centre

for Continuing Legal Education (for legal and paralegal professionals), Judicial Training Centre and for achieving the allied objects of the Trust.

And whereas, the Bar Council of India and Bar Council of India Trust have resolved to provide and/or arrange required movable and immovable properties and funds for the establishment, management and governance of the India International University of Legal Education and Research at Goa.

And whereas, under the Advocates' Act, 1961, the Bar Council of India has to discharge the function to manage and invest the funds of Bar Council;

And whereas, accordingly, Bar Council of India has resolved to sanction loans (besides donations) to the Trust from time to time for the establishment, governance, management and development of the University at soft rates of interest;

And whereas, the Bar Council of India and Bar Council of India Trust have resolved to constitute different Authorities (through the Board of Trustees) in the names of General Council, Executive Council, Academic Council, Finance Committee etc. to govern and manage the affairs of India International University of Legal Education and Research at Goa.

And whereas, the Bar Council of India and Bar Council of India Trust have resolved that the Board shall open one or more Bank Accounts for the School and for its management;

And whereas, all money collected for the funds of School, from Bar Council of India, its Trust or from the students (under any head) and all the donations, loans, gifts, movable or immovable properties received from any Law Firm(s), Institution(s), Government or Non-Government Organization, Corporate Sector, etc., for the development of the School are to be transacted through such Bank Accounts by the Trust through the concerned Authorities or officers as per the provisions specified under the Regulations in this regard;

And whereas, the fund/loan collected from Bar Council of India, and from other sources for the School and the fee from the students is to be utilised for the development and management of the school and for repayment of Loan (if any) and to carry out the other allied activities to fulfil the objects of the University and the Trust and for establishment of International Arbitration, Mediation and Conciliation Centre, Training Centres for Teachers, Advocates, etc.

And whereas, India International University of Legal Education and Research at Goa shall have the powers to admit any college or institution to the privilege of affiliation for imparting legal education with the concurrence of Government of Goa in any other part of the country or abroad.

And whereas, India International University of Legal Education and Research at Goa shall have the powers and authority to grant dual degrees in collaboration with or pursuant to Memorandum of Understanding with any Foreign University of repute.

And whereas, the functions of Bar Council of India Trust include:—

(a) The Establishment of one or more model Institutions imparting Legal Education, Professional Development and Law Teachers' Training in India and abroad where legal education of a high standard may be imparted and to appoint officers and staff of such Institutions as per the requirement and/or in case of establishment of a Private or Deemed to be University.

(b) To appoint and/or involve and engage experts in the field of Education for establishment of Institutions at various places of the country and abroad. These Educationists should be sitting or retired Vice-Chancellors/Registrars of some reputed Institutions of the country. The Institutions shall be of a

Global repute and admissions to such Institutions should be only on the basis of a National level competitive exam to be conducted by the Bar Council of India Trust through suitable agency.

(c) Collaborate with Law Schools, Universities, Professional Bodies, Judiciary, Government Departments and NGOs from within India and outside India, for advancement of legal education, law reform and access to justice;

(d) Promote and establish institutions and academies for conducting the activities systematically and efficiently and acquiring land and infrastructure therefor;

(e) Raise resources both in cash and kind from professionals, professional bodies, Government and non-Governmental institutions including corporate bodies in the form of membership or affiliation fees, contributions, gifts, grants, loans, endowments, etc. from India and abroad;

(f) To build and/or provide facilities for Hostels, Guest houses/rooms/food restaurants for Students, Trainee Lawyers, Teachers and Advocates in different parts of the country and abroad at reasonable rates with the help of Government or non-Government organizations on "No profit No loss basis".

(g) To include and involve sitting and former Judges from Supreme Court and High Courts, reputed members of the Bar, reputed and noted teachers of Legal Education (from India and abroad), social workers, Bureaucrats in the functions of Trust and to make them Honorary Trustees: who may be invited to attend the meetings and functions/programs of this Trust.

(h) To enter into Memorandum of Understanding with the reputed Bar Associations/Bar Councils/Law Societies of other countries for the purpose of discharging the functions entrusted to the Trust.

(i) To establish national level and state level Law Students' Bar Associations for the betterment of Institutions and the profession in association or under the auspicious of Bar Council of India or any State Bar Council.

(j) To organize and/or conduct Moot-Courts Competitions at National and International level, for the students of Law of India and abroad.

(k) To publish casebooks, periodicals, digests, magazines, newspapers etc. (both in hard copy and soft copy through online and offline means) on various law subjects for Lawyers and students undergoing legal training and legal education for the purpose of Continuous Legal Education. The Trust would be able to conduct programs or discharge its functions in association/collaboration with different Bar Associations, State Bar Councils or Institutions of Eminence of the world or other organizations connected with legal work.

(l) To organize and/or conduct seminars, symposiums, Training programs, Internship along with students, also for Advocates, Academicians, jurists, for Government, semi-government and private organizations, to spread awareness and educate them about various fields of law, and of their legal rights, to organize and/ or conduct extension lectures on various law subjects at different places in India and abroad for students and Advocates and Academicians and for the said purpose, to engage eminent jurists, advocates, teachers, etc., and to provide for specialized training of young Lawyers, and Law Teachers and to establish Law Academies at different places for the said purpose, to provide for online, correspondence, distance education to law students and Lawyers of the country as per the curriculum and norms of Bar Council of India; and to publish the speeches or Lectures delivered by the Judges (sitting or former), Senior Advocates or Academicians in Indian Bar Review or other magazine or Journal in different seminars and functions of the Bar Council of India or of this Trust.

(m) To grant scholarships to deserving law students at the under-graduate, postgraduate and research level;

(n) Promote and pursue action for participation of target groups in continuing legal education programs, residential or otherwise in different areas of professional interest;

(o) Undertake activities for professional development including specialization in law practice and enhancement of capacities to compete globally in legal services delivery;

(p) Promote or institute endowments, scholarships and fellowships to deserving institutions or individuals for facilitating studies and research on matters related to its focus areas;

(q) Promote appropriate means and devices for disseminating information about its activities in India and abroad;

(r) Undertake education and training programs and to open and establish centers for Lawyers and trainers for the purpose of legal aid, mediation, conciliation and arbitration;

(s) Pursue and carry out all or any such acts, deeds or things as are necessary and incidental to all or any of the primary objectives of the Trust or for doing any other charitable activities that are not mentioned specifically herein through decisions taken by the Board of Trustees from time to time.

(t) To give the “Best Intellectuals Award for Social Services” to deserving and selected eminent Jurists, noted Senior Advocates, sitting or former Judges of Supreme Court and High Courts, academicians/educationists, media persons, social activists, noted Doctors, Engineers, professionals etc. on the recommendation of the High Level Committees to be constituted by the Board of Trustees. And whereas, in furtherance of the above objects, the Bar Council of India Trust has taken unto themselves the complete project of developing the School and running the India International University of Legal Education and Research at Goa and to manage the said India International University of Legal Education and Research at Goa, rules and/or the regulations providing for constitution of different authorities and other matters relating to governance of the School;

And whereas, the Bar Council of India and Bar Council of India Trust have requested the State Government of Goa to support the establishment of the India International University of Legal Education and Research at Goa on the lines of the said rules to enable it to carry out the objects of Trust and functions effectively;

And whereas, it is considered necessary to encourage the establishment of such an International level institution in the State of Goa; and to reserve 20% seats in the Institution for the benefit of the permanent residents of Goa in the matter of admission in one or other courses to be undertaken by the Institution.

And whereas, it is deemed expedient to establish India International University of Legal Education and Research at Goa for the purposes hereinbefore and hereinafter appearing;

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the India International University of Legal Education and Research of the Bar Council of India Trust at Goa Act, 2021.

(2) It shall be deemed to have come into force on the 29th day of June, 2021.

2. Definitions.— In this Act, unless the context otherwise requires,— (a) “Academic Council” means the Academic Council of the University;

(b) “Bar Council of India” means the Bar Council of India constituted under the Advocates Act, 1961 (Central Act 25 of 1961);

(c) “Board” means Board of Trustees of Trust;

(d) “Chairman” means the Chairman of the Board;

(e) “Chancellor” means a Judge of the Supreme Court of India to be nominated by the Board;

(f) “Chief Finance and Accounts Officer” means the Chief Finance and Accounts Officer of the University;

(g) “Director-in-Chief” and “Director(s)” means the Director-in-Chief and Director(s) of the University;

(h) “distance education” means education imparted by combination of any two or more means of communications, including online, broadcasting, telecasting, correspondence courses, seminars, contact programmes or any other methodology;

(i) “Executive Council” means the Executive Council of the University;

(j) “General Council” means the General Council of the University;

(k) “Government” means the Government of Goa;

(l) “hostel” means a place of residence for the students of the University or its colleges, institutions or centers provided, maintained or recognized by the University;

(m) “Off-Campus Centre” means a Centre of the University established by it outside the main campus operated and maintained as its constituent unit having the University’s complement of facilities, faculty and staff;

(n) “Pro-Vice-Chancellor” means the Pro-Vice-Chancellor of the University;

(o) “Registrar” means the Registrar of the University;

(p) “Regulations” means the regulations framed by the Executive Council;

(q) “Schedule” means the Schedule appended to this Act;

(r) “Secretary” means the Secretary of Board;

(s) “State” means the State of Goa;

(t) “Student” means a person enrolled in the University for a course of study for a degree, diploma or other academic distinction duly recognized by the University, including a research degree;

(u) “teacher” means a Professor, Associate Professor, Assistant Professor or any other person required to impart education or to guide research or to render guidance in any other form to the students for pursuing a course of study of the University, who is so designated under the Regulations;

(v) “Trust” means the Bar Council of India Trust (registered on 26-09-2020 in the office of Sub-Registrar-III, New Delhi/Delhi vide registration No. 443, Book No. 4, Volume No. 4,448 and Page No. 1 to 30), a public charitable trust, created by the Bar Council of India;

(w) “University” means the India International University of Legal Education and Research of the Bar Council of India Trust at Goa established under sub-section (1) of section 3;

(x) “Vice-Chancellor” means the Vice-Chancellor of the University;

(y) “Visitor” means the Chief Justice of India or a Senior Judge of Supreme Court of India as nominated by him.

3. Establishment and Incorporation of the India International University of Legal Education and Research of the Bar Council of India Trust at Goa.— (1) With effect from such date as the State Government may by notification appoint¹, there shall be established in the State of Goa a University by the name India International University of Legal Education and Research of the Bar Council of India Trust at Goa which shall consist of the General Council, the Executive Council, the Academic Council and other Committees and bodies to be constituted by the Board.

(2) The University shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by its name.

(3) The headquarters of the University shall be in the State of Goa and branch office shall be at Delhi.

4. Objects of the University.— (1) The objects of the University shall be,—

(a) to advance and disseminate learning and knowledge of law and legal processes;

(b) to develop in the student and research scholar a sense of responsibility to serve society in the field of law by developing skills with regard to advocacy, legal services, legislation, law reforms and the like;

(c) to organize lectures, seminars, symposia and conferences to promote legal knowledge and to make law and legal processes efficient instruments of social medial;

(d) to hold examinatons and confer degrees, diplomas, certificates 9either through class room studies or distance education and further to confer other academic distinctions; and

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

(f) to reserve at least 20% seats in the university for the permanent residents of the State of Goa in the matters of admission to the courses to be undertaken by the University.

(2) The University shall be open to all persons of either sex irrespective of religion, race, creed, caste or class and it shall not be lawful for the University to 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 a student or to hold any office therein or to graduate thereat or to enjoy or to exercise any privilege thereof.

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

(i) to administer and manage the University and such centers 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 the advancement and dissemination of knowledge of law;

(iii) to involve teachers of top twenty Law Universities of the World in the works of teachings of the students and to grant degrees as per decision of General Council; (iv) to organize and undertake extramural teaching;

(v) to hold examinations and to confer degrees, grant diplomas or certificates and to confer other academic distinctions by virtue of class room/regular studies, distance education subject to such conditions as the University may determine and to withdraw any such degree, diploma, certificate or other academic distinction for good and sufficient cause;

(vi) to confer honorary degrees or other distinctions in the manner laid down in the regulations;

(vii) to institute and maintain halls and hostels and to recognise places of residence for the students of the University and to withdraw such recognition accorded to any such place of residence;

(viii) 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;

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

(x) to establish such special centres, specialised study centres or other units for research and instruction as are, in the opinion of the General Council, necessary for the furtherance of its objects;

(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 institute and award fellowships, scholarships, prizes and medals;

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

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

(xvii) 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;

(xviii) 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;

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

(xx) to establish and maintain within the University's premises, such classrooms and study halls as the University may consider necessary and adequately furnish the same;

(xxi) 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 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, moveable 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, 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, moveable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University;

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

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

(xxix) to accept grants of money, securities or property of any kind on such terms as it may deem expedient;

(xxx) 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 payout of the funds of the University, all expenses incidental to the raising of money, and to repay and redeem any money borrowed;

(xxxi) to invest the funds of the University or 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;

(xxxii) to make such regulations as may, from time to time, be considered necessary for regulating the affairs and the management of the University and to amend and to repeal them;

(xxxiii) to constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be specified by the regulations, such as pension, insurance, provident fund and gratuity as it may deem fit and to make such grants as it may think fit for the benefit of any employees of the University, and to aid in establishment and support of the associations, institutions, funds, trusts and conveyance calculated to benefit the staff and the students of the University;

(xxxiv) to delegate all or any of its powers to the Vice-Chancellor or to any other officer or to any committee or subcommittee or to any one or more members of its body or to its officers;

(xxxv) 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 officers and staff as it may think fit;

(xxxvi) 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 or elsewhere, with the like power of varying such investments from time to time to achieve the objects of the University;

(xxxvii) to transfer or accept transfers of any movable or immovable property on behalf of the University;

(xxxviii) to enter into, vary, carry out and cancel contracts on behalf of the University and for that purpose to appoint such officers as it may think fit;

(xxxix) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

(xl) to select a common seal for the University and to provide for the custody of the seal; and

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

6. Teaching of the University.— (1) All recognised teaching in connection with the degree, diplomas and certificates of the University shall be conducted, under the control of concerned Councils of the University, by the teachers of the University, in accordance with the syllabus prescribed by the regulations.

(2) The courses and curricula and the authorities responsible for organizing such teaching shall be as prescribed by the regulations.

7. Visitor of the University.— The Chief Justice of India or his nominee who is a senior sitting Judge of Supreme Court of India shall be the Visitor of the University.

8. Chancellor of the University.— (1) A Judge of Supreme Court of India as nominated by the Board shall be the Chancellor of the University. The Chancellor shall preside over the Convocation of the University, in absence of the Visitor.

(2) The Chancellor may cause an inspection to be made by/through the General Council of the University, its buildings, libraries, equipment and of any institution maintained by the University and also of the examinations, teaching and other-work conducted or done by the University.

(3) The Chancellor may address the Secretary with reference to the result of such inspection, and the Secretary shall communicate to the Board, the views of the Chancellor along with such advice as the Chancellor may have offered on the action to be taken thereon by the Board.

(4) The Board, through the General Council or directly shall communicate to the Chancellor the action taken or proposed to be taken on such advice.

9. Authorities of the University.— The Authorities of the University shall be as follows, namely:—

- (i) the General Council;
- (ii) the Executive Council;
- (iii) the Academic Council;
- (iv) the Finance Committee; and
- (v) such other authorities as may be created by the Board.

10. The General Council.— The General Council shall be the supreme supervisory body of the University and it shall have power to issue guidelines to any other authority of the University.

11. The Executive Council.— The Executive Council shall be the executive body of the University to ensure the execution of the objects of the University. The Board shall govern and manage the affairs of the University through the Executive Council under the guidance of General Council.

12. The Academic Council.— The Academic Council shall be the academic body of the University, and shall, subject to the provisions of this Act and the regulations, have power of control and general regulation of, and be responsible for, the maintenance of standards of instruction, education and

examination of the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the regulations framed under this Act.

13. Finance Committee.— There shall be a Finance Committee for planning and monitoring continuously the financial position of the University. It shall ensure that the University discharges its financial responsibilities as per the resolutions of the Board and that the University remains financially viable at all times.

14. Officers of the University.— The following shall be the officers of the University who shall be appointed by the University, namely.—

(a) the Vice-Chancellor;

(b) the Registrar;

(c) the Chief Finance and Accounts Officer; and

(d) such other officers as may be prescribed by the regulations and/or as the Chairman may appoint by constituting a Selection Committee of experts/experienced people of various fields, which may amongst others designations include the posts of Director-in-Chief, Pro-Vice-Chancellor, Director(s), Additional Registrar, Joint Registrar and Assistant Registrar.

15. Regulations.— (1) Subject to the provisions of this Act, the Executive Council shall have, in addition to all the other powers vested in it, the power to frame regulations to provide for the administration and management of the affairs of the University:

Provided that except with the prior concurrence of the Academic Council, the Executive Council shall not make, amend or repeal any regulation affecting any or all of the following matters, namely:—

(a) the authorities responsible for organising teaching in connection with the University courses and related academic programmes;

(b) qualifications for admission to a course of study for a degree or diploma;

(c) the withdrawal of degrees, diplomas, certificates and other academic distinctions or privilege conferred on or granted to any person;

(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) examinations to be recognized as equivalent to University examinations.

(2) The Academic Council shall have the power to propose regulations on all the matters specified in clauses (a) to (g) above and matters incidental and related thereto in this regard, before the Executive Council, which shall take a decision and place it before the General Council.

(3) Where the Executive Council has rejected the draft of a regulation proposed by the Academic Council, the Academic Council may prefer an appeal to the General Council and the General Council 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, it shall have effect from such date as may be specified in that order: Provided that if any regulation is not approved by the General Council at its 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 General Council at its next meeting, and the General Council shall have power by a resolution passed by a majority of not less than two thirds of the members present, to cancel any regulations made by the Executive Council and such regulations shall from the date of such resolution cease to have effect.

16. Action not invalidated merely on the ground of defect in constitution, vacancy, etc.— (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 and notwithstanding that there is a vacancy in the membership of any such authority or body, no act or rule or proceedings of such authority or body shall be invalidated 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.

17. Removal of difficulties at the Commencement and Transitory Provisions.— (1) 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 and the regulations, the Board may, at any time, before all 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 the Act, which appear to it 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 and the regulations:

Provided that the first decision of the Board for constitution of the Authorities shall require the approval of the Bar Council of India.

(2) Notwithstanding anything in this Act, and the regulations, the Chairman of the Board may, with the previous approval of the Board and the Bar Council of India 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 this Act and the regulations and for that purpose he may exercise any powers or perform any duties, 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 this Act and the regulations. The Chairman may carry out these functions through any of the officers under this Act.

18. Authorities and officers of the University, their entitlements etc.— All matters relating to the authorities of the University and their composition, powers, functions and other matters relating to them, their honorarium, sitting allowances, travel allowances, dietary/dearness allowance etc. and of the officers of the University and their appointment, service conditions, salaries etc., powers, functions and other matters relating to them and all other matters relating to the finances, fees, powers, teaching, administration and management of the affairs of the University shall, subject to the provisions of this Act, be as specified in the Schedule or as may be provided by the regulations.

19. Other centres of legal education.— The University may establish its centre(s) of legal education in any part of India or a foreign country.

20. Protection of action taken in good faith.—No suit, prosecution or other legal proceedings shall lie against any authorities or officers of the University for anything which is in good faith done or intended to be done in pursuance of this Act or any regulations made thereunder.

21. Power to amend Schedule.— (1) The General Council may, with prior approval of the Board and the Government, by notification amend the Schedule.

(2) Every notification issued under subsection (1) shall be laid before the State Legislature, as soon as may be, after it is issued.

22. Powers to give directions.— The Board may from time to time, issue such general or special directions of policy as deemed necessary or expedient for the purpose of carrying out the objects of this Act.

23. Act to have overriding effect.— The provisions of this Act and any regulation made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or in any instrument having effect by virtue of any State law other than this Act.

24. Repeal and savings.— (1) The India International University of Legal Education and Research of the Bar Council of India Trust at Goa, Ordinance, 2021 (Ordinance No. 4 of 2021) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

SCHEDULE

(See section 18)

1. Definitions.— In this Schedule, unless the context otherwise requires,—

- (a) “clause” means a clause of this Schedule;
- (b) “teacher” means a Professor, Associate Professor, Assistant Professor, Teaching Associate or any other person required to impart Education or to guide research or to render guidance in any other form to the students for pursuing a course of study of the University, who is so designated under the Regulations.

2. Membership of General Council.— (1) There shall be a General Council of the University, which shall consist of the following members, namely,—

- (a) the Chancellor;
- (b) the Chairperson of the Bar Council of India;
- (c) the Chairman of the Board;
- (d) the Chief Justice of the High Court of Bombay;
- (e) the Senior-Most Judge-in-Charge of the High Court of Bombay at Goa, Panaji;
- (f) two Chief Justices (sitting or former) or Judges (sitting or former), of High Court nominated by the Bar Council of India Trust;
- (g) the Advocate General of Goa;
- (h) four members amongst which one shall be the Finance Minister of Government (or his nominee), one shall be the Law Minister of Government (or his nominee), one shall be the Secretary (Higher Education) to Government and one shall be an eminent person in the field of law to be nominated by the Government;
- (i) three nominees of the Bar Council of India from amongst its members;

(j) five nominees of the Bar Council of India Trust from among its Managing Trustees;

(k) three representatives of allied disciplines in social sciences and humanities nominated by the Bar Council of India Trust;

(l) five persons nominated by the Bar Council of India Trust from among persons connected with administration of law and education and/or management;

(m) seven members nominated by the Bar Council of India Trust of which one shall be the Chairperson of the Bar Council of Maharashtra and Goa and others shall be advocates, experts of any other field, academicians and/or industry;

Provided that an employee of the University and/or the Bar Council of India Trust shall not be eligible for nomination under this sub-clause.

(2) The Chairperson may invite any educationist, judge, social worker, minister, bureaucrat and/or advocate as a special invitee to attend any meeting of the General Council. Special invitees shall have no voting rights:

Provided that the First General Council shall be constituted by the Board.

3. Term of office of members of the General Council.— (1) The term of office of the nominated members of the General Council shall be three years: Provided that the term of the first General Council shall expire on constitution of the regular General Council under the provisions of this Schedule.

(2) Where a person has become a member of the General Council by reason of the office or appointment he holds or by nomination, his membership shall terminate when he ceases to hold such office or appointment or his nomination is withdrawn or cancelled, as the case may be.

(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 accepts a full time appointment in the University or if he fails to attend three consecutive meetings of the General Council without the leave of the Chairperson of the General Council.

(4) A member of the General Council may resign his office by a letter addressed to the Chairperson and such resignation shall take effect as soon as such resignation has been accepted by him.

(5) Any vacancy in the General Council shall be filled as early as practicable, in like manner as if the appointment/nomination is being made originally.

4. Powers and Functions of the General Council.— The General Council shall have the following powers, namely:—

(a) General Council shall be the supreme supervisory body of the University and it shall discharge its functions to achieve the objects of the University and it shall have power to issue necessary guidelines to any other authority of the University.

(b) to review from time to time the broad policies and programmes of the University and suggest measures to the Board for the improvement and development of the University.

(c) to consider and pass resolutions on budget, policies, regulations and all connected matters and on the annual report, financial matters and the audit reports, placed by the Executive Council or Academic Council.

(d) to perform such other functions as it may deem necessary for the efficient functioning and administration of the University.

5. Meetings of the General Council.— (1) The General Council shall meet at least once a year. The annual meeting of the General Council shall be held on a date to be fixed by the Chairperson.

(2) The Chairman of the Board shall be the Chairperson of the General Council and he shall preside over all the meetings. However, the Annual General Meeting of the General Council shall be presided over by the Chairman of the Bar Council of India:

Provided that whenever the Chancellor attends any meeting of the General Council, the Chairman of the Board shall request him to preside over such meeting.

(3) A report of the working of the University during the previous year, together with a statement of receipts and expenditure, the audited balance sheet, and the financial estimate expenditures shall be presented by the Vice-Chancellor at the meeting.

(4) Meetings of the General Council shall be called by the Secretary on the direction of the Chairperson or a meeting may be convened by the Secretary at the request of not less than twentyone members of the General Council.

(5) For every meeting of the General Council at least fifteen days notice shall be given. However, if the Chairperson thinks it necessary, he may direct to convene the meeting on a short notice.

(6) Twenty-one members of the General Council shall form the quorum.

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

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

(9) If some urgent action by the General Council becomes necessary, the Chairperson may permit the business to be transacted by circulation of papers or through e-mail or other methods 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 matter shall be placed before the next meeting of the General Council for confirmation.

6. Membership of the Executive Council.— (1) The Executive Council shall consist of the following members, namely:—

- (a) the Chairman of the Board;
- (b) the Chairman of the Bar Council of India or his nominee;
- (c) one Judge of High Court to be nominated by the Board;
- (d) the Chief Justice of the High Court of Bombay or his nominee Judge;
- (e) the senior most Judge-in-Charge of the High Court of Bombay at Goa;
- (f) the Advocate General of Goa;
- (g) nine persons nominated by the Bar Council of India Trust from amongst the distinguished men of letters, educationists of repute, members of the learned professions or eminent public persons from the field of management, medical or other occupations and/or the members of State Bar Council(s);
- (h) the Secretary (Finance) to the Government;
- (i) the Secretary (Law) to the Government;
- (j) three members nominated by the Bar Council of India Trust from amongst its Managing Trustees and/or Associate Managing Trustees;
- (k) three Professors of the University nominated by the Vice-Chancellor in consultation of the Board;
- (l) the Vice-Chancellor;

- (m) the Pro-Vice-Chancellor (if appointed in the University by the Board); (n) the Secretary;
 - (o) the Director-in-Chief nominated by the Board as a special invitee;
 - (p) the Director/Director(s); and
 - (q) the Chief Finance and Accounts Officer (without having voting rights).
- (2) The Chairman of the Board shall be the Chairperson of the Executive Council:

Provided that an employee of the University and/ or the Bar Council of India except the members at sub-clauses (1)(l), (1)(m), (1)(o) and (1)(p), shall not be eligible for nomination under sub-clause (1).

(3) The Chairperson of the Executive Council may invite any educationist, judge, social worker, minister, bureaucrat and/or advocate as a special invitee to attend any meeting of the Executive Council. Special invitees shall have no voting rights.

(4) The Vice-Chancellor shall be the Chief Executive Officer of the Executive Council and he shall discharge all the functions and exercise all the powers of the Executive Council, if the Chairperson of the Executive Council issues such directions to him. However, all the decisions of Vice-Chancellor shall require the approval of the Executive Council in its next meeting.

7. 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 or by nomination, his membership shall terminate when he ceases to hold that office or appointment or his nomination is withdrawn or cancelled, as the case may be.

(2) A member of the Executive 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 or a member of a faculty accepts a full time appointment in the University or if he fails to attend three consecutive meetings of the Executive Council without the leave of the Chairperson of the Executive Council.

(3) Unless the membership of the Executive Council is terminated or a member ceases to be a member as provided in the sub-clauses (1) and (2), the term of the members of the Executive Council shall expire on the expiry of three years from the date on which they become members of the Executive Council but they shall be eligible for renomination or re-appointment, as the case may be: Provided that the term of the first Executive Council shall be three years.

(4) A member of the Executive Council other than an ex-officio member may resign his office by a letter addressed to the Chairperson of the Executive Council and such resignation shall take effect as soon as it has been accepted by the Chairperson.

(5) Any vacancy of a member of the Executive Council shall be filled as early as practicable, in like manner as if the appointment/nomination is being made originally.

8. Functions of the Executive Council.— The Executive Council shall discharge the following functions, namely:—

(i) to take decision on the matters of appointment, from time to time, of the Vice-Chancellor, Registrar, Professors, Associate Professors, Assistant Professors and other members of the teaching staff, as may be necessary, on the basis of the recommendations of Selection Committee(s). The Executive Council may seek the opinion of Academic Council, in regard to the number, qualifications and emoluments of teachers:

Provided that it shall not be necessary to constitute any selection committee for making appointments on the post of,—

- (a) the Director-in-Chief and/or Director(s); or

(b) Professor of a person of high academic distinction, eminence and professional attainment invited by the Executive Council to accept the post;

(ii) to create administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify minimum qualification for appointment to such posts and to recommend to the Board on the matters of appointments to the posts relating to administrative functions, assistants, stenographers, clerical staff and all non-teaching, and ministerial posts on the basis of the recommendations of the concerned Selection Committee. In absence of the Councils, the Board shall be competent to make such appointments, which shall require the approval of the Executive Council after its constitution;

(iii) 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;

(iv) 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 employees of the University, who may, for any reason, feel aggrieved, otherwise than by an act of a court;

(v) 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;

(vi) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by the General Council;

(vii) any regulation proposed by the Executive Council shall be submitted, as soon as may be, for approval, to the General Council and the General Council shall have power by a resolution passed by a majority of not less than two thirds of the members present, to cancel any such proposed regulation and such regulations shall from the date of such resolution cease to have effect;

(viii) to review the performance of the teachers and other staff or to entertain complaints against them and to hold enquiry, if required; and to make recommendations on the basis of enquiry report(s) to the General Council for taking necessary action;

(ix) to make provision of reservation of at least 20% of seats in the University for the permanent residents of the State of Goa in the matters of admission to the courses to be undertaken by the University.

9. Meeting of the Executive Council.— (1) The Executive Council shall meet at least thrice in a year and not less than fifteen days notice shall be given of such meeting. However, the Chairperson of the Executive Council may convene an emergent meeting on short notice, if required.

(2) Nine members of the Executive Council shall constitute a quorum at any meeting thereof.

(3) In 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 shall be equality of votes on any question to be determined by the Executive Council, the Chairperson in addition, shall have a casting vote.

(5) If urgent action by the Executive Council becomes necessary, the Chairperson of the Executive Council may permit the business to be transacted by circulation of papers or through email or through any other permissible means 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 decisions and papers shall be placed before the next meeting of the Executive Council for confirmation.

10. Constitution of Standing Committee and appointment of Ad-hoc Committees by the Executive Council.— (1) Subject to the provisions of this Act and the regulations made in this behalf, the Executive Council may, by resolution, constitute such Standing Committees or committees or appoint Adhoc Committees for such purposes and with such powers as the Executive Council may deem fit for exercising any power or discharging any function of the University or for enquiring into, reporting or advising upon any matter relating to the University. All such resolutions shall be placed before the Governing Council for its approval.

(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.

11. Delegation of powers by Executive Council.— The Executive Council may, by resolution, delegate to the Vice-Chancellor or Director (if any) 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 Director or such committee in the exercise of the powers so delegated shall be reported at the next meeting of the Executive Council.

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

- (a) the Director-in-Chief (if any);
- (b) the Vice-Chancellor shall be the Chairperson of the Academic Council, however, if a Judge of Supreme Court or any High Court is the nominee of the Board, then he shall preside over the meeting of the Academic Council, irrespective of the fact that Vice-Chancellor is the Chairman of the Academic Council;
- (c) Pro-Vice-Chancellor (if any);
- (d) three persons nominated by the Board from amongst the educationists of repute or men of letters or members of the learned professions or eminent public men, who are not in the service of the University;
- (e) a nominee-member of the Bar Council of India;
- (f) five nominees of the Board, who shall be noted academicians, Judges, Jurists and Senior Advocates;
- (g) all the Heads of the Departments of the University (but, they shall have no voting rights);
- (h) all professors other than the Heads of the Departments (but, they shall have no voting rights);
- (i) two members of the teaching staff, representing Associate and Assistant Professors of the School to be nominated by the Executive Council;
- (j) The Secretary; and
- (k) the Registrar shall be the ex-officio Secretary of the Academic Council.
- (l) the Chairman of the Board shall be a permanent special invitee to Academic Council: Provided that an employee of the University and/ or the Bar Council of India Trust except the members at sub-clauses (1)(a), (1)(b), (1)(c) and (1)(j) shall not be eligible for nomination.

(2) The Chairperson of the Academic Council may invite any educationist, judge, social worker, minister, bureaucrat, advocate as a special invitee to attend any meeting of the Academic Council. Special invitees shall have no voting rights.

(3) The Chairman of the Board, regardless of his not being a member of the Academic Council shall have the privilege to invite any educationist, judge, public leader, minister, bureaucrat, advocate as a special invitee to attend any meeting of the Academic Council. However, such invitees shall have no voting rights.

(4) The term of the members of the Academic Council other than ex-officio members shall be two years:

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

13. Duties and Functions of the Academic Council.— (1) 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, namely:—

(i) to suggest to the Executive Council the criteria and process for admission to courses of programs of study to be offered by the University;

(ii) to specify the academic calendar, academic content of programs and courses of study and undertake modifications therein periodically, with a view to maintain high standards of education in the University;

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

(iv) to make suggestions to the General Council through 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;

(v) to formulate and modify or revise schemes for the organisation of the faculties, and to assign to such faculties their respective subjects and also to suggest 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;

(vi) to make arrangements through regulations for the instruction and examination of persons other than those enrolled in the University;

(vii) to promote research within the University and to require, from time to time, reports on such research;

(viii) to consider proposals submitted by the faculties;

(ix) to appoint committees for admission to the University in consultation with the Executive Council;

(x) to recognise diplomas and degrees of other universities and institutions and to determine their equivalence in relation to the diplomas and degrees of the University;

(xi) 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;

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

(xiii) to make arrangements for the conduct of examinations and to fix dates for holding them;

(xiv) 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, licences, titles and marks of honour;

(xv) to awards 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;

(xvi) to publish lists of prescribed or recommended text-books and to publish syllabus of the prescribed courses of study;

(xvii) to prepare such forms and registers as are, from time to time, prescribed by regulations;

(xviii) 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; and

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

(2) The Vice-Chancellor shall place all the resolutions of Academic Council before Executive Council for its approval in its next meeting.

14. Procedure of the Meetings of the Academic Council.— (1) The Academic Council shall meet as often as may be necessary, but not less than two times during an academic year.

(2) Nine of the total number of members of the Academic Council shall form quorum for a meeting of the Academic Council. However, if, there is a Director-in-Chief appointed in the University, his presence in the meeting will be mandatory.

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

(4) Each member 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 Board, even though he is not a member of the Academic Council, but is a permanent Special Invitee shall have the privilege of casting vote.

(5) If urgent action by the Academic Council becomes necessary, the Chairperson 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.

15. Finance Committee.— (1) There shall be a Finance Committee constituted by the Executive Council consisting of the following namely:—

(a) Chairman of the Board or a person as nominated by the Board shall be the Chairperson of the Finance Committee;

(b) the Secretary;

(c) the Vice-Chancellor;

(d) the Pro-Vice Chancellor and Director-in-Chief nominated by the Board as special invitees;

(e) three members nominated by the Board from amongst its members out of whom at least one should be from the Bar Council of India Trust, one shall be a Chartered Accountant and one shall be from the field of Finance;

(f) the Registrar; and

(g) The Director/Director(s), if any;

(h) the Chief Finance and Accounts Officer shall be the ex-officio Secretary of the Finance Committee.

(2) The members of the Finance Committee (other than the Secretary and Vice-Chancellor), shall hold office for a term of three years:

Provided that an employee of the University and/or the Bar Council of India Trust except the members at clauses 15(1)(c), 15(1)(d) and 15(1)(g) shall not be eligible for nomination under this provision.

(3) The functions and duties of the Finance Committee shall be as follows, namely:—

(a) to prepare the Annual Accounts and Budget of the University and place it before the Executive Council.

(b) to examine and scrutinise the annual budget of the University and to make recommendations on all the financial matters to the Board;

(c) to consider all proposals for expenditures and to make recommendations to the Executive Council in this regard;

(d) to consider the periodical statements of the accounts and to review the finances of the University from time to time and to consider reappropriation statements and audit reports and to make suggestions to the Board;

(e) 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 Board.

(4) The Finance Committee shall meet at least twice every year. Five members of the Finance Committee shall form the quorum. However, the presence of the Chairman of the Board or the Managing Trustees as the Chairperson or the Secretary shall be mandatory for a valid meeting of the Finance Committee.

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

16. Director-in-Chief.— (1) The post of Director in-Chief may be created, as per the requirement and he may be appointed by the Executive Council. His service conditions shall be regulated through the Regulations.

(2) The Director-in-Chief shall be an eminent academic person and he shall hold office for a term of five years. Upon the expiry of the term, he shall vacate office unless his contract of service is renewed: Provided that he may be relieved of his services before the expiry of the term by the Executive Council by giving one month's notice, for reasons to be recorded in writing.

(3) The Director-in-Chief shall act in supervisory capacity to the Vice-Chancellor and issue directions/guidelines to the Vice-Chancellor in accordance with the provisions of this Act and Regulations, which the Vice-Chancellor shall comply with.

(4) The Director-in-Chief by writing under his signature addressed to the Executive Council, after giving three month's notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Executive Council or from the date of expiry of the said notice period, whichever is earlier.

17. Vice-Chancellor.— (1) The Vice-Chancellor shall be appointed by the Executive Council in accordance with the regulations made in that behalf and in consultation with the Visitor: Provided that the first Vice-Chancellor shall be appointed by the Bar Council of India and the Board in their joint meeting. His tenure shall be of five years.

(2) The Vice-Chancellor shall be an academic person and a Professor of Law. He shall hold office for a term of five years or till he attains the age of retirement prescribed for the members of the teaching staff, whichever is earlier. Upon expiry of this term, he shall continue in office until his successor is appointed and enters upon his office: Provided that the Vice-Chancellor may be relieved of his services before the expiry of the term by the Executive Council by giving one month's notice for the reasons to be recorded in writing.

(3) The Vice-Chancellor shall,—

(a) being the Chief Executive of the University shall ensure that the objects of the University are duly achieved;

(b) have all powers relating to the proper maintenance of discipline in the University.

(4) If, in the opinion of the Vice-Chancellor, if any emergency has arisen, which requires that immediate action be taken, he shall take such action as he deems necessary and shall report the same for confirmation to the next meeting of the Executive Council which, in the ordinary course, would have dealt with the matter.

(5) The Vice-Chancellor by writing under his signature addressed to the Executive Council, after giving one month's notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Executive Council or from the date of expiry of the said notice period, whichever is earlier.

18. Pro-Vice-Chancellor.— (1) The post of Pro-Vice-Chancellor may be created, as per the requirement and he may be appointed by the Executive Council on the recommendation of the Selection Committee specified in section 21. His qualifications and service conditions shall be as prescribed by the Regulations framed under section 15. Provided that the first Pro-Vice-Chancellor shall be appointed by the Bar Council of India and the Board in their joint meeting. His tenure shall be of three years.

(2) The Pro-Vice-Chancellor shall be an academic person who has held the post of professor, or principal of a college or an institution with not less than ten years teaching or research experience. He shall hold office for a term of five years. Upon the expiry of the term, he shall vacate office unless his contract of service is renewed:

Provided that the Pro-Vice-Chancellor may be relieved of his services before the expiry of the term by the Executive Council by giving one month's notice, for the reasons to be recorded in writing.

(3) The Pro-Vice-Chancellor shall,— (a) aid and assist the Director-in-Chief and Vice-Chancellor and in the absence of the Vice-Chancellor shall assume the duties of the Vice-Chancellor;

(b) be an academic and executive officer subordinate to the Vice-Chancellor;

(4) The Pro-Vice-Chancellor by writing under his signature addressed to the Executive Council, after giving three month's notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Executive Council or from the date of expiry of the said notice period, whichever is earlier.

19. Heads of the Departments.— (1) There shall be a 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 the departments shall be as prescribed by the Executive Council by the Regulations.

20. Registrar.— (1) The Registrar shall be appointed by the Executive Council on the recommendation of Selection Committee constituted by the Executive Council. He shall be a whole time officer of the University:

Provided that the first Registrar shall be appointed by the Bar Council of India and the Board in their meeting. His tenure shall be of five years.

(2) The terms and conditions of service of the Registrar shall be such as may be prescribed by the regulations: Provided that the Registrar may be relieved of his services before the expiry of the term by the Executive Council by giving one month's notice for the reasons to be recorded in writing.

(3) The Registrar shall be an academic person and a person of eminence from the field of education. He shall hold office for a term of five years. Upon the expiry of the term, he shall vacate office unless his contract of service is renewed:

Provided that the Registrar may be relieved of his services before the expiry of the term by the Executive Council by giving one month's notice for the reasons to be recorded in writing.

(4) The Registrar shall be the ex-officio Secretary of the Academic Council, but shall not be deemed to be a member thereof.

(5) The Registrar shall,—

(a) perform all such duties as may be assigned to him, from time to time, by the Executive Council.

(b) comply with all directions and orders of the Vice-Chancellor.

(6) In the event of the post of the Registrar remaining vacant for any reason, it shall be open to the Executive Council to authorize any officer in the service of the University to exercise such powers, functions, and duties of the Registrar as the Executive Council deems fit.

(7) The Registrar by writing under his signature addressed to the Executive Council, after giving three months' notice resign from his office and shall cease to hold his office on the acceptance of his resignation by the Executive Council or from the date of expiry of the said notice period, whichever is earlier.

21. Selection Committees.— (1) The Executive Council shall constitute the following Selection Committees for the posts of Vice-Chancellor, ProVice-Chancellor, Registrar, Teachers and the Ministerial Staff, namely:—

(A) The Selection Committee for the posts of Vice-Chancellor and Pro-Vice-Chancellor shall consist of seven members, amongst which two shall be nominated by the Bar Council of India, one by the Executive Council, one by the Chairman of University Grants Commission, one by the Chancellor from amongst the sitting or former Judges of any High Court, two members shall be nominated by the Board.

(B) The Selection Committee for the post of Registrar shall consist of five members, one shall be a nominee of the Bar Council of India, two nominees of the Board, one nominee of the Chancellor and one will be the Vice-Chancellor.

(C) The Selection Committee for Teachers:

(i) The Executive Council, in consultation with the Academic Council shall constitute the Selection Committee and lay down the qualification(s) for the posts of teachers as per the norms of Bar Council of India and University Grants Commission.

(ii) The Selection Committee shall consist of,—

(i) the Director-in-Chief (if any);

(ii) the Vice-Chancellor;

(iii) the Pro-Vice-Chancellor (if any);

(iv) one Academician nominated by the Board;

(v) one Jurist nominated by the Board;

(vi) two noted academicians, one nominated by the Executive Council and one by the Academic Council. Such nominees shall be preferably the teachers from any of the top twenty Universities of the World; and

(vii) one sitting or former Judge of a High Court to be nominated by the General Council.

(D) The Selection Committee for Ministerial Staff:

(i) The Ministerial staff such as Librarian, Stenos, Assistants, Clerks, Peons, Superintendents and other non-teaching staff shall be appointed by the Executive Council on the recommendation of the Selection Committee consisting of Vice-Chancellor, Secretary, Registrar and two nominees of Board.

(ii) The qualification and other criterias for these posts shall be fixed by the Executive Council.

(iii) Till the constitution of such Selection Committee, the Chairman of the Board shall be competent to make appointments, which shall be subject to approval of the Executive Council.

(2) The Selection Committee shall recommend three names against one post to the Executive Council.

22. The Chief Finance and Accounts Officer.— There shall be a Chief Finance and Accounts Officer appointed by the Executive Council. The Chief Finance and Accounts Officer shall possess experience of Accounts and Management and such qualifications as prescribed by Regulations.

23. The Director.— (1) The Executive Council may create the post of one or more Directors to discharge the specific duties assigned to him/them.

(2) The Director may be an Advocate, an educationist or a former Judicial and Administrative Officer, an Engineer, a Doctor or a person from the field of Management or a person of repute.

24. Other Officers and employees.— (1) Subject to the regulations made for the purpose every other officer or employee of the University shall be appointed under a written contract setting out the conditions of service as prescribed by the 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.

25. Annual Accounts, Audit and Report.— (1) The Annual Accounts, Budget of the University shall be prepared by the Finance Committee and placed before the Executive Council.

(2) All the accounts of the University shall, at least once in a year, be audited by the auditors appointed by the Executive Council with the approval of the General Council:

Provided that the General Council shall have the power to direct, whenever considered necessary, an audit of the account of the University, including the institutions managed by it, by such auditors, as it may specify.

(3) The accounts along with the audit report shall be placed before the Executive Council, which, in turn shall place it before General Council before publication for its approval.

(4) The Annual Accounts shall be placed before the General Council at its annual meeting. The General Council may take decisions and pass resolutions with reference thereto and communicate the same to the Executive Council with its suggestions. The Executive Council shall consider the decisions/resolutions of the General Council. The Executive Council shall inform the General Council at its next meeting all actions taken by it and the General Council may issue such suggestions as it may deem fit and proper.

(5) Copies of the annual report along with the resolution of the General Council thereon shall be submitted to the Executive Council for consideration and necessary decisions and directions.

26. Financial Estimates.— (1) The Executive Council shall, in consultation with the Finance Committee, prepare before such date as may be prescribed by the regulations, the financial estimates for the ensuing year and place the same before the General Council for the needful.

(2) The Executive Council may, in case where the expenditure in excess of the amount provided in the budget is to be incurred or in cases of urgency, for reasons to be recorded in writing, incur expenditure subject to such restrictions and conditions 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.

27. 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 specified in the regulations framed by the Executive Council under sub-section (1) of section 15.

28. Offices, Residence of Students and Authorities.— Every student of the University shall reside in a hostel maintained or recognized by the University and under such conditions as may be specified by the Executive Council.

29. Honorary Degrees.— If not less than two thirds of the members of Academic Council, recommend that an honorary degree or 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. Withdrawal of Degree or Diploma.— (1) The General Council, subject to the regulations framed under sub-section (1) of section 15 may at its own or on the recommendation of the Executive Council, withdraw any distinction, degree, diploma, certificate, other academic distinction 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.

31. 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 the University and hostels and institutions under the University.

(2) Notwithstanding anything contained in subsection (1), the punishment of debarring a student from the examination or rustication from the University or a hostel or an institution, shall on the report of the Vice-Chancellor, be considered and imposed by the Executive Council:

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

Secretariat
Porvorim, Goa
Date: 18-08-2021

CHOKHA RAM GARG
Secretary to the Government of Goa
Law Department
(Legal Affairs).

¹ 15-9-2022 as notified vide Notification No. 2/95/IIULERofBCI Trust Bill/DHE/2020/19926 dated 26-10-2022 published into Official Gazette Series-I No.30 (Extraordinary) dated 27-10-2022.