

**HIDAYATULLAH NATIONAL LAW UNIVERSITY, NAVA RAIPUR (C.G.)**

**MINUTES OF THE EXECUTIVE COUNCIL MEETING**  
**HELD ON 30.10.2021 AT 11:30a.m.**

A meeting of the Executive Council of Hidayatullah National Law University took place on 30.10.2021 at 11:30 a.m., wherein the following Hon'ble Members were present:

1. Hon'ble Mr. Justice M.R. Shah, Judge, Supreme Court of India
2. Hon'ble Mr. Justice Prashant Kumar Mishra, Chief Justice, High Court of Andhra Pradesh
3. Hon'ble Mr. Justice Parth Prateem Sahu, Judge, High Court of Chhattisgarh
4. Hon'ble Mr. Justice G. Raghuram (Retd.), Former Director, National Judicial Academy
5. Prof.(Dr.)V.C. Vivekanandan, Vice-Chancellor, Hidayatullah National Law University
6. Shri Ram Kumar Tiwari, Principal Secretary, Law and Legal Affairs Department, Government of Chhattisgarh
7. Smt. Alarmelmangai D., Secretary, Finance Department, Government of Chhattisgarh
8. Prof. (Dr.) Yogendra Kumar Srivastava, Professor, Hidayatullah National Law University
9. Prof. (Dr.) Uday Shankar, Registrar, Hidayatullah National Law University

Prof.(Dr.) V.C. Vivekanandan, Vice Chancellor, Chairperson of the Executive Council welcomed the members with a brief introduction for the meeting and requested Hon'ble Shri Justice M. R. Shah, Judge, Supreme Court of India to Chair the meeting.

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

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1.	<p><b><u>Perusal and confirmation of the minutes of the Executive Council meeting held on 20.12.2020.</u></b></p> <p><b><u>Notes:</u></b> Minutes of the Executive Council meeting dated 20.12.2020 is placed for perusal.</p> <p><b><u>Decision:</u></b></p> <p><b>Approved as presented.</b></p>
2.	<p><b><u>Action Taken Report on the decision of the Executive Council meeting dated 20.12.2020 for perusal.</u></b></p> <p><b><u>Notes:</u></b> Action Taken Report on the decision of the Executive Council meeting dated 20.12.2020 is placed for perusal.</p> <p><b><u>Decision:</u></b></p> <p><b>1. On the status of recovery of advances/loans to staff, faculty and students of a pending amount of Rs 26,08,497,the amount</b></p>

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	<p>recovered is 20,88,524 and the balance of 5,19,973 is pending. A majority of this amount relates to missing invoices and bills from students and is being pursued. The EC advised to recover the balance amount /tally the accounts wherever it is pending at the earliest. The EC also advised if any defaulter is not traceable for a long period with best of the efforts, the University to take it up to Finance Committee for the feasibility of writing it off as per applicable procedure and report later.</p> <p>2. The status of recovery of the wrongful payment to Seven (7) staff members was discussed, where in the case of the:</p> <p>(a) Four employees who have accepted the show cause notice of recovery, it was decided to proceed with an interest rate of 6% with an offer of revising the interest if they choose to pay it as one-time lump sum amount instead of monthly recovery and</p> <p>(b) In the case of the rest of the three employees who have directly represented the matter to EC, the University administration was directed to give note that after perusing their representation, in accordance with the CAG direction and duly verified by the finance department of the University, the amount will be recovered from them with 6% interest rate. The offer to revisit the interest if they pay up one-time lump sum is also applicable to the three employees.</p> <p>3. On the issue of one employee self-claiming additional HRA between the months of May 2018 to December 2020, it was decided to await the outcome of the petition filed by the employee challenging it in the court and proceed upon the result of the case.</p> <p>4. On the wrongful payment by way of fixation of additional increments of Salary for a faculty in 2009 noted in the CAG report, the University presented a written legal opinion to the University, wherein it was concluded the salary fixed by EC and approval by the then Chancellor are in order. The observation of CAG has apparently not taken of this and hence the recovery process by the EC.</p> <p>5. The Vice Chancellor informed the members that the Internal Complaints Committee and Equal Opportunity Cell duly constituted in March 2020 as per direction of the EC in its meeting on 7<sup>th</sup> December 2019 was completed and reported as follows:</p> <p>(a) The ICC after due process of enquiry submitted a report which unanimously exonerated the four faculty on whom the complaints were made and the same was intimated to the complainants and the faculty concerned. There were no further appeals from the complainant.</p> <p>(b) The Equality Cell after due process of enquiry submitted the report rejecting the charges of the complainants on two faculties. The committee also dealt with the appeal of a</p>

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	<p>complainant and held its report as final. The EC accepted the same and also directed to maintain the privacy &amp; confidentiality of the parties involved as it was resolved with intimation of the reports to both of them.</p>
3.	<p><b><u>Perusal and confirmation of the minutes of the Executive Council meeting held on 05.06.2021.</u></b></p> <p><b><u>Notes:</u></b> Minutes of the Executive Council meeting dated 05.06.2021 is placed for perusal.</p> <p><b><u>Decision:</u></b></p> <p><b>The minutes were perused and approved by the Executive Council.</b></p>
4.	<p><b><u>Action Taken Report on the decision of the Executive Council meeting dated 05.06.2021 for perusal.</u></b></p> <p><b><u>Notes:</u></b> Action Taken Report on the decision of the Executive Council meeting dated 05.06.2020 is placed for perusal.</p> <p><b><u>Decision:</u></b> <b>The University has completed the recruitment as approved by the EC in the meeting and the faculty have joined and reported. The EC has taken note of the appointments of the faculty and approved the process carried out by the University.</b></p>
5.	<p><b><u>Perusal and confirmation of the minutes of the Executive Council meeting held on 13.07.2021.</u></b></p> <p><b><u>Notes:</u></b> Minutes of the Executive Council meeting dated 13.07.2021 is placed for perusal.</p> <p><b><u>Decision:</u></b></p> <p><b>The University has completed the recruitment as approved by the EC in the meeting and the faculty have joined and reported. The EC has taken note of the appointments of the faculty and approved the process carried out by the University.</b></p>
6.	<p><b><u>Action Taken Report on the decision of the Executive Council meeting dated 13.07.2021 for perusal.</u></b></p> <p><b><u>Notes:</u></b> Action Taken Report on the decision of the Executive Council meeting dated 13.07.2021 is placed for perusal.</p> <p><b><u>Decision:</u></b></p> <ol style="list-style-type: none"> <li><b>1. The University has completed the recruitment as approved by the EC in the meeting and the faculty have joined and reported. The EC has taken note of the appointments of the faculty and approved the whole process.</b></li> <li><b>2. On the recovery of the wrongful payments to the Seven Staff- the</b></li> </ol>

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	<p>decision of the EC to immediately revert to the corrected salary from July 2021 was implemented. On the recovery of the excess payments and interest the EC decision is already noted in Page 2/ point 2.</p> <p>3. The Approved list of graduates along with the gold medalists for the year 2019-2020 were approved and to be to be placed before the next General Council meeting</p>
7.	<p><b><u>Perusal and approval of the minutes and recommendations of the Finance Committee meeting held on 19.06.2021.</u></b></p> <p><b><u>Notes:</u></b> The minutes and recommendations of the Finance Committee meeting dated 19.06.2021 is placed herewith for perusal.</p> <p><b><u>Decision:</u></b> The EC approved the minutes of the FC meeting held on 19/6/2021.</p>
8.	<p><b><u>Perusal and approval of the minutes of the Academic Council meeting dated 08.07.2021.</u></b></p> <p><b><u>Notes:</u></b> The minutes of the Academic Council meeting dated 08.07.2021 is placed for perusal.</p> <p><b><u>Decision:</u></b> The EC approved the minutes of the AC meeting held on 19/6/2021.</p>
9.	<p><b><u>Nomination of a member from the Executive Council to the Finance Committee.</u></b></p> <p><b><u>Notes:</u></b> The Executive Council to nominate one Executive Council member as per Sub-clause (b) Clause (1) of Statute 17. The University would suggest for a Jurist familiar with tax and service matters to be nominated from the Executive Council to advise and guide the University.</p> <p><b><u>Decision:</u></b> The members unanimously requested Hon'ble Mr. Justice G. Raghuram to serve as a member of the Finance Committee representing Executive Council and graciously accepted the same. The University to issue the necessary notification to complete the process of nomination.</p>
10.	<p><b><u>Appointment of new Auditing Firm for the University.</u></b></p> <p><b><u>Notes:</u></b> The current Auditor – M/s Sunil Johri &amp; Associates has not completed the audit of 2020-21 in spite of several reminders. Further several shortcomings were reflected in the CAG audit and also with the proceedings before the Income Tax Department on the handling of the current audit firm. As the F.Y. audit of 2020-21 requires urgent attention, the University administration requests the Executive Council to delegate the Vice Chancellor to appoint a competent audit firm in consultation with the Finance Committee. The details of such</p>

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	<p>appointment will be placed before the next Executive Council Meeting.</p> <p><b><u>Decision:</u></b>  <b>The EC directed Finance Committee to look for a suitable auditing firm for external audit for completing the audit for tax return of 2020-21 at the earliest and also to scout for an Internal auditing firm if required for regular audit and to take the approval of EC post facto.</b></p>
11.	<p><b><u>Creation of administrative positions for academic activities.</u></b></p> <p><b><u>Notes :</u></b></p> <p>The UGC mandates the appointment of Chairpersons/Deans for UG/PG and other related administrative activities. The HNLU Act Clause (2) of Statute 9 – “to create positions in administrative, teaching, research and subordinate management staff, on tenure and non-tenure basis on such terms and conditions as may be determined by Regulations and to appoint personnel in such posts in such manner as may be determined under Regulations; the Executive Council may also delegate such functions to the Vice-Chancellor in such manner as may be stipulated in the regulation;”</p> <p><b>The University seeks permission from Executive Council to delegate the Vice Chancellor to nominate such positions through a Selection Committee duly constituted by the mandated process and report the same in the forthcoming meeting of appropriate posts with the existing senior faculty.</b></p> <p><b><u>Decision:</u></b></p> <p><b>With the new recruitment of additional faculty, the EC directed to designate suitable existing faculty for the positions of Deans of a. Under Graduate b. Post Graduate c. Social Sciences d. Outreach &amp; External compliance e. Academic projects and Internal Regulations. The Vice Chancellor is delegated to designate the requisite faculty and suitable additional remuneration for the additional work carried out by them as per HNLU staff regulations of 2015.</b></p>
12.	<p><b><u>Convocation of 2020 &amp; 2021 graduating UG/PG students.</u></b></p> <p><b><u>Notes:</u></b></p> <p>The passing out batches of UG &amp; PG along with candidates who have successfully awarded PhD degrees of the year 2020 and 2021 are waiting for the award of degrees in the convocation. The merit list of the students and the gold medals to be awarded to the students of UG and PG of 2020 are already approved by the Executive Council. The list for 2021 is under preparation. It is submitted for suggesting a suitable date for Convocation and the Chief Guest of the Convocation. The List of 2020-21 batch may be permitted to be approved by way of circulation to the Executive Council members prior to such convocation.</p> <p><b><u>Decision:</u></b></p> <p><b>The EC deliberated and recommended to invite the Honourable Chief Justice of India and Honourable Union Law Minister to hold the convocation for the batches of 2020 &amp; 2021 in the time line of 4<sup>th</sup> week of January to Second week of February 2022.</b></p>

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	<p><b>The Vice Chancellor to take suitable steps to use the good offices of members of the Executive Council for inviting the Chief Guest and Guests of Honour.</b></p>
13.	<p><b><u>Any other matter with the permission to chair.</u></b></p> <p><b><u>(I) Reporting and seeking approval of second term for 9 existing achoc faculties appointed in January 2017.</u></b></p> <p><b><u>Notes:</u></b></p> <ol style="list-style-type: none"> <li>1. Eight (8) Assistant Professors appointed on adhoc basis were due for appraisal in the month of January, 2020 for a second term as indicated in the original appointment letter. The performance appraisal were done by a committee of Vice Chancellor along with two external professors Prof. G.B. Reddy, Professor, Department of Law, Osmania University and Prof. S. Sridhar, Professor School of Law, Bennett University and were reappointed for another term.</li> <li>2. One (1) Assistant Professor of Economics appointed as adhoc on consolidated salary and was reappointed for a basis of scale like other adhoc Assistant Professors. The details of such faculties are as follows: <ol style="list-style-type: none"> <li>i) Dr.(Ms.) Eritriya Roy, Assistant Professor (Economics) Adhoc</li> <li>ii) Dr. Manoj Kumar, Assistant Professor (Law) Adhoc</li> <li>iii) Dr. Parvesh Kumar Rajput, Assistant Professor (Law) Adhoc</li> <li>iv) Dr. Archana ShyamGharote, Assistant Professor (Law) Adhoc</li> <li>v) Dr. Vinita Tripathi, Assistant Professor (Law) Adhoc</li> <li>vi) Dr. Mohammad Amir Khan, Assistant Professor (Law) Adhoc</li> <li>vii) Dr. Atul SatwaJaybhaye, Assistant Professor (Law) Adhoc</li> <li>viii) Mr. V. Surya Narayan, Assistant Professor (Law) Adhoc</li> <li>ix) Ms. Navita Aggarwal, Assistant Professor (Law) Adhoc</li> </ol> </li> </ol> <p><b><u>Decision :</u></b></p> <p><b>The EC approved the renewal of the second term of the adhoc teachers. The guidelines approved by EC of its meeting held on 13<sup>th</sup> July 2021 to be issued. The MoU to be executed based on annual appraisal and renewal to a maximum term of 5 years. These appointments can be terminated any time when the regular appointments are undertaken, where they need to apply afresh to compete as per terms of the call for regular positions.</b></p>
	<p><b><u>(II) Approval of Executive Council to fill-up any vacancy arising in the middle of the Academic Year with waitlisted candidates.</u></b></p> <p><b><u>Notes:</u></b></p> <p>As few faculties of Assistant Professors / Associate Professor has sought NOC to</p>

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	<p>appear in interview in other Universities. In the likelihood of their selection and joining in other University, the University seeks to fill such posts from the waitlisted candidates of the selection process already conducted in the month of April and June 2021 by the duly constituted Selection Committee.</p> <p><b><u>Decision:</u>The Executive Council directed the University to approach the Executive Council as and when vacancies arise to take a decision on this subject.</b></p>

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