HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAYA RAIPUR (C.G.)

MINUTES OF THE EXECUTIVE COUNCIL MEETING HELD ON 07.12.2019, 11.00 A.M.

A meeting of the Executive Council of Hidayatullah National Law University took place on 07.12.2019 at 11.00 a.m. in the Board Room of the University at Raipur, wherein the following Hon'ble Members were present:

- 1. Hon'ble Mr. Justice Deepak Gupta, Judge, Supreme Court of India
- 2. Hon'ble Mr. Justice M.R. Shah, Judge, Supreme Court of India
- 3. Hon'ble Mr. Justice P.R. Ramachandra Menon, Chief Justice, High Court of Chhattisgarh and the Chancellor, HNLU (Special Invitee)
- 4. Hon'ble Mr. Justice Pritinker Diwaker, Judge, Allahabad High Court
- Hon'ble Mr. Justice Parth Prateem Sahu, Judge, High Court of 5. Chhattisgarh
- Prof. (Dr.) V.C. Vivekanandan, Vice-Chancellor, Hidayatullah National 6. Law University
- 7. Shri Satish Chandra Verma, Advocate General, Chhattisgarh
- 8. Shri Prabhakar Singh Chandel, Chairman, State Bar Council of Chhattisgarh
- 9. Shri Amitabh Jain, Addl. Chief Secretary, Finance Department, Government of Chhattisgarh
- Shri Ravishankar Sharma, Principal Secretary, Law and Legal Affairs 10. Department, Government of Chhattisgarh
- Smt. Alarmelmangai D., Special Secretary (Independent Charge), 11. Higher Education Department, Government of Chhattisgarh
- Shri Shailendra Dubey, Advocate, High Court of Chhattisgarh & 12. Member, Bar Council of India (on behalf of Chairman, Bar Council of
- 13. Dr. Yamala Papa Rao, Assistant Professor, HNLU
- Dr. Deepak Kumar Srivastava, Assistant Professor, HNLU.

Prof.V.C.Vivekanandan-Vice Chancellor and Chair of the Executive Council welcomed the members and requested Hon'ble Mr. Justice Deepak Gupta, Judge, Supreme Court of India to Chair the Session.

The Hon'ble members of the Executive Council observed two minutes silence in condolence and memory of Padmashree Late Prof. Dr. N.R. Madhava Menon.

Thereafter, with due permission of the chair, the agenda items were taken up and decided as under:

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1. Perusal and confirmation of the minutes of the Executive Council meeting held on 02.06.2018.

Notes:

Minutes of the Executive Council meeting held on 02.06.2018 (Earlier circulated report on 25.08.2018).

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Decision:

Minutes of the Executive Council meeting held on 02.06.2018 were perused and confirmed.

2. Action Taken Report on the decisions of the Executive Council meeting dated 02.06.2018.

Notes:

Action Taken report on the decisions of the Executive Council meeting dated 02.06.2018 (Earlier circulated report on 25.08.2018).

Decision:

Action Taken Report was perused by the Executive Council for the items mentioned at Sl.No.1, 2, 3, 4, 5, 7, 9, 11 and 12.

As regards item No.6 pertaining to appointment of Registrar, the Council after deliberations directed the Vice Chancellor to prepare a draft notification for the recruitment for the post of a full time Registrar in the rank of a Professor and submit the same to the Chancellor of the University for approval. The members also endorsed that such recruitment can be for a regular tenure or for a fixed number of years depending on the availability of suitable candidates.

The Vice Chancellor informed that the draft will be submitted in a week's time to the Chancellor to proceed further on the subject. It was also advised to place a shorter advertisement of all recruitments of the University in National dailies as per regulations and the detailed advertisement in the website.

As regards item No.8, the members directed to form a Committee comprising of 1. The Vice Chancellor, 2. Principal Secretary, Law Dept., Govt. of Chhattisgarh to draft the comprehensive Staff Recruitment Policy indicating the posts, qualifications, promotion channels and recruitment process. The same to be submitted to the Chancellor for a final approval to proceed on the subject.

As regards item No.10, Creation of new Posts,

The members deliberated and decided:

(a) Research Assistants positions to be part of faculty recruitment section and to be finalized by the Vice Chancellor in consultation with the Chancellor.

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(b)Regarding Nurses- to explore with the Health Department of the State Government to spare part time employees. Mr. Amitabh Jain, Addl. Chief Secretary can help on this process.

(c)Not to deploy any Pathology Lab Technicians but to use the facilities of nearby hospitals.

(d) Carpenter, Plumber, Electricians and Computer Lab Technicians to be recruited with appropriate technical qualifications and relevant experience as per the recruitment policy to be framed by the Committee under agenda item No. 8.

3. Perusal and approval to the minutes and recommendations of the Finance Committee meeting held on 31.07.2018, 3.30 p.m. Notes:

A meeting of the Finance Committee of the University took place on 31.07.2018 at 3.30 p.m. Minutes of the Finance Committee meeting dated 31.07.2018 (Earlier circulated report on 25.08.2018).

The minutes of the Finance Committee meeting dated 31.07.2018 to be approved.

Decision:

The Executive Council approved the minutes and recommendations of the Finance Committee meeting held on 31.07.2018.

- 4. Intimation regarding meetings of the Executive Council by circulation of papers for:-
 - (a) Nomination of a Member to the Search Committee for appointment of Vice Chancellor, substituting Late Dr. Madhav Menon.
 - (b) Successive approval to the Budget estimate for the periods 01.04.2019 to 30.06.2019, 01.07.2019 to 30.09.2019 and 01.10.2019 to 31.12.2019.

Notes:

As per approval accorded by Hon'ble Chancellor and provisions contained in Statute 19 and 10(6) of the Hidayatullah National University of Law, Chhattisgarh Act, 2003 (No. 10 of 2003), meetings of the Executive Council have been conducted by circulation of papers for:-

- (a) Nomination of a Member to the Search Committee for appointment of Vice Chancellor.
- (b) Successive approval to the Budget estimate for the periods 01.04.2019 to 30.06.2019, 01.07.2019 to 30.09.2019 and 01.10.2019 to 31.12.2019.

The matter is placed before the Executive Council for intimation along with relevant documents.

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Decision:

The Executive Council perused the Action Taken. It was also noted that now timely circulation of papers is being carried out well in advance and this practice should be followed.

5. Placing minutes of the Finance Committee meeting dated 27.11.2019 for perusal and approval. Notes:

A meeting of the Finance Committee was held on 27.11.2019 from 4.00p.m. to 7.30 p.m. primarily to recommend approval to the Revised Budget Estimates for the F.Y. 2019-20 and Budget Estimates for the F.Y. 2020-21. The Finance Committee suggested to revise and resubmit the Budget Estimates for the F.Y. 2019-20 and F.Y. 2020-21 by 29.11.2019. Accordingly, as suggested, the revised Budget Estimates for the F.Y. 2019-20 and Budget Estimates for the F.Y. 2020-21 were submitted and got approved by the Finance Committee by circulation.

It is proposed that the minutes of the Finance committee meeting dated 27.11.2019, Revised Budget Estimates for the F.Y. 2019-20 and Budget Estimates for the F.Y. 2020-21 may be approved by the Executive Council.

Decision:

The Executive Council approved the minutes and recommendations of the Finance Committee meeting dated 27.11.2019. Revised Budget Estimates for the F.Y. 2019-20 and Budget Estimates for the F.Y. 2020-21 were discussed in detail.

The following observations were made by the members:-

- (a) "Advertisement expenses" should be economical, where the national dailies as mandated by rules to carry a shorter content indicating the detailed content in the website of the University.
- (b) On tender advertisements, to follow e-tendering wherever feasible.
- (c) The Compensation provision on the outcome of the online litigations to be mentioned under a separate heading instead of Audit Fee to Auditors and Legal Expenses head.
- (d) The University to explore alternate and renewable energy sources to reduce the electricity expenditure incurred.
- (e) On the head of Purchase of Assets, it was suggested to go for wireless CCTV installation to reduce the cost and in case of investment and cost for safe drinking water it was advised not to compromise on the quality and to install water purification systems.
- (f) The Registrar briefed about overdue maintenance issues of repairs, white washing and painting, restructuring of faculty cabins, repairing of fences and landscape maintenance.

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(g) Under construction and development, new G.D. rooms, furnishing classrooms with smart boards, installation of new Gen Set, road to Generator room, PCs and printers to faculty, furniture for hostels were mentioned. The Chair urged for development of a green campus under this head and suggested to use the good offices of the Government Secretaries.

The Executive Council approved the Revised Budget Estimates for the F.Y. 2019-20 and Budget Estimates for the F.Y. 2020-21. The members advised the authorities of the University to exercise fiscal prudence and due process in its expenditures.

6. Placing minutes of the Academic Council meeting dated 27.11.2019 for perusal and approval. Notes:

A meeting of the Academic Council was held on 27.11.2019 from 11.30a.m. to 1.30 p.m. primarily to recommend award of degrees and gold medals for forthcoming Convocation and other agenda items.

It is proposed that the minutes of the Academic Council meeting dated 27.11.2019 may be approved by the Executive Council in its meeting dated 07.12.2019.

Decision:

The Executive Council approved the minutes and recommendations of the Academic Council meeting dated 27.11.2019.

7. Nomination of a member (from amongst the members of the Executive Council) to the Finance Committee of the University. Notes:

The Executive Council of the University in its meeting dated 22.08.2015 had nominated Principal Secretary, Law and Legislative Affairs Department, Government of Chhattisgarh as a member of the Finance Committee as per Statute 17(1)(b) of the Hidayatullah National University of Law Chhattisgarh, Act 2003 (No. 10 of 2003).

As per the Act, the term of membership of nominated member is for a period of three years. As such, the term of the nominated member has expired w.e.f. 21.08.2018. As such, owing to vacancy in the membership of the Finance Committee, the matter is placed for nominating one member to the Finance Committee by the Executive Council from amongst its members.

Decision:

The Executive Council authorized the Hon'ble Chancellor to nominate a Member (from amongst the members of the Executive Council) to the Finance Committee of the University.

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8. Placing minutes and recommendations of the Selection Committee meetings dated 15.07.2018 to 17.07.2018 for appointments to teaching posts w.r.t. Appointment Notification No. 01 of 2018. Notes:

With reference to Appointment Notification No. 01 of 2018 dated 11.04.2018, Selection Committee meetings took place on 15.07.2018 to 17.07.2018 for selecting/recommending appointments to the regular posts of Associate Professors (Law), Assistant Professor (Economics) and adhoc appointments of Assistant Professors (Law).

The minutes and recommendations of the Selection Committees are to be placed before the Executive Council for perusal and approval.

Decision:

Since the Selection Process had taken place more than a year ago, the Executive Council decided to go for fresh advertisement and interviews. The Executive Council requested the Vice Chancellor to initiate the process within four weeks in consultation with the Hon'ble Chancellor. The candidates who had applied with reference to earlier appointment notification can apply afresh and need not pay any extra application fee.

9. Appointment of Registrar.

Notes:

The University advertised for the position of Registrar vide Notification No.01 of 2018 dated 11.04.2018 based on the decision of Executive Council meeting of 01.01.2018. A total no. of 11 applications were received and none were found eligible as per UGC norms.

(Earlier circulated report on 25.08.2018)

The incumbent Vice Chancellor seeks the approval of Executive Council for readvertising and selecting a Registrar in the rank of a Professor as per UGC norms.

Decision:

In this regard, the Executive Council referred to the decision already taken by it at Agenda Item No.2(6) of the Action Taken Report.

10. <u>Information regarding Chief Guest and date for holding the fourth Convocation Ceremony.</u>

Notes:

The Convocation of the University has not been held for the last five batches graduated and five batches post-graduated in the years 2014-15, 2015-16, 2016-17, 2017-18 and 2018-19. There is an urgent need to hold the Convocation Ceremony. Accordingly, the Vice Chancellor and faculty members propose to hold the Convocation Ceremony on 04.01.2020.

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The students have to submit their original degree certificates for the purposes of higher education, jobs and for enrolment in the Bar. Hence, it is very urgently needed to hold the convocation ceremony before this academic year and the University may prefer to hold it on 4th January 2020, Saturday.

As a total of 925 awardees have to participate along with family members and other legal fraternity, the University requires a hall with a capacity of 1500 seats hence Pt. Deendayal Upadhyay Auditorium located in the heart of the Raipur city has been booked in advance for 04.01.2020 for the Convocation.

The Vice Chancellor and faculty members would request the Executive Council's consent for this date and gives its guidance.

Accordingly, the matter is placed before the Executive Council for consent.

Decision:

The Vice Chancellor is requested to approach the Hon'ble Chief Justice of India using the good offices of the Hon'ble Chancellor and obtain any suitable date before second week of March 2020. In case if Hon'ble CJI is not available for the Convocation Ceremony, the Executive Council authorizes the Hon'ble Chancellor to invite Hon'ble Governor or Hon'ble Chief Minister or any other suitable dignitary as a Guest of Honour. It was also suggested to have an eminent educationist as the Chief Guest to connect with the students and faculty on the solemn occasion.

11. Confirmation after probation of Faculty Members. Notes:

The following faculty members have completed their probation successfully and are recommended for confirmation to the Executive Council:-

SI.	Name of the Faculty Member	Designation	Date of joining	Date of completio n of two years' probation period
1.	Mrs. (Dr.) Balwinder Kaur	Assistant Professor (Law)	03.08.2017 A.N.	03.08.2019
2.	Mr. Mohammad Atif Khan	Assistant Professor (Law)	03.08.2017 A.N.	03.08.2019
3.	Mr. Ankit Awasthi	Assistant Professor (Law)	03.08.2017 A.N.	03.08.2019
4.	Ms. Debmita Mondal	Assistant Professor (Law)	03.08.2017 A.N.	03.08.2019
5.	Ms. Priyanka Dhar	Assistant Professor (Law)	16.08.2017 A.N.	16.08.2019
6.	Ms. Aditi Singh	Assistant Professor (Law)	17.08.2017 A.N.	17.08.2019

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The relevant documents of their performances, evaluation and recommendations are enclosed here with.

Decision:

The Executive Council approved the confirmation after probation of the Faculty Members.

12. Creation of additional teaching positions.

Notes:

HNLU endowed with excellent physical infrastructure and investment is lagging behind due to paucity of faculty infrastructure. The NIRF requires the Faculty-Student ratio of 1:15 whereas HNLU is having a ratio of 1:33. If the University has to be ranked among the top five schools under NIRF, it requires strengthening its faculty on an urgent basis.

Hence, it is proposed that the current overall sanctioned faculty strength 59 needs to be increased to a minimum of 65 in the following

proportion fulfilling NIRF standards:

S1.	Name of the post	Existing	Filled up	Additional	Total
		sanctioned	positions	Posts	strength after
		positions		required to be	additional
	E. La Paragraphical Laboratory		·	sanctioned	posts
1.	Professor	8	0	1	9
2.	Associate Professor	14	1	2	16
3.	Assistant Professor	37	19	3	40
	Total	59	39	6	65

The vacant positions to be advertised and selection to be made as per UGC norms in the next four months to start the next academic year with the required strength of teachers.

Decision:

It was noted that there is an error in totaling in the column of filled up positions, actually "20" positions are filled up and not "39". The additional posts are required to meet out the requirements of faculty members of different specializations. The Executive Council noted with concern a large number of faculty positions lying vacant and urged the Vice Chancellor to work out a suitable strategy along with the Principal Secretary, Law. The same to be briefed and consulted with the Hon'ble Chancellor of the University for filling up the required positions. The Vice Chancellor assured that the process for prerecruitment will be initiated by January 2nd week and completed at the earliest. On the additional positions sought by the University, it was decided to be taken up after the existing positions are filled up.

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13. Annual Reports of the University for the F.Y.s 2015-16/2016-17/2017-18/2018-19.

Notes:

As per Statute 25 of the Hidayatullah National University of Law, Chhattisgarh Act, 2003, draft Annual Reports of the University for the Financial Years 2015-16/2016-17/2017-18/2018-19 are placed before the Executive Council for perusal and approval for onward submission to the General Council.

Decision:

The Executive Council approved the draft Annual Reports of the University for the F.Y.s 2015-16/2016-17/2017-18/2018-19 for onward submission to the General Council.

14. Placing Audit Reports of C.A. for the F.Y.s 2016-17, 2017-18 and 2018-19 for perusal.

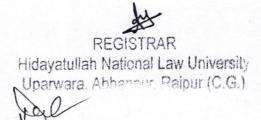
Notes:

Audit Reports of C.A. for the F.Y.s 2016-17, 2017-18 and 2018-19 are placed for perusal.

Decision:

- (a) The Executive Council directed that the University can avail the services of Shri Amitabh Jain, Addl. Chief Secretary, Government of Chhattisgarh, Finance Department, to resolve accounting and financial formats required by the new regulations.
- (b) The Finance Officer informed that subsequent to closure of F.Y. 2018-19, majority of the advances have been adjusted. Under the head advances, as on 01.04.2018, there was an opening balance of Rs.1,25,69,934/- (Rupees One Crore Twenty Five Lacs Sixty Nine Thousand Nine Hundred and Thirty Four) which has now reduced to a closing balance of Rs.25,34,753/- (Rupees Twenty Five Lacs Thirty Four Thousand Seven Hundred and Fifty Three) as on 31.10.2019.
- (c) Regarding the outstanding dues pending by way of nonsettlement of bills and vouchers by the students of past and present to be addressed at the earliest by the University initiating appropriate action.
- (d) With regard to outstanding dues (Advances) in respect of the employees, the Vice Chancellor shall initiate action to recover at the earliest and can give installment if the amounts are higher than Rs50000

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15. Placing Audit Inspection Report of the Accountant General Chhattisgarh along with response from University, action taken and status report.

Notes:

As per the decision taken in the Executive Council meeting dated 02.06.2018, Audit Inspection Report of the Accountant General Chhattisgarh for the period F.Y. 2012-13 to 2016-17 along with response from University, action taken and status report has already been sent as a part of agenda items for the meeting of the Executive Council earlier proposed to be held on 08.09.2018.

(Earlier circulated report on 25.08.2018)

Accordingly, the matter is placed before the Executive Council.

Decision:

The Executive Council perused the Audit Inspection Report of the Accountant General and made the following observations:-

- (a) S1.No. 2.6 pertaining to non-framing of specific administrative rules and regulations for functioning of the University and deferred this item to the next meeting as by that time the comprehensive regulations can be framed and submitted by the University.
- (b) The University was advised to hold the statutory number of meetings in an academic year in the future.
- (c) As far as other objections raised in the audit report are concerned, corrective measures may be taken.
- (d) The Council directed the Vice Chancellor to initiate appropriate proceedings to recover any wrongful payments done to staff and faculty as referred to in Sl.6.2 of the Audit Report and accepted by the then Vice Chancellor.
- (e) Regarding recovery of wrongful payment to faculty the EC directed that it can be recovered by due process of notice and verification of the audit figures.
- (f) Some members informed that the original Audit Inspection Report submitted to the University was not circulated and is circulated during the meeting.
- (g) To this, it was clarified that a meeting of the Executive Council was proposed to be held on 08.09.2018 and agenda and notes on agenda with relevant documents including the audit report of Accountant General Chhattisgarh (Page Nos. 75 to 156) and reply from the University (Page Nos. 157 to 241) was circulated to the then members of Executive Council on 25.08.2018. The PPS to the Hon'ble Chancellor clarified and endorsed this to the Hon'ble Chair of the Executive Council. It was further informed that hard copies of the agenda pertaining to the earlier proposed meeting dated 08.09.2018 has been circulated to the new members only on 03.12.2019 along with agenda for the E.C. meeting dated 07.12.2019.

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Agenda Item (h) The University regrets, if this had caused any confusion or hardship and will be circulating the same once again. 16. Any other matter with the permission of the Chair To provide reservation under All India Category to OBC candidates (i) for admission in B.A. LL.B. (Honours). As per the ordinance for B.A. LL.B. (Honours), the University provides admission under two categories:- 1. All India Category and .2. Chhattisgarh Domicile Category. For Chhattisgarh Domicile category the University follows Chhattisgarh Government reservation rules. For All India Category, the University provides reservation for the Scheduled Caste (15%) and Scheduled Tribes (7.5%) amounting to 22.5%. UGC vide its letter F.No.59-6/2012(CU) dated 3rd June 2016 and letter No.F.1-5/2006 (SCT) dated 5th March 2018 has issued directives to all the State Universities to implement Reservation Policy of the Government of India by providing 27% reservation to OBC category also. It is, therefore, proposed that as per UGC directives, the University may implement the reservation policy of Government of India by providing 27% reservation to OBC candidates under All India Category for admission to B.A. LL.B. (Honours). Decision: The Executive Council appointed a Sub-Committee comprising of the following members to look into the matter of OBC reservation, as early as possible:-(a) Hon'ble Mr. Justice M.R. Shah, Judge, Supreme Court of India. (b) Prof. (Dr.) V.C. Vivekanandan, Vice Chancellor (c) Advocate General, Chhattisgarh (d) Shri Shailendra Dubey, Advocate, High Court of Chhattisgarh & Member, Bar Council of India (e) Principal Secretary, Government of Chhattisgarh, Law and Legal Affairs Department. (ii) To implement reservation of OBC in LL.M. Course Notes:

As per the ordinance for LL.M. the University provides admission under All India Category with reservation for the Scheduled Caste (15%) and Scheduled Tribes (7.5%) amounting to 22.5%.

UGC vide its letter F.No.59-6/2012(CU) dated 3rd June 2016 and letter No.F.1-5/2006 (SCT) dated 5th March 2018 has issued directives to all the State Universities to implement Reservation Policy of the Government of India by providing 27% reservation to OBC category

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also.

It is, therefore, proposed that as per UGC directives, the University may implement the reservation policy of Government of India by providing 27% reservation to OBC candidates for admission to LL.M.

Decision:

The Executive Council appointed a Sub-Committee comprising of the following members to look into the matter of OBC reservation, as early as possible and formulate the regulations for the admissions of the next academic year:-

- (a) Hon'ble Mr. Justice M.R. Shah, Judge, Supreme Court of India.
- (b) Prof. (Dr.) V.C. Vivekanandan, Vice Chancellor
- (c) Advocate General, Chhattisgarh
- (d) Shri Shailendra Dubey, Advocate, High Court of Chhattisgarh & Member, Bar Council of India
- (e) Principal Secretary, Government of Chhattisgarh, Law and Legal Affairs Department.

(iii) One-time exemption of reservation for recruitment of faculty members.

Notes:

The current faculty strength at HNLU is 30 which needs to be increased to the already sanctioned strength of 59 and proposed to be increased to 65. In the last two sets of interviews, the University could not get applications of requisite qualified candidates under the reserved categories, when advertised.

It is proposed to request the State Government for a one-time exemption of relaxing the reservation quota by 50% of the remaining recruitment of 35 faculty members. The reservation policy can be implemented when new vacancies arise.

Decision:

The Executive Council deferred the matter.

(iv) Under Any other item by other members:

Notes:

The State Bar Council Chairman enquired about the status of enquiry of the Internal Complaints Committee and its report of 2018.

Response of Vice Chancellor

The Vice Chancellor in his response pointed out that the Internal Complaints Committee formed on 26.09.2018 by the then officiating Vice Chancellor was dissolved by the then Hon'ble Chancellor and Chief Justice of Chhattisgarh High Court by his order on 13.12.2018. Hence, the proceedings of that committee stand dissolved.

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The subsequent officiating Vice Chancellor made efforts to form a new Internal Complaints Committee with a Chairperson from other institutes at Raipur during December 2018 to August 2019 but could not get a Chairperson.

The current Vice Chancellor informed that he has the consent of a senior faculty from Hyderabad to act as Chair person and also the requisite members as per law has been constituted in the first week of December. The Committee will start its proceedings after reopening in January 2020 and shall submit its findings of the pending complaints on conclusion of the proceedings. The Committee will also continue with future complaints on a time bound schedule as stipulated by law.

Similarly, the University is constituting an Equal Opportunity Cell with an Anti-Discrimination Officer of the rank of a Professor from Delhi to look into the matter of caste-based discrimination for proceeding on pending complaints and any such future complaints.

Decision:

The Executive Council endorsed the steps being taken in this regard.

The meeting concluded with vote of Thanks to the Chair.

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