



डॉ० राम मनोहर लोहिया राष्ट्रीय विधि विश्वविद्यालय

Dr. Ram Manohar Lohiya National Law University

No.: 1175-20/NLULko/Admin-E-1/2020 (2446)

Date: 08 October, 2020

Minutes of the Special Meeting of Executive Council

The minutes of 39th Special (Online) meeting of the Executive Council held on 7th of October, 2020 are being annexed herewith for kind perusal of the Hon'ble Members. Comments, if any, on the recording of the minutes may kindly be sent within a day of issuance of the minutes.

(Anil Kumar Mishra)
Registrar
Secretary, Executive Council

Copy for information to the following EC members please:

1. The Vice-Chancellor, Dr. RMLNLU, Lucknow.
2. Mr. Manan Kumar Mishra, Senior Advocate & Chairman, Bar Council of India, 23/B, Sagar Apartments, Tilak Magr, New Delhi – 110001.
3. Mr. Janki Sharan Pandey, Chairman, Bar Council of Uttar Pradesh, 154, Samar Vihar, Alambagh, Lucknow.
4. Prof. Girish Chandra Tripathi, 2 Bank Road, Professors Colony, Allahabad University, Allahabad.
5. Mr. Suresh Kumar Kalia, Senior Advocate, C-12, Vivekanandpuri, Lucknow-226007
6. Dr. L.P. Mishra, Advocate, B-124, Nirala Nagar, Lucknow
7. Mr. S.B. Pandey, Assistant Solicitor General, GOI & Senior Advocate, C-8, Bheekhampur Colony, Paper Mill, Nishatganj, Lucknow-226006
8. Mr. Jai Krishna Sinha, C-91, Sector-J, Aliganj, Lucknow.
9. Ms. Ranjana Agnihotri, Advocate, 512/695, Balda Road, Nishatganj, Lucknow.
10. Mr. G.N. Shukla, Advocate, Triveninagar, Lucknow.
11. Addl. Chief Secretary, Department of Higher Education, Govt. of U.P.
12. Principal Secretary, Department of Law, Govt. of U.P.
13. Principal Secretary, Department of Finance, Govt. of U.P.
14. The Finance Officer, Dr. RMLNLU, Lucknow.
15. Prof. Sanjay Singh, Dr. RMLNLU, Lucknow.

(Anil Kumar Mishra)
Registrar
Secretary, Executive Council

Dr. Ram Manohar Lohiya National Law University, Lucknow
Minutes of the 39th Special (Online) Meeting of the Executive Council
held on 07.10.2020 at 06:45 PM.

The following were present in the 39th Special (Online) Meeting of the Executive Council held on 07.10.2020 at 06:45 PM.:-

1.	Prof. S.K. Bhatnagar, Vice-Chancellor Dr. RML National Law University, Lucknow	Chairman
2.	Prof. Girish Chandra Tripathi, Nominee of Hon'ble Chairperson, General Council	Member
3.	Mr. Suresh Kumar Kalia, Sr. Advocate Nominee of Hon'ble Chairperson, General Council	Member
4.	Dr. L.P. Mishra, Advocate Nominee of Hon'ble Chairperson, General Council	Member
5.	Mr. S.B. Pandey, Senior Advocate, Assistant Solicitor General, GOI, Nominee of Hon'ble Chairperson, General Council	Member
6.	Ms. Ranjana Agnihotri, Advocate, Nominee of Hon'ble Chairperson, General Council	Member
7.	Prof. Sanjay Singh, Dr. RML National Law University, Lucknow	Member
8.	Mr. Arvind Kumar Uttam, Finance Officer Dr. RML National Law University, Lucknow	Special Invitee
9.	Mr. Anil Kumar Mishra, I.A.S., Registrar Dr. RML National Law University, Lucknow	Secretary

Mr. Manan Kumar Mishra, Chairman, BCI, Mr. Janki Sharan Pandey, Chairman, Bar Council of Uttar Pradesh, Secretary-in-Charge, Department of Finance, Secretary-in-Charge, Department of Law, Secretary-in-Charge, Department of Higher Education, U.P., Mr. Jai Krishna Sinha, and Mr. G.N. Shukla, Advocate could not attend the meeting.

At the outset, the Chairman welcomed the Hon'ble members of the Executive Council in the online Special Meeting of the Executive Council.

Thereafter, the following agenda was taken up for discussion:

Agenda Item No. -1

Reconsideration on the decision taken by the Executive Council in its 38th meeting held on 24&25.09.2020 regarding providing reservation to EWS (U.P.) category in B.A.LL.B. (Hons.) programme:

Background

The following proposal/agenda regarding providing reservation to EWS (U.P.) category in B.A.LL.B. (Hons.) programme for 2020-21 was placed before the Executive Council in its 38th meeting held on 24&25.09.2020:

It was brought to the kind notice of the Executive Council in the 37th Special (Online) Meeting of Executive Council held on 20.07.2020 that the BCI affiliation for BA.LL.B. course had expired on 30.06.2020. This was also informed that the BCI team has yet not visited the University for inspection but has granted temporary affiliation to BA.LL.B. course for the session 2020-21.

The University has to provide 10% reservation to candidates of the Economically Weaker Sections (EWS) of U.P. as per reservation policy. In the 26th meeting of the Academic Council held on 03.08.2019, the matter of the reservation for EWS (U.P.) was put up vide Agenda item no. 20(4). The minutes of 26th meeting of the Academic Council were placed before the Executive Council in its 35th meeting held on 09.11.2019.

The University is already allowing 16 seats to NRI/NRI sponsored candidates since 2014 as per regulations. The NRI quota is not mandated by the government. The University has limited infrastructure resources, the NRI quota needs to be reconsidered.

It was also informed in the 38th meeting that, due to limited resources like inadequate hostels, less number of class rooms etc., it is difficult to increase the seats as of now to implement the EWS (U.P.) reservation in full in B.A.LL.B., therefore, the NRI seats need to be reviewed and considered.

The Executive Council after due deliberation on the issue had resolved in the 38th meeting as following:

1. The Executive Council resolved to comply with the EWS (U.P.) reservation order of the State Government. The Executive Council

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further resolved that w.e.f. Academic Year 2020-21 the admissions being offered to NRI sponsored category be stopped.

2. It was also resolved that as the order of the U.P. Government is asking for “maximum” 10% EWS (U.P.) reservation, the University will give this reservation in different stages by increasing the EWS (U.P.) seats in each subsequent stage in the residential University. It was resolved in view of the fact of the inadequate infrastructural resources.
3. It was also resolved that after earmarking the seats for EWS (U.P.) category in B.A.LL.B., there will be total 193 seat for admission in B.A.LL.B. which will be done as per the following break-up of seats w.e.f. 2020-21:
 - 90 seats for reserved categories (i.e. OBC, SC, ST etc.) in place of existing 80.
 - 90 seats for unreserved categories in place of existing 80.
 - 09 seats for EWS category (U.P.)
 - 02 seats for Kashmiri Migrants, if directed by GoI.
 - 02 seats for NRI/Foreign Nationals as per the availability of candidates.

(Annexure 1 - Minutes of 38th meeting attached)

Matter for Reconsideration:

The item is being put up for reconsideration by the Executive Council because if the seat allocation as approved in the 38th meeting (held on 24 & 25 September 2020) is implemented it would fall short of the 50% reservation for O.B.C., S.C. and S.T. candidates in the total seats (other than supernumerary seats). The 50% reservation for OBC, SC & ST is to be maintained even after the inclusion of the EWS (U.P.) category.

Following information is put up:

- (i) The letter of the Bar Council of India dated 3-9-2020 giving temporary affiliation for the Session 2020-21 is attached.(Annexure -2).The CLAT 2020 has been conducted on 28-9-2020.
- (ii) The Dharmashastra National Law University, Jabalpur which started with 120 seats in 2018-19, before the EWS (M.P.) reservation was implemented in 2019, is now adjusting the EWS (M.P.) in the same 120 seats. (Annexure-3).

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- (iii) The BCI allotted 180 seats in 2014-15 to us. It may again be noted that the University has been filling only 160 seats since 2014-15 applying reservation on these 160 seats only. Therefore, we have still BCI allotted 20 seats which can be filled with the EWS (U.P.), OBC, SC & ST reservation. This may be noted that the University has been filling 16 NRI/NRI sponsored seats out of these 20 seats while these supernumerary 16 NRI etc. category seats, being filled since last five years, should have, as a rule, fallen outside these 180 seats.
- (iv) Copies of the order of the Department of Higher Education, Govt. of U.P. dated 03.07.2019, order of the Karmik Anubhag-2, Govt. of U.P. dated 18.02.2019 and order of the MHRD, Department of Higher Education, Govt. of India dated 17.01.2019 directing for implementation of EWS reservation are annexed herewith as **(Annexure-4)**.

Now, the seat matrix proposed for 2020-21 is as below:

1. Seats (Admitted through CLAT Consortium):

Total Nos. of Seats allotted by the Bar Council of India for B.A.LL.B. (Hons.) since 2014-15 = 180 Seats	Existing	Proposed
No. of seats for UR category (<i>same as earlier arrangement prior to the decision of EC on 24&25.09.2020</i>)	80	80
No. of seats reserved for SC/ST categories (23%)	37	41
No. of seats reserved for OBC category (27%)	43	49
No. of seats proposed to be reserved for EWS category (U.P)	-	10
Total	160	180

2. Supernumerary Seats (Not admitted through CLAT Consortium):

- (a) Wards of Kashmiri Migrants 2 (as per GoI)
 (b) Foreign Nationals / NRI/ NRI sponsored. 16 as per allocation since 2015-16

The total seats proposed above would be: 180 + 18 = 198

(The domicile/ horizontal reservation to continue as usual)

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However, it is proposed that, as per the resolution of the E.C. in its 38th meeting, the seats for the Foreign Nationals/ NRI candidates may remain two (2). But, this may be implemented from the Session 2021-22. So, there would be no NRI sponsored seat. This will also be subject to the outcome of the Writ Petition (Civil) No. 600/ 2015 pending before the Hon'ble Supreme Court of India regarding NRI/ NRI sponsored seats.

The University will enhance the EWS (U.P.) reservation in different stages by increasing the EWS (U.P.) seats in each subsequent stage with more infrastructural facilities coming up in the residential University.

The Executive Council is, therefore, requested to reconsider the seat break up of its earlier decision taken on 24 & 25.09.2020 and approve the above proposed seat matrix.

Alternatively, looking to the crunch in the infrastructure, the Executive Council may like to resolve that we wait till the BCI visits the University for regular affiliation to allot appropriate number of seats. Till then, the EWS seats may be kept on hold and status quo may be maintained.

The points relating to 103rd Constitutional Amendment, the order of the Higher Education (U.P.) dated 03.07.2020, restoration of number of 16 NRI/ NRI sponsored/ Foreign Nationals seats as the admission process is on, the increase of EWS seats keeping in view the infra resources, came up for discussion. The following was resolved:

Resolutions:

The seat matrix as proposed was discussed, modified and it was resolved as below:

- (i) 80 seats for unreserved category and 80 seats for the reserved category (O.B.C., S.C. & S.T.) to continue.
- (ii) 16 seats for Foreign Nationals, NRI, NRI sponsored category would continue to be filled in 2020-21 too as the admission process is on.
- (iii) In compliance with the directions of the government, 9 seats are reserved for EWS candidates of U.P. for 2020-21.

It is further resolved that as we are increasing only 9 EWS seats looking to available resources, we would increase it further subject to an increase in the resources.



- (iv) 2 seats for the Kashmiri migrants as per the Government of India mandate.

So, the matrix for 2020-21 session would now be as follows:

1.	No. of seats for unreserved category	80
2.	No. of seats reserved for SC/ST categories	37
3.	No. of seats reserved for OBC category	43
4.	No. of seats reserved for EWS of U.P.	09
Total		169

Supernumerary Seats:

(a)	Foreign Nationals / NRI/ NRI sponsored	16
(b)	Wards of Kashmiri Migrants	02
Total		18

Final Total of Seats: 169 + 18= 187


2. Any Other Information

- A. As regards the legal opinion sent to the Hon'ble members as per their direction given in the 38 th Meeting on 25 September 2020, the members informed that they were going through the opinion.
- B. This was again reiterated that the Hon'ble members would make a visit to the University to find out the ways and means to increase the physical infrastructure in the University so that a proposal can be sent to the Government.

Meeting ended with a vote of thanks to the Chair.


(Anil Kumar Mishra)
 Registrar
 Secretary, Executive Council

Minutes approved.


(Prof. S.K. Bhatnagar)
 Vice-Chancellor/
 Chairman, Executive Council