

Date: 09 November, 2017

To,

Hon'ble Mr. Justice Hemant Gupta,

Chief Justice of Madhya Pradesh High Court, and

Chairman, General Council, National Law Institute University, Bhopal.

Subject: Open letter regarding student grievances at NLIU Bhopal

Respected Sir,

We, the student body of the National Law Institute University, Bhopal ("NLIU"), a university established under Act 41 of 1997 of the state legislature of Madhya Pradesh, are writing to you to put forth our grievances which have occurred due to the actions and inactions of the University administration. Since you are the Chairman of the General Council of the University as the Chief Justice of India, we request you to kindly take note of the concerns raised below.

In a very recent development, which has been covered extensively in the press as well, a scandal involving deep rooted corruption was revealed in the University. In a blatant display of arbitrariness, the administration and faculty of the University colluded to pass a student - who was failing by more than 10 marks - on grounds of personal bias.

Our college employs a system of coding papers to maintain anonymity and prevent preferential treatment while grading papers, and this instance in particular involved the increment of marks after the papers were decoded, and the professor was aware of the identity of the student. This was an unjustifiable exercise of discretion in an extremely arbitrary manner and when confronted, the professor gave us a flimsy explanation. She claimed that the question had not been evaluated, and thus she had increased 7.5 marks.

However, the following issues arise :-

1. The answer had in fact been evaluated, struck out, and marked 0, showing that it had not been omitted in the initial correction.
2. If there was a mistake in evaluating the answer on grounds of content, that implies that the answers of all the students in the batch need to be re-evaluated with a corresponding increase in marks.

3. If the marks were increased for only one student after the professor knew her identity, there is a reasonable apprehension of bias involved, especially since the requests of other students failing by a few marks had been ignored.
4. The exclusive process of re-evaluation of papers involves filing a form and paying ₹1,000 for the answer sheet to be re-evaluated by an external professor. There was a flagrant disregard of this procedure.

This preferential treatment that has been given to some of the students is not only arbitrary and fraudulent but is also unfair to other students. However, this is not the first instance of maladministration of the University officials and there have been numerous instances in the past which have been brought to the notice of the Director, Prof (Dr.) S.S. Singh, but no action was taken to cure or even pay attention to these grievances of the students. As a routine activity, when students approach the director with any grievances, they are turned down and termed baseless.

In furtherance of the above, we would like to highlight some of such instances:

A. Academic Greivances

1. Delay in the release of results

As has been stated in the updated academic policy dated 07.04.2016, the results of the previous trimester will be declared in the first 14 days of the commencement of the next trimester. However, the declaration of results has been delayed across batches. For instance, all results of the previous trimester barring the XII trimester were declared one and a half months into this trimester. Not only has the policy not been implemented, the results have been declared merely 10 days before the commencement of the repeat/re-repeat/improvement examinations. It is to be noted that this is not the first instance of such delay. Even prior to the release of this notification, it has been the practice of the administration to declare results inordinately late. The delay with respect to the results of repeats/re-repeats/improvement/re-evaluation examinations is even graver. There have been multiple instances of these results being declared at least a year after students appeared for the same.

For example:

- i. The repeat/re-repeat/improvement result for the VII trimester (September 2016) of the Batch of 2019 was released during their XI trimester (November 2017), over a year later.
- ii. The result of the re-evaluation application filed for a paper appeared for in the V trimester (Sociology of Law) was declared in the XII trimester. Such delays render the re-

evaluation process futile because students are required to sit for repeat/re-repeat examinations in the interim.

2. Accountability of Professors

Standard Curriculum and Modules

Students have expressed their grievances with regard to the professors' failures to complete the subject syllabus before the examination. For instance, the Alternative Dispute Resolution (ADR) course was left mid-way for the Batch of 2019 with students having to answer questions on concepts and cases that were not taught in class in their examination.

Furthermore, there have been multiple instances of different teachers following varied curricula while teaching the same subject. The discrepancies in the teaching methods consequently lead to uncertain curricula and out-of-syllabus questions in the repeat and re-repeat examinations.

Marking Scheme and absence of Model Answer Sheets

Contrary to accepted practice in other Universities, teachers do not prepare model answers or a standardized marking scheme before correcting papers. In light of the continuous revisions to the paper pattern and the total marks awarded per answer/paper, it is imperative for the teachers to take into consideration such changes in order to avoid erroneous correction. Of particular mention is the correction of the CrPC-I papers of the Batch of 2019. Not only were several students arbitrarily failed in the examination, but the concerned Professor was unable to justify the reason for his manner of marking. The Professor for Law Relating to Patents and Trademarks also admitted to disparities in her correction of the papers for that subject taught to the Batch of 2018 in their XII Trimester.

Reevaluating decoded answer sheets

Teachers have been found increasing marks under influence of, or due to personal bias for, some students, which is completely arbitrary and unfair to other students.

3. Re-Evaluation Process

Reevaluation is done by the same teacher who evaluated the copy in the first instance. This completely negates the purpose of reevaluation, as the students are not provided an independent evaluation of their answer sheets.

Further, the change in the re-evaluation policy which requires a 10% increase in the marks scored for a change in result was applied retrospectively and without due notice to the students. The re-evaluation policy permits students to only submit two papers per trimester.

This is inadequate in light of the fact that the teachers are reluctant to revise correction errors themselves and insist on the students applying for re-evaluation in case of any grievance. Further, the re-evaluation fee of Rs. 1000 per subject is exorbitant.

4. Library timing

As per the present schedule, the University library is open till only 9 PM. This restriction on the accessibility of essential resources to students act as a major hindrance in their preparation for various co-curricular activities. As had been prevalent in various other National Law Universities, the library is kept open for long hours so as to enable the students to effectively use the resources. Further, during Saturday/Sunday, the library is open only till 6 PM, which is not only against students' interest, but is also unreasonable.

B. Attendance Grievance

Several students have faced lack of cooperation from the administration while requesting for academic leave for strictly medical purposes, even in special and extreme circumstances. There is absolutely no provision for addressing genuine medical situations of students. A few incidents are highlighted below, along with the administrative responses

1. Denial of Leave despite Vertebral Column Injury

A student had injured her vertebral column, and the injury was so severe that she was advised immediate and complete bedrest for a minimum of 3 months, or run the risk of paralysis. Her parents approached the administration with MRI reports and doctors' statements to this effect, with a request to be granted the minimum threshold of attendance required to be able to sit for the exams, so that she would not have to repeat the whole year. The parents faced outright rejection and dismissal of their requests from the administration, with reasons like 'these reports could be fake' and 'bar council rules require this much attendance' being given, apart from several inappropriate remarks being made. Their next request of allowing a stretcher in the classroom on which the student could lie down and attend classes was denied on the grounds that it would 'distract the teachers'. The next request of shifting the classroom downstairs or being allowed to use the elevator already installed in the Academic Block - II was also denied, first by the Registrar, then by the Proctor. Ultimately the student had to attend all the classes half-sitting, half-standing, and write both mid-terms and end-terms the same way.

2. Denial of Leave despite Multiple Fractures and Dislocations

A student who had suffered from multiple facial fractures, three fractures and a wrist dislocation had to face immense hostility from the University administration. His application for medical leave was rejected. Even though doctors had advised strict bed rest, he had to attend several days of classes just to ensure that his attendance crosses the 70% threshold failing which the threat of repeating the whole year loomed over him. Apart from having to attend these classes in a heavily sedated state, he also had to endure several traumatic taunts such as ‘students have attended classes in wheelchairs and would do so even on stretchers’.

3. Denial of Leave despite Student falling from a Height of Two Floors

A student who had fallen from 2 floors above the ground and sustained numerous back injuries which left him bedridden for weeks. Despite this, he had to attend classes with a walking assistance machine. In spite of the doctors advising him a month of strict bed rest, he had to still attend classes in excruciating pain, again just to ensure that the threshold of 70% attendance requirement would be crossed. Such unwanted exertions also led to a very prolonged recovery period, as his request for medical leave was dismissed.

The University administration has been consistently refusing the suggestion of the student body that genuine medical grievances should be considered for attendance purposes on the ground that the Bar Council Rules for legal education do not permit such a policy. However, Bar Council Rules do not prohibit any such policy, since several other law universities, who also fall under its purview, have a simple and effective policy of medical leave. The students believe that a Medical Board, comprising of professionals of the University’s choice be set up, who can review and check the authenticity of requests for medical leave for every individual on a case-by-case basis. Only valid cases should be granted such academic leave.

As a law university, it is even more imperative for the University to ensure that the incidents of the nature being alleged are dealt with in a fair and transparent manner in accordance with law and not swept under the carpet. We also understand that despite several protests in the past by the student community demanding accountability of the administration and safety inside the campus, effective steps have not been taken to address these issues apart from setting up committees.

In light of the above, we humbly request you to take note of the issue and take remedial action. Thanking you, and

Yours Sincerely,

Students of NLIU Bhopal.