

# MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI

## REGULATIONS GOVERNING APPOINTMENT, EMOLUMENTS, TERMS AND CONDITIONS OF SERVICE OF THE VICE CHANCELLOR

*Section 28(1) of MNLU Act 2014 stipulates that the Vice Chancellor shall be appointed by the Executive Council in accordance with the regulations made in this behalf and in consultation with the Chancellor. It was also provided therein that the first Vice Chancellor would be appointed by the Government of Maharashtra, with the approval of the Chancellor. Appointment of the first Vice Chancellor having been made accordingly, regulations governing appointment, emoluments and conditions of service of the Vice Chancellor are adopted as under:*

### 1. Short Title and commencement

These regulations may be called **The Regulations governing Appointment, Emoluments and Conditions of Service of the Vice Chancellor of Maharashtra National Law University Mumbai**. These regulations shall be deemed to have come into force from the date of appointment of the first Vice Chancellor.

### 2. Appointment

- 2.1 Appointment of second and subsequent Vice Chancellors of the University shall be made by the Executive Council in consultation with the Chancellor.
- 2.2 Only persons with excellent academic credentials, having served for at least ten years as a Professor of Law in any reputed Indian and/or foreign University, shall be eligible for the post of Vice Chancellor. She/He should also possess experience in University administration and a good track record as a researcher. Maximum age limit for serving as Vice Chancellor is sixty five years.
- 2.3 A Vice Chancellor is eligible to be considered for a second term.
- 2.4 Upon the expiry of his term, the Vice Chancellor shall continue to hold office till his successor is appointed and assumes office.
- 2.5 A Search Committee shall be constituted by the Executive Council at least six months prior to end of normal tenure of service of the incumbent Vice Chancellor. The Search Committee shall comprise of a sitting Judge of the Supreme Court or of Mumbai High Court and two other members. The

Judge, who shall be nominated by the Chancellor, shall be the Chairperson of the Search Committee. Other members of the Committee shall be –

- i. Chief Secretary to the Government of Maharashtra, or his nominee, not below the rank of Principal Secretary to the Government.
- ii. One senior academician, who has made significant contribution in the field of legal education and research and is having close association with the national law schools of India, to be nominated by the Executive Council.

The Registrar of the University shall be the Secretary to the Search Committee.

- 2.6 The Search Committee shall, within one month of its constitution, make public notification inviting applications from the intending candidates. The notification shall include detailed qualifications for the post as also the date by which applications are to be submitted. It shall be open for the Search Committee to also invite nominations of qualified and competent persons for its consideration.
- 2.7 The Search Committee shall meet as often as necessary to finalise its recommendation of three names in alphabetical order. The recommendation shall be forwarded to the Chancellor in sealed cover within four months of the constitution of the Search Committee.
- 2.8 The Chancellor shall consider the recommendation of the Search Committee and, upon being satisfied of the competence and suitability of the person for the post, select one person out of the panel. Selection of the Chancellor shall be communicated to the Executive Council through its Secretary, who shall forthwith convene a meeting of the Executive Council for making the appointment.

Provided that the Chancellor, upon being satisfied that none of the recommended names is found suitable, shall have the right to reject the panel of names recommended by the Search Committee and direct the Executive Council to constitute another Search Committee forthwith. In such eventuality, the Chancellor shall record the reasons for his rejection of names recommended to him by the Search Committee and forward it to the Executive Council for its information and record.

### **3. Emoluments**

- 3.1 Pay: Pay of the Vice Chancellor shall be notified by the Government of Maharashtra from time to time. It shall have parity with that of the Vice Chancellors of other leading national law schools of India.
- 3.2 Dearness and other Allowances: These shall be at the same rate as admissible to other Vice Chancellors under the Maharashtra Universities Act. However, no House rent Allowance shall be paid. 3.3. The Vice Chancellor shall be entitled to such terminal benefits as may be fixed by the Government of Maharashtra from time to time.
- 3.3 The Vice Chancellor shall be entitled to such terminal benefits as may be fixed by the Government of Maharashtra from time to time.
- 3.4. The Vice Chancellor shall be entitled to the reimbursement of medical expenses incurred on the medical treatment of him and his family members in any OPD/Private Wards of a Hospital/Nursing Home approved by the University.
- 3.5. The Vice Chancellor shall be entitled to the reimbursement of the expenses on account of T.A.,D.A. for himself/herself and his/her family members from his home town to place of duty and back on his/ her assuming office and relinquishing it on the expiry of his/her tenure.
- 3.6. The Vice Chancellor shall be entitled to receive Travelling Allowance and Daily Allowance at rates fixed by the Government of Maharashtra for its senior-most officers from time to time.
- 3.7 While regulating the pay and allowances of the Vice Chancellor, the University shall ensure that it is not inferior to that prescribed in the recommendations of the UGC. In case of any disparity, the matter shall be brought before the Executive Council forthwith for a decision.
- 3.8 The Executive Council shall have full power to review and revise the emoluments and perquisites of the Vice Chancellor. However, such revision shall not be to the disadvantage of the incumbent to the post at the time of revision.

#### 4. Leave

- 4.1. (i) The Vice Chancellor shall, during the tenure of his office, be entitled to leave on full pay at the rate of 30 days in the calendar year. The Leave shall be credited to his account in advance in two half yearly installments of 15 days each on the first day of January and the first day of July every year.

Provided that if the Vice Chancellor assumes or relinquishes the charge of his Office during the currency of half year, the leave shall be credited proportionately at the rate of 2 ½ days for each completed months of service.

- (ii) The leave at the credit of the Vice Chancellor at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave, so carried forward plus the credit for that half year, does not exceed the maximum limit of 300 days.
- (iii) The Vice Chancellor, on relinquishing the charge of his/her office, shall be entitled to encashment of unitized earned leave, subject to maximum of 300 days.
- 4.2 The Vice Chancellor shall be entitled to Half Pay Leave at the rate of 20 days for each completed year of service. The Half-Pay Leave may also be availed of as commuted Leave on production of Medical certificate, provided that when such commutation is made, twice the amount of Half-Pay Leave shall be debited from his/her Half-Pay Leave account.
- 4.3 The Vice Chancellor may avail Extra-Ordinary Leave without pay for a maximum period of three months during the full term of five year on medical grounds or otherwise, provided that sanction of the Executive Council shall be obtained before proceeding on extra-ordinary leave.
- 4.4. In case the Vice Chancellor is appointed for a subsequent term, the leave period mentioned above, shall apply separately to each term.

4.5 In the case of absence of the Vice Chancellor occasioned by any call by the Central or State Government, Public Service Commission, or any deputation on behalf of the University for any public purpose, including representing the University or any consortium of Universities or the State or the country as part of a foreign delegation, the period of absence shall be treated as on duty.

5. The Vice Chancellor shall be allowed to continue to subscribe to any recognized provident fund of which he/she was a member at the time of joining the University. The University shall pay employer's contribution, if any, to the said account at the applicable rate.

6. If a person, employed in another institution, is appointed the Vice Chancellor, he/she shall have option to draw pay and allowances as per deputation rules of the lending institution to which he/she was entitled prior to his/her appointment as the Vice Chancellor, till he/she continues to hold his/her lien on that post. The University shall also pay the applicable Leave Salary, Provident Fund and Pension Contributions to the lending Institution.

## **7. Amenities**

7.1 The Vice Chancellor shall be entitled to use of a moderately furnished residential accommodation with such furniture and fixtures, as may be approved by the University. The premises will be maintained by the University. No charge on account of water, power and rent shall be levied on the Vice Chancellor.

7.2 The Vice Chancellor shall be entitled to the use of an official car with services of a driver and cleaner.

7.3 The Vice Chancellor shall be permitted use of a mobile phone and free telephone (with STD and ISD) service at the residence.

7.4 The Vice Chancellor shall be entitled to the service of one cook and a multi-task attendant at the residence.

## **8. Functional responsibilities**

8.1 The Vice-Chancellor is the Chief Administrative Executive and Academic Head of the University.

- 8.2 He shall ensure that the provisions of the Act and the Regulations are duly observed, and he shall have all powers, as are necessary for that purpose.
- 8.3 The Vice Chancellor shall convene meetings of university authorities and shall perform all other acts, as may be necessary to give effect to the provisions of the Act.
- 8.4 He shall represent the University in suits and proceedings by or against the University, sign power of attorney and verify the pleadings or depute representatives for the purpose.
- 8.5 The Vice Chancellor shall have all powers relating to the proper maintenance of discipline in the University.
- 8.6 For smooth and efficient functioning, the Vice Chancellor may delegate his authority on routine matters to the Registrar, the Heads of the Departments and other officers who shall act on the basis of limitations prescribed and instructions conveyed in this regard.

**9. Dismissal from office**

- 9.1 The Executive Council may, on proven charge of misconduct, insolvency, financial impropriety or unsoundness of mind, dismiss a Vice Chancellor from office.
- 9.2 Such charge shall have to be validated by an order of a competent Court or by the findings of an Inquiry Committee, constituted by the Chancellor and headed by a retired Judge of High Court.
- 9.3 All reasonable opportunity must be made available to the concerned Vice Chancellor to be heard and to defend his action.
- 9.4 No direction to remove a Vice Chancellor from office shall be passed by the Executive Council without prior approval of the Chancellor to that effect.

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