



Dr. Ram Manohar Lohiya National Law University

(A University established by an UP Act No. 28 of 2005)
Sector-D-1, LDA Colony, Aashiyana, Lucknow

MANUAL 3

[Section 4(1)(b)(iii)]

Procedure followed in decision-making process

A. Authorities of University.

There is provision of various University Authorities for taking decisions in the various matters. The Sections 8 to 24 of the Dr. Ram Manohar Lohiya National Law University Act, 2005 elaborate the name, constitution, powers and functions of these authorities which are as under:-

8. Authorities of the University—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; and
- (v) such other authorities as may be prescribed.

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

I. Ex officio Members

- (i) The Chief Minister of Uttar Pradesh
- (ii) The Chief Justice of High Court of Judicature at Allahabad
- (iii) The Minister of Law, Government of Uttar Pradesh
- (iv) The Minister of Higher Education, Government of Uttar Pradesh
- (v) The Advocate General, Uttar Pradesh
- (v-a) The Chairman, Bar Council of India
- (vi) The Chairman, State Bar Council, Uttar Pradesh
- (vii) The Secretary-in-charge of Judicial Department, Government of Uttar Pradesh
- (viii) The Secretary-in-charge of Finance Department, Government of Uttar Pradesh
- (ix) The Secretary-in-charge of Higher Education Department, Government of Uttar Pradesh
- (x) The Vice-Chancellor of the University

II. Nominated Members

- (i) one Judge of the High Court of Judicature at Allahabad nominated by the Chief Justice of the said High Court;
 - (ii) a Vice-Chancellor of a University of Uttar Pradesh to be nominated by the Chairperson of the General Council;
 - (iii) one nominee of the Bar Council of India from amongst its members;
 - (iv) five eminent persons in the field of law to be nominated by the Chairperson of the General Council].
- (2) The Chief Minister of Uttar Pradesh shall be the Chairperson of the General Council and the Vice-Chancellor of the University shall be the Secretary of the General Council:

Provided that in the event of the Chief Minister of Uttar Pradesh not being able to Chair the meeting of the General Council, he shall then nominate any Cabinet Minister of Uttar Pradesh to chair the meeting of the General Council.

10. Term of Office of members of the General Council

- (1) The term of the office of the nominated members of the General Council shall subject to sub-sections (2) and (3) be three years.
- (2) When a person is nominated as a member of the General Council, he shall cease to be such member if his nomination as such is withdrawn by the nominating body or person 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 other than the Vice-Chancellor accepts a full-time appointment in the University or if he fails to attend three consecutive meetings of the General Council without the leave granted by the Chairperson or acts against the interests of the University.
- (4) A member of General Council may resign his office by a letter addressed to the Chairperson and such resignation shall take effect as soon as it has been accepted by the Chairperson.
- (5) Any vacancy in the General Council shall be filled either by appointment or nomination, as the case may be, of a person by the respective authority entitled to make the same and the person so appointed or nominated shall hold office so long only as the member in whose place he is appointed or nominated could hold office if the vacancy had not occurred.

11. Powers of the General Council—The General Council shall have the following powers, namely:—

- (i) to appoint the Vice-Chancellor of the University under the provisions of this Act;
- (ii) to exercise the powers and functions of the University referred to in Section 5 except where such powers are given to some other authority or officer of the University under the provisions of this Act;
- (iii) to review from time to time the broad policies and programmes of the University and to take measures for the improvement and development of the University;
- (iv) to consider and pass resolutions as deemed fit on the annual report, financial estimates, annual accounts and the audit reports on such accounts;
- (v) to delegate all or any of its powers to the Vice-Chancellor or any committee or any sub-committee or to any one or more of its members; and
- (vi) to perform such other functions as it may deem necessary for the efficient functioning and administration of the University.

12. Meetings of the General Council—

- (1) The General Council shall meet at least once in a year and at least ten days notice shall be given for its meetings.
- (2) The Chairperson shall preside over the meeting of the General Council and in his absence, any member duly authorised by the Chairperson shall preside over the meeting.
- (3) One-third of the total number of members of the General Council shall form a quorum for a meeting.
- (4) 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.
- (5) If urgent action by the General Council becomes necessary, the Chairperson may permit the business to be transacted by circulation of papers to the members of the General Council. The action proposed to be taken shall not be taken unless agreed to by one-third of the total members of the General Council. The action so taken shall be forthwith intimated to all the members of the General Council and the papers shall be placed before the next meeting of the General Council.

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

13. The Executive Council—(1) The Executive Council shall be the chief executive body of the University.

(2) The administration, management and control of the University and the income thereof shall be vested with the Executive Council which shall control and administer the property and funds of the University.

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

- (i) the Vice-Chancellor;
- (ii) three members of the General Council to be nominated by the Chairperson of the General Council;
- (ii-a) The Chairman, Bar Council of India or his nominee;
- (iii) the Chairman of the State Bar Council, Uttar Pradesh;
- (iv) the Secretary-in-charge of Judicial Department, Government of Uttar Pradesh;
- (v) the Secretary-in-charge of Finance Department, Government of Uttar Pradesh;
- (vi) the Secretary-in-charge of Higher Education Department, Government of Uttar Pradesh;
- (vii) two eminent educationists nominated by the Chairperson of the General Council];
- (viii) two persons of social eminence nominated by the Chairperson of the General Council];
- (ix) two senior professors of the University, by rotation according to seniority.

(2) The Vice-Chancellor shall be the Chairperson of Executive Council and the Registrar shall be the Secretary of the Executive Council.

15. Term of office of Executive Council—(1) Where a person has become a member of the Executive Council by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold that office or appointment.

(2) A member of the Executive Council shall cease to be a member thereof if he resigns or becomes of unsound mind or becomes insolvent or is convicted of a criminal offence involving moral turpitude or if 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 granted by the Chairperson of the Executive Council or acts against the interests of the University.

(3) Members of the Executive Council shall relinquish their membership on the expiry of three years from the date on which they become members of the Executive Council unless the membership of the Executive Council is previously terminated as provided in the above sub-sections but shall be eligible for re-nomination or reappointment, as the case may be.

(4) A member of the Executive Council other than 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 of the Executive Council.

(5) Any vacancy in the Executive Council shall be filled either by appointment or nomination, as the case may be, by the respective authority entitled to make the same and on the expiry of the period of the vacancy such appointment or nomination shall cease to be effective.

16. Powers and functions of the Executive Council—Without prejudice to the provisions of Section 11, the Executive Council shall have the following powers and functions:

- (i) to create teaching posts in the University and to determine the qualifications, emoluments and duties attached thereto with the prior approval of the State Government after considering the recommendations of the Academic Council;
- (ii) to appoint from time to time, Professors, Readers, Lecturers, other members of the teaching staff, the Librarian and such other members of the teaching staff as may be necessary on the recommendations of the Selection Committee constituted under Section 25 in such manner as may be prescribed;

- (iii) to create administrative, ministerial and other necessary posts to determine the minimum qualifications and emoluments of such posts with the prior approval of the State Government;
- (iv) to manage and regulate the finances, accounts investments, property, business and all other administrative affairs of the University;
- (v) 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, deem fit or in the purchase of immovable property in India, with the like power of varying such investments from time to time;
- (vi) to transfer or accept transfers of any movable or immovable property on behalf of the University: Provided that no immovable property shall be transferred to the third party without the prior approval of the State Government.
- (vii) 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 deem fit;
- (viii) to provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;
- (ix) to entertain, adjudicate and to redress any grievances of the Officer of the University, the teacher, the students and employees who may, for any reason, feel aggrieved;
- (x) 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;
- (xi) to select a common seal for the University and to provide for the custody of the seal;
- (xii) 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 alter, modify and to rescind them;
- (xiii) to delegate any of its powers except the powers to make regulations to any Officer or Authority either temporarily or permanently; and
- (xiv) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by or under this Act.

17. Reservation in admissions and appointments—(1) The Executive Council may, by regulations, provide for reservations of seats to the residents of the State of Uttar Pradesh and Members of Scheduled Castes, Scheduled Tribes and other backward classes as defined in the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994 in admission to the various courses.

(2) The provision of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1994 and the orders and instructions issued from time to time by the State Government with respect to reservation shall be applicable to the posts to be filled by direct recruitment or by promotion in every existing teaching or non-teaching staff of the University.

18. Meetings of the Executive Council—(1) The Executive Council shall meet at least once in three months and not less than ten days notice shall be given for such meeting.

(2) The Chairperson of the Executive Council shall preside over a meeting of the Executive Council, and in his absence the members present shall elect a person from amongst themselves to preside over the meeting.

(3) One-third of the total members of the Executive Council, shall form the quorum at any meeting thereof.

(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 of the Executive Council, or as the case may be, the member presiding over that meeting shall, in addition, have a casting vote.

19. Constitution of Standing Committee and appointment of ad hoc committees by the Executive Council—(1) Subject to the provisions of this Act or the regulations made in this behalf the Executive Council may by resolution, constitute such standing committees or appoint ad hoc committees for such purposes and with such powers as the Executive Council may think fit for exercising any power or discharging any function of the University or for enquiring into, reporting or advising upon any matter relating to the University.

(2) The Executive Council may co-opt 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.

(3) If an urgent action by the Executive Council becomes necessary, the Chairperson of the General Council may permit the business to be transacted by circulation of papers to the members of the Executive Council. The action proposed under this sub-section shall not be taken unless agreed to by one-third of the total members of the Executive Council. The action so taken shall be forthwith intimated to all the members of the Executive Council and the matter shall be reported in the next meeting of the Executive Council.

20. Academic Council—The Academic Council shall be the academic body of the University and shall, subject to the provision of this Act and the regulations, have power of control and general regulation of, and be responsible for, the maintenance of standards of instructions, 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 this Act or the regulations. It shall have the right to advise the Executive Council on all academic matters.

21. Constitution of the Academic Council—(1) The Academic Council shall consist of the following members, namely:—

- (i) the Vice-Chancellor, who shall be the Chairperson thereof;
- (ii) three persons from amongst the educationists of repute or men of letters or members of any profession or eminent public men, who are not in service of the University nominated by the Chairperson;
- (iii) the Secretary-in-charge of Judicial Department, Government of Uttar Pradesh or his nominee not below the rank of Special Secretary;
- (iv) a nominee of the Bar Council of Uttar Pradesh;
- (v) all the Heads of the Department of the University;
- (vi) all Professors other than the Heads of the Department, if any;
- (vii) two members of the teaching staff, one each representing the Associate Professors/Assistant Professors and Lecturers of the University.

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

(3) Where a person has become a member of the Academic Council by reason of the office or appointment he holds, his membership shall terminate when he ceases to hold such office of appointment.

(4) A member of the Academic Council shall cease to be a member thereof 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 faculty accepts full-time appointment in the University or if he fails to attend three consecutive meetings of the Academic Council without the leave of the Chairperson of the Academic Council.

(5) Unless the membership of the Academic Council thereof is previously terminated as provided in the foregoing sub-sections, members of the Academic Council shall relinquish their membership on the expiry of three years from the date on which they become members of the Academic Council but shall be eligible for re-nomination or reappointment, as the case may be:

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

(7) Any vacancy in the Academic Council shall be filled either by appointment or nomination, as the case may be, by the respective authorities to make the same.

22. Powers and duties of the Academic Council—Subject to the provisions of this Act or the regulations, the Academic Council shall in addition to all other powers vested in it, have the following powers, namely:—

- (i) to report on any matter referred to 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 qualifications, emoluments and duties attached thereto;

- (iii) to formulate and modify or revise schemes for organisation of the faculties and to assign to such faculties their respective subjects and also to report 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 promote research within the University and to require, from time to time, report on such research;
- (v) to consider proposals submitted by the faculties;
- (vi) to lay norms and to appoint committees for admission to the University;
- (vii) to recognise diplomas and degrees of other Universities and Institutions and to determine their equivalence in relation to the diplomas and degree of the University;
- (viii) to fix, subject to any conditions accepted by the General Council, the time, mode and conditions of competitions for fellowship, scholarship and other prizes and to award the same;
- (ix) 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;
- (x) to make arrangements for the conduct of examinations and to fix dates for holding them;
- (xi) to declare the results 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;
- (xii) to award stipends, scholarship, medals and prizes and to make other awards in accordance with the regulations and such other conditions as may be attached to the awards;
- (xiii) to publish list of prescribed or recommended textbooks and to publish syllabus of the prescribed courses of study;
- (xiv) to prepare such forms and registers as are, from time to time, prescribed by regulations; and
- (xv) 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 the provisions of this Act and the regulations.

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

(2) The Chairperson of the Academic Council shall preside over the meeting of the Academic Council, and in his absence, the members present shall elect a person from amongst themselves to preside over the meeting.

(3) One-half of the total number of members of the Academic Council shall form the quorum for a meeting of the Academic Council.

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

24. The Finance Committee—(1) There shall be a Finance Committee consisting of the following members, namely:—

- (i) the Vice-Chancellor;
- (ii) one member nominated by the General Council from amongst its members;
- (iii) one member nominated by the Executive Council from amongst its members;
- (iv) the Secretary-in-charge, Department of Higher Education, Uttar Pradesh or his nominee not below the rank of Special Secretary;
- (v) the Secretary-in-charge of Judicial Department, Government of Uttar Pradesh or his nominee not below the rank of Special Secretary;
- (vi) the Secretary-in-charge, Finance Department, Uttar Pradesh or his nominee not below the rank of Special Secretary;
- (vii) the Registrar;
- (viii) the Finance Officer-Member Secretary.

(2) The nominated members of the Finance Committee shall hold office for a period of three years.

(3) The Finance Committee shall have the following powers, duties and functions, namely:—

- (i) to examine and scrutinise the annual budget of the University and to make recommendations on 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 the periodical statements of accounts and to review the finances of the University from time to time and to consider reappropriation statements and audit reports to make recommendations to the Executive Council;
 - (iv) to give its views and to make recommendations to the Executive Council on any financial matter affecting the University either on its own initiative or on reference from the Executive Council or the Vice-Chancellor.
- (4) The Finance Committee shall meet at least once in six months. Three members of the Finance Committee shall form the quorum.
- (5) The Vice-Chancellor shall preside over the meetings of the Finance Committee, and in his absence, the members present shall elect a person from amongst themselves to preside over the meeting.

(B) Work flow chart for Routine letters / applications

Sr. No.	Activity	Level Of Officer For Action
1	Receipt of applications/letters	Diary/Dispatch Official
2	Dispatch of applications/letters	Diary/Dispatch Official
3	Forwarding of the application / letter to the concerned officer of the Section	Diary/Dispatch Official
4	Marking of the application / letter/PUC by the concerned officer to the dealing assistant. In a department with officers of higher levels, the letter is down-marked by Registrar/Dy. Registrar /Asst. Registrar/Other Officer who down-marks it to dealing assistant.	Registrar/Deputy Registrar/Asstt. Registrar/Other Officer/dealing assistant
5	Examination of case/submission of proposals by the dealing assistant to concerned Officer (usually Asstt. Registrars/ Dy. Registrars)	Dealing Assistant
6	Examination of cases by Asstt. Registrar/Deputy Registrar / Other designated Officer and submission to the Registrar.	Asstt. Registrar/Deputy Registrar / Other Designated Officer
7.	The cases submitted by the concerned Officers, which are within the competency of the Registrar are disposed off at the level of Registrar	Registrar
8.	The cases submitted by the concerned Officers, which are not in the competency of the Registrar are submitted to the Vice-Chancellor for approval.	Registrar
9	The case submitted by the Registrar are considered by the Vice-Chancellor and appropriate decision is taken keeping in view the rules and regulations.	Vice-Chancellor
10	Students discipline matters are examined	Proctor/ Proctorial

	by the Proctor and Proctorial Board and submitted to the Vice-Chancellor for orders.	Board
11	The matters submitted by the Proctor and Proctorial Board are considered by the Vice-Chancellor and decision keeping in view the Rules and Regulations	Vice-Chancellor
12	The matters regarding Hostels are considered by the Wardens/Chief Warden and submitted to the Vice-Chancellor for orders	Warden/ Chief Warden
13	The matters submitted by the Chief Warden are considered by the Vice- Chancellor and decision keeping in view of the Rules and Regulations	Vice-Chancellor
14	After approval from the Competent authority, the decision is conveyed to the concerned person through written communication signed by the Registrar/concerned Officer	Registrar/ concerned Officer
15	The letter signed by the Registrar/ other Officer is sent to the concerned person by the Dispatch Official	Dispatch Official

(C) For applications received for seeking information under RTI Act, the following activities are undertaken:-

Once the applications are received along with the requisite fees the matter is looked into by the Public Information Officer (PIO). If the applicants seeks information pertaining to any particular department, it is routed to the concerned department for collecting requisite information. Once the information is received from other departments, reply is prepared by the PIO. After approval of reply, the information is provided to the applicant. The entire process is monitored ensuring the time frame under the provisions of Right to Information Act.