

Minutes of 33rd Academic Council Meeting held on 30/11/2018

Members present:

Mr. Amit Talukdar – Vice Chancellor (Acting)

Smt. Sikha Sen – Registrar (Acting)

Prof. (Dr.) A. Lakshminath

Prof. Saikat Maitra

Mr. Asoke Deb

Prof. (Dr.) Arup Kumar Poddar

Prof. (Dr.) TVGNS Sudhakar

Prof. (Dr.) Sreenivasulu N.S.

Prof (Dr.) Sandeepa Bhat B.

Prof. (Dr.) Anirban Mazumder

Dr. Anupama Ghosal

Ms. Vaneeta Patnaik

Agenda	Resolution
1. Confirmation of minutes of 32nd A.C. meeting	Regarding point no. 2 of 32 nd A.C. meeting an enquiry committee was set up by the Academic Council in its 32 nd A.C. meeting consisting of Poonam Saxena, Vice Chancellor and Prof. A. Lakshminath Pro Chancellor, CNLU Patna to look into the delay in the declaration of result and fix the responsibility. Since Prof. Poonam Saxena has resigned from the Committee, the Committee became non functional. Prof. A. Lakshminath expressed his inability to continue as member of the Committee. He suggested that Prof. Saikat Maitra, Vice Chancellor of the Maulana Abul Kalam Azad

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	<p>University of Technology to be appointed as the one man Enquiry Committee. The Committee will submit its report within two months. Dr. Anupama Ghosal will assist the Committee.</p> <p>Rest of the points of the minutes of the 32nd A.C. meeting is confirmed.</p>										
<p>2. <u>Petition filed against Distance Education and Online Courses at WBNUJS (Deferred Agenda from 32nd Academic Council Meeting)</u></p> <p>This has reference to the note put up by Prof. Arup Kumar Poddar, regarding a petition filed by Advocate Pinaki Ranjan Banerjee, of the Calcutta High Court, addressed to the Chancellor dated 09.09.2017 against Distance Education and Online Courses at WBNUJS. The same may be found attached herewith as Annexure 2.</p> <p>Put up for perusal and further directions of the honourable members please.</p>	<p>Prof. (Dr.) Arup Kumar Poddar has raised an objection to the effect that the petition put up by him involved the name of two members of the Academic Council and in all fitness of things ^{they should have} recused themselves from the meeting before the decision was taken on the concerned agenda. Prof. Sreenivasulu raised another point to the effect both Prof. Poddar and the other members concerned should not be part of the meeting on that particular agenda. Ms. Vaneeta Patnaik has raised the genuinity of the petition filed by Advocate Pinaki Ranjan Banerjee dated 9th September, 2016 as whereas Prof. Bhat and Prof. Mazumder was of the view as reiterated earlier that the same being addressed to the Chancellor the Committee should not delve into the same for the present.</p> <p>After recording the objection of all concerned this matter is further adjourned.</p>										
<p>3. <u>Issue relating to appropriate steps to be taken by University on the recommendations of the Review Commission as directed by the Hon'ble Chief Justice of India, Chancellor, WBNUJS ((Deferred Agenda from 32nd Academic Council Meeting))</u></p> <p>Point</p> <table border="1"> <thead> <tr> <th>Nos.</th> <th>Subject</th> </tr> </thead> <tbody> <tr> <td>14</td> <td>Strengthen Accountability Mechanisms</td> </tr> <tr> <td>15</td> <td>Strengthen Grievance Redress</td> </tr> <tr> <td>16</td> <td>Reform and Strengthen Career Advancement Policies</td> </tr> <tr> <td>17</td> <td>Make Selection Processes Objective and</td> </tr> </tbody> </table>	Nos.	Subject	14	Strengthen Accountability Mechanisms	15	Strengthen Grievance Redress	16	Reform and Strengthen Career Advancement Policies	17	Make Selection Processes Objective and	<p>Let a meeting be fixed for dedicating the discussion fully on the Review Commission Report. As suggested by Prof. A. Lakshminath a sub-committee be formed by the Professors who are members of the Academic Council to look into and deliberate in respect of Item No. 14, 16 and 20 of the URC. The Committee will have liberty to interact with other stakeholders of the University as deem fit and proper. They will prepare the report within one month and place it before the next Academic Council meeting.</p>
Nos.	Subject										
14	Strengthen Accountability Mechanisms										
15	Strengthen Grievance Redress										
16	Reform and Strengthen Career Advancement Policies										
17	Make Selection Processes Objective and										

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<p>Independent</p> <p>20 Introduce Specialized Streaming in the LL.B. course</p>	
<p>4. <u>Issue relating to date and year of passing of B.A./LL.B (Hons.) by Ms. Shreyoshi Ray (Deferred Agenda from 32nd Academic Council Meeting)</u></p> <p>Facts: Ms. Shreyoshi Ray (ID No.: 211110) belongs to 2011 batch of LL.B course. Rest of students of her batch were conferred degree in the Eleventh Convocation dated 13th November 2016, whereas Ms. Shreyoshi Ray could not be conferred degree during the Convocation as she could not clear one of her subjects “Child Rights & Law” – taught by Ms. R. Goswami.</p> <p>Subsequently she cleared her subject of Child Rights and Law in March 2017 (result received from the course teacher on 10.03.2017 and it was published on 10.03.2017 – attached as Annexure 2).</p> <p>Ms. Ray was issued a provisional degree certificate as she fulfilled the requirement of her degree, mentioning her year of graduation as 2017 (copy attached as Annexure 3). Later on she appealed to the Vice Chancellor for revision of the year of awarding degree in the Provisional degree certificate and requested her year of graduation be made as 2016 in place of 2017 (copy attached as Annexure 4). After consultation with the course teacher, Ms. Ruchira Goswami, Vice Chancellor decided that the date of submission of project to be considered, not the date of publication of result</p>	<p>Resolved earlier as per Agenda Item No. 1 relating to Confirmation of minutes of 32nd A.C. meeting.</p>

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(copy attached as **Annexure 5**).

The Vice Chancellor responded to her appeal and directed to reissue a provisional degree certificate mentioning the year of graduation as November 2016 without withdrawing the previous provisional certificate (copy attached as **Annexure 6**).

Since she could not qualify for degree because of not passing one subject in 2016, she could not be awarded the degree during the Convocation in 2016. However, she was eligible for her degree in the Twelfth Convocation held on 10th December 2017. But she was not present in the Convocation and could not take her degree.

Along with other degree certificates conferred during this convocation date of graduation in her certificate was also mentioned as date of graduation as 2017.

Once she received the certificate, Ms. Ray brought to the knowledge that the year of awarding the certificate is wrong. A. R. (Academic) apprised the matter to the Vice Chancellor and the Vice Chancellor directed orally to AR (Academic) to get a fresh degree certificate printed with the details of revised provisional certificate. Accordingly Academic section got printed the certificate and placed it before the Vice Chancellor and Prof. P. Ishwara Bhat also signed the certificate (copy attached as **Annexure 7**) and asked me to provide facts of the case before sending it to the Chancellor of the University.

The facts of the case of Ms. Shreyashi Roy was placed (copy of the note attached as **Annexure 8**). After perusal of the facts, the Vice Chancellor did not forward the certificate to the

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<p>Chancellor for his signature as he expressed that the date of awarding of the degree should be 2017 not 2016 (copy of the note attached as Annexure 8).</p> <p>Put up for perusal and further directions of the honourable members please.</p>	
<p><u>5. Application submitted by Mr. Ribhu Mukherjee a UG Student (Law) at NALSAR University and studying 7th Semester regarding for allowing him to from NALSAR to NUJS, to continue his study on Medical grounds.</u></p> <p>The application of Mr. Ribhu Mukherjee is annexed herewith for the perusal of this Hon'ble Member. The applicant is suffering from Blood Cancer. The applicant is from Kolkata and if he is allowed to study at NUJS, Kolkata it would be a great help to him.</p> <p>Submitted for perusal & further direction please.</p>	<p>Considering this plea on humanitarian grounds, the Academic Council resolves that the applicant may be asked to route his application through the Vice Chancellor of NALSAR Law University, Hyderabad. After receiving his application the matter will be decided in the next Academic Council meeting or by circulation whichever is earlier.</p> <p style="text-align: right;">5/12/18</p>
<p><u>6. Clarification of the Seniority of Professors</u></p> <p>Attached herewith please find the application submitted by Ms. Vaneeta Patnaik dated 25th July 2018 a faculty member of NUJS, to the Vice Chancellor seeking clarification on the Seniority of Professor.</p> <p>Submitted for your perusal and further direction to this effect.</p>	<p>It is unanimously resolved that this matter should be referred to the Executive Council for its decision. Prof. (Dr.) Arup Kumar Poddar has given his personal view to the effect that the case law (Rashmi Srivastava case, (1995) 3 SCC 653) cited in the petition has been subsequently overruled by the Supreme Court in Prof. S.A. Siddiqui case (Decided on 11/01/1999) and did not accept the ration of Rashmi Srivastava case. According to Regulation No. 16.2 of the UGC Regulation 2010 clearly says about the inter se seniority and accordingly the directly recruited Professors, the date of seniority shall be counted from the date of joining and Professor appointed under CAS, the date of seniority shall be the date of eligibility to become the Professor.</p>

7. Admission of Undergraduate students to degree (LL. B.) who have successfully completed the degree examination and declared passed to award degree certificate 2018 – 19.

Considered and approved.

Placed herewith please find the list of successful students of Undergraduate Course who would be admitted to degree (LL. B.) during this Convocation.

It is informed that the examination papers of LL. B. examination are being evaluated by internal / external examiners. It is proposed that in case a student complete his subject and passed successfully the Vice Chancellor may be authorised to consider his / her case to admit his / her degree during the forthcoming Convocation.

Submitted for your perusal and further direction please.

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8. Admission of Post Graduate student for the degree (LL. M.) who have successfully completed the degree examination (LL. M.) and declared passed for University degree certificate during Convocation.

Considered and approved.

Annexed herewith please find the list of successful students of Post Graduate Examination (LL. M.) who would be admitted to degree (LL. M.) during the

Convocation.

It is informed that the examination papers of LL. M. examination are being evaluated by internal / external examiners. It is proposed that in case a student complete his subject and passed successfully the Vice Chancellor may be authorized to consider his / her case to admit his / her degree during the forthcoming Convocation.

Submitted for your perusal and further direction please.

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9. Admission of Doctoral Students to the degree Ph. D. who have successfully completed the degree (Ph. D.) and declared passed for University degree certificate during Convocation.

Attached herewith please find the list of successful candidate for admission to degree (Ph. D.) during the Convocation.

It is informed that the examination papers of Ph. D. examination are being evaluated by internal / external examiners. It is proposed that in case a student complete his subject and passed successfully the Vice Chancellor may be authorised to consider his / her case to admit his / her degree during the forthcoming Convocation.

Submitted for approval, please.

Considered and approved.

<p>10. <u>Adoption of U. G. C. Regulations on Minimum Qualification for appointment of Teachers and other Academic Staff in Universities and Colleges and measures for the Maintenance of students in Higher Education 2018.</u></p> <p>Attached herewith please find the U.G.C. notification no. No. F.1-2/2017(EC/PS) dated 18th July 2018 on Minimum Qualifications for appointment of Teachers and Other Academic Staff in Universities and colleges and Measures for Maintenance of Students in Higher Education 2018.</p> <p>Submitted for your perusal and further direction please.</p>	<p>Considered and approved.</p>
<p>11. <u>Resignation of Professor Poonam Saxena for the Enquiry Committee</u></p> <p>Professor. Poonam Saxena, the Vice Chancellor of the NLU, Jodhpur, was appointed as a committee member of the enquiry committee constructed by the Academic Council vide its 32nd meeting dated 10th May 2018 to enquire the circumstances which led to the delay in the declaration of result of Ms. Shreyoshi Roy (ID. No. 211110) a LL. B. student.</p> <p>Prof. Poonam Saxena, has submitted her resignation from the said enquiry Committee because of her pre occupation and certain unavoidable circumstances. (Placed as Annexed)</p>	<p>Considered and approved.</p>

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<p>Matter was circulated among the Academic Council Members. Some of the members have recommended for acceptance her resignation.</p> <p>Submitted for perusal and further direction please.</p>	
<p>12. <u>Report on admission of U.G. & P.G. course (UG/PG) for the Academic Session 2018 – 19.</u></p> <p>Attached herewith find the list of students who have been admitted for academic session 2018 -19.</p> <p>(a) Under Graduate (LL. B.) (b) Post Graduate (LL. M.)</p>	<p>Considered and approved.</p>
<p>13. <u>Allotment of subjects for awarding gold medal donated by Mr. R.N. Jhunjunwala and Rabindra Jhunjunwala , Advocates and partners of Khaitan & Co., Advocates</u></p> <p>It is brought to the knowledge that 40 nos. Memorial Gold Medals endowment have been donated by Mr. R.N. Jhunjunwala & Rabindra Jhunjunwala, Advocates and partners of the Khaitan & Co., Advocates to the University.</p> <p>Accordingly, subjects for the LL.M. & LL.B. course for awarding memorial gold medals have been allocated and the list is put up for the perusal and approval of the</p>	<p>Considered and approved.</p>

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<p>Hon'ble Members. Medal will be awarded in the forthcoming Convocation of the University.</p>	
<p>14. <u>Round up of marks for arithmetical calculations</u></p> <p>University awards 'C' grade as 'pass' to the LL.B. Course with 40 marks. It has been observed that as per the calculation of the components 39.50 becomes to 'C' grade as thus the candidates passed the subject.</p> <p>It is proposed that 39.50 may be rounded off to 40 for reflection in the mark sheet.</p> <p>Submitted for perusal and further direction please.</p>	<p>The Council considered and approved the rounding of marks for arithmetical calculation to the next higher figure.</p>
<p>15. <u>Amendment in Ph. D. Regulations 2017</u></p> <p>Amendment in Ph. D. Regulations 2017 in respect of research advisory committee and its functions as provided by the Ministry of Human Resource Development by its Notifications dated 5th May 2016 Titled (Minimum Standard and Procedure for Award of M. Phil. / Ph. D. Degree Regulation 2016)</p> <p>Submitted for perusal and further direction please.</p>	<p>All the three adjudicators of Ph.D. thesis shall be external only and preferably shall be from the outside the State. The defence of the thesis by the candidate shall be through open viva and in accordance with the UGC regulations dated 5th May, 2016.</p>

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<p>16. <u>UGC Notification as Open & Distance Learning Education 2017</u> Annexed herewith please find the UGC Notification No. F. 2-4/2015 (DEB-III) dated 23rd June 2018. Submitted for the perusal for Hon'ble Members and further direction.</p>	<p>Considered and approved for adoption by the University. If any internal regulations exists those needs to be amended accordingly.</p>
<p>17. <u>First Amendment Distance Education Board (Open & Distance Learning) Regulation 2017 (First Amendment)</u> Attached herewith please find the notification of UGC (Open & Distance Learning) Regulation 2017 (First Amendment) for the perusal of the Hon'ble Members and further direction of the effect.</p>	<p>Considered and approved for adoption by the University. If any internal regulations exists those needs to be amended accordingly.</p>
<p>18. <u>UGC (Online Course or Programme) Regulations 2018</u> Attached herewith please find UGC Notification dated 4th July 2018 for the perusal of the members and further direction.</p>	<p>Considered and approved for adoption by the University.</p>
<p>19. <u>Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions) Regulations, 2018</u> Attached herewith please find UGC Notification No. F. 1-18/2010(CPP-II) dated 23rd July 2018 on the above subject for the perusal of the Hon'ble Members and further direction to the effect.</p>	<p>The Academic Council considered and directed that the existing plagiarism rule in respect of Under graduate course (LL.B.) to be continued for the Winter Semester, 2018. The rules proposed would need to be in consonance with the prevailing plagiarism regulation for the Under graduates and to be given effect with effect from Monsoon Semester, 2019.</p>

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<p>20. <u>UGC Regulation M. Phil. – Ph. D. 2nd Amendment 2018</u></p> <p>Attached herewith please find the UGC Notification dated 18th October 2018 in respect of (Minimum Standard & Procedure for award of M. Phil. / Ph. D. Degrees) (2nd Amendment) Regulation 2018 for the perusal of the Hon'ble Members and further direction to this effect.</p>	<p>Considered and approved for adoption by the University. If any internal regulations exists those needs to be amended accordingly.</p>
<p>21. <u>UGC Notification as Open & Distance Learning Education 2017 – 2nd Amendment</u></p> <p>Annexed herewith please find the UGC Notification No. F. 2-4/2015 (DEB-III) dated 6th February 2018.</p> <p>Submitted for the perusal for Hon'ble Members and further direction.</p>	<p>Considered and approved for adoption by the University. If any internal regulations exists those needs to be amended accordingly.</p>
<p><u>AA 1. Application of Mr. Shivam Sharma (I.D. No. 215020), for promotion to the 3rd year</u></p> <p>Mr. Shivam Sharma (I.D. No. 215020) has failed in English – II, a first year subject which debars him to be promoted to 3rd year in terms of eligibility for promotion to the third year (application attached as Annexure 1AA).</p> <p>Whereas, the applicant could not appear in English – II repeat examination during April 2018 because of his medical problem.</p> <p>The Undergraduate Council (U.G.C.) has allowed him to appear the said examination in the Winter Semester 2018.</p> <p>Thus, the applicant is stuck off from the promotion to 3rd year because of first year backlog.</p> <p><u>AA 2. Inclusion of additional names of external examiners for evaluation of examination papers/ Thesis/ Dissertation for the Ph.D/ M.Phil /LL.M candidates</u></p> <p>Attached herewith please find a list of names of the external examiners for evaluation of examination papers such as thesis, dissertation and examination papers of Ph.D, M.Phil & LL.M candidates (attached as Annexure 2AA).</p> <p>These names are in addition to the existing approved list of examiners.</p> <p>Put up for the perusal and approval of honourable members.</p>	<p>The Academic Council considered the prayer of Mr. Shivam Sharma and given the fact that the student had attended all the classes of the 5th semester and hence, the Academic Council authorizes the Vice Chancellor to permit him and any other similarly situated students to continue without a year back.</p> <p>Considered and approved.</p>

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Representation by SJA – President and Vice President before the Academic Council on academic matters

The members of the Academic Council has given a patient hearing to the SJA President and Vice President and considered their requests and it is resolved that University will implement the report of sub-committee of Academic Council on academic reforms.

Student's request for having Academic Council meeting not less than four times in a year is positively considered subject to the convenience of the Academic Council members.

Student's request regarding expediting enquiries is also positively noted subject to availability of the Enquiry Committee members.

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