

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

MINUTES OF THE EXECUTIVE COUNCIL MEETING HELD ON 30.03.2024 AT 12:00 P.M.

The Executive Council meeting of Hidayatullah National Law University took place on 30.03.2024 at 12:00 p.m., wherein the following Hon'ble Members were present:

1. Hon'ble Mr. Justice Prashant Kumar Mishra, Judge, Supreme Court of India
2. Hon'ble Mr. Justice Sanjay K Agrawal, Judge, High Court of Chhattisgarh
3. Shri Prafulla N. Bharat, Advocate General of Chhattisgarh
4. Prof.(Dr.)V.C. Vivekanandan, Vice-Chancellor, Hidayatullah National Law University
5. Prof.(Dr.) Ranbir Singh, Pro-Chancellor, IILM University, Gurgaon (joined online)
6. Shri Rajnish Shrivastava, Principal Secretary, Law & Legal Affairs Department
7. Prof. (Dr.) Yogendra Kumar Srivastava, Professor, Hidayatullah National Law University
8. Prof. (Dr.) Vishnu Konoorayar, Professor, Hidayatullah National Law University
9. Dr. Vipin Kumar, Registrar (I/c) and Secretary

Prof.(Dr.) V.C. Vivekanandan, Vice Chancellor and Chairperson of the Executive Council, welcomed the members and requested Hon'ble Shri Justice Prashant Kumar Mishra, 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:

Sl. No.	Agenda
1.	<p>Perusal and confirmation of the minutes of the Executive Council meeting held on 15.04.2023.</p> <p>Notes: Minutes of the Executive Council meeting dated 15.04.2023 are placed for perusal.</p> <p>Decision: Perused and confirmed.</p>
2.	<p>Action Taken Report on the decision of the Executive Council meeting dated 15.04.2023.</p> <p>Notes: Action Taken Report on the decision of the Executive Council meeting dated 15.04.2023 is placed for perusal.</p> <p>Decision: Perused and approved.</p>



Sl. No.	Agenda
3.	<p>Perusal and confirmation of the minutes of the Executive Council meeting dated 29.11.2023 (by circulation).</p> <p>Notes: Minutes of the Executive Council meeting dated 29.11.2023 were approved by the members of the Executive Council by way of circulation and placed for perusal.</p> <p>Decision: Perused and confirmed.</p>
4.	<p>Action Taken Report on the decision of the Executive Council meeting dated 29.11.2023.</p> <p>Notes: Action Taken Report on the decision of the Executive Council meeting dated 29.11.2023 is placed for perusal.</p> <p>Decision: Perused and approved.</p>
5.	<p>Perusal and approval of the minutes and recommendations of the Academic Council meeting dated 09.06.2023.</p> <p>Notes: The minutes of the Academic Council meeting dated 09.06.2023, approved by the members of the Academic Council by way of circulation, are placed for perusal.</p> <p>Decision: Perused and approved.</p>
6.	<p>Perusal and approval of the minutes and recommendations of the Academic Council meeting dated 04.07.2023 (Hybrid Mode).</p> <p>Notes: The minutes of the Academic Council meeting dated 04.07.2023 are placed for perusal.</p> <p>Decision: Perused and approved.</p>
7.	<p>Perusal and approval of the minutes and recommendations of the Finance Committee meeting dated 03.12.2023.</p> <p>Notes: The minutes of the Finance Committee meeting dated 03.12.2023 are placed for perusal.</p> <p>Decision: Perused and approved.</p>

Sl. No.	Agenda
8.	<p>Perusal and approval of the Audit Report of the Chartered Accountant for the Finance Year 2022-23.</p> <p>Notes: The Audit Report prepared by the Chartered Account for the Financial Year 2022-23 was placed before the Finance Committee meeting held on 03.12.2023 and approved. The same is placed herewith for perusal and approval.</p> <p>Decision: Perused and approved.</p>
9.	<p>Perusal and approval of the Annual Report for the Academic Year 2022-23.</p> <p>Notes: The Annual Report for the Academic Year 2022-23 is placed herewith for perusal.</p> <p>Decision: The Annual Report for the Academic Year 2022-23 was perused and approved. The EC also placed on record the good work done by the University.</p>
10.	<p>Nomination of a member from the Executive Council to the Finance Committee.</p> <p>Notes: The Executive Council, in its meeting dated 30.10.2021, nominated Hon'ble Mr. Justice G. Raghuram to the Finance Committee. The term of Hon'ble Mr. Justice G. Raghuram ended on 09.02.2024.</p> <p>The Executive Council is to nominate one Executive Council member as per Sub-clause (b) Clause (1) of Statute 17 to the Finance Committee. The University would request the Executive Council to appoint him to the Finance Committee for another term to guide the University on tax and service matters.</p> <p>The Hon'ble Chancellor has nominated Hon'ble Mr. Justice G. Raghuram for another term to the Executive Council on 22/03/2024 for a period of three years.</p> <p>Decision: The Executive Council nominated Hon'ble Mr. Justice G. Raghuram, member of the Executive Council to the Finance Committee as per Sub-clause (b) Clause (1) of Statute 17.</p>
12.	<p>Approval of additional posts of – a) faculty and b) staff.</p> <p>Notes: a) Sanction of faculty positions for Research Schools</p>

Sl. No.	Agenda			
	<p>The University has launched the most comprehensive research initiative - Research - HuB & Spoke (R- HaS) comprising Five Research Schools spanning Technology/Governance/Public Policy/Business and Arts & Humanities with 25 research Centers.</p> <p>These research schools/centers require dedicated faculty with domain expertise for conducting research/teaching and advocacy. It is proposed for the sanction of posts of one Professor, an Associate Professor, and two Assistant Professors on a full-time basis for the research schools. The positions to be based on the specialization of research/teaching. They will be recruited in the coming Academic Year complying with the prevalent UGC/University selection process. The details of the proposed positions are enclosed herewith.</p> <p>b) Sanction of staff positions</p> <p>i) Accounts Assistant (1) ii) Multimedia Designer (1) iii) Assistant Finance Officer (1)</p> <p>Decision: The Executive Council approved the faculty and staff positions as under:-</p> <p>It was decided to change the nomenclature of the School of Business Law to School of Commercial Laws & Arbitration.</p> <p>a) Faculty positions for Research Schools approved as per the UGC Pay</p>			
	S.No.	Name of Research School (R-HaS)	Professor	Associate Professor
1.	School for Law & Technology (SLT)	01 Intellectual Property	01 Internet Law	02 01-Internet Law 01-WTO Studies
2.	School for Law and Governance (SLG)	01 Constitutional Law	01 International Law	02 01- ADR 01-Constitution Law
3.	School for Law and Public Policy (SLPP)	01 Public Policy	01 Privacy & Data Protection	02 01- Environmental Law 01-Health Law
4.	School for Law and Business (SLB)	01 Corporate Finance	01 Tax Law	01 Arbitration
5.	School for Law and Humanities (SLH)	01 Political Science	01 Sociology	02 01-Economics 01-Human Rights

Sl. No.	Agenda																			
	Total:	05	05	09																
	<p>b) Staff positions approved as follows:</p>																			
	<table border="1"> <thead> <tr> <th data-bbox="336 500 456 591">Sl.No.</th> <th data-bbox="456 500 836 591">Name of Post</th> <th data-bbox="836 500 1083 591">Number of Post</th> <th data-bbox="1083 500 1497 591">Pay Scale as per 7th CPC</th> </tr> </thead> <tbody> <tr> <td data-bbox="336 591 456 690">1.</td> <td data-bbox="456 591 836 690">Assistant Finance Officer</td> <td data-bbox="836 591 1083 690" style="text-align: center;">01</td> <td data-bbox="1083 591 1497 690">Rs.35,400 - 78,800 (Level-6)</td> </tr> <tr> <td data-bbox="336 690 456 755">2.</td> <td data-bbox="456 690 836 755">Accounts Assistant</td> <td data-bbox="836 690 1083 755" style="text-align: center;">01</td> <td data-bbox="1083 690 1497 755">Rs.25,500-56,800 (Level-4)</td> </tr> <tr> <td data-bbox="336 755 456 821">3.</td> <td data-bbox="456 755 836 821">Multimedia Designer</td> <td data-bbox="836 755 1083 821" style="text-align: center;">01</td> <td data-bbox="1083 755 1497 821">Rs.25,500-56,800 (Level-4)</td> </tr> </tbody> </table>				Sl.No.	Name of Post	Number of Post	Pay Scale as per 7th CPC	1.	Assistant Finance Officer	01	Rs.35,400 - 78,800 (Level-6)	2.	Accounts Assistant	01	Rs.25,500-56,800 (Level-4)	3.	Multimedia Designer	01	Rs.25,500-56,800 (Level-4)
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13.	<p><u>Any Other item with the permission of the Chair.</u></p> <p>Appeal preferred by dismissed employees to the Executive Council beyond the limitation period prescribed under the Staff Regulations - Reg</p> <p><u>Notes:</u></p> <p>Two employees, Mr. Dinesh Kumar Lalwani and Mr. Anil Kumar Singh were suspended on 06.08.2020 by the University. The University instituted a departmental inquiry and appointed Mr. Mahendra Rathore, Retd. Additional District Judge as the Inquiry Officer and Mr. Vaibhav Shukla, Advocate as the Presenting Officer.</p> <p>On completion of the Inquiry, the Report of the Inquiry was submitted to the University. The said Report found both employees guilty, as charged, of removing /possessing and making public confidential documents from the office of the Vice Chancellor.</p> <p>The findings of the inquiry were supplied to the charged employees seeking their responses, on February 14, 2023. The charged employees sent their responses on February 24, 2023.</p> <p>The Competent Authority, after perusing the responses of the charged employees, passed orders of dismissal in respect of both employees. These orders were served on the said employees on March 6, 2023.</p> <p>Regulation 37(2) of the HNLU Staff Regulation, 2015 provides for an appeal against any disciplinary orders passed to the Executive Council within 30 days.</p> <p>The said employees failed to file appeals within 30 days as specified/prescribed in the Staff Regulation, 2015, i.e., by 5th April 2023.</p> <p>The matter (the disciplinary orders of dismissal of the two aforesaid employees, of 6th March 2023) was placed for consideration before the EC on</p>																			

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	<p>15th April 2023 (after the lapse of 30 days period provided in the Staff Regulation, 2015, for preferring an appeal to the Executive Council). The EC considered and accepted the decision of the University.</p> <p>The dismissed employees submitted their appeals on 15.05.2023 beyond the period of limitation prescribed in the Staff Regulation, 2015. It is to be placed herewith that these appeals were filed on the 70th day of the dismissal order. Such appeals were also sent 30 days after the decision of the EC endorsing the dismissal by the University.</p> <p>The Staff Regulation, 2015 while providing for an appeal against disciplinary orders (within 30 days as stated supra) does not provide for the condonation of delay in preferring an appeal beyond the period stipulated therein.</p> <p><u>Facts in brief:</u></p> <p>The two dismissed employees filed no appeals within the time stipulated for filing appeals to the EC in the Staff Regulation, 2015, and there is no provision for condonation of delay. The disciplinary orders, passed on the two employees dated 6th March, 2023, were approved by the Executive Council of the University <i>vide</i> the decision at the meeting dated 15th April, 2023.</p> <p>The University has scrupulously followed the due process of law and all principles of natural justice; the departmental Inquiry was conducted by a duly constituted inquiry committee; and the Competent Authority has passed the disciplinary orders on the basis of the findings in the Report of the disciplinary Inquiry. The removal of confidential materials from the office of the Vice Chancellor/ Establishment Section / Account Section was considered as a grave misconduct detrimental to the discipline in the University and continuation of these employees in the service of the University was considered untenable.</p> <p><u>Submitted for consideration of the EC</u></p> <p>Decision: The University to issue a notice to the appellants to give a choice of personal appearance in a subsequent meeting before the EC as directed by Hon'ble Mr. Justice Prashant Kumar Mishra who chaired the meeting. The University is also directed to present its response to the appeal of the appellants to the EC in that meeting.</p>

