

## **Object and Purpose**

Whereas it is expedient to frame rules for the prohibition of certain unethical forms of conduct pertaining to Alternative Dispute Resolution, the NLUO ADR Board shall enact the present Rules in accordance with the powers granted by Article III(1)(i) and Article V of the Constitution of the NLUO ADR Board.

These Rules may be called the “NLUO ADR Rules on Prohibited Conduct, 2025”.

The Rules shall come into force on such date as the Board may notify and shall apply to all activities pertaining to Alternative Dispute Resolution as defined in the Constitution of the NLUO ADR Board.

## **Chapter I: Interpretation-Clause**

1. Unless the context requires otherwise, the following meanings shall be ascribed to the words, terms and phrases listed herein:
  - (i) “Bench” means the body composed of the Faculty Advisor(s), and the Member(s) of the Board as prescribed to assist the Proceedings, that shall conduct Hearings and adjudicate upon the occurrence of Prohibited Conduct.
  - (ii) “Notice of Hearing” or “Notice” means a formal communication from the Board to the Respondent that shall provide information regarding the purpose, date, time, and mode of the hearing as well as the composition of the Bench.

- (iii) “Respondent” means a Student against whom a complaint for Prohibited Conduct has been received by the Board or a person against whom *suo moto* cognisance is taken by the Board for alleged Prohibited Conduct.
  - (iv) “Rules” mean and refer to the NLUO ADR Rules on Prohibited Conduct, 2025.
2. In these Rules, words and expressions not expressly defined in this Chapter shall be interpreted in accordance with the definitions provided by the Constitution of the NLUO ADR Board, and in the absence of such definition, as per their ordinary meaning.
  3. For purposes of the Rules, the singular shall include the plural and vice versa.

## **Chapter II: Initiation of Proceedings**

4. **Commencement of Proceedings:** The ADR Board may initiate Proceedings *suo moto* or upon receipt of a complaint of Prohibited Conduct.  
*Provided that* the Faculty Advisor shall be intimated regarding receipt of such complaint or initiation of proceedings *suo moto*.
5. **Pre-Notice Enquiry:** Upon receipt of a complaint, the Board shall conduct a pre-notice enquiry to assess the validity and substance of the same.
6. **Issuance of Notice:** If the pre-notice enquiry reveals sufficient grounds to proceed, or in case of *suo moto* initiation of Proceedings, the Board shall issue a Notice to the Respondent.  
*Provided that* the Notice shall specify the date and time of the hearing, as well as the composition of the bench.

7. **Response to Notice:** The Respondent shall respond to the Notice within a period of one week confirming their presence at the Hearing.  
*Provided that* where the respondent fails to respond within the stipulated period, they shall be barred from participating in any further ADR activities until they respond.
8. **Request for extension:** The Respondent may request an extension of time to respond, providing valid grounds for the same. The Board shall grant such extension at its discretion.
9. **Objection to Bench Composition:** Upon receipt of the Notice of Hearing, the Respondent may submit an objection against the composition of the Bench.
10. **Consideration of Objection:** The Board may modify the composition of the Bench in consultation with the Faculty Advisors.

### **Chapter III: Hearing**

11. **Composition of the Bench:** The Hearing shall be conducted by a Bench consisting of at least one Faculty Advisor and two Post Holders.  
*Provided that* in case of the non-availability of the requisite number of Post-Holders, the Faculty Advisor may nominate a Member of the Board to the Bench.
12. **Evidence:** The Respondent may adduce any evidence and witnesses.  
*Provided that* the names of such witnesses shall be submitted in the Response to Notice.

13. **Record Keeping:** A detailed record of the Proceedings shall be maintained by the Board.

*Provided that* the Respondent may waive the maintenance of record by the Board before the start of the Hearing.

*Provided further that* in case of the record being waived by the Respondent, the Board or the Faculty Advisor shall not be deemed liable for any section of the reasoned order being inconsistent with the submissions made by the Respondent in the Hearing.

14. **Online Hearing:** The Board may conduct Hearings online as and when it may be considered necessary to do so.

15. **Time for Hearing:** The Hearing shall be held within a month from the date of receipt of the Response to Notice.

*Provided that* where hearing is not conducted within such time, Proceedings shall stand dismissed and the Respondent shall be deemed to be not liable for the alleged Prohibited Conduct.

16. **Reasoned Order:** A reasoned order shall be issued within one week from the date of the hearing by the Faculty Advisor, which shall be final.

*Provided that* penalties may be imposed upon the Respondent if they are found liable for the alleged Prohibited Conduct only as provided under Chapter IV of these Rules.

Explanation 1: No penalty shall be imposed of a period greater than the time prescribed under these Rules.

Explanation 2: In the case of imposition of multiple penalties where a Student has been found to be liable for more than one prohibited conduct, at the same or at different points of time, the term period of each penalty shall run concurrently.

Explanation 3: The time taken for Proceedings shall be computed as part of any penalty imposed under these Rules.

## **Chapter IV: Prohibited Conduct**

17. **Non-participation after allotment:** No Student shall withdraw from participating in any ADR activity duly allotted by the Board to such Student.

(1) A Student who withdraws from such activity before the completion of the registration process shall be liable to be barred from any ADR activity for a period of one month.

*Provided that* withdrawal from such activity within twelve hours of allotment shall not attract any penalty.

(2) A Student who withdraws from such activity after the completion of the registration process shall be liable to be barred from any ADR activity for a period of six months.

18. **Misconduct with judges:**

(1) Misconduct with judges shall include:

(a) Communication with persons prior to the commencement of an ADR activity in which such person is acting in the capacity of a judge;

(b) Misbehavior with judges including but not limited to coercion, defamation, harassment, and slander;

(2) A Student who engages in misconduct with judges shall be liable to be barred from any ADR activity for a period of one year.

**19. Disclosure of confidential information:**

- (1) No Student shall disclose any information deemed to be confidential by the Board.
- (2) A Student who discloses any information deemed to be confidential by the Board shall be liable to be barred from any ADR activity for a period of six months.

**20. Unauthorised participation:**

- (1) No Student shall participate in any ADR activity in violation of the NLUO ADR Board Allotment Rules, 2025.
- (2) A Student who participates in any ADR activity in violation of the NLUO ADR Board Allotment Rules, 2025 shall be liable to be barred from any ADR activity for a period of six months.

**21. Non-Participation in ADR Activity conducted by the Board:** No Student shall back out of an ADR activity conducted by the Board.

*Provided that* withdrawal from any ADR activity before the date as notified by the Board for such specific activity shall not attract any penalty.

- (1) A Student who withdraws from such activity shall be liable to be barred from any ADR activity for a period of six months.

**22. Residuary Prohibited Conduct:** Any other improper conduct, not provided for under Chapter IV, may be deemed to be Prohibited Conduct by the Faculty Advisor(s).

**23. Misconduct during participation in an ADR activity:**

- (1) Any Student who uses language that is discriminatory, vulgar or derogates the dignity of any person during participation in any ADR activity shall be liable to be barred from any ADR activity for a period of one year.
- (2) Any Student who initiates a physical altercation during participation in any ADR activity shall be liable to be barred from any ADR activity for a period of two years.
- (3) Any Student against whom a complaint of misconduct is communicated to the Board by an institution where such Student participated in an ADR activity shall be liable to be barred from any ADR activity for a period that shall be determined in consonance with these Rules or any other relevant rules of the University.

**24. Violation of reasoned order:**

- (1) Any Student who deliberately derogates from a reasoned order, issued under Rule 13 of these Rules, during the period in which the order remains valid and binding, shall be deemed to have violated that reasoned order.
- (2) Any Student who violates a reasoned order shall be liable to be barred from any ADR activity for a period of two years.

**25. False representations during hearing:**

- (1) No Student shall make false representations during any hearing conducted by the Board. False representation shall include, but is not limited to, submitting fabricated evidence, providing misleading information, or making false statements with the intent to deceive the Bench.

(2) Any Student found guilty of making false representations during a hearing shall be liable to be barred from participating in any ADR activity for a period of one year.

26. **Nonattendance of hearing:** A Student who fails to attend a hearing at the prescribed time and date shall be liable to be barred from participating in any ADR activity for a period of six months.

*Provided that,* the Bench/Faculty Advisor shall reserve the discretion to waive off the penalty under this rule if they deem that the Student had a valid reason for their absence.

Explanation: The prescribed date and time of hearing shall be as communicated by Notice, or any extended time granted under Rule 5 of these Rules.

27. **Falsely representing the University for the purpose of any ADR activity:**

(1) No student shall falsely represent the University for the purpose of any ADR activity without due authorization from the Board.

(2) Any student found guilty of falsely representing the University for the purpose of any ADR activity shall be liable to be barred from participating in any ADR activity for a period of one year.

28. **Impersonating the Board:**

(1) No student shall impersonate the Board or its members in any capacity, or falsely claim any communication as being issued by the Board, whether through verbal communication, written correspondence, or other means.

(2) Any student who impersonates the Board or falsely claims any communication as being issued by the Board shall be liable to be barred from participating in any ADR activity for a period of one year.

### **Annexure I: Minimum Details to be present in Complaint\***

1. Name of Complainant
2. Batch of Complainant
3. Name of Complainee
4. Batch of Complainee
5. Date of occurrence of Prohibited Conduct
6. Details of Activity wherein Prohibited Conduct took place
7. Detailed Complaint of Prohibited Conduct

\*Complain must be emailed to the official NLUO ADR Board email-id with Carbon Copies to current Faculty Advisor(s). Details of complainant shall be withheld from complainee at all times, and anonymity of complainant shall be maintained, unless otherwise warranted by Faculty Advisor(s) in exceptional circumstances.