

Minutes of 35th Academic Council Meeting held on 10/05/2019

MINUTES OF THE THIRTY FIFTH MEETING OF THE ACADEMIC COUNCIL OF WBNUJS
held on 10th May, 2019 at Dr. Ambedkar Bhavan, 12 LB Block, Sector – III, Salt Lake,
Kolkata – 700098.

The thirty fifth meeting of the Academic Council was held on Friday, 10th May, 2019 at Dr. Ambedkar Bhavan, Salt Lake, Kolkata – 700098.

The following members were present:-

1. MR. AMIT TALUKDAR
Vice-Chancellor, Chairman, Academic Council, WBNUJS, Kolkata.
2. PROF. SAIKAT MAITRA
Member, Academic Council.
3. MR. B. BADONIYA
Member, Academic Council.
4. PROF. (DR.) S. S. SINGH
Member, Academic Council.
5. SHRI ASOKE DEB
Member, Academic Council.
6. PROF. (DR.) ARUP KUMAR PODDAR
Member, Academic Council.
7. PROF. (DR.) T. V. G. N. S. SUDHAKAR
Member, Academic Council.
8. PROF. (DR.) SANDEEPA BHAT B.
Member, Academic Council.
9. PROF. (DR.) ANIRBAN MAZUMDER
Member, Academic Council.
10. DR. ANUPAMA GHOSHAL
Member, Academic Council
11. DR. BIKRAMJIT DE
Member, Academic Council.
12. DR. KAVITA SINGH
Member, Academic Council.
13. DR. LOVELY DASGUPTA
Member, Academic Council.

SMT. SIKHA SEN, Registrar (Acting), WBNUJS, was also present in the Academic Council Meeting.

PROF. (DR.) M.K. SINHA, PROF. (DR.) FAIZAN MUSTAFA, PROF. POONAM SAXENA, PROF. (DR.) SREENIVASULU N.S. & MR. KISHORE DATTA could not attend the meeting.

At the outset the Chairman welcomed the members and started the proceedings of the Academic Council Meeting.

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Agenda	Resolution
<p>1. <u>Confirmation of minutes of 34th meeting</u></p> <p>The Minutes of the 34th Meeting of the Academic Council, held on 30.01.2019 as attached (at Annexure-1) is placed for confirmation of the honourable members.</p> <p>Encl: "Annexure-1" - Minutes of the 34th Meeting of the Academic Council</p>	Confirmed.
<p>2. <u>Nomination and Introduction of new Academic Council member</u></p> <p>Matter will be placed before the members on the table during Academic Council meeting.</p> <p>Encl: "Annexure-2" -</p>	Nomination approved.
<p>3. <u>Petition of Mr. Arjun Agarwal dated 23.04.2019</u></p> <p>Details are placed before the members as Annexure - III.</p> <p>Submitted for perusal and direction of the hon'ble members.</p> <p>Encl: "Annexure-3" – Petition of Mr. Arjun Agarwal.</p>	The matter appeared before the Academic Council. It was discussed in details. Finally, it is resolved that this matter belongs exclusively to the domain of the Executive Council. Accordingly, it is referred to the Executive Council.

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<p><u>4. Report on the one man Enquiry Committee set up by the Academic Council to look into the delay in the declaration of result and fix the responsibility.</u></p> <p>Prof. Saikat Maitra, Vice-Chancellor, of the Moulana Abul Kalam Azad University of Technology, Kolkata conducted the inquiry. He has submitted the report to the Chairman of the Academic Council of WBNUJS.</p> <p>The report is to be placed on the table of the during the Academic Council meeting - Annexure IV</p> <p>Hon'ble members may direct further course of action accordingly.</p> <p>Enclo: "Annexure - 4" –</p>	<p>With the leave of the Hon'ble members the sealed cover is opened.</p> <p>The Hon'ble members perused the report. Considered the same. It is decided that the report be placed before the Executive Council for its kind consideration.</p>
<p><u>5. Confirmation of agenda by circulation in respect of Memorandum of Understanding (MOU) between the WBNUJS & the NALSAR, Hyderabad in respect of student exchange programme in relation to the transfer of Mr. Ribhu Mukherjee, a student of NALSAR, Hyderabad to the WBNUJS on Medical grounds.</u></p> <p>The appropriate authority of WBNUJS has vetted the said MOU and has forwarded sent it to NALSAR, Hyderabad for their needful action. The</p>	<p>In principle the Academic Council accepted the MOU in between the two institutions NALSAR and NUJS. However, the operational side of the Academic Exchange programme will be worked out keeping in view of the individual cases. This is submitted for approval for the Executive Council.</p> <p>It is further resolved that the Vice Chancellor of NUJS may sign on behalf of the University the MOU forwarded by the Vice Chancellor, NALSAR vide Letter No. NALSAR/VCO/23/2019 dated May 3, 2019 on approval of the Executive Council.</p>

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<p>WBNUJS is waiting to get the signed MOU from Vice-Chancellor of NALSAR, Hyderabad. – Annexure V</p> <p>Enclo: “Annexure-5” –</p>	
<p>6. <u>Request for the One year LL.M students to remove ‘R’ (Repeat) against their marksheet/ transcript.</u></p> <p>Request for the One year LL.M students to remove ‘R’ (Repeat) against their marksheet/ transcript for clearing the concerned subject after being failed in first attempt and thus clearing the subject to subsequent repeat attempt. - Annexure VI</p> <p>As per existing regulations governing the LL.M examinations, Regulations 2013, a student who clears a subject by appearing in repeat examination, the sign ‘R’ will be annotated against that subject and reflected in Transcript/marksheet. - Annexure VII</p> <p>Submitted for the perusal of the hon’ble members and request for appropriate</p>	<p>Application considered. It is not allowed.</p>

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<p>direction in this matter.</p> <p>Enclo: "Annexure -6" –</p>	
<p>7. <u>Proposal for consideration to abolish the system of improvement exams for LL.B course</u></p> <p>Proposals received from Mr. Shouvik Guha and Mr. Saurabh Bhattacharya, faculty members from WBNUJS requesting for consideration to abolish the system of improvement exams for LL.B course and amend the existing Academic & Examination regulations 2012 accordingly for the new batch of 2019 onwards - Annexure VII</p> <p>As per the existing position of Academic & Examination regulations 2012, there is a position to have a improvement exam for the successful candidates to upgrade their marks/ GPA. It is also one of the conditions of improvement exam that once a candidate writes the improvement exam for a subject/ subjects his/ her</p>	<p>It was decided to appoint a Committee under the Chairmanship of Prof. Saikat Maitra, Vice Chancellor, MAKAUT to have a report on all the three agenda item no. 7, 8 & 9 of 35th Academic Council meeting dated 10th May, 2019. The Chairman has the liberty to co-opt other members if required.</p> <p>This report needs to be presented before the Academic Council for deliberation.</p>

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improvement result shall be considered and previous result of the subject concerned shall stand cancelled.

It has been found that many a students fails after improvement examination and thus lands in trouble since the previous result on the subject stand cancelled and lot of applications are submitted for reconsidering the case, i.e. to uphold the previous result of improvement paper.

In view of the above facts & circumstances, and considering the opinion of the faculty members the hon'ble members are requested to give direction accordingly.

Encl: "Annexure -7" –

8. Proposal to hold repeat examination alongwith end semester examination only

As per the existing practice as prevailing earlier semester in consonance with the Academic & Examination Regulations 2012, repeat examinations for unsuccessful candidates to be held after

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declaration of results of the end semester examinations. Thus, the University has to hold the examinations four times in an academic year.

It is also, to be noted that in the upto year 2011 repeat exam is to be held only with the main exams. As a result in an Academic year there is to be only 02 exams. For the candidates who genuinely failed and to provide them scope for promotion to the next higher class, repeat exams were introduced from 2012. But, this provision has been misused. The students are misusing the current system by writing the repeat exams avoiding the end semester examination. Thus they are abusing Regulations to write in the repeat without 'R'.

Secondly, due to this repeat examination regular classes are hampered for the students (repeaters) and declaration of the results thus gets delayed which results in delay to promotion to the higher class and University has to

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promote provisionally to next higher class subject to the result of the repeat exams. It has been found that even after the repeat results, the student could not fulfill the eligibility criteria for promotion and thus failed and retained his previous class and this provisional promotion system brings litigation for the University in the Court of Law.

Thirdly: The faculty members are busy to frame question paper for repeat examinations, evaluation of examination papers.

Therefore it is proposed to hold the repeat examinations alongwith the end semester examinations thus reducing the time for both the students, faculty & the administration. This is may be effected from the Monsoon semester 2019 onward and existing regulations pertaining to repeat exams may be amended accordingly. It is to considered that there was a situation where huge backlogs & failure is to take place and

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this warranted the provisions of repeat exams immediately after declaration of semester result.

But the situation has changed with the change of pass marks from 50% to 40%.

In view of the above facts and circumstances it is proposed to hold the repeat exams along with the end semester examination and thus dispensing the present practice of holding repeat exams immediately after the declaration of end semester examination separately for each semesters.

Submitted for the perusal and direction of the members.

9. Rationalization of swapping of elective course with earned credits for (undergraduate) LL.B course

As per the existing provision of Academic & Examination Regulations 2012, a student who has earned credits equivalent to an elective course is allowed to swap an

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elective course. It is also provided that a student can swap any number of elective by equivalent credits earned.

In course of dealing with the examination system it is found that the evaluation pattern of an elective course do not have any parity with credit courses. The marks awarded in the Credit course are extremely high and there is provision of Moderation of results of credit courses and more over credit courses are not taught by regular faculty member of the University. Similarly, the tenth semester students face difficulty to swap the credits earned with the elective.

It is to be appreciated that University offers elective courses with a definite purpose and for the better prospects of the students. Once the fragmented credits are swapped for better CGPA the purpose of the elective course gets defeated.

Therefore, in view of the above facts and circumstances, it is proposed that –

- i) The evaluation pattern of the Credits

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course must be exactly similar if it is allowed to swap an elective course.

ii) The earned credits may be substituted in lieu of an elective at the beginning of the semester as elective courses are opted for. All parameters may be followed as followed for elective courses for credit course also in terms of evaluation and pattern of examination.

If the earned credits are allowed, then it should be at the beginning of the semester as followed for elective courses.

Secondly, swapping of elective with earned credits by credit course may be limited to.

The proposal may be perused and direction may be given by the hon'ble members.

10. Application of Mr. Kumarjit Ray, Assistant Professor (Law) appointed on Ad hoc basis requesting for giving the benefit of 7th Central Pay Commission upgradation to his scale.

The candidate may be advised to apply to the Executive Council for consideration of his prayer through proper channel.

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Application is attached for the perusal of the hon'ble members - **Annexure X**

On the other hand a note has been prepared by the University describing the mode of appointment of Mr. Ray and the appropriate authority also directed to place note before the hon'ble Academic members for their perusal and consideration-in relation to Mr. Ray's request for availing benefit of 7th CPC to Mr. Ray.

Enclo: "Annexure - 10" -

11. Intimation of Mr. Kumarjit Ray, as ad hoc faculty member, unable to offer Clinic I, a compulsory subject to the fifth year LL.B course

Mr. Kumarjit Ray, an ad hoc, Assistant Professor in Law was asked by the appropriate authority to teach Clinic I, a compulsory subject for the fifth year students of LL.B. Mr. Ray taught this subject earlier also.

Mr. Ray vide his email dated 23 April 2019 communicated he is unable to offer Clinic I. - **Annexure XI**

The matter is placed before the hon'ble members for their direction please.

Enclo: "Annexure - 11" -

The Academic Council is not entertaining the plea of Mr. Kumarjit Ray based on academic ground.

It is further resolved that the matter may be placed before the Executive Council for their decision.

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<p><u>12. Application of Mrs. Anuradha Roychoudhury, a guest faculty (Law) requesting for increase her salary from existing one.</u></p> <p>Submitted for perusal and direction of the hon'ble members. Annexure XII</p> <p>Encl: "Annexure -12" –</p>	<p>The matter will be referred to the Finance Committee (F.C.) for an observation regarding similar previous cases entertained and financial norms for entertaining this kind of request and financial liability to be accrued upon out of this exercise. Afterwards a joint meeting of Academic Council and Finance Committee will be convened to take an appropriate decision on this matter.</p>
<p><u>13. Proposal from the West Bengal Police Directorate, Kolkata for setting up an institutional mechanism for interaction of Final year students of NUJS, Kolkata with Police officers on local matters including Forensic aspects</u></p> <p>The relevant papers received for the West Bengal Police Directorate, Kolkata is put up for the perusal and direction for the Hon'ble members please. - Annexure XIII</p> <p>Encl: "Annexure -13" –</p>	<p>It is resolved that Dr. Kavita Singh and Mr. Faisal Fasih will look into the matter as coordinator of this project in collaboration with the Director of CFSL, Mr. B. Badoniya and the West Bengal Police Directorate, Kolkata will prepare a project report.</p>

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<p>14. <u>A proposal received from Increasing Diversity by Increasing Access to Legal Education (IDIA) requesting for setting up an Accessibility Laboratory for visually challenged students at WBNUJS, Kolkata</u></p> <p>The said proposal forwarded by Prof (Dr.) Shamnad Basheer, Managing Trustee, IDIA is put up for the perusal and the direction of the Hon'ble members.</p> <p>Enclo: "Annexure -14" –</p>	<p>Mr. Shouvik Kr. Guha, a faculty of this University is entrusted with the responsibility to work out the modalities of the proposed activities and thereafter report be placed before the Vice Chancellor which will be placed before the Executive Council.</p>
<p>15. <u>Petition filed against Distance Education and Online courses at WBNUJS (deferred agenda from 32, 33 & 34 Academic Council meeting)</u></p>	<p>The Agenda Item is connected with Agenda No. 3 and will be placed before the Executive Council.</p>
<p>Any other points if authority feels, may be placed on the table for the perusal of the hon'ble members.</p>	

There being no further points the meeting ended at 1:20 P.M.

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