



भारतीय विधिज्ञ परिषद् BAR COUNCIL OF INDIA

(Statutory Body Constituted under the Advocates Act, 1961)

21, Rouse Avenue Institutional Area, Near Bal Bhawan, New Delhi - 110002

BCI: D: 691 : 2019 (LE/Std. 12/13.7.2019)

30.07.2019

1. The Registrar,
Arka Jain University,
Mahanpur, Gamharia,
Distt-Seraikela-Kharsawan,
Jharkhand - 832108
2. The Principal/Head of the Deptt.,
School of Law,
Arka Jain University,
Mahanpur, Gamharia,
Distt-Seraikela-Kharsawan,
Jharkhand - 832108
vc@arkajainuniversity.ac.in
director@arkajainuniversity.ac.in

Interim Consent Letter

Sub: Recognition to Arka Jain University, Jamshedpur, Jharkhand as per Section 7(1)(i) of the Advocates Act, 1961 for the purpose of conferring the degrees in law and fresh approval to its School of Law, Arka Jain University, Jamshedpur, Jharkhand for imparting five year BBA LL.B (Hons.) and five year B. Com. LL.B. (Hons.) integrated law courses with an intake of one section of 60 students in each course for a period of two years i.e. for the academic years 2019-2020 and 2020-2021.

Sir,

The Standing Committee of the Legal Education Committee of the Bar Council of India at its meeting held on 12th and 13th July, 2019 considered the inspection report of School of Law, Arka Jain University, Jamshedpur, Jharkhand submitted by the inspection team of the Bar Council of India.

After consideration, Committee is of the view that as per Section 7(1)(i) of the Advocates Act, 1961, Arka Jain University, Jamshedpur, Jharkhand be granted recognition for the purpose of conferring the degrees of law in five year BBA LL.B (Hons.) and five year B. Com. LL.B. (Hons.) integrated law courses and its School of Law, Arka Jain University, Jamshedpur, Jharkhand be granted **fresh approval** for imparting **five year BBA LL.B (Hons.) and five year B. Com. LL.B. (Hons.) integrated law courses** with an intake of one section of 60 students in each course for a period of **two years** i.e. for the academic years 2019-2020 and 2020-2021.

Further, the Committee finds salary to all faculty members for law, management and commerce are fixed salary, which is against the statutory rule, each faculty member has to be paid UGC scale. **The University to file undertaking before starting of academic session 2019-2020 that they will be paying UGC scale. The approval is subject to this condition also.**

Specific conditions imposed by the inspection team and approved by the Committee :-

1. The Law Library should be shifted to the ground floor of the Law building.
2. There should be Computer room with at least 20 computers for online accessibility of law books and journal and should be in the Law building.
3. The University should make available five (5) more well furnished rooms for Law students in the law building/floors.
4. Moot court needs to be restructured to make court like ambience.
5. The University should pay UGC scale of pay and salary to the teaching staff.

The University/College is directed fulfill the conditions stipulated as per the inspection report and as per Legal Education Rules 2008 and by the Committee, failure of which may lead to subsequent necessary and proper action being taken in this regard :-

1. The Institution is directed to establish the Legal Aid Centre as per Clause-11, Schedule-III of Rule-11 of the Part-IV of the Legal Education Rules - 2008.
2. Institution should ensure the payment of salary to teachers as per Rules 22 schedule III, Part IV of BCI Rules.
3. The library should be furnished as per Clause 15 of Schedule III of Legal Education Rules 2008 given below :-

Minimum Library requirement: To start with, a Law Library shall have a set of AIR manual, Combo offer of CD of AIR Pvt. Ltd. (containing electronic version of AIR Supreme Court and High Court Data bases Research 1950-2015 (four connections each) Cr. L.J. Data Base 1950-2015(four connections) AIR Privy Council Data Base 1900-1950 (four connections) AIR Mannual latest 6th Edition(1-45 Vols.) AIR Journal 2015, Cr. L.J. 2015, L.I.C. 2015, AIR Civil Cases 2015, AIR Law Lines 2015, AIR Cheque Dishonour Reports 2015, AIR Accident Claims and compensation 2015, Institution shall get electronic versions updated every year by AIR Pvt. Ltd. Central Acts and Local Acts, Criminal law journal, SCC, Company cases, Indian Bar Review, selected Judgements on

Professional Ethics and Journals with the back volumes for at least ten years and also such number of text books in each subjects taught during the period according to the minimum standard ratio of ten books for each registered students. For running integrated program, text books of such other subjects are also to be kept in the similar minimum ratio.

4. The institution should keep in mind that minimum 10 sets of Indian Bar Review, selected judgments and professional Ethics published by Bar Council of India Trust and the AIR volumes/set must be promptly ordered for the library if not already ordered, as it is an essential requirement to run a law college which is stipulated by Bar Council of India, Legal Education Rules 2008 framed under a Parliament Act.
5. The institution is directed to make a minimum investment as provided below for upgrading its library as per the following guideline :-

"Today with the increasing cost of journals, books, wi-fi, e-library and online facilities including I.T. facilities, the minimum investment by each university should be Rs. 10 lakhs for each year. However for any university/deemed university in rural area, the investment should be Rs. 5 Lakh and for all other affiliated colleges in the urban area it should be Rs. 2 lakhs and in rural area it should be Rs. 1 lakh."

6. Teacher Student ratio shall be as per Schedule-III, Rule-11, Clause-17, Part-IV of Bar Council of India Rules.
7. Institution is directed to inform the timings of the classes.
8. A Centre of Legal Education must ensure that not less than three percent seats are reserved for persons with disabilities.
9. Centre of Legal Education shall equip itself to provide appropriate facilities in terms of the physical infrastructure, academic infrastructure and any other facilities required for the effective participation of disabled students, teachers and staff in their respective activities. For e.g. (a) ramps in public buildings and (b) Braille symbols and auditory signals in elevators or lifts.

Further, the University/College must specify the timing of the college which has not been given. College should also maintain the timing which has to be minimum 5 ½ hours with half an hour break. **College is directed to file an affidavit to the Bar Council of India within six weeks mentioning the timing of the classes.** The relevant rules of Legal Education which are mandatory to be ensured are as follows :-

Rule (xxiii), Chapter I

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"(xxiii) "Regular Course of Study" means and includes a course which runs for at least five hours a day continuously with an additional half an hour recess every day and running not less than thirty hours of working schedule per week."

Rule 5 of Schedule III

"Classes may be conducted between 8 a.m. to 7 p.m. in a Centre of Legal Education, which is not fully residential. However the Library may remain open till 10 p.m."

Further, the institution should follow the attendance rule and file affidavit that they are following the aforesaid rule. The next inspection team shall also see whether the said rules are being followed by the university or not. The relevant Rule 12 is given below :-

"12. End Semester Test: No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

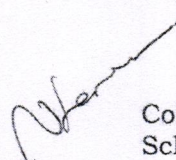
Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India."

University/College should also admit students as per the below mentioned Rule:

7. Minimum marks in qualifying examination for admission: Bar Council of India may from time to time, stipulate the minimum percentage of marks not below 45% of the total marks in case of general category applicants, 42% for OBC category and 40% of the total marks in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course or Degree course in any discipline for Three years' LL.B. course, for the purpose of applying for and getting admitted into a Law Degree Program of any recognized University in either of the streams.

Provided that such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution but only shall entitle the person concerned to fulfill other institutional criteria notified by the institution concerned or by the government concerned from time to time to apply for admission.

 College to reply within six weeks whether they are following Clause-24, Schedule-II of Legal Education Rule-2008 lays down Moot Court exercises and Internship; Clause-25, Schedule-III lays down Minimum period of Internship which is quoted hereunder.

24. Moot court exercise and Internship:

The course leading to either degree in law, unitary or on integrated double degree, shall be conducted in semester system in not less than 15 weeks for unitary degree course or not less than 18 weeks in double degree integrated course with not less than 30 class-hours per week including tutorials, moot court room exercise and seminars provided there shall be at least 24 lecture hours per week.

Provided further that in case of specialized and/or honours law courses there shall be not less than 36 class-hours per week including seminar, moot court and tutorial classes and 30 minimum lecture hours per week.

Provided further that Universities are free to adopt trimester system with appropriate division of courses per trimester with each of the trimester not less than 12 weeks.

College/University should also follow Rule 17 and Rule 18 of Schedule III of Legal Education Rules 2008 which is quoted hereunder :-

Rule 17. Core Faculty:

There shall be sufficient number of full time faculty members in each Centre of Legal Education (i.e. ,Department, constituent or affiliated college) to teach each subject at all point of time for running courses who can be supported by part time or visiting faculty. Such a core faculty shall in no case be less than six in the first year of the approval with both streams in operation, eight in the second year and ten in the case of third year of law courses. In addition, for the integrated course there shall be adequate faculty in the subjects offered in the liberal educational subjects as part of the course by the institution. These faculties in the liberal educational discipline in Arts, Science, Management, Commerce, Engineering, Technology or any other discipline shall possess qualification as is required under the UGC guideline or under such other standard setting body as the discipline is allotted to by any Act, statute, or Rules of the Government of India or of a State.

For the Three Year Bachelor of Law degree course only with two sections without the Honour program, there shall be minimum of 4 core faculty in the first year six in the second and eight in the third year in addition to the Principal/Head or Dean as the case may be.

Provided that an institution intending to run any specialized or honours course must have at least three faculty in the group in which specialization and honours courses are offered.

Provided further that each full time faculty shall take as many classes in the subject or subjects as may be assigned to them on the basis of standard prescribed by 'the standard setting institution' like UGC.

Provided further, if any institution of a University, which was already affiliated to the University and approved to run professional courses of either scheme or both by the Bar Council of India after inspection of the University, falls short of required full time faculty, the new admission in courses may be required to

This paper may have three components of 30 marks each and a viva for 10 marks.

(a) Moot Court (30 Marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks):

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

25. Minimum Period of Internship: (a) Each registered student shall have completed minimum of twelve weeks internship for Three Year Course stream and twenty weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

(b) Each student shall keep Internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4th Clinical course as stipulated under the Rules in Schedule II.

College/University should also follow Rule-10 of Legal Education Rules 2008 which is quoted hereunder :-

10. Semester system

remain suspended until new required number of faculty is procured. The University shall before starting a new academic session, notify which institutions are only be allowed to admit fresh students.

Provided further that if while inspecting the University it was found that in any institution of the University adequate number of full time faculty was not there in the staff, the Bar Council after giving notice to the University might give a public notice directing the University not to admit students in the new academic year in that institution.

Rule -18 Minimum weekly class program per subject (paper):.

There shall be for each paper (with 4 credit) Four class-hours for one hour duration each and one hour of tutorial/moot court/project work per week.

Institution should submit affidavit in compliance of all the conditions stipulated in the letter with adequate proof of such compliance within six weeks. The same shall be verified during the next inspection.

University/College authorities are also required to apply before the Bar Council of India for further extension of approval six months in advance before expiry of the period of approval of affiliation granted by the Bar Council of India. i.e. on or before 31st December, 2020 in respect of **five year BBA LL.B (Hons.) and five year B. Com. LL.B. (Hons.) integrated law courses** with the requisite inspection fee of **Rs. 3 lakhs** per course (for normal course) and **Rs. 5 lakhs** per course (for honours course) and application fee of Rs. 50,000/- by way of demand draft to be drawn in favour of Bar Council of India, payable at New Delhi.

The University/College shall also comply with the following Rule of the Bar Council of India (Clause (iii) and Explanation 2 of Schedule IV in Part IV of new rules of the Bar Council of India):-

"Whenever approval of affiliation is granted to the Centres of Legal Education, it shall be necessary for the Centres of Legal Education to deposit Rupees Five Lakh in shape of guarantee to fulfill all the norms of the Bar Council of India. The same shall be liable to be forfeited if norms are not complied with and same shall carry no interest."

The letter is subject to the payment of guarantee amount as mentioned in the above rule.

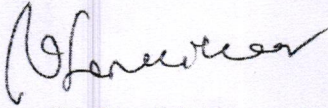
This letter is subject to final approval/confirmation of the Legal Education Committee and General Council of the Bar Council of India.

You are also requested to attach a copy of this letter with your compliance report/reply.

Very Important :- Please henceforth ensure to send any compliance affidavit/reply and affiliation orders separately to **complianceaffiliationle@gmail.com**, apart from copying it to **dlebc@gmail.com**. Please do not send any e-mail/s to **legaleducationdepartmentbci@gmail.com**.

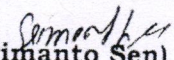
For any other query/ies you can send an e-mail to dlebci@gmail.com

This is for your information and necessary action.



(N. Senthil Kumar)
Asstt. Secretary
Head of the Deptt.

Yours Sincerely,


(Srimanto Sen)
Secretary

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**THE BAR COUNCIL OF INDIA PROFORMA FOR INSPECTION REPORT
OF**

NEW/EXISTING CENTRE OF LEGAL EDUCATION

(Put a tick [✓] whether new or existing)

(while preparing the report of inspection of the Centre of Legal Education, members are requested to follow the following proforma with Annexure A to E)

[the team may use additional sheets, if required]

Documents to be only attached in "*" marked column only

I. DETAILS OF THE INSTITUTION

<p>1 Name of the existing Centre of Legal Education / University with complete address, telephone number and email/new or existing</p>	<p>SCHOOL OF LAW ARKA JAIN UNIVERSITY, JHARKHAND</p> <p><u>UNIVERSITY CAMPUS ADDRESS</u></p> <p>ARKA JAIN University Mohanpur, Gamharia, Dist. Seraikela Kharsawan Jharkanad-832108</p> <p><u>CORRESPONDENCE ADDRESS</u></p> <p>ARKA JAIN University D-28,DANISH ARCADE, OPPOSITE TO ASIAN INN HOTEL DHATKIDIH, JAMSHEDPUR STATE: JHARKHAND PIN CODE-831001</p> <p>TELEPHONE NO : +91 0657 2220285 9971755119 / 8092222016</p> <p>EMAIL-ID : www.arkajainuniversity.ac.in registrar@arkajainuniversity.ac.in</p>
<p>2 Names of the Members of the inspection team</p>	<p>1. Mr. Justice Virendra Dutta Gyani, Former Judge High Court of MP</p> <p>2. Mr. Apurba Kumar Sharma, Chairman, BCI</p>

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		3. Mr. A. Rami Reddy, Member, BCI 4. Mr. Prasant Kumar Singh, Member, BCI 5. Prof. J. P. Bora, Principal, University Law College, Gauhati University 6. Dr. Ratul Mahanta, Department of Economics, Gauhati University
3	Date of inspection	23 rd June 2019
4	Application for new/extension of approval submitted to the Bar Council of India for the academic year with course details If any new course introduced by the existing institution. Furnish the details Whether additional sections are applied for?	Application for new recognition and approval from the Bar Council of India for (i) 5 Year B.B.A., LL.B. (Hons) and (ii) 5 Year B.Com., LL.B. (Hons) from the academic year 2019-20 Not Applicable Not Applicable
5.	a) Name of the Society/Trust/Organization sponsoring the Centre of Legal Education b) Year of establishment of the society (for new centers)	a) ARKA Educational & Cultural Trust Reg. Office: 91/2, Dr.A.N.Krishna Rao Road, VV Puram, Bangalore-560004. b) 21/11/2009 and Trust Reg.No. BSG-4-00138-2009-10.
6	Whether it is a National Law University / Department of State University / Department of Deemed University / Department of Private University / Govt. college / Private college	Private University
7*	Whether State Government has issued extension of NOC to run the institution, if yes,	The ARKA Jain University established under The ARKA JAIN UNIVERSITY ACT, 2017 vide Jharkhand Govt. Gazette no.

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	from when	490, Notification no. 03/2017-72 lg and 73lg dated 4/7/2017. Under the Act, the university is empowered to run the law courses as proposed.
	Attach NOC order of the Government	Not Applicable
8	<p>a). Name of the University to which the Centre of Legal Education is affiliated.</p> <p>b). What are the courses affiliated by the University.</p> <p>c). Whether the University has extended its affiliation for the above said courses, if yes, when and upto what period</p> <p>d). How many sections sanctioned by the University to each course.</p> <p>e). Whether running any course without the approval of the Bar Council of India. If yes since when?</p> <p>f)*. Attach latest University affiliation order</p> <p>g)*. Whether the syllabus prescribed by the University for the institution as per Schedule II of the Legal Education Rules[attach syllabus for each course]</p> <p>Whether syllabus of the Bar Council of India is being followed as per Part I, Part</p>	<p>a) The proposed school of law is a constituent unit of ARKA Jain University, Jharkhand.</p> <p>b) Not applicable</p> <p>c) Not applicable</p> <p>d) Not applicable</p> <p>e) Not applicable (fresh application)</p> <p>f) Not Applicable</p> <p>g) Yes</p> <p>Yes</p>

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II and Part III (for Honours courses) of Schedule II. The relevant rules are annexed in Annexure - A	The proposed timing of the Centre of Legal Education is from 8 a.m. to 4.30 p.m. with break of 30 minutes.
g). The timings of the Centre of Legal Education to conduct classes	

II. INFRASTRUCTURE DETAILS

9	Whether the land and building are owned by the Centre of Legal Education or the same is rented or leased? If rented, for how many years? Whether the management has any proposal to construct its own building.	Yes, the Land and Building are owned by Arka Educational & Cultural Trust.
10	Number of class rooms presently available	8 (eight) Classrooms
11	Area of each class room	1500 SQFT (approx)
12	Whether the class rooms are well furnished with other required amenities.	YES
13*	Other infrastructure details The format of details about the accommodation is annexed as Annexure B	Kindly ✓ the following : <div style="text-align: right; margin-right: 50px;">Total rooms</div> <div style="margin-left: 40px;"> 1. Principal Room - 1 HOD 2 2. Staff Rooms - 1 3. Girls common rooms 1 4. Boys common rooms 1 </div>

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5. Office rooms	-	1
6. Library	-	1
7. Moot Court room	-	1
8. Auditorium	-	1
9. Computer room	-	1
10. Girls Toilets	-	1
11. Boys Toilets	-	1
12. Staff Toilets	-	1
13. Play Ground	-	2
14. Legal Aid Clinic	-	1

III. INFORMATION ABOUT THE EXISTING STUDENTS

14	The strength / sections sanctioned by the Bar Council of India to each course (for existing centers only)	Applied for
15	<p>a). How many students admitted in each course by the college and students continuing in each course in succeeding years. (for existing centers only)</p> <p>b). Whether norms of minimum percentage of marks as per rule 7 for admission are followed in each student admitted.</p>	Applied for
16	How many students were present in the college at the time of inspection (for existing centers only)	Not Applicable
17	Whether the college is maintaining attendance registrar. What is the percentage of students attending the classes. (for existing centers only)	Not Applicable

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IV. DETAILS ABOUT THE TEACHING STAFF AND NON TEACHING STAFF

18*	Details about the teaching staff, their qualifications, salary and other service conditions with complete details of full time and part time teachers. The format of details of teaching staff is annexed as Annexure C	Kindly ✓ the following Annex separate list which is enclosed with this proforma - Annexure - 1. (list should be prepared separately as follows) 1. List of Law teachers 2. List of social science subject teachers 3. List of Management subject teachers 4. List of Commerce subject teachers 5. List of Science subject teachers 6. List of Technical subject teachers
19	If any changes in the faculties. Comparing with previous list how many teachers are continuing and how many resigned and how many of freshly appointed.	Not Applicable
20	Details about the Administrative Staff in the Centre of Legal Education	Details about the Administrative Staff is Annexed as Annexure - B

IV. DETAILS ABOUT THE LIBRARY (See Schedule III of LE Rules(Clause 15))

21*	(a) Details about the Library in terms of space, equipment's and full details of text books, reference books, journals and other periodicals The format of details about the library is annexed as Annexure D&E b). Whether every year as per Clause 15 of Schedule III investment is made in the library	The Library in terms of space, equipment's is adequate to begin with but the library is situated in a separate building on the 3 rd floor. On inspecting the Accession Register and physical verification of the available books it is found that there are only 985 law books/ journals in the library. The University has placed order for purchase of books in partial fulfillment of the requirements of Clause 15 of Scheduled III of the Legal Education Rules.
State whether the books and		No, all the books and periodicals mentioned

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22	periodicals mentioned in Clause 15 of Schedule III of the Rules are available in the library or not?	in Clause 15 of Schedule III of the Legal Education Rules are not available in the library. However the process is on to purchase more text books and journals etc.
23	Working hours of library and details of Library staff	The working hours of library is from 8 a.m. to 4.30 p.m.
24	Whether there is qualified and trained librarian or not?	The Librarian needs training in maintaining Law Library.

VI. REMARKS:

25	Whether compliance has been done of the earlier conditions:	Not applicable. The present inspection is the first inspection.
26	Whether the institution improved the standard in all aspects. Furnish the details	Yes, the institution has separate building for Law and the required facilities are available in the institutions. However, it has been observed that the institution should make available 5 more well furnished class rooms
27	Views of members of inspecting team with regard to extending the approval or Disapproval of Centre of Legal Education	After inspecting the Centre of Legal Education i.e. School of Law and on perusal of the supporting documents, the members of the team are of the view that Arka Jain University, Jharkhand may be granted recognition and affiliation for imparting law course in 5 year B.B.A., LL.B.(H) and 5 year B.Com., LL.B.(H) course subject to fulfillment of the conditions mentioned in para 28 of the present report..
28	Whether approval may be granted or not? If yes, please mention about the courses and intake of each course	Yes, Recognition and approval of affiliation may be granted. Courses: (i) 5 year B.B.A., LL.B.(Hons) Intake : 120 students. (ii) 5 year B.Com., LL.B.(Hons) Intake: 120 students

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<p>Conditions, if any, that can be imposed and the time limit for fulfilling those conditions</p>	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The University should purchase text books, journals and periodicals worth Rs. 5 Lakhs in partial compliance of the requirement of Rule 15 of the Legal Education Rules, 2008 and continue to purchase every year books worth at least Rs. 2 Lakhs 2. The Law Library should be shifted to the ground floor of the Law building 3. There should be Computer room with at least 20 computers for online accessibility of law books and journal and should be in the Law building. 4. The University should make available five (5) more well furnished rooms for Law students in the law building/floors 5. Moot court needs to be restructured to make court like ambience. 6. The University should pay UGC scale of pay and salary to the teaching staffs. <p><i>Time Limit:</i> The University should comply the above conditions within a period of 30 days</p>
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