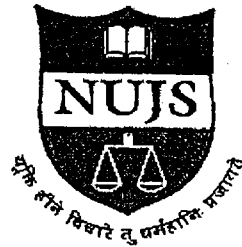


The West Bengal National University of Juridical Sciences



AGENDA NOTES FOR THE 29th MEETING OF THE

EXECUTIVE COUNCIL

TO BE HELD ON 19th APRIL 2009 AT 10:30 A.M.

AT DR. AMBEDKAR BHAVAN, SALT LAKE,
KOLKATA

W.B National University of Juridical Sciences
Dr. Ambedkar Bhavan
Salt Lake, Kolkata

29th MEETING OF THE EXECUTIVE COUNCIL

19th APRIL, 2009 AT 10: 30 a.m.

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Any other matter with the permission of the Chair.

The W.B. National University of Juridical Sciences

Dr. Ambedkar Bhavan

Salt Lake, Kolkata

29th Meeting of the Executive Council

19th April, 2009

AGENDA NOTES

Agenda Item No. 1 Confirmation of the Minutes of the 28th Meeting of the
Executive Council held on 22nd February, 2009.

Minutes of the 28th Meeting of the Executive Council of NUJS held on 22nd February,
2009 are enclosed as **Annexure 1A** for confirmation.

W. B. NATIONAL UNIVERSITY OF JURIDICAL SCIENCES
Dr. Ambedkar Bhavan
Salt lake, Kolkata

Minutes of the Twenty-eighth Meeting of the Executive Council of
W.B. National University of Juridical Sciences
Held on Sunday, 22 February, 2009
At Dr. Ambedkar Bhavan, Salt lake, Kolkata.

The Twenty-eighth Meeting of the Executive Council was held on Sunday, 22 February, 2009 at Dr. Ambedkar Bhavan, Salt lake, Kolkata. Following Members were present :-

1. Hon'ble Mr. Justice S.B. Sinha
Judge, Supreme Court of India, New Delhi.
2. Hon'ble Mr. Justice Chittatosh Mookerjee
Former Chief Justice of Calcutta & Bombay High Courts,
Kolkata.
3. Hon'ble Mr. Justice P.C. Ghose
Judge, Calcutta High Court, Kolkata
4. Hon'ble Mrs. Justice Ruma Pal,
Former Judge, Supreme Court of India and
Professor, Ford Chair, CHRCS, WBNUJS, Kolkata.
5. Prof. M.P. Singh
Vice Chancellor and Chairman, Executive Council
NUJS, Kolkata.
6. Professor T.K. Oommen,
Emeritus Professor,
School of Social Systems,
Jawaharlal Nehru University, New Delhi.
7. Mr. K.K. Venugopal
Senior Advocate
Supreme Court of India
New Delhi
8. Mr. Dipankar P. Gupta
Senior Advocate
Supreme Court of India
New Delhi
9. Mr. Nisith Adhikary
Additional Advocate General
West Bengal
10. Mr. R.N. Dutta
Former Sheriff
Calcutta

11. Mr. Anirban Mazumder
Lecturer in Law
WBNUJS, Kolkata

12. Mr. Nandan Nawn
Lecturer in Economics,
WBNUJS, Kolkata.

Mr. N.Konar, Registrar, WBNUJS & Ex-Officio Secretary to the Council was also present.

Hon'ble Mr. Balai Chandra Ray, Advocate General, West Bengal, Member, Hon'ble Mr. Rabilal Maitra Minister in Charge, Law and Judicial Department, Govt. of West Bengal, Member, Principal Secretary to the Govt. of West Bengal, Finance Department, Member, Principal Secretary to the Govt. of West Bengal, Higher Education Department. Mr. A. Roy, Secretary to the Government of West Bengal, Judicial Department, Kolkata, Member, Prof. P. Balaram, Director, IISc., Bangalore could not attend the meeting due to preoccupations.

The West Bengal National University of Juridical Sciences

Minutes of the 28th Meeting of the Executive Council of
WBNUJS held on Sunday, 22 February, 2009.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
1.	Confirmation of the minutes of the 27 th Meeting of the Executive Council held on 22 August 2008.	The Minutes of the 27 th Meeting of the Executive Council held on 22 August 2008 were confirmed with the observation that the University should prepare a list of grievances of its students and employees and place it in the next meeting of the Executive Council.	Plan of action is under process.
2.	Ratification of the minutes of the 26 th , 27 th , 28 th and 29 th Meetings of the Standing Committee held on 2 August 2008, 27 th September 2008, 1 st November 2008 and 2 nd December 2008 respectively	<p>The minutes of the 26th, 27th, 28th and 29th Meetings of the Standing Committee held on 2 August 2008, 27th September 2008, 1st November 2008 and 2nd December 2008 respectively were placed for ratification.</p> <p><u>RESOLUTION</u></p> <p>The Executive Council ratified the minutes of the 26, 27, 28 and 29 meetings of the Standing Committee held on 2/8/2008, 27/9/2008, 1/11/2008 and 2/12/2008 respectively.</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken																								
3.	Appointment of Dr.Gautam Ray.	<p>The matter arises out of the 23rd meeting of the Standing Committee dated 1/3/2008(Agenda Item No:2).</p> <p>Dr. Gautam Ray, Commissioner of Customs, Kolkata approached the University for teaching in the University. Accordingly a proposal had been worked out and placed in the meeting of the Standing Committee.The Standing Committee approved the appointment of Dr.Gautam Ray on lien from the Central Government and also directed the University to approach the Government for his one year deputation. Accordingly, the University has now received a letter from the Ministry of Finance confirming his deputation to the University as a Professor for a period of one year in the pay band- 4(Pay Scale Rs.37000-67000) with a Grade Pay of Rs:10000/-.</p> <p>Appointment of teachers at NUJS is made in accordance with second proviso to clause 9(1) and clause 17 schedule to WBNUJS Act 1999 [NUJS Regulation Chapter II, Clause B]. Teachers can also be appointed by invitation, which covers the instant proposal. Powers to appoint teachers has been vested with the Executive Council in Clause 9(1) of the Schedule <i>ibid</i>.Particular of service of Dr. Ray, as ascertained from him, are as under:</p> <p style="text-align: right;">Date of Birth: 01.07.1955 Date of Joining: July 1979 Old Scale of Pay: Rs 18400-500-24400</p> <p><i>Revised Scale of Pay as per office order F.No. A-35017/33/2008-Ad.II dated 22nd December, 2008</i></p> <p style="text-align: right;">Pay Band: Rs. 37000-67000 Increment: 1st July every year Whether belonging to CCS(IRS) since beginning: Yes</p> <p>Appointment of Dr. Ray can be made in terms of the DOPT order dated 05.01.1994, as amended from time to time, with the prior concurrence of Central Government (Lending Department).</p> <p>In the event of the proposal being favourably considered, Dr. Ray will be entitled to remunerations etc. as follows:</p> <p>1. Pay & Allowances: The pay band of Professor in the University (Rs 37400-67000) is higher than the pay band attached to the post held by Dr. Ray in the Central Government. Pay and allowances to be authorised to him initially are as under:</p> <table><tr><td></td><td>01.03.09-30.06.09</td><td>01.07.09 – 28.02.10</td></tr><tr><td>Pay: Rs</td><td>43,000</td><td>44,590</td></tr><tr><td>AGP: Rs</td><td>10,000</td><td>10,000</td></tr><tr><td>DA: Rs</td><td>8480</td><td>8734</td></tr><tr><td>HRA: Rs</td><td>15900</td><td>16377</td></tr><tr><td>Transport Allowance: Rs</td><td>3712</td><td>3712</td></tr><tr><td>Rs</td><td>81,092 per month</td><td>83,413 per month</td></tr><tr><td colspan="3">Rs. 9,91,672 per annum</td></tr></table> <p>2. Increment: He will be granted increments as due in his parent office, i.e. in July every year.</p>		01.03.09-30.06.09	01.07.09 – 28.02.10	Pay: Rs	43,000	44,590	AGP: Rs	10,000	10,000	DA: Rs	8480	8734	HRA: Rs	15900	16377	Transport Allowance: Rs	3712	3712	Rs	81,092 per month	83,413 per month	Rs. 9,91,672 per annum			
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3. **Accommodation:** Dr. Ray is presently occupying official accommodation at Dover Lane for which he does not draw HRA and is required to pay a nominal licence fee. Assuming that he is permitted to retain the accommodation while on deputation. It is likely that he may vacate the Govt. accommodation after joining the University, which cannot be ensured at this stage.
4. **Other allowances and benefits:** Benefits like use of official car and official telephones, as are being provided to Dr. Ray by the Central Government, may not be extended as these are not available to Professors of NUJS.
5. **Medical Facilities:** Dr. Ray is a CGHS beneficiary. However, since NUJS is not covered by the Scheme, he will be entitled to draw Rs. 3600.00 per annum according to NUJS Healthcare Benefit Scheme.
6. **Pension Contribution & Leave Salary :** NUJS being an autonomous body, is liable to pay to the Central Government Foreign service contributions as per norms, will be Rs.172376/-.As the decision of the Govt. Of India in regard to determination of maximum of grade pay (i.e. whether as per maximum of Pay Band like maximum of pay scale of the pre-revised scale or otherwise) is awaited, calculation of pension contribution in respect of Dr. Ray have been made according to the formula adopted by the Govt. of India earlier in such cases. On receipt of clear interpretation/government order in this regard, differences, if any, will be calculated and adjusted accordingly. In the case of leave salary contribution, no such clarification is required and therefore done as per existing rules.

RESOLUTION.

The Executive Council deferred the proposal.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
4.	Honorary Professorship to Professor D.Banerjea.	<p>The matter arises out of the 11th meeting of the Academic Council dated 29/3/2008 (Agenda Item No: 21)</p> <p>The Academic Council had resolved to confer a honorary Professorship to Prof.D.Banerjea, the former Principal Co-ordinator, School of Criminal Justice and Administration in the University. The Academic Council had also suggested that the financial implications on the University may be decided in consultation with Prof.D.Banerjea.</p> <p>The University had consulted with Prof.Banerjea who assured that whenever he visits the University ,it will be at his own cost and the University will not have to bear any expenses in this regard.</p> <p>Subsequently, the University has issued a letter to Prof.D.Banerjea conferring the honorary Professorship .</p> <p><u>RESOLUTION.</u></p> <p>The Executive Council noted the matter with approval.</p>	
5.	Appointment of a Professor to the IPR Chair in the University created by the Ministry of Human Resources and Development, Government of India - A Report.	<p>The matter arises out of the 28th meeting of the Standing Committee dated : 1/11/2008 (Agenda Item No: 2).</p> <p>The Standing Committee had accepted the proposal of appointing Mr.Shamnad Basheer as Professor to the IPR Chair in the University as per terms and conditions laid down by the Ministry of Human Resources and Development for the appointment and also recommended the proposal to the Executive Council for ratification with the observation that Mr.Basheer may be on probation for a period of one year. Subsequently, Professor Basheer joined the University on 10/11/2008.</p> <p><u>RESOLUTION.</u></p> <p>The Executive Council noted the matter with approval.</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
6.	Report on sixth pay commission and UGC Pay review committee along with decision of the Govt. of India thereon.	<p>The Sixth Central Pay Commission was setup to evolve a proper pay package for the Central Government employees and employees of organizations following Central Government pay structure. The Commission, headed by Justice B N Srikrishna, submitted its Report to the Government on 24th March, 2008. As per Office Order No. 1/1/2008-IC of Ministry of Finance, Government of India dated 30th August 2008, and the Gazette of India –Extraordinary, Part I, Section I of 29th August 2008 the Government has accepted the report subject to certain modifications. The Revised pay structure as approved by the Cabinet was placed.. It has been decided by the Government of India that the revised salary for all Central Government Employees along with the organizations adopting Central Government rules will be paid from the month of September '08. The Government of India, Ministry of Human Resource Development, (MHRD) Department of Higher Education, New Delhi in its letter no 1-32/2006-U.II/U.I dated the 31.12.2008 addressed to the Secretary, UGC, New Delhi, B.S.Z. Marg, New Delhi – 110002 under the subject scheme of revision of pay of teachers and equivalent cadres in University and colleges along with scheme of revision of pay scales for the posts of Registrar, Deputy Registrar, Assistant Registrar, Controller of Examination, Deputy Controller of Examination, Assistant Controller of Examination, Finance Officer, Deputy Finance Officer, Assistant Finance Officer following the revision of Pay scales of Central Government Employees on the recommendation of the Sixth Central Pay Commission intimated that the Government of India have decided after taking into consideration, the recommendation made by the UGC based on the decisions taken at the meeting of the Commission held on 7-8th October 2008 to revise the pay scale of teachers in Central Universities fully funded by the Central Government. The revision of pay scales of teachers and officers of the Universities shall be subject to various provisions of the scheme of revision of pay scales as contained in the letter mentioned above and Regulations to be framed by the UGC in this behalf in accordance with the scheme included in the said letter. The revised pay scales and other provisions of the schemes for both teachers and officers have been detailed in the letter referred to was placed. In most of the cases, the aforesaid scheme is at par with that of the scheme adopted for revision of pay scales of the Central Government employees on the basis of recommendation of sixth Central Pay Commission as also accepted by the Government of India and as detailed in the note while reporting as to the Administrative Staff of this University following the decision of the Central Government on the basis of recommendation of the VIth Central Pay Commission</p> <p>These are :-</p> <ol style="list-style-type: none"> 1. Increments 2. Pay Commission Formula 3. Allowances <p>As decided by the Government, the revised pay and revised rates of Dearness Allowances under this scheme for both teachers and officers shall be effective from 01.01.2006. The revised rates of all</p>	

other applicable allowances such as HRA, Transport Allowance, Children Education Allowance etc and the non-compounded advance increment shall take effect from 01.09.2008.

Payment of arrears upto 40% of the total arrears shall be made during the current financial year i.e. 2008-09 after deduction of admissible income tax.

An undertaking shall be taken from every beneficiary under this scheme to the effect that any excess payment made on the account of incorrect fixation of pay in the revised pay in the revised pay bands or grant of inappropriate pay band/academic grade pay or any other excess payment made shall be adjusted against the future payment due or otherwise to the beneficiary in the same manner as provided in the Ministry's OM No. F23-7/2008-IFD dt 23.10.2008 read with Ministry of Finance (Department of Expd) OM NO f1-1/2008 -IC Q 30.08.2008

The revised pay in the relevant pay band and the Academic Grade Pay together with the applicable allowances including arrears of Salary shall be paid to all eligible beneficiaries under this scheme pending issue of Regulation by the UGC.

This scheme is subject to the guidelines issued by the Ministry of Finance (Department of Expdr) under OM No 7-23/2008-E.III dated 30.09.2008.

However, on the basis of the guidelines given by the respective Ministry (M.H.R.D) following the decision of the Government the revision and fixation of pay in respect of V.C., Associate Professors, Lecturers, Assistant Librarian, Registrar, Accounts Officer and Assistant Registrars of the University along with other Administrative staff as per guidelines of Ministry of Finance, Govt. Of India have been made and placed for information.

The total involvement of expenditure for payment of arrear salary (40%) during this financial year for both academic staff and administrative staff at the revised rates of pay w.e.f. 01.01.2006 to August 2008 will be as follows:

A.

1.	Academic Staff	Rs. 18,07,811
2.	Administrative Staff	Rs. 15,64,398
3.	Library Staff	Rs. 2,35,223
Total		Rs. 36,07,432

And the arrear of pay and allowances per month for the following three category of employees will be as follows w.e.f. 01.09.2008

B.

1.	Academic Staff	Rs. 9,72,612
2.	Administrative Staff	Rs. 5,67,028
3.	Library Staff	Rs. 1,60,259
Total		Rs. 16,99,727

As we know the salary of staff of all the employees of this University are funded from the tuition fees received from time to time from the student and accumulated in the student fee account the balance in which on date is Rs. 96,12,387 and Rs. 74,58,632 in main expenditure (WBNUJS A/C) totaling to Rs. 1,70,71,019 (Rs. 1.70 crores approx.) which may cater to the demands of monthly payments of salary for both teaching and nonteaching staff upto July 2009 w.e.f 1.9.2008, if allowed to be paid. It would not, however, be sufficient to meet the future demands of payment on the said score. Therefore, this is the high time to consider for revision of tuition fees immediately both for existing and future students. A proposal in the form of revision of tuition fee of the next year students w.e.f. 2009 has been put forward by Dr. A.K. Poddar, Associate Professor of Law and Member, IC-CLAT NUJS to the University authority along with minutes of the meeting of Core Committee held on 3-4th November 2008 where all the members of the core committee were of the opinion that on account of sharp increase in the salaries of the

staff members of the National Law Schools in view of the proposed UGC/Govt. Pay scales, there was an immediate need to increase the Tuition Fee. The Committee suggested that the University may charge a minimum of Rs. 70,000 p.a. towards the tuition fee for the BA/BSc LL.B. Hons Course.

However, it has further suggested that this recommendation shall be considered as a guideline only.

In this context, it may be said that at present this University has the following number of students

1. BA/BSc LLB – 490
2. LL.M. – 10

and in next year only 125 student is expected to come (as per availability of seats) to take admission in the first year LLB course.

So if the tuition fee at the proposed revised rate of Rs. 70000.00 is charged per student per year from the next semester to be commenced from 01.07.2009 then the total collection on that account will be around Rs. 58.80 Lakhs which will not meet the demands of expenditure on account of salary of the employees but if the revision is considered to be made for both existing and the future students at the rate of Rs. 50000 for existing and Rs. 85000 for future students then the total receipt will be as follows:

<i>Existing No. of Students</i>	<i>Proposed Increased Rate in Excess of the Present</i>	<i>Amount to be received (Rs. In lakhs)</i>
400	20,000	80.80
<i>Future No. of Students</i>	<i>Proposed Increased Rate in Excess of the Present</i>	<i>Amount to be received (Rs. In lakhs)</i>
120	85,000	80.85
Total		1.65

and then there will be no shortfall in payment of revised salary from August 2009 onwards and arrear payment of 40% in 2009-10 and 60% in 2010-11. The proposal was placed in the Finance Committee and Standing Committee meetings dated 17/1/2009. The Standing Committee directed that the University may implement the proposed revision of pay scales from 1/1/2009 and defer the payment of arrears.

RESOLUTION

The Executive Council approved the proposal of revision of Pay scales w.e.f 1/1/2009 and deferred the payment of arrears.

Revised pay scales have been introduced w.e.f. 1/1/2009.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
7.	Report of the Committee formed for review of job content and career progression for the administrative staff working in the University.	<p>The matter arises out of the 27th meeting of the Executive Council dated 23/8/2008(Agenda Item No.9). The Executive Council had deferred the matter.</p> <p>The Standing Committee in its 23rd meeting dated 12/4/2008 had recommended that a review of the job content of the administrative staff including prospects of promotion be undertaken. In this regard the University had proposed to form a committee for reviewing the job content of the Administrative staff and also for proposing a career advancement scheme.</p> <p>The Standing Committee had accepted the proposal and recommended that a Committee may be formed by the Vice Chancellor under the Chairmanship of Mr. Satrajit Chaudhuri, Former Ombudsman, Insurance Regulatory Commission.</p> <p>Accordingly, a committee was formed by the University under the chairmanship of Mr.Satrajit Chaudhuri with the following members:</p> <ol style="list-style-type: none"> 1. Mr.N.Konar, Member 2. Mr.A.Mazumder, Member 3. Mr.S.Guha, Member-Secretary <p>The Initial report of the committee was placed. The Standing Committee had directed that that the matter may be placed in the next meeting of the Executive Council along with the report received from the Indian Institute of Psychometry, who are to make an assessment of personnel in regard to all existing sections of the University in relation to the existing work in the University. The Indian Institute of Psychometry has written to the University expressing their inability to undertake the work.</p> <p><u>RESOLUTION</u></p> <p>The Executive Council deferred the matter.</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
8.	Revision of Fees Structure – A Proposal	<p>Fees from student are the only major sources of revenue to meet the expenses, both capital and revenue, in this University. Government grants are available only for payment of installments to the Bank loan taken for building the campus. Whereas attempts are on to secure grants from UGC and other Government sources for specific developmental needs, the authorities may like to consider a revision of existing fees for the purpose of sustainability and growth. This will also ensure better financial health to facilitate drawing up perspective and forward looking plans. It may be pertinent to mention here that there has not been any substantive increase in fees payable by student for both LLB and LLM Programmes for the past six years. The present fees structure of the WBNUJS may be considered as the least in comparison to fees structure of other National Law Universities of the country. It may be worthwhile to mention that in the wake of revision of fee of all the Central Government employees as per recommendation of Central Sixth Pay Commission and of all teaching and administrative post of officers' of colleges and Universities as per recommendation of UGC pay review committee and as accepted by the Government of India giving its effect from 1.1.2006, it would be very difficult to meet the liabilities on the account of payment of salary including arrear of salary (@ 40% in 2009-2010 and 60 % 2010-2011) and other major capital and revenue nature of expenses from the next financial year(2009-2010) unless fees structure of this university undergo an immediate revision at the proposed rate(s) and somewhat in line with the enhancement in the fees structure for B.Sc/B.A. LL.B(Hons.) suggested by the CLAT committee in its meeting held on 3rd & 4th November at NALSAR, Hyderabad with a view to make a uniform tuition fee in all the national law schools.</p> <p>However, as analyzed, there will be a total budget requirement of Rs. 235 lakhs for payment of salary in 2009-2010 on revised rate of pay for the existing staff of the University and if additional proposed recruitment in different teaching and non-teaching grades are made during 2009-2010, an additional liability of Rs. 180 lakhs would be there. A provision has also been made of Rs. 38 Lakhs for payment of arrear salary @ 40 % in 2009-2010.</p> <p>In order to meet the demands of additional sums arising out of recent hike in pay of existing employee as well as for new recruits, a table was placed to project the idea of financial burden which may kindly be considered so that the revised fee structure may be implemented from the next academic session to support the extreme financial liability of the University.</p> <p><u>RESOLUTION</u></p> <p>The Executive Council directed that the proposal may be examined by the Finance Committee and then recommended to the Executive Council for consideration.</p>	<p>The matter has accordingly been processed.</p>

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
9.	Report of the work undertaken for the construction of the University Auditorium.	<p>The Standing Committee in its meetings dated 1/11/2008 and 2/12/2008 has finalised contractors for 1. Stage craft, Lighting and Acoustics work 2. Civil and General Electric work 3.Sound System in the University on the basis of recommendations received from M/s.Polaris, University appointed architects for the work on the auditorium.</p> <p>The air conditioning work of the University auditorium awarded to M/s.Voltas has cost Rs. 3992393/-.The Air Conditioning work has been completed.</p> <p>The contractors who were awarded the University Auditorium work on the recommendation of M/s.Polaris are:</p> <ol style="list-style-type: none"> 1. M/s. United Projects : Rs.2039898/-(Stage craft and Stage Lighting) 2. M/s.Curtain Centre : Rs.1613690/-(Acoustic System) 3. M/s.Curtain Centre : Rs.5470207.92(Civil work) 4. M/s.United Projects : Rs.1266047/-(Sound System) <p>Subsequently, work has commenced on the auditorium and is expected to be complete by 31/3/2009. A statement was also placed in regard to the expenditure incurred as on 12/2/2009.</p> <p><u>RESOLUTION</u></p> <p>The Executive Council noted the matter with approval.</p>	
10.	Status of Constitution of Standing Committee – A Report	<p>The Executive Council in its 17th meeting dated : 7/8/2004 had constituted a Standing Committee having a term of three years.</p> <p>Subsequently the Executive Council in its 22nd meeting dated 16/9/2006 had amended the term of the office of the members of the Standing Committee to five years unless dissolved or reconstituted earlier by the Executive Council.</p> <p>The term of the first Standing Committee is to end during August 2009.</p> <p><u>RESOLUTION</u></p> <p>The Executive Council deferred the matter.</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
11.	Proposal mooted by Board of Editors, NUJS Law Review Magazine.	<p>The Board of Editors of NUJS LAW REVIEW MAGAZINE has proposed that a sum of Rs. 500.00 (Five Hundred) to be separately collected at the time of collection of Monsoon Semester Fee from next semester on annual basis from each student with a view to provide the students with four issues of the NUJS LAW REVIEW .</p> <p>The collected amount received from the students will be transferred to NUJS LAW REVIEW MAGAZINE BANK a/c to meet the cost of publishing the four issues of the NUJS LAW REVIEW. The unspent balance of collected fees needs to be invested suitably for earning of higher rate of interest.</p> <p><u>RESOLUTION</u></p> <p>The Executive Council did not approve the proposal but suggested creation of a "corpus" for the "Law Review Magazine".</p>	The matter is under review.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
a.	<p><u>Other matters with the permission of the chair</u></p> <p>Selection of Registrar</p>	<p>The matter arises out of the 27th meeting of the Executive Council dated 23/8/2009.</p> <p>The Executive Council had observed that the University should follow the regulations for appointment of the Registrar. It also constituted a Selection Committee with the following members :</p> <ol style="list-style-type: none"> Prof.Dr.M.P.Singh,Chairperson Prof.D.Chattopadhyay,Pro-Vice Chancellor(Academic),University of Calcutta. Mr.Rahul Mitra,Price Waterhouse Coopers Ltd. Director, Indian Institute of Management ,Calcutta or his nominee. <p>Subsequently the University for filling up the post had advertised in the Times of India, University News and Economic & Political Weekly during August/September 2008. The advertisement was also put up on the University website.</p> <p>The University received 24 applications out of which 8 candidates were called for the interview on 7/1/2009. Five candidates appeared for the interview. The Selection Committee constituting of :</p> <ol style="list-style-type: none"> Prof.Dr.M.P.Singh,Chairperson Prof.D.Chattopadhyay,Pro-Vice Chancellor(Academic),University of Calcutta. Mr.RathinDutta,Member,Executive Council,WBNUJS in absence of Mr.Rahul Mitra. Director, Indian Institute of Management ,Calcutta or his nominee – Mr.Dinesh Varma, Chief Administrative Officer,IIM Calcutta. <p>recommended the following names(in order of preference):</p> <ol style="list-style-type: none"> Dr.Dinabandhu Mukhopadhyay – with four advance increments. Dr.Utpal Sadhu. <p>RESOLUTION</p> <p>The Executive Council approved the recommendation of the “Selection Committee” and resolved to appoint Dr.Dinabandhu Mukhopadhyay as Registrar of the University. The Executive Council also directed that in future presentation of the report of the “Selection Committee” for any post must be part of the agenda.</p>	<p>Dr.D.Mukhopadhyay has joined as Registrar on 24/2/2009.</p>

b.	Selection of Librarian	<p>The matter arises out of the 27th meeting of the Executive Council dated 23/8/2008.</p> <p>The Executive Council approved the proposal for creation of a post of Librarian and also authorized the Vice Chancellor to form a Selection Committee for the selection of the Librarian.</p> <p>Subsequently the University for filling up the post had advertised in the Times of India, University News and Economic & Political Weekly during August/September 2008. The advertisement was also put up on the University website.</p> <p>The University received 18 applications out of which 7 candidates were called for the interview on 17/2/2009. Six candidates appeared for the interview. The Selection Committee constituting of :</p> <ol style="list-style-type: none"> Prof.Dr.M.P.Singh,Chairperson Mr.C.V.Navalgund,Librarian,NLSIU,Bangalore. Dr.Ramchandran,Dy.Librarian,National Library,Kolkata. Mr.B.B.Das, Librarian, Jadavpur University. <p>recommended the following names(in order of preference):</p> <ol style="list-style-type: none"> Dr.Arun Kumar Chakraborty Dr.V.K.Thomas Mr.Siddhartha Shankar Roy. <p><u>RESOLUTION</u></p> <p>The Executive Council approved the recommendation of the "Selection Committee" and resolved to appoint Dr.Arun Kumar Chakraborty as Librarian of the University. The Executive Council also directed that in future presentation of the report of the "Selection Committee" for any post must be part of the agenda.</p>	<p>The appointment letter has been issued.</p> <p>Dr.A.K.Chakraborty has asked for extension of time for joining the University.</p>
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c.	Selection of Professors(Law)	<p>The University has three vacant posts of "Professor(Law)" and the University for filling up the posts had advertised in the Times of India, University News and Economic & Political Weekly during August/September 2008. The advertisement was also put up on the University website.</p> <p>The University received 5 applications out of which 4 candidates were called for the interview on 7/2/2009. Four candidates appeared for the interview. An application from Dr.Sudhir Krishnaswamy was also considered and Dr.Krishnaswamy also appeared for the interview. The Selection Committee constituting of :</p> <ol style="list-style-type: none"> Prof.Dr.M.P.Singh,Chairperson Hon'ble Mr.Justice A.K.Sikri , Judge Delhi High Court. Prof.VirendraKumar,Former Professor(Law),Punjab University. Prof.S.N.Singh,Dean,Faculty of Law,University of Delhi. <p>recommended the following names(in order of preference):</p> <ol style="list-style-type: none"> Dr.Sudhir Krishnaswamy Dr.Bhawani Prasad Panda Dr.Manoj Kumar Sinha. <p><u>RESOLUTION</u></p> <p>The Executive Council approved the recommendation of the "Selection Committee" and resolved to appoint the three recommended candidates in order of preference as Professor(Law) of the University.</p> <p>The Executive Council also directed that in future presentation of the report of the "Selection Committee" for any post must be part of the agenda.</p>	<p>Professor krishnaswamy and Professor Sinha has joined the University on 16/3/2009 and 23/3/2009 respectively.</p> <p>Professor Panda has been given time till 31/5/2009 for joining the University.</p>
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Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
d.	Selection of Lecturers(Law)	<p>The University has three vacant posts of "Lecturer(Law)" and the University for filling up the posts had advertised in the Times of India, University News and Economic & Political Weekly during August/September 2008. The advertisement was also put up on the University website. The University received 35 applications out of which 20 candidates were called for the interview on 7/2/2009 and 8/2/2009. Eleven candidates appeared for the interview. The Selection Committee constituting of :</p> <ol style="list-style-type: none"> Prof.Dr.M.P.Singh,Chairperson Hon'ble Mr.Justice A.K.Sikri , Judge Delhi High Court. Prof.Virendra Kumar,Former Professor(Law),Punjab University. Prof.S.N.Singh,Dean,Faculty of Law,University of Delhi. <p>recommended the following names(in order of preference):</p> <ol style="list-style-type: none"> Mr.Prabhash Ranjan with four advance increments. Mr.Pritam Baruah with three advance increments Mr.Sanjay Kumar. Mr.Krishna Kant Dwivedi. <p><u>RESOLUTION</u></p> <p>The Executive Council approved the recommendation of the "Selection Committee" and resolved to appoint the three recommended candidates in order of preference as Lecturer(Law) of the University.</p> <p>The Executive Council also directed that in future presentation of the report of the "Selection Committee" for any post must be part of the agenda.</p>	<p>Mr.P.Ranjan and Mr.P.Baruah has joined on 6/3/2009.</p> <p>Mr.Sanjay Kumar has joined on 20/3/2009.</p>

Agenda Item No:2

Ratification of the minutes of the 30th Meeting of the Standing Committee held on 17th January 2009.

The minutes of the 30th Meeting of the Standing Committee held on 17 January 2009 is enclosed in Annexure 2A for ratification.



**THE WEST BENGAL NATIONAL UNIVERSITY OF JURIDICAL
SCIENCES**

MINUTES OF THE 30th MEETING OF THE

STANDING COMMITTEE

HELD ON 17 JANUARY 2009

THE W. B. NATIONAL UNIVERSITY OF JURIDICAL SCIENCES

Dr. Ambedkar Bhavan

Salt lake, Kolkata

Minutes of the Thirtieth Meeting of the Standing Committee

The W.B. National University of Juridical Sciences

Held on 17 January 2009

At Dr. Ambedkar Bhavan, Salt lake, Kolkata.

The Thirtieth Meeting of the Standing Committee was held on 17 January 2009 in Dr. Ambedkar Bhavan, Salt Lake, Kolkata. Following members were present:-

1. Prof. (Dr.) M. P. Singh, Chairman
Vice Chancellor, WBNUJS
2. Hon'ble Mr. Justice Chittatosh Mookerjee, Member
Former Chief Justice of Calcutta & Bombay High Courts, Kolkata.
3. Mr. Balai Chandra Ray, Member
Advocate General
West Bengal
4. Mr. Nisith Adhikary, Member,
Additional Advocate General,
West Bengal.
5. Mr. A.K. Roy, Member,
Secretary to the Govt. of West Bengal,
Judicial Department
6. Mr. R.N. Dutta, Special Invitee
Member, Executive Council, WBNUJS
7. Mr. Anirban Mazumder, Member,
Lecturer in Law, WBNUJS
8. Mr. Nandan Nawn, Member
Lecturer in Economics, WBNUJS

Mr. Niharendu Konar, Registrar, WBNUJS was also present as the Ex-Officio Secretary to the Committee.

Hon'ble Mrs. Justice Ruma Pal, Special Invitee, Former Judge of Supreme Court of India, Kolkata
Hon'ble Mr. Justice P.C. Ghose, Member, Judge, Calcutta High Court, Kolkata, Dr. Tapas Banerjee, Sr. Advocate, Calcutta High Court, Jt. Secretary, Higher Education, Government of West Bengal, Principal Secretary, Finance Department, Govt. of West Bengal, Member, Mr. Satrajit Choudhuri, Permanent Invitee could not attend the meeting due to preoccupations.

The West Bengal National University of Juridical Sciences

Minutes of the 30th Meeting of the Standing Committee of WBNUJS held on Saturday, 17 January 2009.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
1.	Confirmation of the minutes of the 29 th Meeting of the Standing Committee held on 2 December 2008.	The Minutes of the 29 th Meeting of the Standing Committee held on 2 December 2008 were confirmed.	
2.	Renewal of contract with Corporation Bank	<p>The University had made a request to Corporation Bank to increase the rent in terms of current market rates. The University has received a reply from the bank. The Bank has stated their inability to increase the rent beyond Rs.50000/- per month with effect from July 2008.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter and resolved that the University may seek legal advice.</p>	As directed, the matter is accordingly being processed.
3	Extra work by M/s. Voltas in the auditorium air conditioning	<p>The University has received a letter dated 14/11/2008 from M/s. Voltas. M/s. Voltas have stated that they did the work of air conditioning in the auditorium on the basis of the design approved by M/s. Polaris, which has increased the initial value of the order from Rs.28,04,000/- to Rs.39,11,507/-</p> <p>M/s. Polaris has made further changes in the design of the grill and subsequently M/s. Voltas has revised their offer and submitted a proposal for further additional work on the air conditioning of the auditorium with a further additional cost of Rs.80886/-.</p> <p>The total cost for the air conditioning in the University auditorium now stands at Rs. 3992393/-.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee approved the extra work done by M/s. Voltas in regard to the auditorium air conditioning.</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
4.	Extra work by M/s. United Projects in the auditorium	<p>The University has received a bill and a letter from M/s. United Projects confirming that M/s. United Projects has done extra work on the basis of verbal advise of M/s. Polaris without any intimation to the University.</p> <p>The Visiting University Engineer has observed that M/s. Polaris should have included the provision for this work during the tendering process. A report from the University Engineer was placed.</p> <p>The total value of the extra work done by M/s. United Projects is Rs.98600/-.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee deferred the matter.</p>	
5.	Membership of Asian Law Institute(ASLI)	<p>The University proposes to become a member of the Asian Law Institute in order to facilitate academic exchanges as well as research and teaching collaboration among Asian law schools.</p> <p>The membership fee will be SGD500(around 16000 INR).</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee accepted the proposal of membership of the Asian Law Institute.</p>	
6	Revision of pay scale of Data Entry Operators and Personal Assistant to Vice Chancellor	<p>The University has received a request from the Data Entry Operators and Personal Assistant to the Vice Chancellor to revise their pay scales to from Rs.4500-7500 and Rs.5000-8000 to Rs.6500-10500.</p> <p>In this regard a report from the University Accounts Officer was also placed.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee deferred the matter.</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
7.	Creation of Moot Court Fund for NUJS	<p>In the last few years NUJS students are participating in the various moot court programme around the world. Every year at least Rs. 15 lakhs is required to meet the moot court expenses depending upon the competition. Presently we are seeking help and donation from eminent persons, organizations, NGOs to meet these expenses. Depending on the donations every year the students opt to participate which is an uncertain proposition. To mobilize the funds the University itself will contribute around 15 lakhs every year. The university has also received Rs. 5,000 from Mr. P.P.Rao towards creation of Moot Court Fund as a donation but alternative source needs to be generated which is given below.</p> <p>To raise the fee in the Student Welfare Fund from Rs. 3,000/- to 8,000/- by which within a span of three-five years we will be able to build up a corpus of around Rs. 2 Crores and thereby eliminating the practice of raising donations from various other sources</p> <p><u>MODALITIES FOR DISBURSEMENT OF MONEY RECEIVED ON ACCOUNT OF MOOT COURT FUND</u></p> <ol style="list-style-type: none"> Participant for the Moot Court Competition representing NUJS to be selected by the Moot Court Society. Number of student to be selected for such competition need be decided also by the Moot Court Society both for national and international moot participants. The finance shall be released on and for re-imbursement only for the Rail fare (3 Tier Sleeper Class) for national students and Air Fare & Registration charges and daily allowance only for international participants The budget and expenditure shall have to be approved by the concerned Faculty Advisor and Convenor of Moot Court Society. Amount to be given to concerned participants separately for participation in national and international moots. Acknowledgement to be taken from the students concerned before transfer of money to the respective A/c. Student concerned shall be liable to submit an expenditure statement after completion of programme so as to ensure proper utilization of the sum. Any unspent balance shall be refunded forthwith to the proper head A/C of the University. The student concerned only shall be responsible for the drawal and adjustment of the amount earmarked for the purpose. The unspent balance, if any, shall be immediately transferred to the related fund. <p><u>RESOLUTION</u></p> <p>The Standing Committee deferred the proposal and requested the Vice Chancellor to constitute a committee for preparing a report on the modalities for disbursement of money on account of Moot Court activities.</p>	<p>As directed, the matter is accordingly being processed</p>

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
8.	Reimbursement of expenses incurred by the Campus Recruitment Committee	<p>The University has received a request from the Campus Recruitment Committee for reimbursement of expenses from the placement fee which the University collects.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee directed that the University should request the Campus Recruitment Committee to submit details of the expenditure incurred .</p>	As directed, the matter is accordingly being processed
9.	Finalisation of contractor for Sound System in the University Auditorium	<p>The University received a report in regard to finalisation of contractor for the Sound System in the University Auditorium from M/s.Polaris. Their report was placed.</p> <p>The University on the basis of the report submitted by M/s. Polaris negotiated with M/s.United Projects ,who agreed to give a further discount of 7.5 % on their quoted rates.</p> <p>Accordingly,the University has finalised the order for sound system in the University auditorium with M/s.United Projects.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee accepted the recommendations of M/s.Polaris and directed that the University should issue the work order to M/s.United Projects and the work should be supervised by the visiting University Engineer, Mr.B.Guha Roy.</p>	As directed, the matter is accordingly being processed

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
10.	Arrears of Ms.Anupama Ghoshal	<p>The matter arises out of the 26th meeting of the Standing Committee dated 2/8/2008(AA2) The University had received a request from Ms.A.Ghoshal,Lecturer in Political Science(Since January 2005) for pay protection since she was already drawing Rs.8275/- as a Lecturer in Political Science in Kalyani Mahavidyalaya(from 16/5/2003 to 6/1/2005) before joining the West Bengal National University of Juridical Sciences. Ms. Ghoshal joined the University on 7/1/2005 and her basic was fixed at Rs.8000/- per month as recommended by the Selection Committee. She is currently drawing a basic pay of Rs.9100/- in the scale of Rs.8000-275-13500 as per the Standing Committee resolution dated 2/8/2008 which had approved the increment of Ms.Ghoshal as a special case without any precedent and her pay was fixed at Rs.9100/- w.e.f 1/9/2008.</p> <p>Now, Ms.Ghoshal has requested for arrears due to her from the date of her joining the University and also for pay protection in regard to her earlier service . The total arrears due to her is Rs.46658/-.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee did not approve the payment of arrears to Ms.A.Ghoshal .</p>	
11	Revision of Tution fees for the year 2009.	<p>The University has received a report from the core committee of Common Law Admission Test(CLAT)- 2009 recommending increase of Tution Fees to a minimum of Rs.70000/- per year for the B.A.LLB (Hons)course.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter and deferred it .</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
12.	Sand Stone Painting	<p>The University Institute building has a sand stone façade. Patches have developed on the sand stone and water seepage has also been observed on the inside walls of most rooms in the institute block.</p> <p>The silicon based water proofing treatment has now become ineffective and the top edges have started becoming dark, corrective action is to be taken immediately.</p> <p>The University Engineer after a survey has estimated that the cost for undertaking the work would be about Rs.20 Lakhs (approximately). There is no provision for this expenditure in the Revised Budget Estimates 2008-09.</p> <p>The University proposes to initiate the process of tendering and keep a provision for this expenditure in the Revised Budget estimates 2009-10.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee directed that the University may approach other institutes/organizations who have similar sand stone façade buildings and inquire from them about the modalities of maintaining/repairing/cleaning and painting the Institute Building..</p>	As directed, the University has written to organisations like State Bank of India, Hyatt and also PWD, Government of West Bengal. Replies from them are awaited.
13	Resignation of Ms.Sheela Rai,Lecturer(Law) and Mr.M.L.Shankar Kaarmukilan,Jr.Lecturer(Law)	<p>Ms.Sheela Rai,Lecturer in Law resigned from the University and requested to be released from 2/12/2008. Accordingly, the University has released her w.e.f 2/12/2008.</p> <p>The University had also appointed Mr.M.L.Shankar Kaarmukilan a former LLM student of the University as a Jr.Lecturer of the University on a consolidated salary of Rs.10000/- per month for a period of one year purely on a temporary basis in view of the dearth of law teaching faculty in the University. Mr.Kaarmukilan joined the University during October 2008 and subsequently submitted his resignation on 15 /12/2008..</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter.</p>	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
14.	Appointment of Dr.Gautam Ray	<p>The matter arises out of the 23rd meeting of the Standing Committee dated 1/3/2008(Agenda Item No:2).</p> <p>Dr. Gautam Ray, Commissioner of Customs, Kolkata approached the University for teaching in the University. Accordingly a proposal had been worked out and placed in the meeting of the Standing Committee.The Standing Committee approved the appointment of Dr.Gautam Ray on lien from the Central Government and also directed the University to approach the Government for his one year deputation. Accordingly,the University has now received a letter from the Ministry of Finance confirming his deputation to the University as a Professor for a period of one year in the pay band- 4(Pay Scale Rs.37000-67000) with a Grade Pay of Rs.10000/-</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee referred the matter to the Executive Council for consideration.</p>	As directed, the matter was placed in the meeting of the Executive Council.
15.	White wash of common areas of Hostel Building/campus and Construction of Gymnasium	<p>The matter arises out of the 22nd meeting of the Standing Committee dated 1/3/2008 (Agenda Item No: 21).The Standing Committee had approved the proposal of painting and renovating the University buildings at a total estimated cost of Rs.1582840/-.</p> <p>Subsequently under the advice and supervision of the University engineer white washing and painting of common areas,staff quarters, Gent's Hostel warden's flat,etc were done by M/s.Raja Construction and Co .10/8A Bijoygarh, Jadavpur, Kolkata – 32(PWD empanelled contractor) after a due process of tendering . The University has also completed construction of a Gymnasium at a total cost of Rs. 306345/- under the recommendation of Dr.S.K.Sinha,Scientific Officer,SAI. The University had sanctioned an amount of Rs.3 Lakhs for the construction of the Gymnasium . The University has had an excess expenditure of Rs.6345/- on account of the Gymnasium .</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter and also directed the University to undertake white washing of all the classrooms during the forthcoming summer vacation. The Standing Committee also approved the excess expenditure of Rs.6345/-incurred for construction of the Gymnasium.</p>	As directed, the matter is accordingly being processed

16.	Requirement of Attendants in the Library	<p>The University has received a request from the Library Committee to extend the Library hours to 12 midnight in this regard they have proposed recruitment of six attendants .</p> <p>The financial implication as prepared by the Accounts Officer was also placed. The University proposes to create the post for 6 attendants and till recruitment to these posts are made ,the University proposes to appoint six attendants on ad hoc basis for a period of two months with effect from 1/2/2009.</p> <p>The Accounts Officer has recommended that :</p> <p>“ If Six Library attendants are engaged on adhoc appointment basis on payment of Rs 4060/- as consolidated pay per month, then for next two months (Feb 09 and March 09),the amount works out to Rs48720/-(Rs.4060 x 6 = Rs.48720/-) which may be accommodated within the budget of salary for this financial year but the revised budget on the basis of revision of tuition fees is required before paying any sum towards the above with effect from the next financial year either on existing rate or on revised pay likely to be effective very soon”.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee directed that the Library Committee may give a report in regard to the work allocation/duty of the proposed recruitment of six attendants.</p>	As directed, the matter is accordingly being processed
17.	Conference Proposal under the Scheme of Intellectual Property Education, Research and Public Outreach(IPERPO).	<p>The University proposes to host a conference from 19/2/2009 to 20/2/2009 at the University premises. In this regard the University has written to the Ministry of Human Resource development for financing the conference. The estimated cost for hosting the conference would be about Rs.27.5 Lakhs.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee approved the proposal subject to receipt of written assurance from the Government of India in regard to sponsorship of the conference.</p>	

18. Statement of Quarterly Accounts. Statement of accounts for the 2nd quarter ending on 30.09.2008 and 3rd quarter ending at 31.12.2008 for the financial year 2008-2009 was placed.

RESOLUTION

The Standing Committee noted the matter.

19. Endowment instituted by Mr. R N Jhunjhunwala and Mr. P K Khaitan

The West Bengal National University of Juridical Sciences received an endowment of Rupees Six Lakhs (Rs. 6, 00,000) from Mr. R N Jhunjhunwala and Mr. P K Khaitan for providing Gold Medals to the best students in different discipline as earmarked by them under below mentioned categories:

List of Gold Medal Awards Endowment instituted by Mr. R N Jhunjhunwala and Mr. P K Khaitan

<u>Sl. No.</u>	<u>Name of the Memorial Gold medal Award</u>	<u>Amount Donated(Rs.)</u>
1	Duttal Jhunjhunwala Memorial Gold Medal to best student in Labour Law	50000.00
2	Laxmi Devi Jhunjhunwala Memorial Gold Medal to best student in Environmental Law	50000.00
3	Sitaram Jhunjhunwala Memorial Gold Medal to best student in Property Law	50000.00
4	Kunj Bihari Jhunjhunwala Memorial Gold Medal to best student in Administrative Law	50000.00
5	Duttal Jhunjhunwala Memorial Gold Medal to best student in Corporate Law-I(Company Law)	50000.00
6	Laxmi Devi Jhunjhunwala Memorial Gold Medal to best student in Corporate Law-II(Competition & Securities Law)	50000.00
7	Sitaram Jhunjhunwala Memorial Gold medal to best students in Intellectual Property Law-I	50000.00
8	Kunj Bihari Jhunjhunwala Memorial Gold Medal to Best Student in Intellectual Property Law-II	50000.00

Sl. No	Agenda Item	Resolution	Remarks/Action Taken															
20.	Transfer and Allocation of Fund	<p>During the academic year 2007-2008 fees from the students were collected in two installments, first at the beginning of the session i.e. April – June 2008 and the next at the beginning of the Winter Semester i.e. October 2008. The total fee collected from the students aggregate to Rs. 3.93 Lakhs. As per the existing order of the Executive Council, entire collection made under the heads of Development Fee is capitalized and appropriated for Campus Development Fund. Amount of depreciation charged for the year 2007-2008 was transferred to the Depreciation Fund A/c.</p> <p>Accordingly, the following appropriation and inter-fund transfers were made</p> <p>Campus Development Fund - 25, 20,000</p> <p>Depreciation Fund - 1, 71, 00,000</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter.</p>																
21.	Investment of University Fund	<p>The university had accumulated balances in the following funds which were invested in Indian Bank before 1.12.08 to earn higher rate of interest as the interest rate was reduced w.e.f. 01.01.2009 as per direction of Govt. of India and Reserve Bank of India.</p> <p>Name of Funds</p> <table border="1"> <tr> <th></th> <th>Name of Funds</th> <th>Fixed Deposit</th> <th>Years</th> <th>Rate of Interest</th> </tr> <tr> <td>1.</td> <td>NUJS CAMPUS DEVELOPMENT FUND</td> <td>Rs. 35,00,000</td> <td>Upto 2 years</td> <td>10.50%</td> </tr> <tr> <td>2.</td> <td>NUJS DEPRECIATION FUND</td> <td>Rs. 1,00,00,000</td> <td>Upto 2 years</td> <td>10.50%</td> </tr> </table> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter with approval.</p>		Name of Funds	Fixed Deposit	Years	Rate of Interest	1.	NUJS CAMPUS DEVELOPMENT FUND	Rs. 35,00,000	Upto 2 years	10.50%	2.	NUJS DEPRECIATION FUND	Rs. 1,00,00,000	Upto 2 years	10.50%	
	Name of Funds	Fixed Deposit	Years	Rate of Interest														
1.	NUJS CAMPUS DEVELOPMENT FUND	Rs. 35,00,000	Upto 2 years	10.50%														
2.	NUJS DEPRECIATION FUND	Rs. 1,00,00,000	Upto 2 years	10.50%														

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
22	Implementation of Sixth Central Pay Commission and UGC Pay Review Committee alongwith decision of the Govt. of India.	<p>The Sixth Central Pay Commission was set up to evolve a proper pay package for the Central Government employees and employees of organizations following Central Government pay structure. The Commission, headed by Justice B N Srikrishna, submitted its Report to the Government on 24th March, 2008. As per Office Order No. 1/1/2008-IC of Ministry of Finance, Government of India dated 30th August 2008, and the Gazette of India—Extraordinary, Part I, Section 1 of 29th August 2008 the Government has accepted the report subject to certain modifications. The Revised pay structure as approved by the Cabinet was placed. It has been decided by the Government of India that the revised salary for all Central Government Employees along with the organizations adopting Central Government rules will be paid from the month of September '08. The Government of India, Ministry of Human Resource Development, (MHRD) Department of Higher Education, New Delhi in its letter no 1-32/2006-U.II/U.I dated the 31.12.2008 addressed to the Secretary, UGC, New Delhi, B.S.Z. Marg, New Delhi – 110002 under the subject scheme of revision of pay of teachers and equivalent cadres in University and colleges along with scheme of revision of pay scales for the posts of Registrar, Deputy Registrar, Assistant Registrar, Controller of Examination, Deputy Controller of Examination, Assistant Controller of Examination, Finance Officer, Deputy Finance Officer, Assistant Finance Officer following the revision of Pay scales of Central Government Employees on the recommendation of the Sixth Central Pay Commission intimated that the Government of India have decided after taking into consideration, the recommendation made by the UGC based on the decisions taken at the meeting of the Commission held on 7-8th October 2008 to revise the pay scale of teachers in Central Universities fully funded by the Central Government. The revision of pay scales of teachers and officers of the Universities shall be subject to various provisions of the scheme of revision of pay scales as contained in the letter mentioned above and Regulations to be framed by the UGC in this behalf in accordance with the scheme included in the said letter. The revised pay scales and other provisions of the schemes for both teachers and officers have been detailed in the letter referred to was placed. In most of the cases, the aforesaid scheme is at par with that of the scheme adopted for revision of pay scales of the Central Government employees on the basis of recommendation of sixth Central Pay Commission as also accepted by the Government of India and as detailed in the note while reporting as to the Administrative Staff of this University following the decision of the Central Government on the basis of recommendation of the VIth Central Pay Commission</p> <p>These are :-</p> <ol style="list-style-type: none"> 1. Increments 2. Pay Commission Formula 	

3. Allowances

As decided by the Government, the revised pay and revised rates of Dearness Allowances under this scheme for both teachers and officers shall be effective from 01.01.2006. The revised rates of all other applicable allowances such as HRA, Transport Allowance, Children Education Allowance etc and the non-compounded advance increment shall take effect from 01.09.2008.

Payment of arrears upto 40% of the total arrears shall be made during the current financial year i.e. 2008-09 after deduction of admissible income tax.

An undertaking shall be taken from every beneficiary under this scheme to the effect that any excess payment made on the account of incorrect fixation of pay in the revised pay in the revised pay bands or grant of inappropriate pay band/academic grade pay or any other excess payment made shall be adjusted against the future payment due or otherwise to the beneficiary in the same manner as provided in the Ministry's OM No. F23-7/2008-IFD dt 23.10.2008 read with Ministry of Finance (Department of Expd) OM NO fl-1/2008 -IC Q 30.08.2008

The revised pay in the relevant pay band and the Academic Grade Pay together with the applicable allowances including arrears of Salary shall be paid to all eligible beneficiaries under this scheme pending issue of Regulation by the UGC.

This scheme is subject to the guidelines issued by the Ministry of Finance (Department of Expd) under OM No 7-23/2008-E.III dated 30.09.2008.

However, on the basis of the guidelines given by the respective Ministry (M.H.R.D) following the decision of the Government the revision and fixation of pay in respect of V.C., Associate Professors, Lecturers, Assistant Librarian, Registrar, Accounts Officer and Assistant Registrars of the University along with other Administrative staff as per guidelines of Ministry of Finance, Govt. Of India have been made and placed for information.

The total involvement of expenditure for payment of arrear salary (40%) during this financial year for both academic staff and administrative staff at the revised rates of pay w.e.f. 01.01.2006 to August 2008 will be as follows:

A.

1.	Academic Staff	Rs. 18,07,811
2.	Administrative Staff	Rs. 15,64,398
3.	Library Staff	Rs. 2,35,223
Total		Rs. 36,07,432

And the arrear of pay and allowances per month for the following three category of employees will be as follows w.e.f. 01.09.2008 :

B.

1.	Academic Staff	Rs. 9,72,612
2.	Administrative Staff	Rs. 5,67,028
3.	Library Staff	Rs. 1,60,259
Total		Rs. 16,99,727

As we know the salary of staff of all the employees of this University are funded from the tuition fees received from time to time from the student and accumulated in the student fee account the balance in which on date is Rs. 96,12,387 and Rs. 74,58,632 in main expenditure (WBNUJS A/C) totaling to Rs. 1,70,71,019 (Rs. 1.70 crores approx.) which may cater to the

23.	Proposed draft of University Leave Rules.	<p>demands of monthly payments of salary for both teaching and nonteaching staff upto July 2009 w.e.f 1.9.2008, if allowed to be paid. It would not, however, be sufficient to meet the future demands of payment on the said score. Therefore, this is the high time to consider for revision of tuition fees immediately both for existing and future students. A proposal in the form of revision of tuition fee of the next year students w.e.f. 2009 has been put forward by Dr. A.K. Poddar, Associate Professor of Law and Member, IC-CLAT NUJS to the University authority along with minutes of the meeting of Core Committee held on 3-4th November 2008 where all the members of the core committee were of the opinion that on account of sharp increase in the salaries of the staff members of the National Law Schools in view of the proposed UGC/Govt. Pay scales, there was an immediate need to increase the Tuition Fee .</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee referred the proposal to the Executive Council with the direction that the University may adopt the proposed revision of pay scales with effect from 1/1/2009 and deferred the payment of arrears. It also directed that the University should consider taking performance reports of its employees on a regular basis.</p> <p>The Matter arises out of the 27th meeting of the Executive Council dated 23/8/2008. The Executive Council had directed that the draft leave rules may be placed in the Standing Committee for review. A proposed draft of University Leave Rules was prepared and placed.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee constituted a "Leave Rules" Committee for review of the proposed draft University Leave Rules with the following members:</p> <ol style="list-style-type: none"> Hon'ble Mr. Justice Chittatosh Mookerjee, Chairman Mr. Balai Chandra Ray, Member Mr. Nisith Adhikary, Member Mr. Anirban Mazumder, Member Registrar, WBNUJS, Member –Secretary. 	<p>The revised pay scales have been implemented w.e.f 1/1/2009.</p>
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24	Appointment of Ms. Payel Rai Chaudhuri as Lecturer and Mr. Oishik Sircar as Researcher in the Centre for Human Rights and Citizenship Studies.	<p>The matter arises out of the 26th and 27th meeting of the Standing Committee dated 2/8/2008 and 27/9/2008 (Agenda Item No:2)</p> <p>The Standing Committee had resolved that the University may create a post of Lecturer in Human Rights for the Centre and also directed that selection is to be done through a Selection Committee and on the basis of recommendation of the Professor Ford Foundation Chair on Human Rights in the Centre for Human Rights and Citizenship Studies."</p> <p>Subsequently a Selection Committee comprising of the Vice Chancellor, Professor Clarence Dias and Professor Shamnad Basheer selected Ms. Payel Rai Chaudhuri as Lecturer in Human Rights for the Centre for a period of 9 months w.e.f 1/1/2009 on ad hoc basis .</p> <p>The University has also appointed Mr. Oishik Sircar as researcher in the Centre for Human Rights and Citizenship Studies for a period of six months w.e.f 1/12/2008.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter and directed that the salary of these employees is to be paid from the proceeds of the Ford Foundation endowment. The Standing Committee also directed the University to approach the Ford Foundation for enhancement of the honorarium being paid to the Ford Chair Professor in the Centre for Human Rights and Citizenship studies as per the guidelines/ recommendations of the UGC Pay Review committee.</p>	As directed, the matter is accordingly being processed
25	Work on the University Auditorium – A report	<p>The Standing Committee in its meetings dated 1/11/2008 and 2/12/2008 has finalised contractors for 1. Stage craft, Lighting and Acoustics work and 2. Civil and General Electric work in the University on the basis of recommendations received from M/s. Polaris, University appointed architects for the work on the auditorium.</p> <p>The contractors who were awarded the work are:</p> <ol style="list-style-type: none"> 1. M/s. United Projects : Rs.2039898/- (Stage craft and Stage Lighting) 2. M/s. Curtain Centre : Rs.1613690/- (Acoustic System) 3. M/s. Curtain Centre : Rs.5470207.92 (Civil work) <p>Subsequently work has commenced on the auditorium.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter.</p>	

26	Appointment of a Professor to the IPR Chair in the University created by the Ministry of Human Resources and Development, Government of India - A Report.	<p>The matter arises out of the 28th meeting of the Standing Committee dated : 1/11/2008 (Agenda Item No: 2). The Standing Committee had accepted the proposal of appointing Mr.Shamnad Basheer as Professor to the IPR Chair in the University as per terms and conditions laid down by the Ministry of Human Resources and Development for the appointment and also recommended the proposal to the Executive Council for ratification with the observation that Professor Basheer may be on probation for a period of one year. Subsequently, Professor Basheer joined the University on 10/11/2008.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter.</p>	
27	Renovation of Vice Chancellor's chamber and Ante chamber.	<p>The matter arises out of the 27th meeting of the Standing Committee dated : 2/12/2008.(Additional Agenda Item No: AA1).</p> <p>The University had initially proposed to renovate the Vice Chancellor's chamber and ante chamber. Accordingly quotations were obtained from selective interior designers/decorators and tabulated by the University under the supervision and advice of the Visiting University Engineer, Mr. B. Guha Ray. The Lowest received tender was from M/s Décor X Interior Pvt Ltd , and on further negotiation they gave a discount of 6% on the quoted amount. Accordingly, the University placed an order on M/s.Decor X Interior Pvt. Ltd for Rs.312368/-. The University also made provision for this expenditure in the revised budget estimates 2008-09.The expenditure is to be booked under Furniture & Fixture A/C/Campus Maintenance A/c as relevant to the items concerned.</p> <p>Subsequently, the University had consulted the Government Architect who suggested further renovation and also redesigned the Vice Chancellor's chamber. Accordingly on the suggestion of the Government Architect and the University Engineer fresh quotations were obtained from the firms who had quoted for the earlier proposed work. Accordingly the quotations obtained were tabulated and placed in the Standing Committee meeting dated 2/12/2008.</p> <p>The Standing Committee accepted the proposal with the direction that the proposal may also be placed in the next meeting of the Finance Committee.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter with approval.</p>	

28	Appointment of Mr. Manab Ghosh and Mr.Arunangshu Sengupta.	<p>The University on the request for extra personnel in the Academic Section and subsequent recommendation of the Academic Section had initially appointed Mr.Manab Ghosh as a Data Entry Operator on ad hoc basis in the Academic Section for a period of four months w.e.f 1/11/2008 at a consolidated salary of Rs.7160/-. He subsequently resigned w.e.f 31/12/2008. Mr.Ghosh has now been appointed as an Office Assistant attached to the IP Chair purely on adhoc basis for a period of six months at a consolidated salary of Rs.8000/- per month w.e.f 1/1/2009. Similarly,on the request for personnel in the Accounts Section, Mr.Arunangshu Sengupta has been appointed as a Data Entry Operator in the Accounts Section w.e.f 1/1/2009 purely on adhoc basis for a period of four months at a consolidated salary of Rs.7160/- per month.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee noted the matter with approval.It also directed that the University may pay the salary of Mr.Manab Ghosh from the IPR Chair budget/Fund.</p>	
29	Confirmation of appointment of Faculty members	<p>Report to be placed by the Vice Chancellor on the table of the meeting.</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee requested the Vice Chancellor to submit a written report in regard to confirmation of Faculty members.</p>	The Vice Chancellor has prepared a report.
30	MOU between NUJS, INFLIBNET,UGC and ERNET	<p>The University has received a letter from the Director, INFLIBNET for the availability of Internet bandwidth under the UGC-Infonet programme as well as that of selected e-resources from F.Y.2009-2010. In this connection the University now proposes to enter into an MOU with INFLIBNET,UGC and ERNET – India and then seek the approval of the Central Connectivity Monitoring Committee(CCMC).</p> <p><u>RESOLUTION</u></p> <p>The Standing Committee approved the proposal</p>	

Agenda Item No:3

Revision of Fees.

The matter arises out of the 28th meeting of the Executive Council dated 22/2/2009. The Executive Council had referred the matter to the Finance Committee for examination. (Agenda Item No: 8)

Fees from student are the only major sources of revenue to meet the expenses, both capital and revenue, in this University. Government grants are available only for payment of installments to the Bank loan taken for building the campus. Whereas attempts are on to secure grants from UGC and other Government sources for specific developmental needs, the authorities may like to consider a revision of existing fees for the purpose of sustainability and growth. This will also ensure better financial health to facilitate drawing up perspective and forward looking plans. It may be pertinent to mention here that there has not been any substantive increase in fees payable by student for both LLB and LLM Programmes for the past six years. The present fees structure of the WBNUJS may be considered as the least in comparison to fees structure of other National Law Universities of the country which may be clear if we pay a cursory look at the comparative chart of fees structure of the NLUS including WBNUJS as annexed – (Annexure- 3 A). It may be worthwhile to mention that in the wake of revision of fee of all the Central Government employees as per recommendation of Central Sixth Pay Commission and of all teaching and administrative post of officers' of colleges and Universities as per recommendation of UGC pay review committee and as accepted by the Government of India giving its effect from 1.1.2006, it would be very difficult to meet the liabilities on the account of payment of salary including arrear of salary (@ 40% in 2009-2010 and 60 % 2010-2011) and other major capital and revenue nature of expenses from the next financial year(2009-2010) unless fees structure of this university undergo an immediate revision at the proposed rate(s) (Annexure 3B) and keeping parity with the enhancement in the fees structure for B.Sc/B.A. LL.B(Hons.) suggested by the CLAT committee in its meeting held on 3rd & 4th November at NALSAR, Hyderabad (Minutes of the meeting of the committee enclosed) (Annexure - 3C) with a view to make a uniform tuition fee in all the national law schools. However, as analyzed, there will be a total budget requirement of Rs. 235 lakhs for payment of salary in 2009-2010 on revised rate of pay for the existing staff of the University and if additional proposed recruitment in different teaching and non-teaching grades are made during 2009-2010, an additional liability of Rs. 180 lakhs would be there. A provision has also been made of Rs. 38 Lakhs for payment of arrear salary @ 40 % in 2009-2010. In order to meet the demands of additional sums arising out of recent hike in pay of existing employee as well as for new recruits, a table has been prepared (Annexure - 3D) to project the idea of financial burden which may kindly be considered so that the revised fee structure may be implemented from the next academic session to support the extreme financial liability of the University. Lastly, it is submitted that revision of fees of students (Both LLB & LLM) may be considered at the rate of Rs. 85000.00 per semester for Non NRI and at the rate of \$ 6000 per semester for NRI and Foreign Nationals and Rs. 15000 for Non NRI and \$ 3000 for NRI and Foreign Nationals respectively so that the future financial liabilities as shown in Annexure '3D' may be met up suitably.

The proposal was placed in the Finance Committee meeting dated 21/3/2009. The Finance Committee constituted a sub - committee for examining the proposal with the following members:

- a. Hon'ble Mr. Justice Chittatosh Mookerjee
- b. Mr. Rathin Dutta
- c. Mr. Satrajit Chaudhuri
- d. Mr. S.K. Basu, Accounts Officer
- e. Mr. N. Nawn.
- f. Prof(Dr) D. Mukhopadhyay, Registrar.

The resolution of the sub- committee is given in Annexure 3E.Mr.Satrajit Chaudhuri did not attend the meeting. Thereafter, the University circulated the agenda of "Revision of Fees" amongst the members of the Finance Committee.

The University has received a reply to the proposed enhancement from Mr.Balai Chandra Ray ,Advocate General, West Bengal and Member, Finance Committee recording his dissent to the proposal of enhancement of fees vide letter dated : 1/4/2009. (Annexure 3F). Rest of the members of the Finance Committee did not object to the proposed revision of fees.

Submitted for directions.

Comparative Fee Structure														
Particulars of fees														
One time	NLSIU			NALSAR			HNLU			NLU, Jodhpur			NUJS	
	FS/NRI	Others	Rs.	FS/NRI	Others	Rs.	FS/NRI	Others	Rs.	FS/NRI	Others	Rs.	FS/NRI	Others
Annual														
Admission Fee	INR 5000	5000		INR 1000	1000		INR 5000	5000		USD 400	10000		500	INR 1000
Tuition Fee/Semester Fee	USD 3300	55000		USD 5000	85000		USD 3000	50000		USD 3600	70000		50000	USD 3000
Internet Charges				INR 5000	5000		INR 5000	5000		USD 300	6000			INR 3000
Infrastructure fee and Support Service fee	INR 8000	8000		INR 5000	5000		INR 1000	1000		USD 800	11000		5000	INR 5000
Rent for halls of residence	INR 12000	12000		INR 12000	12000		INR 12000	12000		INR 12000	12000		8000	INR 12000
Basic Services (Hostel)	INR 5000	5000								INR 4000	2000		5000	
Laboratory Fee				INR 2000	2000					INR 100	100			
Journal Fee										INR 1000	500			
Placement Fee				INR 2000	2000		INR 5000	5000		INR 3000	1500			INR 5000
Library Fee	INR 6500	6500		INR 2000	2000									5000
Medical Fee	INR 1000	1000		INR 1000	1000		INR 1000	1000					1000	INR 3000
Student Welfare Fund				INR 2000	2000					INR 2000	1000		1000	INR 1000
Examination fee				INR 1000	1000									
Reading Material Fee				INR 3000	3000		INR 4000	2000						
Electricity Charges													3000	
Transportation Charges														
Mess Basic & GWC		10000												
Hostel Application Fee		50												
Smart Card Fee		220												
Amenities & Others	INR 5000	5000		INR 3000	3000		INR 1000	1000		INR 1000	600		6500	
	INR 42500 + USD 3300			INR 37000+USD 5000			USD 3000 + INR 34000			USD 4900 + INR 23100			USD 3000+ 80000	INR 30000
TOTAL		107770			122000			82000			114600			60000
Refundable Deposits							25000							10000
Library	INR 5000	5000		INR 5000	5000					INR 5000	5000		5000	
Hostel	INR 6000	6000		INR 5000	5000					3000	3000		2000	
Hostel Mess														
(For SC / ST)														
	INR 1000	1000		INR 3000	3000					INR 2000	3000		3000	

LLB					LLM			
Existing Student**	No of Students	Present Tution Fee	Increase in Tution Fee	Total Amount in Rs.	No. of Students	Present Tution Fee	Increase in Tution Fee	Total Amount in Rs.
Category								
Non-Nri	310	30000	20000	6200000	8	5000	10000	80000
Nri+Foreign Nation	78	\$3,000	\$500	1560000	2	\$500	\$200	16000
Total				7760000				96000

Collection on account of Tution Fees at the existing rates

LLB					LLM			
Existing Student**	No of Students	Present Tution Fee		Total Amount Being Collected in Rs.	No. of Students	Present Tution Fee		Total Amount Being Collected in Rs.
Category								
Non-Nri	310	30000		9300000	8	5000		40000
Nri+Foreign Nationals	78	\$3,000		9360000	2	\$500		40000
Total				18660000				80000

For New Student	No of Students	Present Tution Fee	Increase in Tution Fee	Total Amount in Rs.	No. of Students	Present Tution Fee	Increase in Tution Fee	Total Amount in Rs.
SEMESTER FEE	70,000							
Non-Nri	103	30000	40000	4120000	8	5000	12000	96000
Nri+Foreign Nationals	22	\$3,000	\$2,000	1760000	2	\$500	\$1,000	80000
Total				5880000				176000
SEMESTER FEE	75,000							
Non-Nri	103	30000	45000	4635000	8	5000	13000	104000
Nri+Foreign Nationals	22	\$3,000	\$2,250	1980000	2	\$500	\$2,000	160000
Total				6615000				264000
SEMESTER FEE	80,000							
Non-Nri	103	30000	50000	5150000	8	5000	14000	112000
Nri+Foreign Nationals	22	\$3,000	\$2,500	2200000	2	\$500	\$2,500	200000
Total				7350000				312000
SEMESTER FEE	85,000							
Non-Nri	103	30000	55000	5665000	8	5000	15000	120000
Nri+Foreign Nationals	22	\$3,000	\$2,750	2420000	2	\$500	\$3,000	240000
Total				8085000				360000

N.B.- \$rate treated @ INR 40.00

**MINUTES OF THE MEETING OF THE CORE COMMITTEE HELD
ON 3-4 NOVEMBER, 2008**

The meeting of the Core Committee of CLAT-2009 was held on 3rd and 4th November, 2008 at NALSAR University of Law, Shamserpet. The following members were present:

1. Prof. Mool Chand Sharma, Vice-Chairman, UGC
2. Prof. Veer Singh, Vice-Chancellor, NALSAR - Convenor
3. Prof. A. Jayagovind, Vice-Chancellor, NLSIU, Bangalore
4. Prof. M.P. Singh, Vice-Chancellor, WBNUJS, Kolkata
5. Prof. S.S. Singh, Director, NLIU, Bhopal
6. Hon'ble Mr. Justice N.N. Mathur, Vice-Chancellor, NLU, Jodhpur
7. Prof. M.K. Srivastava, Vice-Chancellor, HNLU, Raipur
8. Prof. Gurjeet Singh, Vice-Chancellor, RGNU, Punjab
9. Prof. A. Lakshminath, Vice-Chancellor, CNLU, Patna
10. Prof. Balraj Chauhan, Director, RMLNLU, Lucknow
11. Prof. P. Leela Krishnan, Member, Executive Council, NUALS, Kochi
12. Mrs. Anita Mishra, Registrar, RMLNLU, Lucknow
13. Dr. Ghayur Alam, Senior Faculty Member, NLIU, Bhopal
14. Prof. Vijaya Kumar, Professor of Law, NLSIU, Bangalore
15. Mr. Ch. Ramesh Kumar, Assistant Professor, GNLU, Ahmedabad
16. Prof. K.V.S. Sarma, Registrar, NALSAR
17. Dr. Vijender Kumar, Associate Professor, NALSAR

Prof. Veer Singh, Vice-Chancellor, NALSAR UNIVERSITY OF LAW AND THE CONVENOR OF THE COMMON LAW ADMISSION TEST (CLAT-2009) welcomed all members of the CLAT Core Committee and Chaired the meeting. The CORE COMMITTEE after elaborate discussions has taken the following decisions.

ITEM NO.1

UNIFORM TUITION FEE IN NATIONAL LAW SCHOOLS:

All the members were of the opinion that on account of sharp increase in the salaries of the staff members of the NATIONAL LAW SCHOOLS in view of proposed new UGC / Government pay scales there was an immediate need to increase the "TUITION FEE." The Committee suggested that the Universities may charge a minimum of Rs. 70,000/- p.a. towards tuition fee for the B.A., LL.B. (Hons.) course. However, it was further suggested that this recommendation shall be considered as a guideline only.

	Based on :	
	(In Lakhs)	
	old Pay Scale	New Pay Scale
Existing Liabilities for Salary for Teaching & Non-Teaching Staff	165	235
Additional Liability of salary for Teaching & Non-Teaching if recruited against the vacancies	40	180
Arrear 40 %		38
Total	205	453

The West Bengal National University of Juridical Sciences
Meeting of the Sub Committee constituted by the Finance Committee of
WBNUJS held on Tuesday, 24 March 2009.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
1.	Revision of Fees Structure	<p>Fees from student are the only major sources of revenue to meet the expenses, both capital and revenue, in this University. Government grants are available only for payment of installments to the Bank loan taken for building the campus. Whereas attempts are on to secure grants from UGC and other Government sources for specific developmental needs, the authorities may like to consider a revision of existing fees for the purpose of sustainability and growth. This will also ensure better financial health to facilitate drawing up perspective and forward looking plans. It may be pertinent to mention here that there has not been any substantive increase in fees payable by student for both LLB and LLM Programmes for the past six years. The present fees structure of the WBNUJS may be considered as the least in comparison to fees structure of other National Law Universities of the country which may be clear if we pay a cursory look at the comparative chart of fees structure of the NLUS including WBNUJS was placed. It may be worthwhile to mention that in the wake of revision of fee of all the Central Government employees as per recommendation of Central Sixth Pay Commission and of all teaching and administrative post of officers' of colleges and Universities as per recommendation of UGC pay review committee and as accepted by the Government of India giving its effect from 1.1.2006, it would be very difficult to meet the liabilities on the account of payment of salary including arrear of salary (@ 40% in 2009-2010 and 60 % 2010-2011) and other major capital and revenue nature of expenses from the next financial year(2009-2010) unless fees structure of this university undergo an immediate revision at the proposed rate(s) and keeping parity with the enhancement in the fees structure for B.Sc/B.A. LL.B(Hons.) suggested by the CLAT committee in its meeting held on 3rd & 4th November at NALSAR, Hyderabad (Minutes of the meeting of the committee was placed) with a view to make a uniform tuition fee in all the national law schools.</p>	

	<p>However, as analyzed, there will be a total budget requirement of Rs. 235 lakhs for payment of salary in 2009-2010 on revised rate of pay for the existing staff of the University and if additional proposed recruitment in different teaching and non-teaching grades are made during 2009-2010, an additional liability of Rs. 180 lakhs would be there. A provision has also been made of Rs. 38 Lakhs for payment of arrear salary @ 40 % in 2009-2010.</p> <p>In order to meet the demands of additional sums arising out of recent hike in pay of existing employee as well as for new recruits, a table was prepared to project the idea of financial burden which may kindly be considered so that the revised fee structure may be implemented from the next academic session to support the extreme financial liability of the University.</p> <p>Lastly, it is submitted that revision of fees of students (Both LLB & LLM) may be considered at the rate of Rs. 85000.00 per semester for Non NRI and at the rate of \$ 6000 per semester for NRI and Foreign Nationals and Rs. 15000 for Non NRI and \$ 3000 for NRI and Foreign Nationals respectively so that the future financial liabilities as was shown may be met up suitably.</p> <p>The proposal was placed in the Executive Council meeting dated 22.02.2009. The Executive Council has referred the proposal to the Finance Committee/Standing Committee.</p> <p><u>RESOLUTION</u></p> <p>The Sub Committee resolved to increase the students fees as proposed in annexure 1A.</p> <p>It directed that the University should immediately approach the Government of West Bengal for funds/grants in order to cover the deficit/shortage of funds that the University is going to face from the next financial year(2009-2010). The Sub Committee also observed that the University should explore the possibility of working on "Research related Projects" and also approach potential donors for creating more endowments and Professorial Chairs in the University. It also directed the University to approach the UGC for funds.</p>	
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The West Bengal National University of Juridical Sciences

Annexure 1A

The Sub-Committee of the Finance Committee unanimously decided in its 1st Meeting held on 24th March 2009 to implement increase in the students fees from the Academic Session 2009-10 and onwards and the same was adopted by passing the following resolution :

“Resolved that the following be the Revised Students Fees for the Academic Session 2009-2010 and onwards”

LL.B. Programme

		Existing Fee per student per annum (Rs. / \$)	Revised Fee per student per annum (Rs. / \$)
A. Tuition Fee	NRI / Foreign National (1 st year, New Admission)	\$ 3,000	\$ 6,250
	Indian (1 st year, New Admission)	Rs. 30,000	Rs. 1,00,000
	NRI / Foreign National (Existing Students – 2 nd to 4 th year)	\$ 3,000	\$ 4,250
	Indian (Existing Students – 2 nd to 4 th year)	Rs. 30,000	Rs. 50,000
B. Library Fee		Rs. 5,000	Rs. 15,000
C. Development Fee		Rs. 5,000	Rs. 10,000
D. Hostel Fee		Rs. 12,000	Rs. 16,000

msb
27.3.09

Bal Chandra Ray
Advocate General, West Bengal



High Court Buildings
Kolkata - 700 001
(C) (O): 2248 2496
2220 7212
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Reg 3/4
2/4/09

Annexure - 3F

Date: 01.04.2009

To

The Registrar
The West Bengal National University of Juridical Sciences
Dr. Ambedkar Bhavan,
12, LB Block, Sector-III
Salt Lake City,
Kolkata - 700 098.

Sub: Revision of Students Fees for the academic session 2009-2010.

Ref: Your letter no. NUJS/FC/Fees Revision/Cir/09 dated 30 March 2009.

Sir,

I do not agree to the proposal for the following reasons:

Campus recruitment is likely to shrink in the face of ensuing recession. Major attraction of NUJS students is expectation of absorption in various institutions at high salaries. Proposed enhancement of fees may be counter productive to admission of meritorious students. Students should not be forced to buy education. Those who are responsible for increased expenses must share the burden.

For information of VC
Singh
2/4/09

Yours faithfully,

Bal Chandra Ray

VC
2.4.09

AR (Admin)

Agenda Item No:4

Appointment of Dr.Gautam Ray

The matter arises out of the 23rd meeting of the Standing Committee dated 1/3/2008(Agenda Item No:2). Dr. Gautam Ray, Commissioner of Customs, Kolkata(Annexure 4 A) approached the University for teaching in the University. Accordingly a proposal had been worked out and placed in the meeting of the Standing Committee.The Standing Committee approved the appointment of Dr.Gautam Ray on lien from the Central Government and also directed the University to approach the Government for his one year deputation. Accordingly, the University has now received a letter from the Ministry of Finance confirming his deputation to the University as a Professor for a period of one year in the pay band- 4(Pay Scale Rs.37000-67000) with a Grade Pay of Rs.10000/-. (Annexure 4B).

Appointment of teachers at NUJS is made in accordance with second proviso to clause 9(1) and clause 17 schedule to WBNUJS Act 1999 [NUJS Regulation Chapter II, Clause B]. Teachers can also be appointed by invitation, which covers the instant proposal. Powers to appoint teachers has been vested with the Executive Council in Clause 9(1) of the Schedule ibid.Particular of service of Dr. Ray, as ascertained from him, are as under:

Date of Birth: 01.07.1955
Date of Joining: July 1979
Old Scale of Pay: Rs 18400-500-24400

Revised Scale of Pay as per office order F.No. A-35017/33/2008-Ad.II dated 22nd December, 2008

Pay Band: Rs. 37000-67000
Increment: 1st July every year
Whether belonging to CCS(IRS) since beginning: Yes

Appointment of Dr. Ray can be made in terms of the DOPT order dated 05.01.1994, as amended from time to time, with the prior concurrence of Central Government (Lending Department).(Annexure 4C).

In the event of the proposal being favourably considered, Dr. Ray will be entitled to remunerations etc. as follows:

1. **Pay & Allowances:** The pay band of Professor in the University (Rs 37400-67000) is higher than the pay band attached to the post held by Dr. Ray in the Central Government.

Pay and allowances to be authorised to him initially are as under:

	01.03.09-30.06.09	01.07.09 – 28.02.10
Pay: Rs	43,000	44,590
AGP: Rs	10,000	10,000
DA: Rs	8480	8734
HRA: Rs	15900	16377
Transport Allowance: Rs	3712	3712
Rs	81,092 per month	83,413 per month
Rs. 9,91,672 per annum		

2. **Increment:** He will be granted increments as due in his parent office, i.e. in July every year.
3. **Accommodation:** Dr. Ray is presently occupying official accommodation at Dover Lane for which he does not draw HRA and is required to pay a nominal licence fee. Assuming that he is permitted to retain the accommodation while on deputation. It is likely that he may vacate the Govt. accommodation after joining the University, which cannot be ensured at this stage.
4. **Other allowances and benefits:** Benefits like use of official car and official telephones, as are being provided to Dr. Ray by the Central Government, may not be extended as these are not available to Professors of NUJS.

5. **Medical Facilities:** Dr. Ray is a CGHS beneficiary. However, since NUJS is not covered by the Scheme, he will be entitled to draw Rs. 3600.00 per annum according to NUJS Healthcare Benefit Scheme.
6. **Pension Contribution & Leave Salary** : NUJS being an autonomous body, is liable to pay to the Central Government Foreign service contributions as per norms, which is calculated below:

Pension Contribution

Period	Max. of Grade Pay + DP (RS.)	Length of Service	% of Contribution	Monthly rate of Contribution Months (Rs.)	Months	Amount (Rs.)
1.3.09 - 31.10.09	36600	29-30	23	8418	8	67344
1.11.09 - 28.02.09	36600	31-32	23		4	33672
						101016

Leave Salary Contribution

Period	Grade Pay + DP (RS.)	% rate of contribution	Monthly rate	Months	Amount (Rs.)
1.3.09-30.06.09	53000	11	5830	4	23320
1.7.09 - 28.02.09	54590	11	6005	8	48040
					71360
Total Contribution : Leave Salary Contribution + Pension Contribution					
1,72,376					

Note :- As the decision of the Govt. Of India in regard to determination of maximum of grade pay (i.e. whether as per maximum of Pay Band like maximum of pay scale of the pre-revised scale or otherwise) is awaited, calculation of pension contribution in respect of Dr. Ray have been made according to the formula adopted by the Govt. of India earlier in such cases. On receipt of clear interpretation/government order in this regard, differences, if any, will be calculated and adjusted accordingly. In the case of leave salary contribution, no such clarification is required and therefore done as per existing rules.

The University may like to consider making an offer to Dr. Ray specifying in details its expectation of his services as a Professor and the remuneration etc. that may be paid to him as per prevailing rules.

The matter was placed in the Executive Council meeting dated 22/2/2009 and was deferred by the Executive Council.

Submitted for consideration.

Dr. Gautam Ray
Commissioner of Customs, Kolkata
e-mail: gautamray79@hotmail.com
Phone: 2461-8585 @
2243-5372(o)

Education

- M.A.(Economics) and Ph.D (Boston University)
- Bachelor of Laws (LL.B.) (Delhi University)
- M.Sc. (Chemistry) (Calcutta University)
- B.Sc. (Honours) (Chemistry) (Presidency College, Calcutta)

Experience Summary

- Commissioner of Customs, Kolkata since September 2005
- Secretary, Raja J. Chelliah Committee on Tax Reforms responsible for preparation of the report on indirect taxes and tariff (1991 through 1993)
- Director (Fiscal policy) & O.S.D to Prof. Raja.J. Chelliah, Minister-of-State in charge of Fiscal Affairs, Ministry of Finance, Government of India and was responsible for monitoring implementation of Chelliah Committee Report including introduction of services tax and capacity building for introduction of value added tax replacing sales tax in states (1993-1995)
- Also held the posts of Commissioner of Central Excise and Service Tax; Commissioner of Settlement Commission, Customs and Central Excise; Deputy Secretary, Ministry of Welfare, Government of India; Under Secretary (Tax Research Unit), Ministry of Finance, Government of India; Assistant Director, Eastern Regional Training Institute, Customs and Central excise; and Assistant Collector, Central Excise, Hooghly Division, West Bengal
- Worked as Coordinator of the World Bank aided program "Capacity Building for Introduction of Value Added Tax in India" in 1994-95.
- Taught International Finance, Business Finance, International Financial Management, Money and Capital Market, and Modeling Business Decisions and Outcomes at the Department of Finance and Economics, Boston University School of Management.
- Developed models linking economic growth with investments on knowledge-capital and social capital, and a general equilibrium model capturing the contribution of transport infrastructure network in economic growth
- Represented government of India in various official delegations in Japan, Indonesia, Thailand, Singapore
- Two (2) years experience in training revenue officials of Eastern Region of India.
- Designed training module, curricula and coursework for these officials

Recent Awards and Honors

- Visited Center for Transportation Studies, Boston University in Fall 2004
- Visited Graduate School of Civil Engineering, Kyoto University in November-December, 1999.

- Awarded World Bank Graduate Scholarship in 1995 by the Economic Development Institute, World Bank.
- Empanelled as a fiscal expert in International Monetary Fund, Washington D.C in September 1993
- Represented India in the 8th Asian Administrators Program held in Tokyo in 1991.
- Provided technical assistance to a delegation of finance ministers of state governments in their study tour of VAT in selected developing countries in 1994-95.

List of Recent Papers

- Ray Gautam 2007 "Acquisition of Agricultural Land for Capital Investment: Perspective from A Growth-Theoretic Framework" Mimeo
- Ray Gautam 2007 "Union Budget 2007-2008- An Appraisal" Presented at Bengal National Chamber of Commerce and Industries on 2nd March, 2007
- Ray, Gautam 2006 "Endogenous Growth and Regional Development: A New Modeling Approach" in Kobayashi, Lakshmanan, and Anderson (eds), *Structural Change in the Transportation and Communication in the Knowledge Society*, Northampton, MA: Edward Elgar Publishing, Inc.
- Ray Gautam 2006 "India's Foreign Trade: Emerging Trends and Future Scenario" Presented at the Workshop organized by Finance and Investment Club, Indian Institute of Management, Kolkata on November 27, 2006.
- Ray Gautam 2006 "TRIPS Compliant Measures for Enforcement of Intellectual Property Rights in India" Key-note address at the Conference on IPR organized jointly by CII and US Embassy at Kolkata on 8th May, 2006.
- Ray Gautam 2006 "Role of Customs in Enforcement of IPR" Special Address at the conference on IPR organized jointly by CII and US Embassy at Kolkata on May 9, 2006
- Ray Gautam 2005 "Policy Perspectives for Liberalizing India's Education System" Mimeo
- Ray Gautam 2005 "Measuring output and productivity in government offices" Mimeo
- Ray Gautam 2004 "Using the CENVAT model to calculate State-level VAT" *The Economic Times*, Kolkata, July 7, page 11
- Ray, Gautam 2004 "A Model for Estimating Evasion of VAT in Selected Manufacturing Companies in India". Mimeo
- Ray, Gautam, Lakshmanan, T.R. and Anderson, William P. 2001 "Increasing Returns to Scale Inherent In Affluent Knowledge-Rich Economies: A Theoretical Inquiry" *Growth and Change*, 32(4): 491-510
- Ray, Gautam. "Mechanics of Economic Growth and Development in Knowledge-Driven Economies: A Unifying Analytical Framework" *Working Paper Series*, 2000, Center for Transportation Studies, Boston University, Boston. Presented at the International Symposium on Transportation and Communication held at Kyoto University between 29th and 31st May 2000.
- Ray, Gautam "Modeling Transportation and Land use in A General Equilibrium Framework" Presented at the International Symposium on Transportation and Communication organized jointly by the Center for Transportation Studies, Boston

University and the School of Civil Engineering, Kyoto University held at Boston on the 18th and 19th October, 1999.

~~27.12.08~~
27.12.08

By Speed Post
Signature - AB

F.No.A-35017/33/2008-Ad.II
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs

North Block, New Delhi
Dated, the 22nd December, 2008

To

The Registrar,
West Bengal National University of Juridical Sciences,
Dr. Ambedkar Bhawan,
12-LB Block, Sector-III, Salt Lake City,
Kolkata - 700 098

Subject: Appointment of Dr. Gautam Ray, IRS as Professor of Law on deputation basis in
the West Bengal National University of Juridical Sciences - regarding

Sir,

I am directed to refer to your letter No.NUJS/Admin/2008 dated 11.09.2008 on the subject mentioned above and to convey cadre clearance and vigilance clearance in respect of Dr. Gautam Ray, IRS(C&CE:1979) for his appointment as Professor of Law in the West Bengal National University of Juridical Sciences (WBNUJS) on deputation basis for a period of one year from the date of his joining. Following acceptance of recommendations of the 6th Central Pay Commission, Dr. Gautam Ray has been placed in the Pay Band - 4 (Pay-Scale : Rs.37000-67000) with a Grade Pay of Rs.10000/- per month. The pay of Dr. Ray may be protected in terms of DOP&T's instructions on the subject, as undertaken by the WBNUJS in their earlier reference dated 08.05.2008.

2. It is requested that the offer of appointment alongwith terms & conditions for deputation of Dr. Ray may be sent to this Department so as to decide the date of his relieving after finalisation all terms & conditions.

Yours faithfully,

R. Santhwal

(R. Santhwal)

Dy. Secretary to the Government of India
Telefax : 2309 2401

Annexure - 4c

No.2/29/91-Estt(Pay II)
Government of India
Ministry of Personnel Public Grievances & pensions
Department of Personnel & Training

New Delhi, the 5th Jan.94

OFFICE MEMORANDUM

Subject :- Transfer on deputation/foreign service of Central Govt. Employees to ex-cadre posts under the Central Govt./ State Govts./Public Sector Undertakings /Autonomous Bodies Universities/UT Administration, Local Bodies etc. and Vice - versa - Regulation of pay, deputation (duty) Allowance, tenure of deputation / foreign service and Other terms and conditions – regarding

A need has been felt for some time past to consolidate at one place the various instructions/orders that have been issued from time to time and are still in force on the above mentioned subject. It was also felt necessary to review the entire matter and bring about rationalization and uniformity in the instructions/orders. Accordingly it has been decided to bring out a self-contained O.M. on the subject incorporating the provisions of various orders quoted in the margin, with suitable modification, where necessary. The Ministry of Finance, etc. are requested to bring to the notice of all administrative Ministries concerned the contents of this O.M. for information, guidance and compliance.

2. Application

2.1 These orders will apply to all Central Govt. employees who are regularly appointed on deputation/foreign service in accordance with Recruitment Rules of the ex-cadre posts under the same or some other Departments of Central Govt. or under the State Governments/Union Territories Administration /Local Bodies or Under Central/State PSUs/Autonomous Bodies etc. (where such foreign service has been permitted in relaxation of appointment on immediate absorption conditions). These orders will also cover the cases of regular appointment as per Recruitment Rules in the Central Government on deputation/foreign service of employees of State Government /Central/State PSUs/Autonomous bodies, Local Bodies etc. However, the following cases shall not be covered under these orders for whom separate orders exist:-

- (a) Members of the All India Services and those deputed to posts whose terms are regulated under specific statutory rules or orders;
- (b) Officers appointed on deputation to posts in the Central Secretariat such as Under Secretary, Deputy Secretary, Director, Joint Secretary, Additional Secretary, Secretary etc. for whom separate orders as issued from time to time will continue to apply;
- (c) Deputation to posts outside India;
- (d) Appointments of a specific category of employees to a specified class of posts where special orders are already in existence such as appointments made in the Personal Staff of Minister etc., to the extent the provisions contained therein are at a variance with those contained in these orders;
- (e) Appointments of the nature of deemed deputation or transfers to ex-cadre posts made in exigencies of service with the specific condition that no deputation(duty) allowance to be admissible –e.g.
 - (i) interim arrangements in the event of conversion of a Govt. office/organisation or a portion thereof into a PSU/autonomous body or vice versa; and (ii) appointments to the same post in another cadre.

3. Scope of Term 'deputation/foreign service – Restrictions on treating an appointment as On deputation/foreign service.

3.1 The term deputation/foreign service will cover only those appointments that are made by transfer on a temporary basis provided the transfer is outside the normal field of deployment and is in the public interest.

The question whether the transfer is outside the normal field of deployment or not will be decided by the authority which controls the service or post from which the employee is transferred.

3.2 Appointment of serving employees made either by promotion or by direct recruitment with open market candidates whether on permanent or temporary basis shall not be regarded as deputation/foreign service.

3.3 Permanent appointment made by transfer will also not be treated as deputation/foreign service.

3.4 Temporary appointment made on the basis of personal requests of employees will also not be treated as deputation/foreign service.

3.5 In case of appointments on deputation/foreign service from Central Govt. to Central Govt. and in those cases where the scale of pay and dearness allowance in the parent cadre post and ex-cadre post are similar a person in a higher scale of pay shall not be appointed on deputation to a post in a lower scale of pay.

3.6 In case of appointment on deputation/foreign service from Central Govt. to Public Sector Undertaking and in those cases where the pay scale and DA in the parent cadre post and ex-cadre post are dissimilar, no appointment on deputation/foreign service shall be made if by raising the grade pay by one increment plus dearness allowance(s) including interim relief, if any, admissible to a person in parent cadre post-exceeds the emoluments comprising pay plus dearness allowance(s) including interim relief, if any at the maximum of the ex-cadre post.

4. Exercise of option

4.1 An employee appointed on deputation/foreign service may elect to draw either the pay in the scale of pay of deputation/foreign service post or his basic pay in the parent cadre plus deputation(duty) allowance thereon plus personal pay, if any.

4.2 The borrowing authority should obtain the option of the employee within one month from the date of joining the ex-cadre post unless the employee has himself furnished the option.

4.3 The option once exercised shall be final. However, the employee may revise the option under the following circumstances which will be affective from the date of occurrence of the same.

(a) When he receives proforma promotion or is appointed to non-functional selection grade in his parent cadre.

(b) When he is reverted to a lower grade in his parent cadre;

(c) When the scale of pay of the parent post on the basis of which his emoluments are regulated during deputation/foreign service or of the ex-cadre post held by the employee on deputation/foreign service is revised either prospectively or from a retrospective date.

(d) Based on the revised/same option of the employees, in the event of proforma promotion appointment to non-functional Selection Grade revision of scales of pay in the parent cadre, the pay of deputationists will be refixed with reference to the revised entitlement of pay in the parent cadre. However, if the initial option was for the pay scale of the deputation post and no change in

option already exercised is envisaged the pay already drawn in deputation post will be protected if the pay refixed is less.

Note: Revision in the rates of DA, HRA or other allowance either in the parent or borrowing organisation shall not be an occasion for revision of the earlier option.

4.4 If the pay of an employee in his cadre post undergoes downward revision, the pay in the ex-cadre post is also liable to be refixed on the basis of revised pay and in accordance with the revised option or existing option if the employee does not revise his option.

5. Pay fixation

5.1 When an employee on deputation/foreign service elects to draw in the scale of pay attached to the ex-cadre post, his pay may be fixed as under;

(i) Deputation from Central Govt. to Central Govt.

Pay may be fixed under normal rules.

(ii) In foreign service/Reverse Foreign Service

(a) when the pay scale of the post in the parent cadre and that attached to ex-cadre post are based on same index level and the DA pattern is also same, the pay may be fixed under the normal, Fundamental Rules.

(b) If the appointment is made to a post whose pay structure and/or DA pattern is dissimilar to that in the parent organisation, pay may be fixed by adding to his grade pay, one increment in the scale of his regular parent post (and if was drawing pay at the maximum of the scale, by the increment last drawn) and equating the pay so raised plus dearness allowance (and additional or ad-hoc dearness Allowance, Interim relief etc., if any) with emoluments comprising of pay plus DA, ADA, Interim relief etc., if any, admissible, in the borrowing organisation and the pay may be fixed at the stage in the pay scale of the ex-cadre post at which total emoluments admissible in ex-cadre post as above equal the emoluments drawn in the cadre and if there is no such stage, pay may be fixed at the next higher stage;

(iii) pay fixed under (i) and (ii) shall neither be less than the minimum of the scale of the ex-cadre post nor shall it exceed the maximum of that scale;

5.2 In cases of appointment from one ex-cadre post to another ex-cadre post where the employee opts to draw pay in the scale of the ex-cadre post, the pay in the second or subsequent ex-cadre posts, should be fixed under the normal rules as with reference to pay in the cadre post only. In respect of appointments to ex-cadre posts on time scale of pay identical with the time scale of pay of ex-cadre post(s) held on an earlier occasion(s) the benefit of proviso 1 (iii) to FR 22 will be admissible.

5.3 In cases of appointments to a second or subsequent ex-cadre post(s) in a higher pay scale than that of the previous ex-cadre post, the pay may be fixed with reference to the pay drawn in the cadre post and if the pay so fixed happens to be less than the pay drawn in the previous ex-cadre post, the difference may be allowed as personal pay to be absorbed in future increases in pay. This is subject to the condition that on both the occasions the employees should have opted to draw pay in the scales of pay attached to the ex-cadre posts.

Note-1 : The term parent post basic pay means the post held on regular basis in the parent organisation and pay drawn/admissible in such a post respectively.

Note-2 : An officer who may be holding a higher post on adhoc basis in the cadre at the time of proceeding on deputation/foreign service would be considered to have vacated the post held on adhoc basis and proceeded on deputation/foreign service from his regular post. During his

deputation/foreign service, he shall earn notional increments, in his regular post only. On his reversion if he is re-appointed to the higher post on regular or ad-hoc basis his pay will get fixed with reference to the pay admissible in the lower post as on date of promotion. In such cases, if his pay gets fixed at a stage lower than that of his junior(s) who continued to serve in the cadre, no stepping up will be admissible as per extent rules in so far as Central Govt. employees are concerned. However, if the pay so fixed is less than the pay drawn earlier while holding the post on ad-hoc basis the pay earlier drawn will be protected. Therefore, those Central Government employees who are already holding a higher post on ad-hoc basis or expecting it shortly in the parent cadre may weigh all relevant considerations before opting for deputation/foreign service. This note of caution will be applicable to employees of other organisations wishing to apply for posts on deputation in Central Govt. if government by similar rules in parent organisation.

Note-3 : Pay of officer appointed on deputation/foreign Service on adhoc basis pending selection of a regular incumbent may also be regulated in accordance with provisions of Para 5.1 & 6.1 of this O.M. subject to the condition that if the said officer does not fulfill the eligibility conditions laid down in the Recruitment Rules of the ex-cadre post, his pay in the scale of the ex-cadre post, if so opted, shall be subject to the restrictions under FR 35. Where the Recruitment Rules of the post have not been notified, such restrictions may be enforced if he is ineligible to hold a post in equivalent/analogous grade in his own cadre. This will also cover appointments in personal staff of dignitaries other than Ministers who have been allowed to make appointments of their personal staff at their discretion.

Note-4 : The provisions of this Rule as well as Rule 6 will not apply to appointments on Personal Staff of Ministers. Such appointments will be regulated by separate specific orders issued by the Govt. in that behalf.

6. Deputation (duty) Allowance

6.1 The deputation(duty) allowance admissible shall be at the following rates:

- (a)** 5% of the employee's basic pay subject to a maximum of Rs.250/-p.m. when the transfer is within the same station;
- (b)** 10% of the employee's basic pay subject to a maximum of Rs.500/-p.m. in all other cases;

The deputation(duty) allowance as above shall be further restricted as under:-

- (i)** Pay Plus Deputation (duty) Allowance does not exceed the maximum of scale of pay of ex-cadre post;
- (ii)** In the cases where pay scales are dissimilar then pay plus deputation(duty) allowance plus DA/ADA/IR etc. does not exceed the pay at the maximum of ex-cadre post plus DA & IR etc.
- (iii)** Pay plus deputation (duty) allowance as above shall at no time exceed Rs.7300/-p.m..

Note:1. The term 'same station' for this purpose will be determined with reference to the station where the persons was on duty before proceeding on deputation.

Note:2. When there is no change in the headquarters with reference to the last post held, the transfer should be treated as with in the same station and when there is change in headquarters it would be treated as not in the same station. So far as places falling within the same urban agglomeration of the old headquarters are concerned they would be treated as transfer within the same station.

6.2 Special rates of deputation(duty) allowance may be admissible under separate orders in any particular area on account of the condition of living there being particularly arduous or unattractive. Where special rate is more favourable then that under para 6.1 above, employees deputed to the area will be given the benefit of the special rate.

6.3 Whenever extension of the period of deputation for the fifth year or the second year in excess of the period prescribed in the Recruitment Rules is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation(duty) allowance. The officers who opted to draw pay in the scale of the ex-cadre post shall however continue to draw pay in that scale during the extended tenure also.

6.4 If an employee with the permission of the competent authority proceeds on deputation/foreign service from one ex-cadre post to another ex-cadre post in the same or another organization without reverting to his parent cadre, and if the second ex-cadre post is at the same station as the first ex-cadre post, then the rate of deputation (duty) allowance would remain unchanged.

6.5 In cases where a person on deputation/foreign service is transferred by the borrowing authority from one station to another without any change in the post held by him, the rate of deputation (duty) allowance will remain the same as was decided at the time of initial posting and will not undergo any change.

7. Admissibility of other pay allowances & benefits While on deputation/foreign service.

7.1 Any project allowance admissible in a project area in the borrowing organisation may be drawn in addition to deputation (duty) allowance.

7.2 Any special pay granted to an employee in the parent Department under FR 9(25) or a corresponding rule of parent organisation should not be allowed in addition to deputation (duty) allowance. However the borrowing department may allow in addition to deputation (duty) allowance under special circumstances any special pay attached to the post held by the employee in his/her parent Department, by suitably restricting the deputation (duty) allowance. This will require the specific and prior approval of department of Personnel & Training.

7.3 In case special pay is attached to the scale of pay of the ex-cadre post and the employee has opted to draw pay also in that scale, in addition to his pay in that scale, he will also be entitled to draw such special pay. However, such special pay will not be admissible if he has opted to draw grade pay plus deputation allowance.

7.4 Personal pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation/foreign service if he opts to draw grade pay plus deputation allowance. No deputation allowance on this personal pay will however, be admissible.

7.5 Increments:- The employee will draw increment in the parent grade or in the grade attached to the deputation post as the case may be, depending on whether he has opted for his own grade pay plus deputation (duty) allowance or the time scale of the deputation post. If he has opted for time scale of the deputation post, notional increment shall also continue to accrue to him in the post held on regular basis in parent cadre/organisation for the purpose of regulation of pay on reversion back to parent post at the end of tenure.

7.6 Admissibility of allowances and benefits While on deputation/foreign service.

(a) such allowances as are not admissible to regular employees of corresponding status in the borrowing organisation, shall not be admissible to the officer on deputation/ foreign service, even if they were admissible in the parent organisation:

(b) Following allowances will be regulated with mutual consent of the lending and borrowing organisation:

(i) HRA/CCA

(ii) Joining Time and Joining Time Pay.

(iii) Travelling Allowances and Transfer T.A.

(iv) Children Education Allowance.

(v) LTC.

(c) Following Allowances/Facilities will be regulated in accordance with the rules as explained against each.

(i) Dearness Allowance- The employee shall be entitled to dearness allowance at the rates prevailing in the borrowing organisation or in the lending organisation depending on whether he has opted for to draw pay on the time scale of the ex-cadre post or his own grade pay plus deputation (duty) allowance.

(ii) Medical Facilities – This will be regulated in accordance with the rules of borrowing organisation.

(iii) Leave – An officer on deputation/foreign service shall be regulated by the leave Rules of the parent organisation. If however an employee proceeds from vacation department to non-vacation department, or vice-versa, he shall be governed by leave Rules of the borrowing organisation. At the time of reversion from the deputation post to the parent cadre, the borrowing organisation may allow him-her leave not exceeding two months. The employee should apply for further leave to his cadre controlling authority.

7.7 Leave salary and Pension Contribution.

(i) As at present allocation of leave salary and pension contribution between different Ministries/Departments of Central Govt. and between Central and State Govt. has been dispensed with. In such cases of deputation from Central Govt. to State Govt. and vice-versa, liability for bearing leave salary vests with the Department from which the officer proceeds on leave or which sanctioned leave and no contributions are payable to the landing organisation. Liability for pension/employee's contribution to CPF will be borne by the parent department, to which the officer permanently belongs at the time of retirement and no proportionate contribution will be recovered.

(ii) In case of deputation of central Govt. employees on foreign services to Central Govt. employees on foreign services to Central Public Sector Undertakings/state Public Sector Undertakings and Autonomous Bodies/etc. leave salary contribution (except for the period of leave availed on foreign service) and pension Contribution/CPF (Employer's share) contribution are required to be paid either by the employee himself or by the borrowing organisation to the Central Govt.

(iii) In cases of reverse deputation from Central Public Sector Undertakings/State Public Sector Undertakings, Autonomous Bodies to Central Govt. the question regarding leave salary and pension contribution will be decided by mutual consent.

8. Tenure of deputation/foreign service.

8.1 The period of deputation/foreign service shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is prescribed in the Recruitment Rules.

8.2 The Administrative Ministry/borrowing organisation may grant extension beyond this limit upto one year, after obtaining orders of their Secretary (in the Central Govt. and Chief Secretary in the State Govt.). Equivalent level officer in other cases where such extension is considered in public interest.

8.3 The borrowing Ministries/Departments/Organisations may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in the Recruitment Rules where absolutely necessary, subject to the following conditions;

- (i) while according extension for the fifth year, or the second year in excess of the period prescribed in the Recruitment Rules the directive issued for rigid application of the tenure rules should be taken into consideration and only in rare and exceptional circumstances such extension should be granted.
- (ii) The extension should be strictly in public interest and with the specific prior approval of the concerned Minister of the borrowing Ministry/Department and in respect of other organisation, with the approval of the Minister of Ministry/Department with which they are administratively attached.
- (iii) Where such extension is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance.
- (iv) The extension would be subject to the prior approval of the lending organisation, the officer on deputation, and wherever necessary, the UPSC/State Public Service Commission and Appointments Committee of the Cabinet (ACC).
- (v) If the borrowing organisation wishes to retain an officer beyond the prescribed tenure, it shall initiate action as above for seeking concurrence of lending organisation, individual concerned etc. 6 months before the date of expiry of tenure. In no case it should retain an officer beyond the sanctioned term unless concurrence of lending organisation has been received.

Note:- For extension of foreign service of Central Government officers to Public Sector Undertakings beyond 3 years, approval of ACC would be necessary in terms of instruction of Department of Public Enterprises on the subject.

8.4 In cases where extension is beyond the fifth year or second year in excess of the period prescribed in the Recruitment Rules, the same would be allowed only after obtaining the approval of the Department of Personnel and Training whether Central Govt. is the lending organisation or the borrowing organisation, proposal in this regard should reach this Department with the approval of the Minister of the borrowing department at least three months before the expiry of the extended tenure with full particulars. A check-list for such particulars is annexed.

8.5 When extension of period of deputation/foreign service for the first and the second year in excess of period prescribed in the Recruitment Rules is considered by the borrowing organisation under power delegated to them, the period for extension may be so decided upon so as to ensure that officer concerned is allowed to continue on deputation till the completion of academic year in cases where the officer has school/college going children. No proposal for further extension beyond the second year in excess of period prescribed in the RRs shall be forwarded to this Department on the consideration that the officer has school/college going children. Extension beyond this period will be considered only if it is strictly in public interest.

8.6 For computing the total period of deputation/foreign service the period of deputation/foreign service in another ex-cadre post(s) held preceding the current appointment without a break in the same or some other organisation shall also be taken into account.

8.7 If during the period of deputation/foreign service the basic pay of an employee exceeds the maximum of the scale of pay of the post or the fixed pay of the post, on account of proforma promotion in his cadre under the next Below Rule or otherwise, the deputation/foreign service of the employee should be restricted to a maximum period of six months from the date on which his pay exceeds such maximum and he should be reverted to his parent department within the said period.

8.8 If during the period of deputation, on account of proforma promotion in the parent cadre under the Next Below Rule, the employee becomes entitled to a scale of pay higher than the scale of pay attached to the ex-cadre post, he may be allowed to complete the normal tenure of deputation subject to 8.7 above but no further extension of the period of deputation should be allowed in such cases.

9. Premature reversion of deputationist to parent cadre.

Normally, when an employee is appointed on deputation/ foreign service, his services are placed at the disposal of the parent Ministry/Department at the end of the tenure. However, as and when a situation arises for premature reversion to the parent cadre of the deputationist, his services could be so returned after giving advance intimation of reasonable period of the lending Ministry/Department and the employee concerned.

10. Relaxation of conditions.

Any relaxation of these terms and conditions will require the prior concurrence of the department of Personnel & Training.

11. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders are bring issued after consultation with the comptroller and Auditor General of India.

12. These orders take effect from the date of issue. In case of persons already on deputation/foreign service, if the modification incorporated in these orders are not beneficial, he/she may opt to retain the earlier term(s).

(Hindi version will follow).

Revathy Iyer
(Smt. Revathy Iyer)
Deputy Secretary to the Govt. of India

To

All Ministries/Departments of the Govt. of India etc

No.2/29/91-Estt. Pay II
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

New Delhi, the 20th June 2006

OFFICE MEMORANDUM

Subject: Deputation of Central Government Employees to ex-cadre posts under Central/State Governments and on Foreign Service to Central/State PSUs/Autonomous Bodies.

Reference is invited to this Department's OM of even number dated 5th January 1994 which lays down the guidelines relating to deputation of Central Government Employees to ex-cadre posts under Central/State Governments and on Foreign Service to Central/State PSUs/Autonomous Bodies.

Para 8.8 of this OM lays down that if during the period of deputation, on account of pro-forma promotion in the parent cadre under the Next Below Rule, the employee becomes entitled to a scale of pay higher than the scale of pay attached to the ex-cadre post, he may be allowed to complete the normal tenure of deputation, subject to the provisions laid down in Para 8.7 but no further extension of the period of deputation should be allowed in such cases.

The proposal for incorporating a provision for making the officers on deputation eligible for the benefit of pro-forma promotion if it becomes due to them while they are in the extended period of deputation, has been under consideration of the Government. It has now been decided that if an officer becomes due for pro-forma promotion in his parent cadre while in the extended period of deputation, he may be allowed the benefit of pro-forma promotion and complete the extended tenure already sanctioned but may not be given any further extension in the deputation period.

Accordingly, Para 8.8 of OM dated 5.1.94 is amended to read as under:

8.8. If during the period of deputation, on account of pro-forma promotion in the parent cadre under the Next Below Rule, the employee becomes entitled to a scale of pay higher than the scale of pay attached to the ex-cadre post, he may be allowed to complete the normal/extended tenure of deputation already sanctioned, subject to 8.7 above but no further extension of the period of deputation should be allowed in such cases."

In so far as the persons serving in the Indian Audit & Accounts Department are concerned, these orders are being issued after consultation with the Comptroller & Auditor General of India.


(Rita Mathur)

Deputy Secretary to the Government of India

To All Ministries/Department of the Government of India

No. 6/7/2003-Estt. (Pay II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi dated the 7th January, 2008

OFFICE MEMORANDUM

Subject: Deputation of Central Government Employees to ex-cadre posts under Central/State Governments and on Foreign Service to Central/State PSUs/Autonomous Bodies.

Reference is invited to this Department's O.M. No. 2/29/91-Estt. (Pay II) dated 5th January, 1994 which lays down the guidelines relating to deputation of Central Government Employees to ex-cadre posts under Central/State Governments and on Foreign Service to Central/State PSUs/Autonomous Bodies.

2. Para 8.4 of this O.M. lays down that in cases where extension is beyond the fifth year or second year in excess of the period prescribed in the Recruitment Rules, the same would be allowed only after obtaining the approval of the Department of Personnel and Training, whether Central Government is the lending organization or the borrowing organization.

3. It has now been decided to delegate the powers for extending the deputation in respect of Group 'C' & 'D' officials beyond the fifth year or second year in excess of the period prescribed in the Recruitment Rules of the ex-cadre posts to the Borrowing Authorities/Administrative Ministries/Departments. In such cases, the Competent Authority for granting approval for extending the deputation period would be the Secretary of the Borrowing authority/Administrative Department for the 4th year or the first year beyond the normal period prescribed in the Recruitment Rules and the Minister in charge thereafter. However, while considering the extension, all other conditions laid down in this Department's O.M. dated 5th January, 1994, as amended from time to time, may be taken into consideration and the following may specifically be examined:

- (i) Whether the procedure for granting extension has been followed viz. whether the individual's consent and the prior approval of the lending authority has been obtained.
- (ii) Whether the officer has been given pro-forma promotion under NBR during the period of deputation.

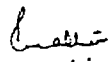
(iii) If the scale of the parent cadre post has become higher after grant of pro-forma promotion, whether the pay has been regulated in terms of Para 8.7 and 8.8 of the O.M. dated 5.1.94 read with O.M. dated 20th June, 2006.

(iv) Whether the initial appointment on deputation itself was from a higher scale to a lower scale (which is not permissible as per the guidelines) and if so whether the approval of the competent authority has been obtained for such an appointment.

(v) In cases of overstay on deputation, the cases may be examined in terms of the provisions laid down in DoP&T's O.M. No. AB.14017/30/2006-Estt. (RR) dated 29th November, 2006.

If any of the conditions are not fulfilled, the proposal may be sent to the Department of Personnel & Training for consideration.

4. These orders will take effect from the date of issue. In so far as the persons serving in the Indian Audit & Accounts Department are concerned, these orders will apply for deputation outside Indian Audit & Accounts Department. Deputations within Indian Audit & Accounts Department will be regulated as per orders issued by the office of the Comptroller & Auditor General of India.


(Rita Mathur)
Director (Pay)

To

All Ministries/Departments of the Government of India

Agenda Item No:5

Request for representation of a “staff representative” in the Executive Council of the University

The University has received a request from the staff of the University for nomination of a staff member in the Executive Council of the University.(Annexure 5 A).

The proposal was placed in the Standing Committee meeting dated 21/3/2009 .The Standing Committee has directed that the proposal may be placed in the Executive Council.

This is a matter related to the amendment of the schedule in the West Bengal National University of Juridical Sciences Act of 1999.

Submitted for directions.

Received on 12.15pm on 07-03-09 from Nurul Ans.

Annexure-5A

07-03-09

To
The Vice Chancellor
NUJS

Dated : 12.02.2009

Respected Sir,

This is in response to the desire expressed by you in the meeting with the staff dated 3rd October 2008 accepting and recommending the need for having a representative from the staff in the Executive Council and other University bodies. It was also decided in the said meeting that the members of the staff would select/nominate their representative and would forward the same to the Vice-Chancellor for consideration.

I am glad to inform you that the NUJS staff has unanimously selected/nominated my name for the memberships in the Executive bodies of the University. A copy of the resolution passed to that effect is enclosed for your kind perusal and records.

In this regard, it may kindly be noted that the Universities viz., Jadavpur, Calcutta and Kalyani are having more than 2 members in various executive bodies from the non-teaching staff cadre. In NUJS, at present, does not have any representative from the non-teaching staff to any of the executive bodies.

My humble request to you Sir that the University may kindly take necessary action to incorporate the staff representation to the executive bodies of the University in line with other leading Universities of the state. Regards.

Thanking you,

Yours faithfully,


(Md. Nurul Ansar)

Spokesperson & Representative,
NUJS Staff

Register

13.2.09

Unsettled matter may please
be referred for consideration.

Without objection and it is
possible that it is not a
part of the staff and it is not
14.2.09

*The W.B. National University of Juridical Sciences
Dr. Ambedkar Bhavan
12 LB Block, Sector-III
Salt Lake, Kolkata – 700 098*

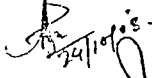
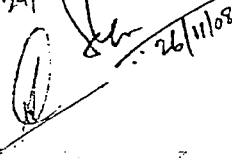

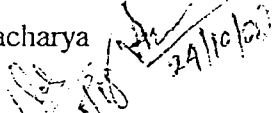
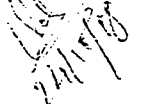
RESOLUTION

We the following staff of NUJS unanimously resolve and nominate Mr. Md. Nurul Ansar as the nominee of the staff for the membership in the Executive Council of the University.

This nomination is done in response to the desire expressed by the Vice-Chancellor in the meeting with the staff dated 3rd October 2008, accepting and recommending the need for having a representative from staff in the Executive Council.

Dated : 24.10.2008

Signature of the members of the staff:

1. Md. Nurul Ansar 
2. Mr. Dwaipayan Basu 
3. Mr. Sovan Chaudhury 
4. Mr. Subhendu Bhattacharya 
5. Mr. Pritwish Saha 

Nomination of Mr. Md. Nurul Ansar for the membership in
the Executive Council; Resolution dated 24.10.2008

6. Mr. Abhijit Nandi *AN 24/10/08*
7. Mr. Anirban Banerjee *AB 24/10/08*
8. Mr. Purnendu Saha *P.S. 24/10/08*
9. Mr. Pinaki Saha *PS 24/10/08*
10. Ms. Anindita Talapatra *A.T. 24/10/08*
11. Ms. Nandini Das Biswas *NDB 24/10/08*
12. Mr. Abhijit Biswas *AB 24/10/08*
13. Ms. Urmi Majumdar *UM 24/10/08*
14. Mr. Debodeep Roy *DR 24/10/08*
15. Mr. Rajsesh Kumar Singh *RKS 24/10/08*
16. Mr. Sambhu Nath Das *SD 24/10/08*
17. Mr. Siddheswar Mondal *SM 24/10/08*
18. Mr. Pradipta Saha *PS 24/10/08*
19. Mr. Ali Imam Siddiqui *AIS 24/10/08*
20. Mr. Sufal Biswas *SB 24/10/08*
21. Mr. Uttam Metya *UM 24/10/08*
22. Mr. Sukhen Biswas *SB 24/10/08*

**Nomination of Mr. Md. Nurul Ansar for the membership in
the Executive Council; Resolution dated 24.10.2008**

23. Mr. Manik Mallick *M. Mallick 24/10/08*
24. Mr. Subrata Thakur *Subrata Thakur 24/10/08*
25. Mr. Deb Bhusan Prasad Nag *Deb Bhusan Prasad Nag 24-10-08*
26. Mr. Bipul Biswas *Bipul Biswas 24/10/08*
27. Mr. Asim Kundu *Asim Kundu 24/10/08*
28. Ms. Shampa Kaur *Shampa Kaur 24/10/08*
29. Ms. Soma Dutta *Soma Dutta 24/10/08*
30. Ms. Shrabani Ghosh *S. Ghosh 24/11/08*
31. Mr. Dipto Sengupta *Dipto Sengupta 24/11/08*
32. Mr. Premananda Mukherjee *Premananda Mukherjee 24/11/08*
33. Mr. Biresk Bhattacharya *B. Bhattacharya 24/11/08 (BIRES)*
34. Mr. Rajesh Roy *Rajesh Roy 24/11/08*
35. Ms. Molly Nandi *Molly Nandi 24/11/08*
36. SANTANU DEY *Santanu Dey 24/11/08*

Agenda Item No:6

Report of the Committee formed for review of job content and career progression for the administrative staff working in the University.

The matter arises out of the 27th meeting of the Executive Council dated 23/8/2008(Agenda Item No.9). The Executive Council had deferred the matter. The matter was also placed in the 28th meeting of the Executive Council dated 22/2/2009.The Executive Council had again deferred the matter.

The Standing Committee in its 23rd meeting dated 12/4/2008 had recommended that a review of the job content of the administrative staff including prospects of promotion be undertaken. In this regard the University had proposed to form a committee for reviewing the job content of the Administrative staff and also for proposing a career advancement scheme.

The Standing Committee had accepted the proposal and recommended that a Committee may be formed by the Vice Chancellor under the Chairmanship of Mr. Satrajit Chaudhuri, Former Ombudsman, Insurance Regulatory Commission.

Accordingly, a committee was formed by the University under the chairmanship of Mr.Satrajit Chaudhuri with the following members:

1. Mr.N.Konar, Member
2. Mr.A.Mazumder, Member
3. Mr.S.Guha, Member-Secretary

The Committee has now submitted an initial report(Annexure 6 A).The Standing Committee had directed that that the matter may be placed in the next meeting of the Executive Council along with the report received from the Indian Institute of Psychometry, who are to make an assessment of personnel in regard to all existing sections of the University in relation to the existing work in the University. The Indian Institute of Psychometry has written to the University expressing their inability to undertake the work.

Submitted for directions.

To
The Vice Chancellor
WBNUJS
12 B LB Block, Sector-III
Salt Lake City
Kolkata-700098

**Sub: Review of job content and career progression for the
administrative staff working in NUJS.**

Sir,

Kindly recall the discussion in the Standing Committee meeting on 1st March 2008 where I briefed the Members about the progress of work relating to review of job content and career progression of staff. I pointed out that the Committee dealing with the matter held a number of meetings but felt that it needed clarifications from the University on certain issues. As decided in the above Standing Committee meeting, I am making this reference on behalf of my Committee to seek comments and views of the University in respect of the following issues:-

On pursual of the Acts and Regulations of the University and also on examination of the advertisement for the recruitment of staff and the Memorandum of Agreement before appointment, we do not find any description of job and duties and responsibilities for the staff. In this connection we have gone through the Report of the Committee set up on 12th March 2005 to recommend scales of pay etc. for the administrative staff. The Report classified posts without classifying the job and recommended introduction of pay-scale for different category of staff. The further question of linking the pay to duties and responsibilities of a particular post was not considered. We are of the view that pay scale must relate to job content of a particular post and not to mere designation of the post. This is more so when we are also considering scheme for career progression in terms of pay scale for the staff.

We also notice that presently certain categories of staff are working in diverse position in the University. For instance, a Data Entry Operator is working in the office of the Registrar, in Front Office, in Accounts and other Schools and Centres etc. There is no similarity in the functions and duties for the Data Entry Operator, as the jobs and responsibilities in different offices are not comparable. Unless the core functions of a Data Entry Operator are defined, evaluation of his performance can not be made on objective basis leading to avoidable controversy for the administration. Similar is the position with Attendants who are engaged in offices/departments widely different in scope and responsibilities.

We are aware that in the initial years of the University some adhoc, informal and discretionary appointments and deployment of staff could not be avoided. But time has come (after nearly a decade of its existence) to formulate a well structured

manpower planning for effective utilisation of human resources. With this end in view we request the University to define contents of the jobs and duties and responsibilities of the following staff which are under our consideration for review:-

- i) Campus Supervisor
- ii) PA to Vice Chancellor
- iii) Data Entry Operator
- iv) Library Assistant
- v) Reception cum Telephone Operator
- vi) Driver cum Attendant
- vii) Office Attendant.

We also suggest that the task of defining the job may be assigned to a Professional Management Agency for an objective assessment in respect of the following aspects:-

- a) Total workload generated by various offices/ Centres/Schools/Department etc. of the University;
- b) Analysis of the work and grouping and bunching of similar types of functions and work under broad heads ;
- c) Requirement of supporting staff to dispose of the above volume of work on the basis of accepted standard work norm;
- d) Designing new designation for the staff, if called for, so that designation correctly reflects the type of work handled by them.

Once job identification and job content is ascertained we may proceed to formulate appropriate pay scale for each category of staff.

- 6. As regards scheme for career progression we have considered various options and one such option is to adopt the career progression scheme introduced for non-law teachers of the University [Part III/Chapter II/8(6) of the Regulations]. It has laid down Merit Promotion Scheme with four grades of pay. Following this scheme we may introduce revised pay scales in 4 grades for the supporting staff:-

- a) Initial pay scale for 8 years of continuous service;
- b) On renewal of contract after 8 years, a higher pay scale for another 8 years;
- c) A pay scale higher than (b) on completion of 16 years of service;
- d) A selection grade for staff continuing beyond © still superannuation.

While on the subject of career progression, we can't help observing a sense of uncertainty and insecurity among the staff about their future in the University. Such thoughts are demoralising and will lead them to leave the University at the earliest opportunity in search of a better prospect elsewhere. In order to discourage such tendency and to retain the efficient workers, the University may have to decide whether the existing system of contractual appointment for 5 years with one year probation is- in the best interest of the administration. It may instead, decide to introduce a system of permanent employment with one or two years of probation before giving the regular scale.

8. Permanent cadre of employees secure in their job are likely to organise themselves into Unions and may fall prey to interference by political parties. They are likely to assert their Rights rather than Duties- with inevitable erosion of discipline and efficiency. But as against this likely scenario, we will continue to have the present uncertain and insecure staff - looking for better opportunities outside- never developing loyalty for the organisation. Pitfalls of Japanese "life-time-employment" and American "hire-and-fire" system have been widely discussed in Management Studies. But we have to make conscious choice and our vote is to choose a permanent cadre of staff with suitable safeguards to make the system work. There are well established mechanism both in the State and Central govt. to weed out non-performing and in disciplined staff. But perhaps the best safeguard against ills of "permanent settlement" will be an administration which by its conduct is seen to be independent, impartial, transparent, firm but fair and compassionate.

We shall be grateful if the University consider our suggestions and give the benefit of its views and comment at the early date so that we may finalise our recommendations shortly.

With regards,

Yours faithfully

Sd/-

Satrajit Chaudhuri

(Permanent invitee to Standing Committee , WBNUJS
& Chairman of Review Committee)

18/3/2008

Agenda Item No:7

Status of Constitution of Executive Council – A Report

In terms of existing terms for membership to the Executive Council (Section 18, Schedule 7, clause i and j) two Professors or Associate Professors and two Lecturers or Assistant Professors would be members of the Executive Council by rotation.

Justice Ruma Pal being the only Professor (Ford Chair, CHRCS) of the University has been a member. Recently, the University has appointed four Professors – Professor Shamnad Basheer (IPR Chair Professor), Professor Sudhir Krishnaswamy, Professor Manoj Kumar Sinha and Professor Bhavani Prasad Panda (who is expected to join the University by 31/5/2009). The University also has three Associate Professors – Dr. T. V. G. N. Sudhakar, Dr. A. K. Poddar and Dr. Sreenivasulu N. S.

There are two lecturers (Mr. A. Mazumder and Mr. N. Nawn) who are members (under Section 18, Schedule 7, Clause j.) since the constitution of the second Executive Council in 2006.

Submitted for directions.

Agenda Item No:8

Status of Constitution of Standing Committee – A Report

The Executive Council in its 17th meeting dated : 7/8/2004 had constituted a Standing Committee having a term of three years. (Annexure 8 A).

Subsequently the Executive Council in its 22nd meeting dated 16/9/2006 had amended the term of the office of the members of the Standing Committee to five years unless dissolved or reconstituted earlier by the Executive Council. .(Annexure 8 B).

The term of the first Standing Committee is to end during August 2009.

The Executive Council in its meeting dated 22/2/2009 had deferred the proposal.

Submitted for directions.

RESOLUTION

(SEVENTEENTH MEETING OF THE EXECUTIVE COUNCIL DATED
07.08.2004)

A. Set up and functions of the Standing Committee

In exercise of the powers conferred under Clauses 11 & 12 of the Schedule to the WBNUJS Act, 1999, the Executive Council hereby constitutes a Standing Committee, with the following delegated functions :

- a) Save and except the posts mentioned in Clause 9(1) of the Schedule to the WB NUJS Act, to create administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify minimum qualifications for appointment to such posts on such terms and conditions of service as may be prescribed by regulations in this behalf.
- b) To manage and regulate the finances, accounts, investments, property and business of the University, without affecting the powers and functions of the Finance Committee under Clause 16 of the Schedule to the WBNUJS Act;
- c) To invest any money belonging to the University including any unapplied income, in such stock, funds, shares or securities, as it may, from time to time, think fit, or in the purchase of immovable property in India, with the like power to vary such investments from time to time;
- d) To consider and give appropriate directions to the recommendations of the Finance Committee; and
- e) To perform such other functions as may be directed by resolution of the Executive Council.

All decisions made and actions taken by the Standing Committee shall be placed for confirmation or otherwise of the Executive Council at a meeting or by circulation. The Executive Council shall have the full power to approve.

modify, alter or revise wholly or partly the decisions made or action taken by the Standing Committee.

The Standing Committee shall be composed of the following members:

- i) The Vice Chancellor,
- ii) The Treasurer,
- iii) One Judge of the High Court, Calcutta nominated by the Executive Council,
- iv) One Lawyer nominated by the Executive Council,
- v) The Advocate General of West Bengal,
- vi) The Secretary, Judicial Department, or in his absence, a senior officer of Judicial Department as may be nominated by the Law and Judicial Department, Government of West Bengal,
- vii) Finance Secretary or any other senior officer of the Department of Finance, Government of West Bengal, to be nominated by the Government of West Bengal,
- viii) Secretary, Department of Higher Education, or, in his absence, any other senior officer of the Department nominated by the Government of West Bengal,
- ix) Two teachers of the University to be nominated by the Vice Chancellor by rotation from among the members of the Executive Council. Tenure of appointment of the teacher-member shall coincide with the membership to the Executive Council, and shall not, in any case, exceed two years.

The Committee may invite an academician, or any distinguished person to be nominated by the Vice Chancellor in the meeting.

modify, alter or revise wholly or partly the decisions made or action taken by the Standing Committee.

The Standing Committee shall be composed of the following members:

- i) The Vice Chancellor,
- ii) The Treasurer,
- iii) One Judge of the High Court, Calcutta nominated by the Executive Council,
- iv) One Lawyer nominated by the Executive Council,
- v) The Advocate General of West Bengal,
- vi) The Secretary, Judicial Department, or in his absence, a senior officer of Judicial Department as may be nominated by the Law and Judicial Department, Government of West Bengal,
- vii) Finance Secretary or any other senior officer of the Department of Finance, Government of West Bengal, to be nominated by the Government of West Bengal,
- viii) Secretary, Department of Higher Education, or, in his absence, any other senior officer of the Department nominated by the Government of West Bengal,
- ix) Two teachers of the University to be nominated by the Vice Chancellor by rotation from among the members of the Executive Council. Tenure of appointment of the teacher-member shall coincide with the membership to the Executive Council, and shall not, in any case, exceed two years.

The Committee may invite an academician, or any distinguished person to be nominated by the Vice Chancellor in the meeting.

The Standing Committee shall have powers to invite any person or persons for specific purpose or as Permanent Invitee.

The Standing Committee shall meet as frequently as may be necessary and expedient.

The Vice Chancellor of the University shall preside over the meetings of the Standing Committee. In his absence, the Treasurer shall preside.

Four members of the committee shall form a quorum. In the case of difference of opinion among the members, the opinion of the majority shall prevail.

The term of appointment of a member of the Executive Council other than ex-officio member shall be for a period of three years.

DT: 16/9/2006.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
✓ 9.	Amendment to the composition of Standing Committee.	<p>The Executive Council in its 17th Meeting dated 7th August 2004 resolved to constitute a Standing Committee.</p> <p>The first meeting of the Standing Committee was held on 16th October 2004. The Committee met twelve times to deal with 188 items of agenda till date.</p> <p>Based on the experience of the past two years, it was felt that certain changes in composite and functions of the Committee may be expedient. Accordingly, following amendments to the regulation governing the setting up and functions of the Standing Committee are proposed.</p> <ol style="list-style-type: none"> 1. Clause (a) may be amended to read as follows: "Save and except the post of the Vice Chancellor or the posts of Registrar, Librarian, Professors, Associate Professors and Assistant Professors on regular basis, to create academic, administrative, ministerial and other necessary posts, to determine the number and emoluments of such posts, to specify minimum qualifications for appointment to such posts in such manner and on such terms and condition of service as may be prescribed by regulations in this behalf." 2. Composition of the Standing Committee may be amended as follows : " The Standing Committee shall be composed of the following members : <ol style="list-style-type: none"> i) The Vice Chancellor ii) The Treasurer iii) The Judge of the High Court, Calcutta nominated to the Executive Council by the Chancellor. iv) One Lawyer nominated by the Executive Council. v) The Advocate General. vi) The Additional Advocate General vii) The Secretary to the Govt. of West Bengal, Judicial Department or in his absence, a senior officer of the Judicial Department as may be nominated by the Law & Judicial Department, Govt. of West Bengal. viii) The Secretary to the Govt. of West Bengal, Finance Department or any other senior officer of the Department of Finance, Govt. of West Bengal, to be nominated by the Government of West Bengal. 	

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
		<p>ix) The Secretary to the Govt. of West Bengal, Higher Education Department or in his absence, or in his absence any other senior officer of the Department nominated by the Government of West Bengal.</p> <p>x) Two teachers of the University to be nominated by the Vice Chancellor by rotation. Tenure of appointment of teacher-member shall not exceed two years."</p> <p>3. Following paragraph may substitute the last paragraph of the Resolution of 07.08.2004. "The term of the office of the members of the Standing Committee, unless dissolved or reconstituted by the Executive Council earlier, shall be five years."</p> <p><u>RESOLUTION</u> The Council approved the proposal to amend the regulations governing the setting up and functions of the Standing Committee adopted vide the Resolution at its 17th Meeting dated 07.08.2004 with immediate effect.</p>	