

HOSTEL AND CAMPUS RULES

NALSAR UNIVERSITY OF LAW, HYDERABAD

Interpretive Guide to the Hostel and Campus Rules

These hostel rules have been drafted to balance the need for maintaining discipline on the campus with other values which this University places an equal premium upon, which specifically include principles of procedural fairness, neutrality, proportionality, non-arbitrariness, and infusing into the disciplinary provisions, the goals of reformation and rehabilitation.

These rules recognize that the aim of any disciplinary proceeding is not to alienate and brand the wrong-doer, but rather put in the best of efforts towards reformation and rehabilitation. Accordingly, any disciplinary proceeding may balance these objectives along with the disciplinary response that an infraction may call for.

In case of any doubts or disputes over an interpretation of any of the provisions hereunder, the interpretation of the Vice-Chancellor keeping in mind the best and long term interests of the University, shall be final.


1. ALLOTMENT OF HOSTEL ROOMS

- i. The wardens of the University or Officer's designated by the University, for the purpose, shall make allotments of rooms to the applicants by draw of lots.
- ii. Students shall not be allowed to change the rooms so allotted.
Provided that the Wardens of the Boys' or Girls' hostel, in consultation with the respective Chief Warden may on the request of the student(s), by a written order allow student(s) to change rooms under special circumstances. Failure to get such permission may invite a fine to be imposed by the Chief Warden/ Warden through a written order and/ or an order to shift back to the originally allotted room.
- iii. Students with serious/potentially life threatening contagious illnesses shall not be allowed to stay in the hostels until their health is restored and the same is certified by a medical practitioner.

2. LEAVE FROM THE HOSTELS

- i. Students are permitted to enter or exit the campus after making an entry into the relevant movement register maintained at the main gate.
- ii. Provision for Day Out
 - a) No student shall be allowed to stay outside campus beyond 10 P.M. There shall be no requirement of taking permission from the Wardens for reporting back to the campus before the stipulated time.
Provided that the students of the first year shall be required to return back to the campus by 9.00 PM. The provision shall stand in force till August 14 of the relevant year.
 - b) The Chief Warden or any other warden authorized by him/ her may allow a student, in exceptional Circumstances, to enter the University




Prof. (Dr.) K. Vidyullatha Reddy
Professor of Law & Registrar
NALSAR, UNIVERSITY OF LAW
"Justice City", Shameerpet,

beyond the stipulated time. **Provided that** No permission for the entry beyond the stipulated time shall be granted to any student, if the same is sought after the lapse of the time so stipulated.

- c) Student returning to the University, beyond the stipulated time, where the permission under rule 2(ii)(b) has either not been sought or granted, shall be subject to penalties as prescribed under Rule 5.
- d) The Vice-Chancellor may, by an Office Order, revise the time stipulated hereinabove

Explanation: Late Entry owing to the Moot Court Competition hosted by the University, City Tour/ Dinner with the University guests, Bad Weather Conditions in the City, or any other academic reason shall be considered as 'Exceptional Circumstances' within the meaning of Rule 2(ii)(b)

iii. Provision for Night stay off-campus

- a) In case of a student's leave from campus involves the stay outside the campus at night, written permission from any of the wardens shall mandatorily be sought in the format prescribed in the Annexure C of the rules. The University expects and would deem that the student has taken the leave after intimating his/ her parents about the same.

3. HOSTEL TIMINGS

Hostel Entry/Exit timings shall not be ordinarily imposed on any student of the University. The students shall be entitled to a Twenty – Four Hour campus.

Provided that the students of the first year shall be required to enter their hostel by 9.00 P.M. to avoid the instances of ragging. The condition shall stand in force till August 14 of the relevant year.

Provided further that the Vice-Chancellor may notify a change in Hostel timings, in general or for a specific day/ set of days, if needed.

4. HOSTEL COMPOUND REGULATIONS

- i. The Hostel Compound, Hostel Rooms, Common Room, Verandas and other surroundings shall be subject to inspection by the Wardens at any time of the day or night.
- ii. If the occupant of the room is absent or unavailable at the time of inspection, the room may be sealed by the Wardens carrying out the inspection and subsequently unlocked and inspected in the presence of the inhabitant.
Provided that under exceptional circumstances, at the approval of the Vice-Chancellor, the locks of the rooms may be broken in the presence of Chief Warden and a representative of Student Bar Council.
- iii. The following items, if found during the inspection, are liable to be seized:
 - a) Unauthorized items including but not limited to Electrical appliances like Induction Plates, Heater(s), Refrigerator(s), Air Conditioner(s), cooler(s) etc.



Provided that the use of coolers may be permitted, during the Months of March and April, in the Hostel Rooms, on the payment of the requisite electricity charges.

Note: The University will endeavor to provide to the students, Ironing Table, Electric Iron, Induction Plate in the common room of each Hostel.

- b) Prohibited Items including but not limited to alcohol, tobacco etc.
- c) Illegal objects such as drugs and arms and ammunition.

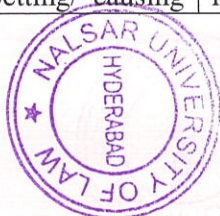
5. PROHIBITED ACTS, FINES AND PENALTY

- i. **Prohibition of Tobacco & Liquor:** Possession, Consumption, Procurement, Distribution of tobacco and/or liquor or any of these acts, individually or in combination, is/ are prohibited on the campus. Anyone found abetting any of the above mentioned acts shall also be liable to punishment as prescribed below.
- ii. Anyone found in an inebriated condition on campus shall be punished in accordance with Sub Rule (v).
- iii. Procedure for imposition of fine or any disciplinary action shall be conducted in a manner prescribed under Rules 6, 7, 8 and 9.
- iv. The Vice-Chancellor may at his/her discretion reduce or enhance the punishment as he/she deems fit.
- v. Prohibited Acts and Penalty:

Prohibited Acts		Maximum Prescribed Penalty or Fine
Category I of Prohibited Acts		
a)	Ragging in any form	As mandated by the State Legislation – See Annexure A
b)	Sexual Harassment	As governed under the framework of the University's Internal Complaints Committee
c)	Possession, cultivation, sale, and/ or consumption of narcotic drugs or psychotropic substances as enlisted under The Narcotic Drugs and Psychotropic Substances Act, 1985.	Expulsion from the University for five years
d)	Campus Violence	1st time: Fine of Rs. 3000+ Community Service for Two Weeks 2nd time: Suspension from Hostels for 1 semester 3rd time and thereafter: Expulsion from the University for One Year
e)	Violence or serious misbehavior (including use of foul language) against Faculty Members,	1st time: Suspension from Hostels for 1 semester



	members of the Proctoral Board, Wardens, Non-Teaching and Support Staff, and Security Guards.	2nd time: and thereafter: Expulsion from the University for One Year
f)	Damage to University Property	<p>1st time: Fine equal to twice the damage caused + Community Service for two weeks</p> <p>2nd time: Fine equal to five times the damage caused + Community Service for two weeks</p> <p>3rd time and thereafter: Suspension from Hostels for one Year + Fine of five times the damage caused.</p> <p>Note: Community fine of equivalent to twice the damage caused, may be imposed on each student of the University/hostel, as the case may be, in case there is no identifiable wrongdoer.</p>
g)	Misrepresentation with respect to one's identity to any official of the university enforcing discipline or wrong entry in any register kept to record the entry or exit of the student from the hostel premises or the university campus	<p>1st time: Fine of Rs. 500</p> <p>2nd time: Fine of Rs. 2000</p> <p>3rd Time and thereafter: Fine of Rs 5000</p>
Category II of Prohibited Acts		
h)	Late reporting to the Campus	<p>1st time: Fine of Rs. 500</p> <p>2nd time: Fine of Rs. 1000 along with written notice to parents</p> <p>3rd time and thereafter: Fine of Rs. 5000 along with written notice to parents</p>
i)	Returning to Campus in an inebriated state or consuming alcohol within the University premises	<p>1st time: Fine of Rs. 1000 + Community Service</p> <p>2nd time: Fine of Rs. 2000 along with written notice to parents + Community Service</p> <p>3rd Time and thereafter: Fine of Rs. 5000 along with written notice to parents + Community Service</p>
j)	Returning to Campus in an inebriated state or consuming alcohol within the University premises and abetting/ causing	<p>1st Time: Fine of Rs. 2000 + Community Service</p> <p>2nd Time: Fine of Rs. 5000 along with written notice to parents + Community Service</p>



	Nuisance	3rd Time and thereafter: Suspension from the Hostels for One Semester
k)	Possession of tobacco, liquor	1st time: Fine of Rs. 500 + Community Service for Two Weeks 2nd time and thereafter: Fine of Rs. 1000 along with written notice to parents+ Community Service for Two Weeks
l)	Smoking Cigarettes, Beedi etc. on the Campus	1st time: Fine of Rs. 500 + Community Service for Two Weeks 2nd time and thereafter: Fine of Rs. 1000 along with intimation to parents + Community Service for Two Weeks
m)	Change of hostel rooms without permission	Fine of Rs. 1,000
n)	Obstruction of inspection of rooms by warden(s).	Fine of Rs. 1,000
o)	Bullying/use of inappropriate physical force against fellow Students	1st Time: Fine of Rs. 2000+ Community Service for Two Weeks 2nd Time: Fine of Rs. 5000 + Community Service for Two Weeks 3rd Time and thereafter: Suspension from Hostels for a period of One Semester,
o)	Trespassing in to the Boys'or Girls' Hostel Premises	1st time: Fine of Rs. 1,000+ Community Service for Two weeks 2nd Time: Fine of Rs. 3,000 + Community Service for Two weeks 3rd Time and thereafter: Suspension from the Hostels for One Semester
p)	Parking/ Entry of Vehicles on the Campus / at the University Main Gate	1st Time: Fine of Rs. 2,000 2nd Time: Fine of Rs. 5,000 3rd Time and thereafter: Suspension from the Hostels for One Semester
q)	Forging the Signature of any signatory, authorized by the University, on any form / document.	1st Time: Fine of Rs. 2,000 2nd Time and thereafter: Suspension from the Hostels for One Month
r)	Any act or remark derogatory to the sentiments of members of any caste, community, religion etc.	1st time: Fine of Rs. 2,000 2nd time: Fine of Rs. 5000 3rd time and thereafter: Suspension from the Hostels for One Semester



Note:

1. No students shall be suspended from the Hostel pending inquiry by the Board.
2. Where a student is found consuming a drug/medicine composed of any narcotic drugs or psychotropic substance(s), he/ she shall be excused from any prescribed punishment on presentation of requisite medical prescription from a recognized medical practitioner.

6. COMPOSITION OF PROCTORAL BOARD (the 'Board')

- i. The Board shall constitute of five faculty members of the University, including at least one female faculty, who shall be nominated by the Vice-Chancellor
- ii. The Board shall be headed by the Proctor.
- iii. The Vice-Chancellor may grant an observer status to the President of the Student Bar Council of the University (SBC) in the Board meetings.

Provided that where the President of the Student Bar Council is accused of committing a particular Prohibited Act or the Vice Chancellor finds him/ her as a person holding a bias/ prejudice towards the student(s) so accused, the Vice Chancellor may appoint a Member of Executive Council of the Student Bar Council who, in his/ her opinion, holds no interest in the inquiry of the case. The appointment of the member of the Executive Council, under the provisio, shall be temporary and extend only to the specific inquiry for which he/ she is so appointed.

- iv. The role of the Student Observer shall only extend to the Stages of Hearing, Arguments and Production of Evidences by the Student(s) accused for committing the Prohibited Act(s). The President of the Student Bar Council shall, thereafter, recuse himself/ herself from the deliberations of the Board on the issue of guilt and consequent punishment.
- v. Tenure of the members of the Board including the Proctor shall be one year. Proctor and Members shall be eligible for re-appointment.

7. PROCEDURE OF INQUIRY

- i. The guilt in Prohibited Acts under Category I shall be ascertained by way of Inquiry by the Proctoral Board.
- ii. There shall be no requirement of inquiry for Category II of Prohibited Acts. The Warden, witness to the commission of the act(s) so prohibited, may pass a written Order levying the prescribed Penalty on the Student(s) involved.

Provided that if a Prohibited Act falling under Category II is to be dealt on being reported by a student or any person other than the warden, the same shall be dealt in accordance with the procedure established for the Category I of Prohibited Acts i.e. through an inquiry by the Proctoral Board.

Provided Further that where the warden deems fit, on witnessing a Prohibited Act under Category II, that Suspension should be granted as an enhanced Punishment according to the provisions of these rules, the following procedure shall be followed.



- a. The warden, witness to the commission of the act, shall issue a show cause notice to the student(s).
- b. The warden concerned shall afford a hearing to the student(s) and would require him/ her to submit his/ her reasons in writing on the date of hearing.
- c. Where the warden, after the above mentioned hearing, is satisfied that the suspension shouldn't be granted, she/he may impose a fine of the quantum as she/he deems fit.
- d. In cases, where the warden concerned, after the hearing, does not find the cause sufficient enough and is of the opinion that suspension should be granted, she/he shall refer the matter to the proctor for the final decision.
- e. The proctor shall, on the above mentioned reference by the concerned warden, take into consideration all the documents relevant to the case, including the reply of the student to the show cause notice.
- f. The proctor, after the above mentioned consideration of the documents may pass an order of suspension of the student or may issue an order of imposing of fine or any other order as he/ she deems fit.
- g. In cases where the student(s) do not comply with the terms of Show Cause Notice or do not appear before the warden on the date specified, the warden may refer the matter to the proctor mentioning the non-compliance. The proctor, thereafter, may proceed on whatever materials he/ she has and pass the sentence in accordance with clause (f) of the provisio.

Explanation: The consideration of the documents by the Proctor, under the Provisio, shall not, in any case, be construed as the inquiry by the board.

- iii. The Proctor shall initiate an inquiry *suo motu* or on the complaint made by any person including faculty members, wardens, student(s) or any staff of the University for Prohibited Acts under Category I except on complaints related to sexual harassment which shall be referred to the internal complaints committee of the University.
- iv. In an event where a warden who is also a member of the Board has made the complaint or participated in the initial search, investigation or inspection, he or she shall recuse himself or herself from the adjudication of the issue by the Board.
- v. Rules of Procedure of the Board
 - a) For any Board meeting to occur, a quorum 3 members must be reached.
Provided that where 3 or more members of the board recuse themselves from the proceeding under Rule 7 (iii), the Vice Chancellor shall appoint temporary members to fill the vacancies so created.
Provided Further that where the female member(s) of the board has/ have to recuse herself/ themselves from the proceedings under Rule 7(iii), the Vice Chancellor, in cases of no women representation in the Board, irrespective of the quorum, shall appoint a temporary member to fill the vacancy so created.
 - b) A student can be called to Board Meeting after they have been served a notice noting the Prohibited Act he/she has allegedly committed under the hostel and campus rules, and also mentioning the time and place for the meeting.



Explanation: A notice under this rule may be served electronically.

- c) The Board shall ensure that minutes of every meeting are recorded, and that they are made available to the student involved in the disciplinary infraction.
- d) The Board shall endeavor to give its order through consensus. However, every member of the Board shall reserve the right to give a separate opinion in case a consensus cannot be reached and decision in cases, where the consensus isn't reached, shall be governed by the opinion of the majority of the members.

Provided that in the cases where the board is equally divided in its opinion on a particular matter, the board shall refer the matter to the registrar. The registrar, after considering all the materials on record and affording the student(s) an oral hearing shall pass an Order. The decision of the registrar, in such cases, shall be considered as the decision of the Proctoral Board for all purposes, including the Appeal to the Vice Chancellor under Rule 8(i).

- e) Hearings can be called for as and when the members of the Board deem fit. However, the final order must be given within a period of ten working days from the first date of 1st hearing.
- f) The Board shall be guided by the rules and regulations of the University and in absence of the same by the principles of natural justice.

8. APPEAL

- i. In the cases of Prohibited Acts under Category I, an appeal shall lie to the Vice Chancellor of the University from the decision of the Proctoral Board.
- ii. In cases of the Prohibited Acts under Category II, an appeal shall lie to the Registrar of the University against the order of the Warden/ Proctor, as the case may be.
- iii. Appeal from any order of the Board or the Warden shall be preferred to the Vice-Chancellor or Registrar, as the case may be, within one week of the receipt of the order.

Provided that any appeal, preferred beyond the period of one week, may be entertained by the Vice Chancellor or the Registrar, if the appellant is able to show sufficient cause for such a delay.

- iv. The decision of the Vice-Chancellor or the Registrar, as the case may be, shall be final in all regards.
- v. The Vice Chancellor or the Registrar, as the case may be, shall have the authority to uphold, strike down, reduce or increase the penalty imposed by Proctor or the Board. The Vice Chancellor may also send the matter back to Board for fresh inquiry.

9. COMMITTEE FOR COMMUNITY SERVICE

- i. The Vice chancellor shall constitute a committee to determine the community service sentence
- ii. The committee shall consist of three faculty members appointed by the Vice Chancellor. The General Secretary (Male) and General Secretary (Female) of the Student Bar Council shall be the Ex-Officio members of the committee.



- iii. The committee, on a reference made by the Vice Chancellor/ Registrar/ Proctoral Board/ Proctor/ Warden shall determine the nature of community service to be undertaken by the student(s).
- iv. The committee shall, after granting the sentence, inspect and certify the compliance with the same.
- v. The committee shall be empowered to recommend an imposition of the fine to proctor, wherever it feels that the community sentence has not been properly complied with.
- vi. The proctor shall, after granting a hearing to the student(s) concerned, if deems fit, may impose a fine as recommended by the Committee or a fine of any other sum which with Proctor deems fit.

Explanation: A hearing under Rule 9 (5) shall not be construed as an inquiry by the Proctoral Board.

10. SPECIAL POWERS OF THE VICE CHANCELLOR

- i. In case of any ambiguity arising out of the interpretation of any of the provisions of these rules, the interpretation furthered by the Vice Chancellor shall be final.
- ii. The Vice Chancellor, unless the context otherwise requires, shall have the power to relax the effect of any of the provisions of these rules in respect of all/ particular category/ies of student(s).
- iii. The Vice Chancellor may, wherever he/ she deems fit, suo motu transfer any case, in process or decided, before or by the Registrar/ Proctoral Board/ Warden/ Committee for Community Service to herself/ himself. The decision of the Vice Chancellor in such cases shall be final.

11. REVIEW

The Hostel and Campus Rules may be reviewed every 3 years by the University

12. SAVINGS AND REPEAL

- i. On the date of enforcement of these rules, any new disciplinary infraction will not attract the past disciplinary record under the older rules, but shall be heard as an infraction of first instance under these Rules. The inquiry on all prior violations, if pending on the date of commencement of these rules, shall be governed by the rules in force at the date of commission of the wrong.
Explanation: Nothing in the above provision shall be construed as having condoned or absolved any prior conviction for a disciplinary infraction.
- ii. All provisions of these rules shall be subject to the provisions of the NALSAR University Act, 1998 (A.P. Act 34 of 1998) as amended from time to time and any further decision of the General Council and Executive Council of the University.
- iii. These Hostel rules shall have a repealing effect on the already existing Hostel rules.



ANNEXURE 'A'

DEFINITION AND PUNISHMENT FOR RAGGING (ANDHRA PRADESH PROHIBITION OF RAGGING ACT OF 1997)

Section 2(e): "Ragging" means doing an act which causes or is likely to cause insult or annoyance of fear or apprehension or threat or intimidation or outrage of modesty or injury to a student;

Section 3: Prohibition of Ragging.— Ragging within or outside any educational institution is prohibited.

Section 4: Penalty for Ragging.— Whoever, with the intention of causing ragging or with the knowledge that he is likely by such act to cause ragging, commits or abets ragging and thereby,—

- (i) teases or embarrasses or humiliates a student shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both; or
- (ii) assaults or uses criminal force to or criminally intimidates a student shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both; or
- (iii) wrongfully restrains or wrongfully confines or causes hurt to a student shall be punished with imprisonment for a term which may extend to two years or with fine which may extend to five thousand rupees or with both; or
- (iv) causes grievous hurt to or kidnaps or abducts or rapes or commits unnatural offence with a student shall be punished with imprisonment for a term which may extend to five years and with fine which may extend to ten thousand rupees; or
- (v) causes death or abets suicide shall be punished with imprisonment for life or with imprisonment for a term which may extend to ten years and with a fine which may extend to fifty thousand rupees.

Section 5: Dismissal of student.— (1) A student convicted of an offence under section 4 and punished with imprisonment for a term shall be dismissed from the educational institution.

(2) A student convicted of an offence under section 4 and punished with imprisonment for a term of more than six months shall not be admitted in any other educational institution.

Section 6: Suspension of student.— (1) Without prejudice to the foregoing provisions, whenever any student complains of ragging to the head or manager of an educational institution, such head or manager shall inquire into or cause an inquiry to be made into the same forthwith and if the complaint is prima facie found true, shall suspend the student or students complained against for such period as may be deemed necessary.



(2) The decision of the head or manager of the educational institution under sub-section (1) shall be final.

Section 7: Abetment.— (1) If the head or the manager of an educational institution fails or neglects to take action in the manner specified in sub-section (1) of section 6, such person shall be deemed to have abetted the offence and shall be punished with the punishment provided for the offence.

(2) If a student commits suicide due to or in consequence of ragging, the person who commits such ragging shall be deemed to have abetted such suicide.

ANNEXURE 'B'

COMMUNITY SERVICE SENTENCES

The committee for community service, constituted under Rule 9, shall be entitled to hand out the following sentences of community service. The list below is merely illustrative.

- (i) Specified hours of assistance of the Library staff in the Library.
- (ii) Organising event(s) in Carpe Diem to create awareness about the ill-effects of either the disciplinary infraction committed or any other theme recommended by the committee.
- (iii) Organising donation drives to the orphanage and old-age home in Shamirpet.
- (iv) For instances of misbehavior with the security guards, assist them in maintaining entry/leave records for a specified time period.
- (v) Assisting the University in organizing its formal events such as the Convocation, conferences/seminars/paper presentations conducted by various research centres of the University, and similar volunteering tasks recommended by the committee.
- (vi) Assisting a designated faculty member as a Research Assistant
- (vii) Any other sentence the Board may deem fit having regard to the circumstances of the disciplinary infraction



ANNEXURE 'C'

FORMAT FOR SEEKING THE PERMISSION FOR NIGHT OUT

Name of the Student: _____

Roll Number:: _____

Semester: _____

Period of Absence: From: _____ To: _____

Leaving for: Home/ Local Guardian's Residence/ Any Other

I,, undertake that my parents/ guardians are well informed and intimated about the absence from the University Campus. I further assure that I am leaving only after seeking their due consent and they don't hold any objection to the leave.

I further undertake that I would be responsible for all my acts and consequences of the same during this leave and the University shall not be held responsible/ accountable for the same.

Signature of the Student

Signature of the Warden



CASH MANDATE

1. ROLES AND RESTRICTIONS

- 1.1. The overall goal of the CASH Volunteer Group ("the Group") is to help in making the campus a safer environment;
- 1.2. The Group is constituted in the capacity of a support group, aiming to be a point of contact during any incident that may arise;
- 1.3. The Group shall not act as mediators between two or more parties;
- 1.4. The Group will not predetermine any incident that is placed before it, nor will it place its own biases, values or morals during any interactions, either with the ICC or students;
- 1.5. The Group also aims to assist in the process of raising incidents before the ICC, however only if the victim so desires. The Group cannot not *suo moto* raise any issue before the ICC;
- 1.6. The Group shall aim to improve the awareness of the campus towards gender sensitivity;
- 1.7. A CASH volunteer(s) shall be responsible to take action in response to complaint by a person aggrieved by the alleged sexual conduct;
- 1.8. The volunteer(s) will take cognizance of any sufficiently egregious incident in common public knowledge and consequently will have the discretion to make the ICC aware of the occurrences, however said volunteer will not have the authority to reveal any identities during the same.

2. MEMBERS


- 2.1. The members of CASH Volunteer Group have been selected by the Internal Complaints Committee (ICC).
- 2.2. The composition of the CASH Volunteer Group will be exclusive of the Internal Complaints Committee (ICC) Student elect representative. Currently, it stands at 8 members who are as follows: Harshvardhan Tripathi (Year II), Sahithi Uppalapati (Year II), Anubhuti Garg (Year III), Vivek Krishnaswamy (Year III), Ashwin Murthy (Year IV), Shweta Rao (Year IV), Priyamvada Shivaji (Year IV) and Virali Nagda (Year V).

3. VOTING

- 3.1. Only members of the CASH Volunteer Group shall have the right to vote in the meetings.
- 3.2. Matters will be decided by a unanimous vote of the CASH Volunteer Group, and each member has the power of veto in each matter.
- 3.3. Only when deemed necessary by the members or at the behest of the ICC student elect shall the latter be brought in as an adviser to the concerned meeting, however he/she doesn't have the right to vote since they are not de facto member of the Group.

4. CONFIDENTIALITY




Prof. (Dr.) K. Vidyullatha Reddy
Professor of Law & Registrar
NALSAR, UNIVERSITY OF LAW
"Justice City", Shamserpet,
Medchal-Malkajgiri District
Hyderabad-500 101, Telangana, India.

- 4.1. There shall exist blanket confidentiality between the CASH Volunteer and whomsoever approaches the CASH Volunteer with regards to all communications at any and all points of time.
- 4.2. If necessary, only upon receiving the clear consent and explicit permission from the person who has approached the CASH Volunteer, shall the CASH Volunteer disclose/discuss the information relayed to them with:
 - (a) which ever member/s as discussed with the person who has approached the CASH Volunteer
 - (b) the Internal Complaints Committee if they chose to do so.
- 4.3. The consequence of breaching the confidentiality described above shall be determined by the ICC.

5. TENURE

Each CASH volunteer would be a part of the volunteer group until the election of the new volunteer body, or until disqualified by the ICC.

6. ORGANIZING OF EVENTS

The Group shall play an active role in sensitizing the university about sexual harassment and gender sensitivity. The CASH shall be responsible for the organization of a minimum of 4 public events for the students in an academic year.

7. AMENDMENT

A unanimous vote of only the CASH volunteers would be required for amending anything in the CASH mandate.

8. REMOVAL OF MEMBERS

- 8.1. If a member of the Group feels that another member has violated the code of conduct or general rules of the university, a formal meeting shall be held following which, representation shall be made regarding the same to the ICC.
- 8.2. Any student can directly approach the ICC or any member of the Group for removal of any of its members in case they feel that any of the members has violated the rules mentioned above.



Prof. (Dr.) K. Vidyalakshmi Reddy
Professor of Law & Registrar
NALSAR UNIVERSITY OF LAW
Justice City, Shamsherpeta,
Medchal-Malkajgiri District
Hyderabad-500 101, Telangana, India

Regulations for the Internal Complaints Committee against Sexual Harassment

Part A: Applicability and definitions

The Internal Complaints committee shall implement the Policy Against Sexual Harassment, the regulations made in this regard, read along with the guidelines laid down by the Hon'ble Supreme Court of India in its ruling in Vishaka v. State of Rajasthan and The Sexual Harassment Of Women At Workplace (Prevention, Prohibition And Redressal) Act, 2013 in order to uphold the commitment of the University to providing an environment free of discrimination and violence against any person on the grounds of gender or sexual identity.

I. Applicability:

These regulations shall be applicable to all complaints of sexual harassment made:

- 1) By a student **against** any employee, any service provider, another student, a member of the University bodies
By an employee **against** a student, another employee, service provider, a member of the University bodies
In either case, irrespective of whether sexual harassment is alleged to have taken place within or outside the campus.
- 2) By a service provider or a visitor **against** a student, an employee or a member of the University bodies
By a student or an employee **against** an visitor
In either case if the sexual harassment is alleged to have taken place within the campus.

II. DEFINITIONS:

- i. **"Aggrieved person"** is the person against whom any act of sexual harassment is alleged to have been perpetrated.
- ii. **"Respondent"** is the person against whom the complaint of sexual harassment is made.
- iii. **"Employee"** includes a person employed for any work directly, or by or through any agency (including a contractor), with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis, whether the terms of employment are express or implied, and includes any person employed as a temporary, casual, piece-rated or contract worker, probationer, trainee, apprentice or by any other name called.
- iv. **"Service Provider"** includes any person who runs or manages commercial enterprises, or provides services, on the campus. It includes, but is not limited to, persons working in shops, canteens, hostels and



Regulations for the Internal Complaints Committee against sexual harassment

restaurants on the campus, as well as persons working in premises allotted on the campus, such as the shopping complexes.

- v. **"Sexual Harassment"** shall include, but will not be confined to, the following:
- a. When unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature, explicitly or implicitly, are made a term of condition of instruction, employment, participation, or evaluation of a person's engagement in any academic or campus or internship activity.
 - b. When unwelcome sexual advances and verbal, non-verbal, or physical conduct including such as comments meant to indicate such intention, slander, remarks or jokes, letters, phone calls or electronic communication, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds or display of a derogatory nature that have the purpose or effect of interfering with an individual's performance or of creating an intimidating, hostile or offensive campus/out of campus environment.
 - c. When comments, conduct, behaviour or teaching practice in the classroom or any public forum denigrates a person's gender identity or sexual orientation.
 - d. Violating sexual privacy, including publicizing or threatening to publicize sensitive information pertaining to a person's sexual life with the effect of causing harm, or choices through any medium whether verbal, written or online.
- vi. **"Student"** includes any person who is/was enrolled for any course, whether full time or part time, on line or off line with NALSAR and includes an undergraduate or postgraduate student, a Research Scholar, a visitor, and a repeater. It also includes a student of another University or college who has been placed or has opted for placement with NALSAR or short-term courses at NALSAR. With regard to students of offline courses the University will have jurisdiction with regard to all incidents on campuses under its control.
- vii. **"Member of University bodies"** any member of any regulatory bodies or a member of any of the University bodies
- viii. **"Qualified Counsellor"** includes any person who is a trained psychologist or works with an NGO that engages in women's rights issues



and is a trained psychiatrist or otherwise qualified to provide professional support and counselling.

- ix. “**Visitor**” includes all persons who visit the campus and are not students, employees and service providers.

PART B: PROCEDURE FOR THE INTERNAL COMPLAINTS COMMITTEE

III. COMPLAINT

Any aggrieved person may make a complaint of sexual harassment in writing to the Internal Complaints committee. Provided where the complaint cannot be made in writing the committee shall provide assistance to make the complaint in writing. In exceptional circumstances the committee may take cognisance on third party or witness complaints.

IV. CONSTITUTION OF THE INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints Committee shall consist of the following nine members of whom 5 members shall be women:

- i. One resident faculty member and two other faculty members,
- ii. Two student representatives to be selected by a selection committee in accordance with the procedure provided below,
- iii. One independent external member who shall be a qualified counsellor
- iv. One member of the non-teaching staff
- v. One person trained and experienced in restorative justice (RJ) procedures.

Explanation: Among faculty members, there shall be both women and men faculty members.

1. On being constituted, the Committee must go through an orientation process / workshop to be equipped with the tools to deal with complaints and subsequent processes.
2. The Chairperson/acting chairperson shall be a woman in a senior position from within the University. There must always be an acting chairperson appointed from within the committee in case the chairperson is not available.

- V. **CONSTITUTION OF SELECTION COMMITTEE TO SELECT MEMBERS OF THE COMMITTEE**
The Selection Committee shall select and appoint the members of Committee as per the procedure described herein. The Selection Committee shall comprise three members, namely, the Vice Chancellor of the University, the Registrar of the University and a representative of the faculty.



VI. SELECTION PROCEDURE

1. Selection of Faculty Representatives:

Faculty representatives shall be selected by the Selection Committee from a list of nominees. This list of nominees shall comprise:

- i. faculty members suggested by the Student Welfare Committee, and
- ii. any other faculty member that the Selection Committee deems fit.

Explanation: The suggestion of faculty members by the Student Welfare Committee shall be the result of a public survey reflecting student opinion on the matter.

2. Selection of Student Representatives:

Student representatives will be selected from two streams

- i. on the basis of an application made to the Selection committee which will state the reasons for wishing to serve on the committee and the role he/she sees herself/himself playing.
- ii. from a list of nominees as suggested by the Student Welfare Committee

The Selection Committee shall interview the students and conduct the selection keeping in mind criteria like approachability, gender sensitivity, reliability and responsibility.

Provided that one of the student representatives selected by the Committee shall equally represent LLB student and non LLB students and there are both women and men representatives.

3. Selection of Other Members: Other members of the committee shall be selected by the Selection Committee with a view towards appointing members who are gender sensitive, approachable, responsible and reliable.

4. Time Frame: Appointment to the Committee shall be concluded within a period of two weeks of the start of the Academic year or before the date of orientation of the new incoming batch, whichever is later.

VII. TERM

1. The Student representatives shall be selected for a period of one year.
2. The non-student members shall have a term of three years.
3. The term of the incumbent committee shall end only on the date of appointment of new members.
4. Members of the committee may be reappointed on the completion of their terms. No person may serve for more than two consecutive terms.

VIII. FUNCTIONS AND POWERS OF THE COMMITTEE:

The committee has four functions



Regulations for the Internal Complaints Committee against sexual harassment

1. to carry out gender sensitisation programmes
2. to mediate in situations of sexual harassment
3. to initiate formal and informal redressal mechanisms
4. to provide support to the aggrieved person

The powers of the committee:

- a. to recommend preventive action to the disciplinary authority before the enquiry is held such as a transfer order, of either the aggrieved person, or the respondent on the request of the aggrieved person or leave or any other relief
- b. to recommend any interim measures against the respondent pending enquiry such as a restraint order
- c. to recommend action against the respondent under service rules after enquiry

IX. PROCEDURE TO BE FOLLOWED BY THE COMMITTEE:

The committee may receive a complaint from an aggrieved person or by another person on her behalf. The aggrieved person may choose from any of the procedures listed below:

1. Formal Complaint
2. Alternative procedures such as the restorative justice procedures

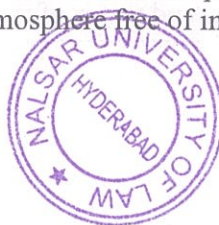
Provided that a complaint made will be permitted to be withdrawn only after an enquiry by the committee.

Provided that the aggrieved person is entitled to counseling regarding the choice of procedures. Once such counseling is provided and the person has made a choice to maintain a formal complaint mechanism he/she may not be allowed to move to alternative procedures

Provided that the aggrieved person may withdraw from any of the alternative procedures at any stage if s/he is not satisfied with the progress made. Further, there shall be no bar on the aggrieved person's availing herself/himself of the formal complaint procedure of the Committee if s/he withdraws from the alternative procedures.

X. Formal Complaint procedure:

- i. The committee shall have a general duty of confidentiality with respect of parties and proceedings.
- ii. The committee shall enquire into the complaint of sexual harassment following procedures in conformity with the principles of natural justice and gender sensitivity.
- iii. *Provided that if the Committee against Sexual Harassment decides not to conduct an enquiry into a complaint it shall record the reasons for the same in the minutes of the Committee meeting. The Committee shall make the same available to the aggrieved person in writing.*
- iv. During the enquiry proceedings the aggrieved person and/or her/his witnesses and the respondent shall be called separately so as to ensure freedom of expression and an atmosphere free of intimidation.



Regulations for the Internal Complaints Committee against sexual harassment

- v. Both parties will be allowed to be accompanied by one representative each during the enquiry.
- vi. The Committee shall strive to complete the enquiry in the shortest possible time, preferably within one month from the date on which the complaint is referred to and not exceeding two months. .
- vii. The Committee must, within one working day of receiving information that the preferred procedure for the pursuit of the matter is the formal complaints method, inform the respondent in writing about the material particulars of the charges made against him/her along with a written copy of the complaint and she/he should be given a period of three days to respond to the same.
- viii. The Committee shall provide reasonable opportunity to the aggrieved person and the respondent for presenting and defending her/his case.
- ix. Within not more than five working days of the initiation of the formal complaint procedure, the aggrieved person and the respondent shall submit to the Committee in writing, a list of witnesses, together with their contact details, that she/he desires the Committee to examine.
- x. The aggrieved person and the respondent shall be responsible for presenting their witnesses before the Committee. However, if the Committee believes that the absence of either of the parties to the disputes is on valid grounds, the Committee shall adjourn that particular meeting of the Committee for a period not exceeding five days. The meeting so adjourned shall be conducted thereafter, even if the person concerned fails to appear for the said adjourned meeting without prior intimation/valid ground.
- xi. The Committee may call any person to appear as a witness if it is of the opinion that it shall be in the interest of justice and shall also have the power to summon any official papers or documents pertaining to the complaint under enquiry.
- xii. The Committee may consider as relevant any earlier complaints against the respondent. However, the past sexual history of the aggrieved person shall not be admissible as such information shall be deemed irrelevant to a complaint of sexual harassment.
- xiii. The respondent, the aggrieved person, and witnesses shall be intimated at least seventy two hours in advance in writing of the date, time and venue of the enquiry proceedings. The responsibility of communicating with the witnesses lies with the aggrieved person/ respondent regarding the date, time and venue of the meeting.

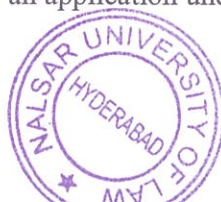


Regulations for the Internal Complaints Committee against sexual harassment

- xiv. The Committee shall have the right to terminate the enquiry proceedings and to give an ex parte decision in favour of the aggrieved person, should the respondent fail, without valid ground, to present himself/ herself for three consecutive hearings convened by the Enquiry Committee.
 - xv. The venue of the enquiry should take into consideration the convenience and security of the aggrieved person.
 - xvi. The identities of the aggrieved person and all witnesses shall throughout be protected and kept confidential by the Committee.
 - xvii. The aggrieved person and the respondent shall have the right of cross-examination of all witnesses. However such cross-examination shall be conducted in the form of written questions and responses via the Committee only. The respondent shall have no right to directly cross examine the aggrieved person or her witnesses.
 - xviii. When cross examination is by way of written questions, the respondent/aggrieved person shall submit to the Committee, a written list of questions. The Committee shall retain the right to disallow any questions that it has reason to believe to be irrelevant, mischievous, slanderous, derogatory or gender-insensitive. Any behaviour, verbal or otherwise, on the part of the respondent or his nominee, that is designed to intimidate or subject the aggrieved person or her witnesses to mental and physical trauma, can lead the Committee to recommend disciplinary action against the respondent.
 - xix. All proceedings of the Committee shall be simultaneously recorded in writing and signed by both sides at the end of each day's proceedings. All Committee members, persons heard by the Committee, as well as observers/nominees, shall take and observe an oath of secrecy about the proceedings to protect the dignity of the aggrieved person and the respondent. Any violation of the oath of secrecy may invite penalties.
- Exception:** In order to protect the reputation of the respondent pending a conclusive determination of guilt, the aggrieved person is encouraged to maintain confidentiality with respect to the complaint till the enquiry is completed.
- xx. All documents or other material submitted as evidence shall be made available to either party on demand.
 - xxi. The committee shall take note of power differences. The committee shall, inform the aggrieved person/s, that he/she may give her evidence, answers to any questions in writing provided that he/she makes herself available for examination by the respondent in the same manner, unless the aggrieved person opts to give her evidence orally.

XI. PROHIBITION OF PUBLICATION OF INFORMATION

All information received in the course of the examination and enquiry into a complaint of sexual harassment shall be held in trust by the Committee and the same shall not be made available pursuant to an application under the Right To Information



Act, 2005. Such information shall constitute an exception under Section 8 (e) of the Right To Information Act, 2005, as the same is held by the Committee in a fiduciary relationship and the non-disclosure of the same will not be against public interest. The contrary disclosure of such information may endanger the life or physical safety of the aggrieved person or any of the witnesses.

XII. FINDINGS OF THE COMMITTEE

1. After concluding its enquiry under the formal complaints mechanism, the Committee shall prepare a detailed and written report of its findings. The enquiry report shall specify the details of the charge(s) against the respondent, the statements made and evidence presented in the enquiry and a discussion of the reasons upon which the findings arrived at by the Committee.
2. No observations regarding the work and behaviour of either the aggrieved person or respondent shall be made which are not related to the alleged act of sexual harassment. However, the Committee may consider as relevant any earlier complaints of sexual harassment against the respondent.
3. Upon the completion of an enquiry, the said Committee may by a detailed and reasoned order pass any of the following orders:
 - a. If the Committee finds no merit in the complaint, it shall write to the Vice Chancellor giving reasons for its conclusions. The Vice Chancellor may then dismiss the complaint which was subject of the Inquiry. The Vice Chancellor has the power to direct the committee to reconsider its decision stating his/her reasons for doing so.

Provided In case the internal committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved person or any other person making the complaint has made the complaint knowing it to be false or the aggrieved person or any other person has produced a forged or misleading document the committee may recommend to take action in accordance with the rules under Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act 2013.

- b. If the Committee find the complaints proven it shall give a detailed and reasoned finding to that effect.
4. In the event that the Committee finds the respondent guilty of sexual harassment, it shall also recommend the nature of disciplinary action to be taken taking into consideration the gravity of the offence of which he has been found guilty and the impact on the aggrieved person. It shall also recommend whether after disciplinary action has been taken, the disciplinary authority should publicize the identity of the respondent, the misconduct and the disciplinary action taken.
5. The committee shall provide both the aggrieved person and the respondent with a copy of the report submitted to the Vice Chancellor.



Regulations for the Internal Complaints Committee against sexual harassment

6. The respondent has the right to apply to the Vice Chancellor to direct the committee to reconsider its decision. The Vice Chancellor must provide reasons for considering the request for reconsideration by the committee.
7. The Vice Chancellor shall act upon the recommendations within 10 days of its receipt.

XIII. INTERIM MEASURES

1. The committee may recommend interim measures during the pendency of the case regarding restraint order against the respondent any other person approaching the complainant, members of the committee during the pendency of the case, prohibitory order against the respondent from entering the campus, or any place therein during the pendency of the complaint.
2. Suspension/ transfer of the respondent from his/her official position, during the pendency of the enquiry if his/her presence is likely to interfere with the enquiry.
3. The aggrieved person will have the option to seek transfer of the respondent or their own transfer where applicable.
4. The Vice Chancellor after taking action upon the recommendations shall place before the Executive Council his action for ratification.
5. The disciplinary action will be commensurate with the nature and impact of the sexual harassment.

XIV. PENALTIES

1. Any member of the University, non-teaching staff, student, service provider, and resident found guilty of sexual harassment shall be liable for disciplinary action.
 - i. The penalties listed below are indicative, and shall not constrain the NALSAR administration from considering others, in accordance with the Rules governing the conduct of all members of the University.
 - ii. In the case of academic/administrative/ technical/ non teaching staff/management, disciplinary action could be in the form of one or more of the following:
 - i. Warning
 - ii. Written apology
 - iii. Bond of good behaviour
 - iv. Gender sensitization
 - v. Counselling
 - vi. Adverse remarks in the Confidential Report
 - vii. Debarring from supervisory duties
 - viii. Denial of membership of statutory bodies
 - ix. Denial of re-employment
 - x. Stopping of increments/promotion
 - xi. Reverting, demotion
 - xii. Transfer
 - xiii. Dismissal



Regulations for the Internal Complaints Committee against sexual harassment

- xiv. Withdrawal of residential facilities and prohibition from entry on the campus etc.
 - xv. Any other relevant mechanism.
2. In case of students, disciplinary action could be in the form of:
- i. Warning
 - ii. Written apology
 - iii. Bond of good behaviour
 - iv. Gender sensitization
 - v. Counselling
 - vi. Debarring entry into a hostel/ campus
 - vii. Withholding results
 - viii. Debarring from exams
 - ix. Debarring from contesting elections
 - x. Debarring from holding posts
 - xi. Expulsion
 - xii. Denial of admission
 - xiii. Declaring the harasser as "persona non grata" for a stipulated period of time
 - xiv. Any other relevant mechanism.
3. Penalties in Case of Outsiders:
- i. Warning, reprimand, or censure.
 - ii. A letter communicating her/his misconduct to her/his place of education, employment or residence.
 - iii. Declaration of the campus as out of bounds for her/him, and/or a bar on appearing for the entrance examination/interview to any programme of study offered by Nalsar.
 - iv. Any other action as may be necessary.
4. Penalties in Case of Service Providers
- i. Warning, reprimand, or censure
 - ii. A letter communicating her/his misconduct to her/his place of employment.
 - iii. Declaration of the campus as out of bounds for her/him.
 - iv. Withdrawal of the right to run/manage/work in any commercial enterprise, or to provide services, on the campus.
 - v. Any other action as may be necessary.

Provided that in any case, reasons for the action taken shall be provided to the offender in writing.

Provided further that action may also be taken against any person who tries to coerce or pressurize the aggrieved person in any way.

5. Penalty in Case of a Second Offence: A second, or repeated offence, may, on the recommendation of Committee, attract a major penalty.
6. Where Sexual Harassment amounts to criminal offence: Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code (45 of 1860) or



Regulations for the Internal Complaints Committee against sexual harassment

under any other law; it shall be the duty of the Committee to immediately inform the aggrieved person of her right to initiate action in accordance with law with the appropriate authority, and to give advice and guidance regarding the same. Any such action or proceedings initiated shall be in addition to proceedings initiated and /or any action taken under this Rules.

XV. ANNUAL REPORT OF THE INTERNAL COMPLAINTS COMMITTEE

As required by the Supreme Court Judgement, the University administration shall forward to the General Council, the Annual Report of Committee together with a written report on the Action Taken by them on the recommendations of the Committee.

XVI. MEETINGS OF THE INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints committee shall hold at least two public meetings every year where it shall report to the University community about its activities. Of these, at least one meeting shall be called specifically for the purpose of the presentation of the Annual Report.

PART C: MISCELLANEOUS

XVII. PROTECTION AGAINST VICTIMISATION

1. If the aggrieved person is a student and the respondent is a teacher, during the investigation and enquiry, and even after such an enquiry if the teacher is found guilty, the respondent shall not supervise any academic activity of the student, including but not limited to, evaluation and examination, re-examination, and supervision of research.
2. If a witness named by the aggrieved person is a student and the respondent is a teacher, during the duration of the investigation and enquiry, and even after such an enquiry if the teacher is found guilty, the respondent shall not supervise any academic activity of the student, including but not limited to, evaluation and examination, re-examination, and supervision of research.
3. If both the aggrieved person and the alleged respondent are members of the academic and/or non-teaching staff of the University, during the duration of the investigation and enquiry, and even after such an enquiry if the respondent is found guilty, the respondent shall not write the Confidential Reports of the aggrieved person, if she/he is otherwise so authorized.
4. If witnesses named by the aggrieved person and the respondent are members of the academic and/or non-teaching staff of the University, during the duration of the investigation and enquiry, and even after such an enquiry if the respondent is found guilty, the respondent shall not write the Confidential Reports of the aggrieved person, if she/he is otherwise so authorized.



Regulations for the Internal Complaints Committee against sexual harassment

5. If the respondent is a visitor, during the duration of the investigation and enquiry, and even after such an enquiry if the respondent is found guilty, the respondent shall not be allowed to enter the campus, except for the purpose of attending the present enquiry.
6. If the respondent is a service provider, during the duration of the investigation and enquiry, and even after such an enquiry if the respondent is found guilty, the order of restraint issued in accordance with the procedures shall be in force at all times.

XVIII. Preventive and remedial activities of the Internal Complaints Committee

a To publicize widely the policy against sexual harassment through the prospectus, programme guide or other appropriate documents and display the same on notice boards, websites, offices and residential areas etc.

Explanation: Every recruitment/admission announcement must state: NALSAR has a policy against sexual harassment and is committed to providing an environment free from sexual harassment in the University.

b To regularly organize and carry out programmes for gender sensitization of the University community through workshops, seminars, posters, film shows, debates etc. For this, CASH may enlist the help of specialized NGOs to carry out these programmes.

c To take *suomoto* notice of practices in violation of gender sensitivity and gender justice on campus.

d To ensure the prominent publicity of the Policy in all Centres, Schools, Hostels, offices of administration, as well as in all public places on the campus such as the library, health centre, residential areas, canteens, shopping centres, etc.

e To conduct at least one major activity per semester involving large sections of the University community.



UNIVERSITY ACADEMIC MIS-CONDUCT REGULATIONS

In these regulations unless the context or otherwise requires

(a) **Academic Misconduct:** 'Academic Misconduct' includes, but is not limited to plagiarism; cheating or use of unfair means; misrepresenting work prepared by another as one's own; facilitation of academic misconduct; collusion/inappropriate collaboration; multiple submission and use of inappropriate methods; falsification of work product; tampering with materials; and deception

(b) **"Plagiarism"** means failure to acknowledge ideas or phrases from another source. Such source is not limited to published text. Acknowledgement of others' work is expected even if the source was a discussion (whether oral or written) with another person, or use of materials on the internet.

Note (i) – The right to be acknowledged is not something that may be waived by the person in whom the right vests as the concomitant duty is towards the academic community as a whole.

Note (ii) – This provision will not be applicable to moot court competitions, i.e. students can use information available from previous competitions.

(c) **"Cheating or use of unfair means"** involves giving or receiving assistance, or impermissible use of information from written material, other people, or any other source (except as explicitly allowed by the instructor) in an evaluated exercise.


Note – This provision will not be applicable to moot court competitions, i.e. students can use information available from previous competitions.

(d) **Misrepresenting work prepared by another as one's own** means submitting work that has been prepared by someone else (whether for payment or not) as one's own work.

Note (i) – This would include instances where excessive help is taken from another person such that the assessment objective and intention of the assignment/ exercise is frustrated.

Note (ii) – It is assumed that work submitted is represented as being authored by the person on whose behalf it is submitted.




Prof. (Dr.) K. Vidyullatha Reddy
Professor of Law & Registrar
NALSAR, UNIVERSITY OF LAW
'Justice City', Shameerpet,
Medchal-Malkajgiri District
Hyderabad-500 101, Telangana, India

Note (iii) – This provision will not be applicable to moot court competitions, i.e. students can use information available from previous competitions.

(e) Facilitation of Academic Misconduct means abetting academic misconduct by intentionally enabling another/ others to engage in such behaviour.

Note (i) – This would enable the university to take action against any existing student found to be intentionally facilitating another student's Academic Misconduct and would include (but not be confined to) students who procure projects that other students can copy from, students who give assessed projects to other students who have declared an intention to use them for Academic Misconduct and students who use their knowledge of technology to facilitate Academic Misconduct.

Note (ii) – This provision will not be applicable to moot court competitions, i.e. students can use information available from previous competitions.

(f) "Collusion/ Inappropriate Collaboration" means colluding or collaborating for projects, papers, other evaluated exercises, moot court competitions, law journal selections, or any other co-curricular activity in such manner as to obtain wrongful advantage and wrongful credit for the work submitted.

Note (i) – This would include (but not be limited to) any discussion of any assignment or tutorial essay in which the whole or part of the class is given the same question but students are expected to come up with an answer individually and not through collusion or collaborative discussion.

Note (ii) – This provision does apply to moot court competitions targeting all collusion and inappropriate collaboration between participants competing in open-challenges and selection moots in the same year.

(g) Multiple Submission and Use of Inappropriate Methods means submitting the same, or largely the same, piece of work for credit (academic or other) in more than one course, exercise, journal or competition, without written permission from the instructors involved and consent of the Vice Chancellor; or recycling of any part of a previously written piece of work whether or not published without appropriate reference to your own prior work.

Note – Prior permission shall be required if the recycled work forms more than 5% of the new work.

Prof. (Dr.) K. Vidyulatha Reddy
Professor of Law & Registrar
NALSAR UNIVERSITY OF LAW
Justice City, Shamshabad,
Medchal-Malkajgiri District
Hyderabad-500 101, Telangana, India



- (h) **Falsification of Work Product** is falsifying, concocting or misrepresenting of data, statistics, or other observations/ information.
- (i) **Tampering with Materials** is removing, hiding, destroying or altering without permission, another person's materials or materials that are common resources such library books or databases.
- (j) **Deception** entails giving false information to a teacher to receive extra credit or time or otherwise benefit illegitimately in relation to a formal evaluated academic exercise. This would include but not be limited to false claims of illness, submission within the deadline or of participation in competitions.

Chapter II: Procedure to be followed in case of Misconduct

- 1.1 **Who can report Academic Misconduct:** Any member of the NALSAR community (including guest faculty) may report any form of Academic Misconduct. Teachers and tutors would be required to take special care to detect Academic Misconduct. In addition, any student or other member of staff who has evidence of someone's Academic Misconduct may present the same to the concerned faculty member and request that proceedings be initiated. :
- 1.2 **Misconduct during In-Class Examinations:** When a student is suspected of indulging in Academic misconduct during the course of an in-class examination, the invigilator shall immediately be informed of the same. On receipt of such information, the invigilator shall issue the student with a fresh sheet, confiscate the material (if any), and shall report the matter to the Examination Committee.
- 1.3 The Examination Committee shall constitute an Unfair Means Committee consisting of three faculty members other than those belonging to the Examination Committee. The Unfair Means Committee shall make its recommendation after hearing the student upon taking due cognizance of the findings of the Unfair Means Committee, the Academic Convenor may find the student guilty of unfair means or otherwise and if found guilty pronounce appropriate punishment. The proceedings will be completed within one week. The student may appeal against such order to the Vice Chancellor.
- 1.4 **Misconduct With Regard To Submissions of Seminar Papers, Projects, or Take-Home Examinations:** When a student is suspected of Academic Misconduct with regard to the submission of a seminar paper, project, or take-home examination, the student shall be required to show cause as to why his or her actions would not amount to a case of



academic misconduct. In such a situation, the faculty concerned may take *suo moto* action with regard to the penalty that would be applicable.

Provided that a student may appeal against such a decision to the Examination Committee, which shall then constitute an Unfair Means Committee in accordance with para 1.3. The procedure of investigation and appeal as specified in para 1.3 shall then apply.

Chapter III: Punishment for Academic Misconduct

2.1 Category A:

Forms of Academic Misconduct punishable under Category A would be punishable by:

- (a) Automatic failure in the examination for the subject under question for the first offence;
- (b) Repetition of the year along with a note in the student's marks sheet indicating that he/she was found guilty of using unfair means for the second offence;
- (c) Rustication for three years for the third offence.

Forms of Academic Misconduct punishable under this category are:

Cheating or use of unfair means, Collusion/ Inappropriate collaboration, Multiple Submission and use of inappropriate methods, Misrepresenting work prepared by Another, Falsification of Work Product, Tampering with Materials, Deception, and Plagiarism (15% or more of total work plagiarised, OR 10% or more of total work plagiarised from a single source).

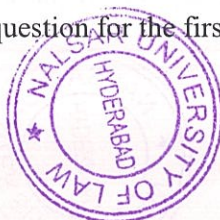
Provided that in case of any act(s) of Academic Misconduct perpetrated in a student's interactions outside the institution (egs. moots, conferences, submissions for publication), a first offence would be deemed to have been committed and the punishment would apply as though it were a second offence.

Note – Each instance of Academic Misconduct is regarded as a separate offence. Therefore, a student found violating any of offences mentioned above in three different examinations in one semester would be committing three separate offences and would be putting himself/ herself at risk of rustication.

2.2. Category B:

Forms of Academic Misconduct punishable under Category B would be punishable by:

- (a) Re-doing the assignment under question for the first offence;



- (b) The table of punishments under Category A would apply from the second offence, as though the second offence was the first offence.

Forms of Academic Misconduct punishable under this category are:

Plagiarism (less than 15% of the total work plagiarised or less than 10% of total work plagiarised from a single source)

Provided that in case of any act(s) of Academic Misconduct perpetrated in a student's interactions outside the institution (egs. moots, conferences, submissions for publication), a first offence would be deemed to have been committed and punishment would apply as though it were a second offence.

Note – Each instance of Academic Misconduct is regarded as a separate offence. Therefore, a student found plagiarising in three different assignments in one semester would be committing three separate offences and would be putting himself/ herself at risk of rustication.

2.3 Category C:

Forms of Academic Misconduct punishable under Category C would be punishable by:

- (a) Community Work and or a fine up to Rs. 25,000;
(b) The table of punishments under Category A would apply from the second offence, as though the second offence was the first offence.

Forms of Academic Misconduct punishable under this category are:

Facilitation of Academic Misconduct

Provided that in case of any act(s) of Academic Misconduct perpetrated in a student's interactions outside the institution (eg. moots, conferences, submissions for publication, creation of databases intended to facilitate plagiarism of projects across law schools), a first offence would be deemed to have been committed and punishment would apply as though it were a second offence.

Note – Each instance of Academic Misconduct is regarded as a separate offence. Therefore, a student found facilitating in three different instances of Academic Misconduct in one semester would be committing three separate offences and would be putting himself/ herself at risk of rustication.



