

UNIVERSITY OF NORTH BENGAL

Accredited by NAAC with Grade B⁺⁺

Dr. Debasis Dutta
Registrar (Officiating)
Raja Rammohunpur
P.O. North Bengal University
Dist. Darjeeling, West Bengal
PIN – 734 013



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Ref. No. : 2823 / R-2024

Dated : 09.09.2024

NOTIFICATION

Whereas Section 10 of The North Bengal University Act, 1981 provides for the powers and duties of the Vice-Chancellor and as per clause 4 of Section 10, the Vice-Chancellor shall have the power to exercise general control and supervision over all the teachers and employees of the University and generally over all the affairs of the university.

And whereas Section 12 of The North Bengal University Act, 1981 provides for the powers and duties of the registrar and it states that *“Subject to the supervision, direction and general control of the Vice-chancellor, the Registrar shall act as the Secretary of the Court as also of the Executive Council and shall exercise such powers and perform such duties as may be prescribed, or delegated to him by or under this Act and the Statutes, the Ordinances or the Regulations, as the case may be”*.

And whereas Section 15 of The North Bengal University Act, 1981 provides for the supervisory powers of Registrar and Finance Officer and it states that *“In their respective spheres of duties, the Registrar and the Finance Officer shall, subject to the provisions of this Act, have the power of supervision and control over all officers and employees serving in departments under their charge and shall exercise such disciplinary power as may be conferred on them by or under this Act or by Statutes or Ordinances”*.

And whereas Statute 5 of the Statutes relating to the Appointments, Powers and Duties of the Officers of the University other than the Vice-Chancellor lays down the duties and powers of the Registrar, University of North Bengal. Clause (c) of Statute 5 states that *“Subject to the authority of the Vice-Chancellor, the Registrar shall have the power of supervision and control over all officers and employees serving in the departments under his charge”*.

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And whereas an advisory dated 03.04.2024 bearing reference no. F.39/VC-24/18 was issued by the Office of the Vice-Chancellor, University of North Bengal whereby it stated that:

"In suppression of the earlier advisory No. F.39/VC-23/135, dated 09/10/2023, it is advised that henceforth all Administrative matters, Financial Matters, Examination Matters and Academic Matters of the University shall be looked after by the Registrar (Officiating), Financial Officer (Officiating), Controller of Examinations and Dean, Faculty council for P.G. studies in Science and Dean, Faculty council for P.G. studies in Arts, Commerce and Law respectively.

The post facto approval of such matters, when necessary, is required to be taken from the Vice-Chancellor whenever he is available in his office.

The advisory will remain in force until further notice".

And whereas the Bar Council of India (BCI) on 07.08.2024 issued a show cause notice bearing no. BCI: 1024 : 2024(LE) for Closure of Law Department and to stop admissions for the current and future academic session/s or suspension, and/or imposition of sanctions or penalties to the Vice-Chancellor, University of North Bengal. The notice read as hereunder:

"This notice serves as a formal communication from the Bar Council of India concerning the operation of the Law Department at North Bengal University (NBU) without the requisite approval of the Bar Council of India.

It has come to our notice through a court matter that NBU has been running its Law Department since 2011 without the necessary approval from the BCI.

The non-compliance with the regulatory requirements is a serious issue that jeopardizes the future and career prospects of students enrolled in the Law Department.

In the light of these circumstances, the Bar Council of India directs North Bengal University to provide a detailed explanation within 7 days from the receipt of this notice explaining the reasons for operating the Law Department without BCI approval since 2011.

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Additionally, until this matter is finally resolved, the Bar Council of India directs North Bengal University to cease enrolling new students into the Law Department for the current and future sessions.

Failure to provide a satisfactory response or comply with the above directives shall result in further action, including but not limited to, suspension, closure and/or imposition of sanctions or penalties.

This is for your information and urgent and necessary compliance.”

Now, therefore, the Registrar, University of North Bengal is pleased hereby to constitute a committee to conduct inquiry into the affairs of the Department of Law, University of North Bengal particularly with regards to fixing responsibility upon the concerned person due to whose negligence, the Department of Law was functioning without having necessary approval from the Bar Council of India. The committee so constituted shall comprise of:

1. Chairman: Hon'ble Justice (Retired) Shri Ashim Kumar Roy, Retired Justice, Calcutta High Court and Lokayukta, West Bengal.
2. Member Convenor: Dr. Nupur Das, Principal Secretary, UG Council.

The committee so constituted shall:

- A. Review the aforementioned lapse on part of the Department of Law, University of North Bengal in conducting its affairs without obtaining necessary approval from the Bar Council of India since 2011.
- B. Have powers to engage academic experts, senior advocates, research assistants, and other legal experts for seeking their views on the subject matter.
- C. After conducting the inquiry, fix responsibility upon the persons involved in commission of such lapse on part of the Department of Law, University of North Bengal in conducting its affairs in contravention to guidelines issued by Bar Council of India.

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D. Propose the action to be initiated against the persons due to whose dilatory behaviour such serious lapse occurred.

The committee shall submit its findings in a form of a report preferably within 6 (six) months from the date of notification.

12/09/2024
Registrar (Officiating)

University of North Bengal