

Student Bar Association, HNLU

1. In light of the judgment of the Honourable High Court of Chhattisgarh in *Dr. Avinash Samal v. State of Chhattisgarh & Others*, pronounced on 27.08.2018, Prof. Dr. Sukh Pal Singh has no legal or moral authority to continue as the Vice Chancellor of Hidayatullah National Law University. The Student body humbly requests you to officially acknowledge that as a consequence of the above mentioned judgment, Prof. Dr. Sukh Pal Singh can no longer occupy the Office of the Vice Chancellor of the University.

Further, the students have had long standing demands (mentioned herein after) that require immediate attention. Therefore we request you to appoint an able and competent individual as the acting Vice Chancellor of the University.

Furthermore, we request you to constitute a search committee in accordance with Section 19 of the Hidayatullah National University of Law Chhattisgarh Adhiniyam, 2003 (herein after "HNLU Act"). We believe that the process should be initiated at the earliest, the same being transparent, just and fair. It is also implored that the student body be kept abreast of the developments pertaining to the above mentioned.

2. Campus Curfews:

- As per the objective of the HNLU Act, Hidayatullah National Law University was established to foster legal education and excellence. The University has imposed a rule that the students of the University must return to and will not be allowed to step outside the halls of residence post 10:30 pm. However, no rationale has been provided as to how this arbitrary time was arrived at and the same has imposed without following the proper processes, as per the University Act and the rules thereunder. The entire student community recognises their right to have free access to every part of the campus, at all hours.

Moreover, the University has students who identify with different genders and therefore reside in different halls of residence. The imposition of such a rule upon us hinders the academic, as well as, extra-curricular activities that the students wish to undertake, viz. moot court competitions, collaborative research papers, access to the library resources, etc. This rule also prohibits access to the common spaces within the halls of residence post 10:30 pm, such as, the gym, the common rooms, the mess, etc. Consequently, the University does not provide us with any source of food between 10:30 pm and 7:30 am and the students are not allowed outside of the same, which constitutes a major problem, as well as, health hazard for students who stay awake, post 10:30 pm to study or prepare for different undertakings. There are eateries present around the University which offer delivery services to the campus, post 10:30 pm, but, the students are not allowed to avail of the services because of this rule. Therefore, we request you to completely remove the curfew timings within the campus.

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- Along with this, we also request you to also extend the library timings from the present 10 PM to 3 AM in order to have maximum utility of the resources that are provided to us in the library. We would like to bring to your notice that other national universities such as NUJS, NLSIU, NALSAR and the like have similar library timings for their students.

3. Appointments:

- It is also imperative that the Wardens of the Halls of the Residence be independent and not an academic representative, teacher or in any manner associated, directly, indirectly or incidentally with academic activities or programs or such similar tasks or in-charge of any responsibilities or duties of similar nature. There have been multiple occasions wherein it has been observed that, wardens when reprimanding students for alleged violations of rules of the Hall of Residence have also threatened dire academic consequences with marks in examination as well as attendance.
 - It is requested that a permanent registrar be appointed according to the rules laid down for the same.
 - We also request you to appoint a recruiting officer and also fill any vacancy that persists in the faculty.
 - And finally we request you to appoint non-teaching administrative staff in the likes of library staff and others as and when such staff may be required.
4. It is also requested that a **review commission** be constituted in accordance with Section 19 of the HNLU Act to review the working of the university and to make recommendations. It is also requested that when such commission submits its report the same be made public and available to all the students of the university.
 5. As per the **provision 2.7** of the UGC Entitlement guidelines, *the students are entitled to give regular feedback on the quality of teaching, students services and institutional infrastructure. The college/university shall establish mechanisms for seeking this feedback regularly and taking student feedback into account for review and improvement.* But, we submit before you that no such mechanism is in place. Thus we request you to direct the concerned authorities to come up with a mechanism, by having detailed discussions with the Student Representatives, which would seek feedback on quality of teaching, quality of the food provided in Mess/Canteen/Cafeteria, quality of Internet, Quality of services provided by the shops of the utility centre and other services and institutional infrastructure and to incorporate these feedbacks while having assessment of these services.
 6. As per the **provision 8** of the UGC Entitlement guidelines, *every college/university must disclose minutes of the meetings of bodies like Academic/Executive council, sources of income and the financial situation and any other information about its functioning necessary for a student to make a fully informed choice.* Thus, we request you to direct the

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concerned authorities to upload the minutes of meetings of the last three meetings of Executive Council, Academic Council and Finance Council, on the university website. We also request you to direct the concerned authorities to publish the income received by the University through various sources on the website of the university.

7. As per the **provision 7** of the UGC Entitlement guidelines, *The students are entitled to forming associations and unions, directly electing their representatives to Students Unions and having their representatives on the college/university decision making bodies including internal quality assessment, grievance committees, Gender Sensitization Committees against Sexual Harassment and the Academic/Executive council.* Thus, we also **request you to amend the provisions of the Hidayatullah National Law University, Chhattisgarh Act, 2003, under section 15(3) to allow two student representatives, as nominated by the Student Bar Association, in the Academic and Executive Council of the university.** As we seek student representation at such meetings, we request you not to convene such meetings during the semester breaks.
8. We also request you to direct the concerned authorities to **publish the following** details on the university website as per Section 4(b) of **Right to Information Act, 2005**:
 - i. a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards; councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
 - ii. the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
 - iii. the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
 - iv. details in respect of the information, available to or held by it, reduced in an electronic form;
 - v. the names, designations and other particulars of the Public Information Officers;
9. We request you to change the definition of “First Attempt of an Examination” as per Delhi High Court’s judgment in *Abhinav Pandey v. Guru Gobind Singh Indraprastha University And Ors* (Dated 23.01.2018) (Annexure 4 to this application) and the apex courts judgment in *Abhijit v. Dean, Government Medical College, Aurangabad and Anr.* (1987 SC 1362). The court has held **that sitting for an examination by a student in the successive academic year, by reason of his inability to write the examination as per the schedule of the**

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curriculum on account of circumstances beyond his control, shall still qualify as the student's "first attempt". Consequently we would request you to make requisite changes in rules for awarding of University Gold Medal as enlisted in Rule 12(a) of Ordinance 1(Annexure 1) and Rule 14.2(a) of Examination rules of HNLU, 2009.

10. We also take this opportunity to request you to draft all the existing Academic, Library, Halls Of Residence, Disciplinary and Examination rules into a single document in form of a Student Manual for having clarity and avoiding any confusion.
11. Further we request you to bifurcate the tender for Hostel Mess, Canteen and Cafeteria to avoid monopoly.
12. We also request you to ratify the Student Bar Association's Constitution, which has been long overdue.
13. Finally we request you to convocation ceremonies every year as recommended by the University Grants Commission.

