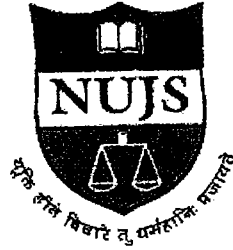


The West Bengal National University of Juridical Sciences



AGENDA NOTES FOR THE 39<sup>th</sup> MEETING OF THE

EXECUTIVE COUNCIL

TO BE HELD ON 14<sup>th</sup> JULY 2012 AT 11:00 A.M.

AT DR.AMBEDKAR BHAVAN, SALT LAKE, KOLKATA

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

**39<sup>th</sup> MEETING OF THE EXECUTIVE COUNCIL**

**14<sup>th</sup> JULY, 2012 AT 11: 00 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**

**39<sup>th</sup> Meeting of the Executive Council**

**14<sup>th</sup> July 2012**

**AGENDA NOTES**

Agenda Item No. 1    Confirmation of the Minutes of the 38<sup>th</sup> Meeting of the  
Executive Council held on 3<sup>rd</sup> March, 2012.

Minutes of the 38<sup>th</sup> Meeting of the Executive Council of WBNUJS held on 3<sup>rd</sup> March, 2012 are  
enclosed as **Annexure 1A** for confirmation.

**W. B. NATIONAL UNIVERSITY OF JURIDICAL SCIENCES**

**Dr. Ambedkar Bhavan**

**Salt lake, Kolkata**

**Minutes of the Thirty-eighth Meeting of the Executive Council of**

**W.B. National University of Juridical Sciences**

**Held on 3 March, 2012**

**At Dr. Ambedkar Bhavan, Salt lake, Kolkata.**

The Thirty – eighth Meeting of the Executive Council was held on 3 March , 2012 at Dr. Ambedkar Bhavan, Salt lake, Kolkata. Following Members were present :-

1. Prof. P. Ishwara Bhat  
Vice Chancellor and Chairman, Executive Council  
NUJS, Kolkata.
2. Hon'ble Mr. Justice Chittatosh Mookerjee,  
Former Chief Justice of Calcutta & Bombay High Courts,  
Kolkata.
3. Professor T.K. Oommen,  
Emeritus Professor,  
School of Social Systems,  
Jawaharlal Nehru University, New Delhi
4. Mr.Dipankar P.Gupta, Special Invitee,  
Senior Advocate, Supreme Court of India, New Delhi,
5. Mr. Samaraditya Pal  
Senior Advocate & Barrister  
Kolkata
6. Mr.Nisith Adhikary  
Additional Advocate General  
West Bengal
7. Mr.B.K..Srivastava,  
Principal Secretary to the Government  
of West Bengal(In Charge),Judicial Department, Kolkata
8. Professor Shamnad Basheer  
IPR Chair Professor  
WBNUJS,Kolkata
9. Professor M.K.Sinha  
Professor (Law),  
WBNUJS,Kolkata.
10. Ms.Ruchira Goswami  
Assistant Professor (Sociology)  
WBNUJS,Kolkata
11. Ms.Jasmine Joseph,  
Assistant Professor(Law),  
WBNUJS,Kolkata,

Hon'ble Mr.Justice Altamas Kabir, Judge, Supreme Court of India, New Delhi, Hon'ble Mr.Justice P.C.Ghose,

Judge, Calcutta High Court, Kolkata , Hon'ble Mr. A.K.Mitra, Advocate General, West Bengal.Hon'ble Mr. Moley Ghatak,Minister in Charge, Law and Judicial Department, Govt. of West Bengal, , Prof.Ved Prakash Chairman,UGC,New Delhi, Mr.R.N.Dutta,Kolkata, Principal Secretary to the Govt. of West Bengal, Finance Department, Member, Principal Secretary to the Govt.of West Bengal,Higher Education Department.,Member, Prof.S.Chaudhuri, Director, IIM, Kolkata, could not attend the meeting due to preoccupations.

# The West Bengal National University of Juridical Sciences

## Minutes of the 38 Meeting of the Executive Council of WBNUJS held on 3<sup>rd</sup> March, 2012.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
1.	Confirmation of the minutes of the 37 <sup>th</sup> Meeting of the Executive Council held on 19 <sup>th</sup> November 2011.	<p>The Vice Chancellor ,Professor Dr.P.Ishwara Bhat welcomed the members to the meeting. This being his first Executive Council meeting subsequent to taking charge of the office of the Vice Chancellor. The Members of the Executive Council welcomed the Vice Chancellor to his first Executive Council meeting.</p> <p>The Minutes of the 37<sup>th</sup> Meeting of the Executive Council held on 19<sup>th</sup> November 2011 were confirmed with the following observations:</p> <p>For Agenda Item No: AA1;the resolution should read as:            "The Executive Council accepted the proposal for appointing Professor Pratap Bhanu Mehta as a Honorary Professor of the University for teaching courses in Public law, etc. since the University has discontinued the proposed M.Phil course on Law, Public Policy and Governance."</p>	The University has accordingly issued letter to Prof.Pratap Bhanu Mehta.
2.	Registrar's probation	<p>A report was be placed by the Vice Chancellor on the table of the meeting. The Registrar ,Dr.S.C.Mukhopadhyay's performance was assessed as "Good" by the Vice Chancellor.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council accepted the recommendation of the Vice Chancellor and confirmed the concerned employee.</p>	Office Orders have accordingly been issued.

3.	Letter from the Government of Tripura, Department of Higher Education	<p>The matter arises out of the 34<sup>th</sup> meeting of the Executive Council dated 8/1/2011.</p> <p>The Executive Council had directed that the University may explore the possibility of offering training courses ,etc to the faculty of the Tripura Government Law College. The University had accordingly written to the Government of Tripura.</p> <p>The University has now received a letter from the Government of Tripura, Directorate of Higher Education . A copy of the letter was placed.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal received from the Govt. of Tripura.</p>	<p>The University has accordingly entered into an MOU with the Govt. of Tripura.</p>
4.	Tenure of University Librarian	<p>The University Librarian joined the University on 9/12/2009 and he was given an extension of his service period for one year i.e. upto 14/6/2012. Dr.Thomas will turn Sixty two on 15/6/2012.</p> <p>The University has a provision for retirement of employees including that of the 'Librarian' at the age of sixty years. The University has also written to the State Universities and other Law Schools inquiring about the age of the Librarian. A Reply from NALSAR ,Hyderabad was received by the University and is given below:</p> <p>"Librarian at NALSAR is appointed on contract basis with consolidated pay. Hence, retirement rules do not apply to the said incumbent."</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council deferred the proposal to the next meeting.</p>	

5.	Renewal of tenure of Mr.N.Konar,Coordinator,SLP D	<p>Mr.N.Konar's one year tenure with the University has ended on 31/3/2012. The University proposes to renew his tenure for a further period of one year under the existing terms and conditions. Mr.Konar is currently drawing Rs.25000/-per month as consolidated pay.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council extended the tenure of Mr.N.Konar for a further period of one year w.e.f 1/4/2012 under the existing terms and conditions.</p>	Letter has accordingly been issued.
6	Renewal of tenure of Dr.S.K.Bhattacharya	<p>The tenure of Dr.S.K.Bhattacharya , University Doctor has ended on 31/3/2011. The University proposes to extend his tenure for a further period of one year w.e.f 1/4/2011 with his existing monthly consolidated pay of Rs.10000/- per month . Dr .Bhattacharya has been requesting for an enhancement of his consolidated pay.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council directed that the University may give an extension of six months to Dr.S.K..Bhattacharya under the existing terms and conditions. It also directed that the University should explore the possibility of entering into Institutional arrangements with nearby Nursing home/hospitals for availing of medical services.</p>	Letter has accordingly been issued.
7.	Leave application of Professor Shamnad Basheer, IPR Chair Professor	<p>The University has received a leave application from Professor Basheer for unpaid leave w.ef. 1/7/2012 to 31/12/2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the leave of Professor Basheer for a period of six months w.e.f 1/7/2012 to 31/12/2012 as extraordinary leave without pay.</p>	Letter has accordingly been issued. Prof.Basheer has gone on leave without pay w.e.f 1/7/2012.



8.	Confirmation of faculty members	<p>The following members of the faculty have completed one year of service in the University during the month of January 2012:</p> <p><b><u>I. Associate Professor(Law)</u></b>                      <b><u>Date of Joining</u></b></p> <p>1. Dr.A.Mazumder                      -                      11/1/2011</p> <p><b><u>II.Assistant Professor(Law)</u></b>                      <b><u>Date of Joining</u></b></p> <p>1.Dr.V.Devaiah                      -                      20/1/2011  2.Mr.Saurabh Bhattacharjee                      -                      20/1/2011  3.Mr.Daniel Mathew                      -                      11/1/2011</p> <p>The following is the assessment of their performance by the Vice Chancellor:</p> <p><b><u>I. Associate Professor(Law)</u></b>                      <b><u>Assessment</u></b></p> <p>1. Dr.A.Mazumder                      -                      Very Good</p> <p><b><u>II.Assistant Professor(Law)</u></b>                      <b><u>Assessment</u></b></p> <p>1.Dr.V.Devaiah                      -                      Very Good  2.Mr.Saurabh Bhattacharjee                      -                      Good  3.Mr.Daniel Mathew                      -                      Good.</p> <p>It is suggested by the Vice Chancellor that Mr.Saurabh Bhattacharjee and Mr.Daniel Mathew, who have presently no Ph.D or NET qualification; should involve in research work leading to their Ph.D within four years ,and that in case of failure ,their subsequent increments will be withheld.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the recommendation of the Vice Chancellor and confirmed the employees. In regard to Mr.Saurabh Bhattacharjee and Mr.Daniel Mathew the Executive Council directed that their services are confirmed ;however as recommended by the Vice Chancellor, since they do not have a Ph.D or NET qualification; they should begin research work leading to a Ph.D within four years(W.E.F 3/3/2012) ,and that in case of failing to do so ,their subsequent increments will be withheld.</p>	<p>Office Orders have accordingly been issued</p>
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9.	Minutes of the Finance Committee meetings of the University	<p>The minutes of the 61<sup>st</sup> , 62<sup>nd</sup> and 63<sup>rd</sup> Finance Committee meetings of the University were placed.</p> <p><b><u>RESOLUTION</u></b> The Executive Council noted the matter.</p>	
10.	Proposal for enhancement of fees	<p>The matter arises out of the 37<sup>th</sup> meeting of the Executive Council dated 19/11/2011.</p> <p>The Executive Council accepted in principle the restructuring of the fees and referred it to the Finance Committee for its report and recommendations. The matter was placed in the 63<sup>rd</sup> meeting of the Finance Committee dated 17/12/2012. Accordingly a detailed statement of the proposed enhancement vis a vis the existing fees structure for LLB is given in annexure 10 A. A comparative statement with other law schools was placed. The University proposes to increase the fees structure of the LL.B. course due to increase in the Library, Information &amp; Technology, and hostel amenities expenditure and also to meet other inflationary costs. In this connection the University proposes a new fees structure with a hike of 6%(Approx). Fees from students are the only major source of revenue to meet the expenses, both for capital and revenue expenditure of the University. The Government grants are available only for payment of installments in terms of the bank loan taken for building the University Campus. The University has also received a Capital grant from the UGC but it has to meet its revenue expenses from the revenue generated from its own resources i.e the student fees etc. There has been no substantial increase in fees payable by students for the LL.M. programme during the past decade. The fees for the LL.M. programme</p>	

		<p>at NUJS is also the least among the contemporary NLUs . Proposed revision of fees structure was placed. The University proposes for a 50 % hike(Approx) in the LLM fees for the new batch of students .The University also is going to introduce a Compensatory teaching or orientation course for 3 weeks as part of the LLM course. The LLM programme will also offer two branches of specialization: 1. Commercial Law 2. International Law .Hence the hike is justified.The Finance Committee in its meeting dated 17/1/2012 directed that the University may consider revision of fees for the forthcoming batch of 2012 of the University because of the following reasons:</p> <p>I. <u>For 2012 batch of LLB students:</u></p> <ol style="list-style-type: none"> <li>During the last two years there has been no increase in the fees but there has been increase in the expenditure of the University due to increase of employee salary which has almost seen a rise of 50 %(Approx) during the last two years.</li> <li>Inflation is also on the rise.</li> <li>The Registrar ,Dr.S.C.Mukhopadhyay informed the Finance Committee that during the last CLAT Implementation Committee meeting all the NLU's gave indications that they are planning for a fees revision.</li> <li>The Law Schools/Universities who are charging less fees are actually getting financial assistance/aid from their respective State Government's.</li> <li>NLS, Bangalore and NLU, Bhopal are already charging more than NUJS.</li> </ol> <p>In view , of the reasons stated above the Finance Committee proposes a 6%(Approx) hike of the LLB fees from Rs.148000/- to Rs.155500/-(For candidates other than NRI) and from</p>	
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		<p>Rs.298000/- to Rs.318000/-(For NRI Candidates, US \$ 1 = Rs.52/-approx.) for the forthcoming batch of 2012.</p> <p>II. <u>For 2012 batch of LLM students:</u></p> <p>A. During the last two years there has been no increase in the fees but there has been increase in the expenditure of the University due to increase of employee salary which has almost seen a rise of 50 %(Approx) during the last two years.</p> <p>B. Inflation is also on the rise.</p> <p>C. The Registrar ,Dr.S.C.Mukhopadhyay informed the Finance Committee that during the last CLAT Implementation Committee meeting all the NLU's gave indications that they are planning for a fees revision.</p> <p>D. The Law Schools/Universities who are charging less fees are actually getting financial assistance/aid from their respective State Government's.</p> <p>E. NLS, Bangalore and NLU, Bhopal are already charging more than NUJS.</p> <p>F. The University has not proposed a hike in LLM fees during the last seven years.</p> <p>In view , of the reasons stated above the Finance Committee proposes a 49%(Approx) hike of the LLM fees from Rs.41500/- to Rs.62000/- (For candidates other than NRI) and from Rs.71500/- to Rs.108000/-(For NRI Candidates, US \$1=Rs.52/-approx) for the forthcoming batch of 2012.The Finance Committee also referred the matter of revision of fees hike to the Executive Council for its decision.</p>	
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		<p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal.</p>	Office Orders have accordingly been issued.
11	Request of Professor Vibhute.	<p>The matter arises out of the 37<sup>th</sup> meeting of the Executive Council dated 19/11/2012. The Executive Council in its meeting dated 19/11/2012 had approved the recommendation of the respective "Selection Committee" and resolved to appoint the candidates as recommended by the Selection Committee". Accordingly, Professor Vibhute was appointed as a Professor(Law) of the University. However, the University received a request from Professor Vibhute requesting for enhancement of his pay and also extension of his joining date to August/September 2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council directed that the University may write to Professor Vibhute seeking details of his last pay drawn during his service in India and subsequently decide on his fixation of pay. In regard to his joining date the Executive Council accepted his proposal for joining the University during the months of August/September 2012.</p>	The University has written to Prof.Vibhute. Reply from him is awaited.
12.	Request for reduction of repeat examination fees	<p>The University has received a request from the students of the University for reduction in repeat examination fees.</p> <p>The President and Vice President of the University Students Juridical Association submitted a representation to the members of the Executive Council in regard to this and also to other issues related to infrastructure, etc of the University.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council directed that the repeat examination fees may be revised to Rs.1000/- from Rs.4000/- w.e.f the winter session 2011-12.</p>	Office Orders have accordingly been issued

13.	Resignation of Mr.Dipankar P. Gupta as Treasurer of the University	<p>The University has received a letter from Mr.Dipankar P.Gupta tendering his resignation from the post of Treasurer of the University</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council noted the matter.</p>	
14	Recruitments for the 2 year M.Phil course in Law,Public Policy and Governance	<p>The matter arises out of the 37 Executive Council meeting dated 19/11/2012. The Executive Council had accepted the report of the 'Selection Committee' and directed that the following are to be appointed for the 2 year M.Phil in Law, Public Policy and Governance course:</p> <p><b><u>Professor(Law, Public Policy and Governance):</u></b> Prof.Dr.Harihar Bhattacharya</p> <p><b><u>Associate Professor(Law,Public Policy and Governance):</u></b> Dr.Paramita Mukherjee</p> <p><b><u>Assistant Professor(Law, Public Policy and Governance):</u></b> Dr.Shoma Chaudhuri Lahiri Mr.Manvendra Kumar Tiwari</p> <p>The Executive Council also directed that appointment letters in regard to the post of Professor, Associate Professor and Assistant Professors(Law, Public Policy and Governance); may be issued after to the confirmation of the University Finance Committee regarding the financial viability/position of the University consequent to these appointments. The matter was placed in the Finance Committee meeting dated 1/12/2011 and 17/12/2011. The Vice Chancellor clarified the following in the Finance Committee meeting</p> <ol style="list-style-type: none"> <li>The recruitments being made for the proposed two year M.Phil course will actually cost the University Rs.36 Lakhs(Approx) annually in terms of disbursement of pay to the employees recruited for teaching the course.</li> <li>In terms of the new UGC regulations the demand for enrollment in M.Phil courses have gone down since regulations permit taking of the UGC –NET exam instead of enrolment for the M.Phil course.</li> </ol> <p>The Finance Committee in view of the Vice Chancellor's clarification resolved to refer the recruitment's for the two year M.Phil course in Law, Public Policy and Governance to the Executive Council for withholding such appointments.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the recommendations of the Finance Committee and with held the proposed appointments.</p>	

15	Constitution of the NUJS LAW REVIEW	<p>The University has received a proposal from the University students for constituting regulations for the NUJS Law Review (Journal). Accordingly a proposal was placed.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the revised proposal which was placed on the table of the meeting.</p>	
16	Proposed regulations for LLM 2012	<p>The proposed regulations placed in the meeting was also accepted by the Academic Council in its meeting dated 2/3/2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal.</p>	
17	Proposed regulations for Ph.D 2012	<p>The proposed regulations placed in the meeting was also accepted by the Academic Council in its meeting dated 2/3/2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal</p>	
18	Proposed regulations for LL.D 2012	<p>The proposed regulations placed in the meeting was also accepted by the Academic Council in its meeting dated 2/3/2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal</p>	

19.	Student exchange programme with AP University of Law, Visakhapatnam	<p>The University proposes to enter into a student and faculty exchange programme with AP University of Law , Visakhapatnam for academic and research activities. The proposal was also accepted by the Academic Council in its meeting dated 2/3/2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal</p>	<p>The University has entered into an MOU with AP University of Law, Visakhapatnam.</p>
20.	Proposal for increasing the strength of LLM Programme	<p>The University currently has 20 seats for the LLM programme. The University proposes to increase the existing seats for the LL.M programme from 20 to 40 . The proposal was also accepted by the Academic Council in its meeting dated 2/3/2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal.</p>	<p>Office Orders have accordingly been issued.</p>
21	Library Fund Transfer .	<p>The University has received a request from the University Librarian for converting the fund allocated under 'Books and E resources' of Rs.70.14 Lakhs to Library 'Infrastructure' since the UGC has allocated Rs. 1 Crore and Thirty Lakhs for procuring books and journals .The proposal was placed in the Finance Committee meeting dated 24/2/2012.The Finance Committee accepted the proposal and referred it to the Executive Council for consideration.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal.</p>	<p>The matter has accordingly been processed.</p>



22.	Letter from UGC regarding recruitment to ST/SC/OBC/PWD posts .	<p>The University has received a letter from the UGC for recruitment to vacant ST/SC/OBC . posts. Currently the University has filled up all ST , SC and OBC posts in regard to non teaching posts . PWD posts are not available for non teaching posts. However, there are no ST, SC , OBC and PWD seats available in regard to teaching posts in the University.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council noted the matter and directed that the University may propose for creation of fresh posts for the SC/ST/OBC category in regard to teaching posts in the next meeting of the Executive Council.</p>	The matter has accordingly been processed.
23	Proposal for Post Graduate Diploma in Nuclear Law(PGDNL)	<p>The proposed diploma course was placed. The proposal was also accepted by the Academic Council in its meeting dated 2/3/2012.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council approved the proposal.</p>	

	<p><b><u>ADDITIONAL AGENDA</u></b></p> <p>AA1 Terms of lien, etc of Professor Dr. P.Ishwara Bhat,Vice Chancellor ,WBNUJS from University of Mysore</p>	<p>Professor Dr.P.Ishwara Bhat joined the University on 2/12/2011 as Vice Chancellor. His terms of Lien,LTC,Home Travel Concession,Permissible Earned leave &amp; Commuted Leave from the University of Mysore was placed.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council accepted the terms of lien of Professor Dr.P.Ishwara Bhat from the University of Mysore. It also directed the University to explore the possibility of granting LTC facility to all other employees of the University.</p>	<p>The matter is accordingly being processed.</p>
<p>AA2</p>	<p>Resignation of Professor Jose Verghese from the Ford Foundation Chair on Human Rights and Citizenship Studies</p>	<p>The University has received an email form Professor Jose Verghese tendering his resignation from the Ford Foundation Chair on Human Rights and Citizenship Studies. A Selection Committee for the selection of a suitable candidate to the Ford Foundation Chair on Human Rights in the Centre for Human Rights and Citizenship Studies may be constituted.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council accepted the resignation of Prof.Jose Verghese and formed a ' Selection Committee' comprising of the following members:</p> <ol style="list-style-type: none"> <li>1.Prof.(Dr.)P.Ishwara Bhat – Chairperson.</li> <li>2..Prof.T.K.Oommen.</li> <li>3. Prof.Upendra Baxi.</li> </ol>	

**Agenda Item No:2**

**Selection of the Chair Professor for the Ford Foundation Chair on Human Rights and Citizenship Studies**

The matter arises from the meeting of the 38<sup>th</sup> Executive Council meeting dated 3/3/2012.

The Executive Council accepted the resignation of Prof.Jose Verghese from the Ford Foundation Chair on Human Rights and Citizenship Studies and formed a ' Selection Committee' comprising of the following members:

- 1.Prof.(Dr.)P.Ishwara Bhat – Chairperson.
- 2..Prof.T.K.Oommen.
3. Prof.Upendra Baxi.

The report of the selection committee will be placed on the table.

Submitted for directions.

**Agenda Item No:3**

**Appointment of Justice A.K. Ganguly, Chairperson, West Bengal Human Rights Commission as Honorary Professor**

The Academic Council in its meeting dated 11/7/2012 has accepted the proposal of offering the position of honorary Professor in the University.

Justice Ganguly has kindly agreed to the proposal and has expressed his interest to deliver lectures on Constitutional Law and on other areas to the University students and researchers at his convenience.

Submitted for directions.

**Agenda Item No: 4**

**Resignation of Ms.Chinmayi Arun, Ms.Rukmini Sen and Mr.Prabhash Ranjan**

The University has received resignation letters from Ms.Chinmayi Arun ,Assistant Professor(Law),Ms.Rukmini Sen ,Assistant Professor(Sociology) and Mr.Prabhash Ranjan,Assistant Professor(Law).

Their resignation letters are given in annexure 4A, 4B and 4C.

Ms.Chinmayi Arun was on probation in the University.

Ms.Rukmini Sen has gone on leave without pay w.e.f 5/1/2010;she has now submitted her letter for release from the University since she has been appointed as Assistant Professor at Ambedkar University ,New Delhi.

Mr.Prabhash Ranjan without completing his probation period in the University had gone on Study Leave without pay for a period of three years w.e.f 1/11/2009. Details of all the resolutions taken by the University Executive Council in regard to service terms of Mr.Ranjan is given in Annexure 4D,Annexure 4E and Annexure 4F.

Submitted for directions.

1 May 2012

To:  
The Vice-Chancellor,  
West Bengal National University of Juridical Sciences,  
Kolkata.


Dear Sir,

**Sub: Notice for resignation from position of Assistant Professor (Law)**

It is with regret that I am writing to you to say that I can no longer continue as Assistant Professor of Law at West Bengal National University of Juridical Sciences. Please accept this letter as notice of my resignation.

I am grateful for the opportunities that the institution has offered me over these last two years and I wish NUJS and all its members success.

Thanking you,  
Yours sincerely,

  
Chinmayi Arun

Copy to: Registrar

Reg I 140/5  
21.5.12

Annexure - 4B

To  
The Registrar  
WB National University of Juridical Sciences  
LB 12, Salt Lake  
Kolkata 700098

21/05/12

**Subject: Terminating of Extraordinary Leave at WBNUJS**

Dear Sir,  
This is to inform you that my services as Assistant Professor have been confirmed at Ambedkar University Delhi, with effect from 1<sup>st</sup> February 2011. (Attached is the photocopy of the confirmation letter) Consequent to that I would want to vacate my lien, i.e. Extraordinary Leave at WB National University of Juridical Sciences, Kolkata with effect from 5<sup>th</sup> January 2010.  
I shall be obliged if the needful is done. I shall also be obliged if my financial dues from the university are made available to me at the earliest.

Thanking you  
Yours sincerely

Rukmini Sen  
21/5/12

Rukmini Sen  
Assistant Professor  
Ambedkar University Delhi  
Lothian Road  
Kashmere Gate Campus  
Delhi 110006

RECEIVED  
MIDDLE SECONDARY  
21/5/12

The Vice Chancellor  
WB National University of Juridical Sciences  
Kolkata

Annexure - 4C

Resignation Letter

Dear Sir

I wish to inform you that I am resigning from the position of Assistant Professor at NUJS with immediate effect.

I would like to explain the reasons for doing so. I provide below some background information to you, in case you are not fully aware of all the facts.

I was appointed as Lecturer (ad-hoc) on the Lecturer's pay scale of Rs 8000-275-13500 (pre revised) on 1<sup>st</sup> November 2007 by NUJS for six months against a regular vacancy. My understanding, at the time of accepting this appointment, was that the University will soon advertise the vacancy enabling me to apply for a permanent position. However, the University could only advertise the vacancy in September 2008 (almost one year after I had joined). In the meanwhile, I was given an extension of six months in May 2008 followed by another extension in November 2008. In October 2008, I applied for the permanent position of Lecturer, for which I was interviewed in January 2009.

The selection committee recommended me for the post of Assistant Professor, the same position and same pay scale on which I had worked earlier (the position of Lecturer was redesignated as Assistant Professor by the Sixth Pay Commission). In March 2009, I was issued an appointment letter stating that I have been appointed as Assistant Professor. However, to my surprise, the letter mentioned that I shall be on one year probation. I was told that the requirement of probation is necessary in order to judge my performance before offering permanent employment.

I found this condition, both bizarre and unreasonable, since I had already served the University as a full-time Lecturer (later re-designated as Assistant Professor) continuously for 16 months from 1<sup>st</sup> November 2007. In this period of 16 months, I received excellent/very good feedback for my teaching from students, published four papers in international refereed journals, presented papers in four international conferences, handled numerous administrative responsibilities and took various initiatives to augment the academic life of NUJS.

I found no reasonable basis to be asked to serve another one year of probation for the same post, apparently to evaluate my performance, on which I had already worked for 16 months. Hence, I requested the University to waive the requirement of probation by taking into account my service record of 16 months.

Although, I made the representation to waive my probation in March 2009, no decision was taken on this issue till mid 2010. Hence, technically, and much against my desire, I was on probation from March 2009 after having served the University for 16 months on the same post. In the meanwhile, in June 2009, I applied for a three year study leave to read for PhD at King's College London. After lengthy bureaucratic deliberations and only after a very supportive intervention of Professor M P Singh, the University granted me three year study leave (without salary) in August/September 2009 with effect from 1<sup>st</sup> November 2009.



The leave letter, issued by the then Registrar, required me to serve the remaining period of probation on my re-joining the University. Further, the letter required me to issue an indemnity bond to the University. In response to this letter, in September 2009, I once again repeated my previous request to waive the unreasonable requirement of serving the probation period in light of the fact that I had already served the University for almost two years. Further, I declined to issue any indemnity bond because I found the requirement to issue an indemnity bond, without being made a permanent faculty, unreasonable.

After I had proceeded on leave, the Executive Council finally decided on this matter. In August 2010, I was given a letter by the University enclosing the minutes of the EC meeting held on 8<sup>th</sup> May 2010. The EC meeting recognised that I had served 'the University with distinction as Assistant Professor of Law' and that I continued to take active interest in academic activities and propose new ones during my leave as well. The EC adopted the following resolution 'The Executive Council clarified that as per law the seniority and increments of Mr Ranjan shall remain unaffected after he rejoins the office and is confirmed'.

I was not given any follow up letter, by the University, on how the EC decision will be executed such as whether my seniority and increments shall be counted from March 2009 or from November 2007. However, based on the EC resolution, I was assured by the then Vice Chancellor, Professor M P Singh, that my services have been confirmed and that my increments and seniority will be executed as soon as I rejoin the University. To me, it meant that my probation issue had been settled once and for all. Since the assurance was given by none other than the VC himself, I presumed that the University will interpret the EC decision to protect my seniority at least from March 2009 if not November 2007. I also legitimately expected that the University will sort out the modalities related to this issue as soon as I indicate my willingness to join back; and that I will join back as a permanent faculty.

Important to note that even if my seniority would have been counted from March 2009, I would have still lost 16 months of service (from 1<sup>st</sup> November 2007 to 28<sup>th</sup> February 2009) for no fault of mine and despite having performed exceedingly well in this period. Reluctantly, I would have accepted this, although, in my view, my seniority should have been counted from 1<sup>st</sup> November 2007 (my original date of joining NUJS).

However, in February 2012, I learnt that the University's reading of the EC decision was different from my understanding regarding my service record based on the assurance that I had got. I explain this below, which ultimately triggered me to write this resignation letter.

On 16<sup>th</sup> February 2012, I received a letter from the Registrar's office (in response to my query related to my basic pay). This letter was sent after I had emailed the Accounts Officer five times, regarding my basic pay, and pursued the matter for almost one month. To my utter surprise and shock, the 16 February 2012 letter stated that my basic pay, if I re-join the University on 1<sup>st</sup> November 2012, shall remain Rs 16930 (same as what it was when I proceeded on leave on 31<sup>st</sup> October 2009). Further, letter stated that my seniority and future increments are 'subject to confirmation of my probation by University authorities'. In other words, as per the letter, I shall be on probation after re-joining the University, and that my basic pay, after three years, shall remain same as what it was when I went on leave in October 2009.

This is totally unacceptable to me. This would adversely impact my career prospects despite having performed to the best of my ability. The very fact that I shall be on probation after joining back, despite having served the University to the best of my ability since 1<sup>st</sup> November 2007 on all fronts - teaching, research or administrative responsibilities - undermines my honour and self-esteem.

Furthermore and most importantly, on the issue of probation, the 16 February 2012 letter appears to contradict the EC decision and goes against the assurance that I got from the University. As a result, I don't know whether my services will be confirmed/are already confirmed; and whether my seniority of last five years shall be protected. As you would appreciate, I do not wish to re-join the University in a situation where facts related to my service record appear to be in total flux with no clarity. This can severely impinge on my future career prospects for no fault of mine.

Sir, I am hurt and disappointed by the manner in which my service matter has been dealt with. I am upset with the insensitive and casual manner in which the University communicated with me on this issue. I have worked very hard to develop my academic profile and, as mentioned above, have served the University to the best of my ability. You may refer to the annual reports of last five years that detail my academic and research activities including my publications; and student feedback forms on my teaching. Even, while on leave, I have tried my best to build the 'NUJS' brand through journal publications, conference presentations and media columns so much so that I have put NUJS's name ahead of King's College London while citing my institutional affiliation. I have tried my best to actively participate and contribute in all debates on various policy issues in last 2-3 years, even while on leave without salary. Despite this, I get an impression that there is no recognition for the contribution that I have made to the University. That the University is keen to fastidiously follow and apply bureaucratic and technical rules even if it results in a manifestly unjust outcome. It appears that the entire system is totally oblivious of the fact that insensitive handling of service matters severely damages the morale of the faculty member and dents his sense of belongingness to the University. Hence, I have decided to work at some other place that, hopefully, will be more appreciative of my efforts.

I had never anticipated that I will end my association with NUJS in this manner. I had every desire to join back. However, given the total uncertainty regarding my service record (as the 16 February letter shows), I am not left with any other choice but to tender my resignation. Hence, I conclude the letter with a heavy heart, but without any bitter feelings; and with a sanguine belief that academicians at NUJS and at other Universities get what they deserve without having to wage bureaucratic battles with administration. May I very humbly submit that we need to apply rules both in their letter and spirit according due sensitivity to the morale of the academic staff member.

I shall always cherish the time I spent at NUJS, the love and affection of my students and my colleagues and the encouragement and affection of Professor M P Singh. I consider myself fortunate that I got the opportunity to serve NUJS! I thank NUJS for providing me with opportunities for professional and personal development. I look back at my career at NUJS with a deep sense of self-satisfaction and pride.

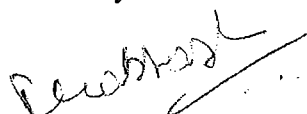
I shall always be available to help NUJS to the best of my ability. NUJS has made many strides in last few years under the inspiring leadership of Professor M P Singh. I am sure that this incredible journey will continue under your leadership as well. I wish you, my

colleagues, students and everyone else at NUJS all success! I hope that we all shall, collectively and despite our different institutional affiliations, continue to work hard to take Indian legal academics and legal education to the next level and leave behind a legacy that future generations of legal academicians shall be proud of.

I apologize to my students (the 2009-2014 batch) whom I taught Legal Methods and had almost promised that I will come back and teach them. I hope they will understand and appreciate my decision.

I had the University laptop with me. Ms Rukmini Das, an alumnus of NUJS, shall return the laptop on my behalf very soon.

Yours truly



Prabhash Ranjan  
New Delhi  
4 June 2012



**The WB National University of Juridical Sciences**

'Dr. Ambedkar Bhawan' 12, LB Block, Sector III, Salt Lake City, Kolkata - 700 098

• Phone : 2335-0534/7379/0765 • Fax : 2335 - 7422 / 0511

• E-mail : [nujs@cal3.vsnl.net.in](mailto:nujs@cal3.vsnl.net.in) • Gram : JURVARSITY

• Website : [www.nujs.edu](http://www.nujs.edu)

Mr. Prabhash Ranjan,  
Assistant Professor of Law, NUJS (On Leave)  
Kings College  
University of London  
U.K.

16-2-2012

Dear Mr. Ranjan,

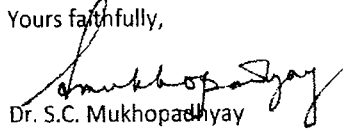
This has reference to your email enquiring about your basic pay in the event of your joining the University during November 2012.

In the event of your joining the University on 1<sup>st</sup> November 2012 your basic pay will remain Rs. 16,930/-.

However, subject to your confirmation of probation by the University authorities, your seniority and future increments will be executed as per norms.

This is for your information.

Yours faithfully,

  
Dr. S.C. Mukhopadhyay  
(Registrar)

# Minutes of the 30th Meeting of E.C.

dt: 29/8/2009

Annexure-4D

MINUTES  
OF  
30th MEETING  
OF  
EXECUTIVE  
COUNCIL

DATE: 29/8/09

In earlier cases the Executive Council on the recommendation of the University has granted study leave to members of the faculty by waving the clause about "completion of five years of continuous service" and by taking undertakings from them. .

The Standing Committee in its 19<sup>th</sup> meeting dated 27/7/2007 had directed that in future any employee taking study leave of one year or more out of turn and not in conformity with the University "Study Leave Rules" will have to submit a guarantee of an amount equivalent to his/her one year's salary (Gross). This was subsequently ratified by the Executive Council.

The Standing Committee in its 33<sup>rd</sup> meeting dated 25/7/2009 suggested that Mr.Routh may be asked to explore the possibility of deferring his proposed doctoral studies by one year. Mr. Routh wrote to the University of Victoria and received a negative reply. The University has now received a letter from Mr.Routh expressing his inability to defer his studies.

## RESOLUTION

The Executive Council directed that Mr.Routh may be granted study leave of three years subject to submission of a Bank/Insurance/Indemnity bond of an amount equivalent to his one year's salary (Gross).

Accordingly, the matter has been processed

11

Study Leave of  
Mr.Prabhash  
Ranjan

Mr Prabhash Ranjan, Assistant Professor(Law) has applied for a study leave of three years for pursuing his PhD at Kings College London from 1<sup>st</sup> November 2009 to 1<sup>st</sup> November 2012.

Mr. Ranjan had joined the University as a Lecturer on adhoc basis from 1/11/2007 and was subsequently appointed as an Assistant Professor(Law) from 6/3/2009.

The University has framed rules in relation to Study Leave which have duly been approved by the Executive Council in its 13<sup>th</sup> meeting dated 26<sup>th</sup> July 2003(Agenda Item No. 35).As per the said rules a faculty member is entitled to one year of study leave without pay after completion of every five years of continuous service. In earlier cases the Executive Council on the recommendation of the University has granted study leave to members of the faculty by waving the clause about "completion of five years of continuous service" and by taking undertakings from them. .

The Standing Committee in its 19<sup>th</sup> meeting dated 27/7/2007 had directed that in future any employee taking study leave of one year or more out of turn and not in conformity with the

30<sup>th</sup> E.C. MINUTES DATED: 29/8/2009.

		<p>University "Study Leave Rules" will have to submit a guarantee of an amount equivalent to his/her one year's salary (Gross).</p> <p>The Standing Committee in its 33<sup>rd</sup> meeting dated 25/7/2009 suggested that Mr.Ranjan may be asked to explore the possibilities of deferring his proposed doctoral studies by one year. Mr. Ranjan wrote to the Kings College and has got a negative reply. The University has now received a letter from Mr.Ranjan expressing his inability to defer his studies.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council directed that Mr.Ranjan may be granted study leave of three years subject to submission of a Bank/Insurance/Indemnity bond of an amount equivalent to his one year's salary (Gross).</p> <p>The University had received a letter from WBHIDCO seeking payment for the five acres of land allocated by 24/9/2009.</p> <p>The University had earlier written to the Government of West Bengal for allocation of appropriate funds to pay WBHIDCO. The University then received a letter dated 6/11/2007 from the Judicial Department, Government of West Bengal in regard to the furnishing of a detailed report on the plan/project on the proposed plot of land offered by WBHIDCO to the University.</p> <p>Subsequently, the proposal was discussed in the University Executive Council meeting dated 15/3/2008 wherein the following points were observed/discussed:</p> <ol style="list-style-type: none"> <li>1) It was felt with the current state of finances of the University it will not be possible to pay for the land measuring around 5 acres at Rajarhat for construction of NUJS Campus offered by WBHIDCO. It is therefore necessary that the West Bengal National University of Juridical Sciences has to ask for fund from the government or arrange for it for the purpose. Moreover, even after allotment of land and taking possession of the same the construction of a campus will need considerable amount of time before completion in view of existing state of the infrastructure, etc. Hence it may be prudent to explore other possibilities for expansion of The West Bengal National University of Juridical Sciences.</li> </ol>	<p>Accordingly, the matter has been processed</p>
12.	Rajarhat Land		

# Minutes of the 31st Meeting of E.C dt: 20/2/2010

Approved - 4E

## 31<sup>ST</sup> E.C. MINUTES DATED: 20/2/2010.

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
11	Request of Mr.Prabhash Ranjan for waiving of probation period	<p>The University received another request from Mr.Prabhash Ranjan for waiving of his probation period before he proceeds on leave to pursue his doctoral studies in Kings College, London. The Executive Council in its meeting dated 29/8/2009 rejected Mr.Ranjan's request for waiving of his probation period. The Standing Committee in its meeting dated 19/9/2009 referred the matter to the Executive Council since this was decided by the Executive Council.</p> <p>Mr.Ranjan's letter was placed.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council deferred the matter.</p>	
	Request of the Students Juridical Association(SJA) for review of enhanced fees.	<p>The University had received a letter from the SJA requesting for a review of the enhanced fees.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council deferred the matter to the next meeting with the direction that details of fees vis a vis scholarships granted and University finances may be placed in the Finance Committee meeting and then subsequently placed in the next meeting of the Executive Council along with the observations of the Finance Committee.</p>	<p>The Finance Committee resolved that the proposal for reduction of fees in terms of the reasons given in the letter received from the SJA cannot be accepted in reference to the current financial position of the University.</p>

Minutes of the 32<sup>nd</sup> Meeting of E.C.  
 dt:- 8/5/2010. Annexure-4F  
 32<sup>nd</sup> E.C. MINUTES: DATED: 8/5/2010.

11	Request for implementation of a Pension Scheme.	<p>The University has been receiving request from its faculty members and staff for the implementation of a "Pension Scheme"</p> <p>The Executive Council had deferred the matter.</p> <p>It is suggested that the University may explore the possibility of adopting the "New Pension System" implemented by the Central Government. If the "New Pension System" (NPS) is adopted by the University then the current University "Contributory Provident Fund Scheme" needs to be reviewed.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council referred the proposal to the Finance Committee for its recommendations.</p>	
12	Request of Mr.Prabhash Ranjan for waiving of probation period.	<p>The University has received another request from Mr.Prabhash Ranjan for waiving of his probation period before he proceeds on leave to pursue his doctoral studies in Kings College, London. The Executive Council in its meeting dated 29/8/2009 has rejected Mr.Ranjan's request for waiving of his probation period because it did not have any consequence for him. Later it was realized that in the absence of confirmation Mr.Ranjan will lose his seniority and annual increments. Accordingly, he has requested the University to reconsider its decision. Before proceeding on study leave Mr.Ranjan has served the University with distinction as Assistant Professor of Law and continues to take active interest in academic activities and propose new ones during his leave also. The Standing Committee in its meeting dated 19/9/2009 referred the matter to the Executive Council since this was decided by the Executive Council. The Executive Council in its meeting dated 20/2/2010 had deferred the matter.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council clarified that as per law the seniority and increments of Mr.Ranjan shall remain unaffected after he rejoins the office and is confirmed.</p>	Mr.Ranjan has been informed accordingly.



**Agenda Item No:5**

**Creation of two posts of Associate Professor(Law) in the University**

As on date the following is the status of faculty positions in the University:

**Junior Lecturer** : 12 posts.( 8 : Law; 4:Social Sciences)

3 posts of Junior Lecturer(Law) have been filled up after conversion of the post to  
Research Assistant .

*Other posts are vacant.*

**Assistant Professor**

*Social Sciences* : 5 posts.

1 post of Assistant Professor in Sociology is lying vacant consequent to the  
resignation of Ms.Rukmini Sen.

*Other posts are all filled up.*

*Law:* 18 posts.

2 posts of Assistant Professor in Law are lying vacant.(Resignation of  
Ms.Chinmayi Arun and Mr.Prabhash Ranjan)

1 post of Assistant Professor in Law - currently on study leave without pay till  
August 2012(Leave Vacancy has been  
filled)

1 post of Assistant Professor in Law - currently on study leave without pay till  
August 2013(Leave Vacancy has been  
filled)

*Other posts are all filled up.*

**Associate Professor(Law):** 4 posts

*All posts are all filled up.*

**Professor(Law)** : 3 posts.

2 posts of Professor(Law) is lying vacant.

*Other posts are all filled up.*

The University proposes to create two new posts of Associate Professor of Law. The justifications for doing so are stated below:

- (i) The University does not have satisfactory middle level academic positions. Number of Associate Professor needs to be increased in order to avoid migration of Assistant Professors to other Universities in the competing world.
- (ii) Once the Associate Professor is promoted to the position of Professor, the vacancy of Associate Professor is carried away by the promotee. Hence, vacancies do not occur.
- (iii) With the growth of the University number of research students have increased. For Ph. D. and M.Phil students middle level supervisors are required.
- (iv) Involvement of Associate Professors in undertaking and promoting research activity of the University is required. If adequate Associate Professors are not available research activity will hamper.

Therefore, creation of two posts of Associate Professors of Law is essential.

The Academic Council in its meeting dated 11/7/2012 ha accepted the proposal.

Submitted for directions.

**Agenda Item No:6**

**Tenure of University Librarian**

The matter arises from the 37<sup>th</sup> meeting of the Executive Council dated 3/3/2012.

The University Librarian joined the University on 9/12/2009 and he was given an extension of his service period for one year i.e. upto 14/6/2012. Dr.Thomas has turned Sixty two on 15/6/2012

The University has a provision for retirement of employees including that of the 'Librarian' at the age of sixty years. The University has also written to the State Universities and other Law Schools inquiring about the age of the Librarian. A Reply from NALSAR ,Hyderabad was received by the University and is given below:

“Librarian at NALSAR is appointed on contract basis with consolidated pay. Hence, retirement rules do not apply to the said incumbent.”

Earlier resolution of the University Executive Council along with relevant papers in regard to the service terms of the University Librarian is given in annexure 6A.

The UGC - Chaddha Committee Report and the Sixth Pay Commission Report which were approved by the Government of India has kept the retirement age of Librarians to 62 years.

The Government of India, Ministry of Human Resource Development, (MHRD) Department of Higher Education, New Delhi's letter no 1-32/2006-U.II/U.I (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 is given in annexure 6B.

As on June 2012 ,Dr.Thomas is drawing a Gross Pay of Rs.110768/- per month.

Submitted for directions.

ANNEXURE-6A

34

6.	<p>Renewal of tenure of Mr.N.Konar,Coordinator,SLPD.</p>	<p>The UGC - Chaddha Committee Report and the Sixth pay Commission Report which were approved by the Government of India has kept the retirement age of Librarians to 62 years.</p> <p>The Government of India, Ministry of Human Resource Development, (MHRD) Department of Higher Education, New Delhi's letter no 1-32/2006-U.II/U.I (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 was also placed.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council extended the tenure of the University Librarian, Dr. Thomas for a further period of one year w.e.f 15/6/2011.</p> <p>Mr.N.Konar's one year tenure with the University has ended on 31/3/2011. The University proposes to renew his tenure for a further period of one year under the existing terms and conditions. Mr.Konar is currently drawing Rs.25000/-per month as consolidated pay.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Executive Council extended the tenure of Mr.N.Konar for a further period of one year w.e.f 1/4/2011 under the existing terms and conditions.</p>	<p>Accordingly, office orders have been issued.</p> <p>Accordingly, letter has been issued.</p>
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Agenda Notes for the 35th Meeting  
of the E.C dt:- 30/4/2011

ANNEXURE-6A

AGENDA NOTE TO THE 35<sup>TH</sup> E.C. MEETING ALONG WITH  
RELEVANT PAPERS.

Agenda Item No:5

Tenure of University Librarian

The University Librarian joined the University on 9/12/2009 and was subsequently confirmed by the University Executive Council on 8/1/2011 and he was given an extension of his service period for one year i.e. upto 14/6/2011. Dr. Thomas will turn Sixty two on 15/6/2011.

The Librarian Dr. Thomas has written to the University stating that he was under the impression that his term here is till 65 years. (Annexure 5 A & B).

However, as per the directions of the then Registrar, Professor Dr. D. Mukhopadhyay the University did not communicate nor take any steps regarding review of the existing age of superannuation of the "Librarian's" post. (Annexure - 5C).

The University has a provision for retirement of employees including that of the 'Librarian' at the age of sixty years. The University has also written to the State Universities and other Law Schools inquiring about the age of the Librarian. A Reply from NALSAR, Hyderabad was received by the University and is given below:

"Librarian at NALSAR is appointed on contract basis with consolidated pay. Hence, retirement rules do not apply to the said incumbent."

The UGC - Chaddha Committee Report and the Sixth pay Commission Report which were approved by the Government of India has kept the retirement age of Librarians to 62 years.

The Government of India, Ministry of Human Resource Development, (MHRD) Department of Higher Education, New Delhi's letter no 1-32/2006-U.II/U.I (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 is given in annexure 5D (see page 49).

Submitted for directions.

1 March 201

From,

Dr V. K. Thomas  
Librarian, NUJS

To,

Vice-Chancellor  
NUJS

**Sub: Extension of Service**

Dear Sir

It has reference to the letter no. NUJS/Appointmnets/Lib/2001/1 dated 26 February 2011 extending my service till 15 June 2011. While I am grateful to the University for extending my term, I should confess that it came to me as a shock. I was under the impression that my term of appointment here was till 65 years of age.

In this context, following matters may kindly be noted. 1) The NUJS advertisement for the position of Librarian stipulated 65 years as retirement age and my reason for applying was the same (copy enclosed). This matter was further discussed in detail in the interview (in the context of justification for my changing of job) and the issue of 65 years was confirmed then. 2) The superannuation age at IISER, Kolkata (my earlier job before joining NUJS) was 62 years as per clause 5 of the appointment order (copy enclosed). As things would stand at that point of time, neither has NUJS appointed me for a period of six months (Dec. '10 to June '11) nor will have I accepted the position for 6 months sacrificing thereby another 18 months of Govt. of India service. 3) I had been allowed to continue beyond 60 years (and granted an extension 8 months later)

I feel there was a problem lack of documentation about this newly created position at NUJS.

In consideration of what have been pointed out in the preceding paras including the 'possible' loss of service to me, the sudden death to my career at NUJS (left only with 4 months) and the unfinished job in turning the NUJS Library into world class, I would earnestly request you to do the needful to incorporate the superannuation age of 65 in my appointment letter.

Thank you.

Yours sincerely,



V. K. Thomas

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

**DR. AMBEDKAR BHAWAN, 12 LB Block, Sector III, Salt Lake City,**

**Kolkata – 700098, West Bengal, India**

University invites applications on the prescribed form for the following posts so as to reach the Registrar, NUJS, 12 LB Block, Sector III, Salt Lake, Kolkata 700098 by 20/10/2008. Prescribed application forms can be had from the Office of the Registrar (except on Sundays and holidays) either personally or by sending a self addressed envelope on payment of Rs.150 (Rs.75 for SC/ST) by way of DD in favour of WBNUJS, Kolkata, payable at Kolkata. The application form can also be downloaded from the University website [www.nujs.edu](http://www.nujs.edu) and submitted along with the prescribed fee of Rs. 150 (Rs.75 for SC/ST) as indicated above.

Sl No.	Post	No.	Pay scale(Rs)
01	Professor(Law)	3	16400-450-22400
02	Registrar	1	16400-450-22400
03	Librarian	1	16400-450-22400
04	Accounts Officer	1	12000-420-18300
05	Lecturer(Law)	3	8000-275-13500
06	Assistant Registrar(Academics)	1	8000-275-13500
07	Assistant Registrar(Finance)	1	8000-275-13500
08	Assistant Librarian	1	8000-275-13500

**Essential and Desirable Qualifications:**

**Professor: EQ:** An eminent scholar with published work of high quality actively engaged in research with ten years of experience in post graduate teaching at the University/National level institutions, including experience of guiding research at doctoral Level. Outstanding teachers with 15 years of UG teaching/Research Experience may also be considered or an outstanding scholar with established reputation who has made significant contribution to knowledge.

**DQ:** Specialisation in Corporate Laws, Taxation, Criminal Law and Family Law will be preferred.

**Registrar :EQ:** (1) A Master's Degree from a recognized University or its equivalent with uniformly good academic record.(2) Ten years of experience in high level administration in an University /Research Institution or Government or Quasi Government or any reputed Organisation or Civil/Military service (3) The candidate must be between 35 years to 60 years of age as on 20/10/2008.



**DQ:** Should have a strong background in administration and management in a senior position and possess substantial general management experience. Work experience in a Legal institution. A Doctorate degree or published research work of merit.

**Librarian : EQ: (1):** A Master's Degree in Library Sciences from a recognised University or its equivalent. The incumbent should also be a Law graduate .(2) Ten years of experience in management of a library in an automated environment.(3) The candidate must be between 35 to 65 years of age as on 20/10/2008.

**DQ:** Should have a strong background in Library systems management and should be highly proficient in computerized library management systems preferably in Legal institutions.. Should also possess sound knowledge of prevalent national standards, statutory provisions and good practices with respect to Library management & relevant MIS, ERP solutions.

**Accounts Officer: EQ : (1)** A Master's Degree in the faculty of Commerce/Management/Finance from a recognized University or its equivalent **OR** Chartered Accountant or qualifications recognized as equivalent thereto. Certificate/Diploma in Business Administration will be an added qualification. (2) Ten years of experience in areas of Finance and Accounts. (3) The candidate must be between 35 to 60 years of age as on 20/10/2008

**DQ:** Should have a strong background in finance and possess substantial general management experience at a middle management level and should be highly proficient in computerized accounting and financial management systems. Should also possess sound knowledge of prevalent national standards, statutory provisions and good practices with respect to financial management & accounting, taxation, MIS and ERP solutions.

**Lecturer(Law) : EQ: (1)** Good academic record with at least 55% marks or, an equivalent grade of B in 7 point scale at the Master's degree level, in the relevant subject from an Indian University or, an equivalent degree from a foreign university. (2) Candidates should also have cleared the NET for lecturers conducted by the UGC, or similar test accredited by the UGC.

**DQ: 1.** Teaching/Research experience at University/College level at least for one year.

**Assistant Registrar(Academics):EQ : (1)** A Master's Degree from a recognised University or its equivalent with uniformly good academic record.(2) Five years of experience in high level administration in a University or Government or Quasi Government or any Organisation. (3) The candidate must be between 25 years to 45 years of age as on 20/10/2008.

**DQ:** Should have a strong background in academic administration and management in a senior position and possess substantial general management experience. A Doctorate degree or published research work of merit.

**Assistant Registrar (Finance): EQ: (1)** A Master's Degree in the faculty of Commerce/Management/Finance from a recognized University or its equivalent **OR** Chartered Accountant or qualifications recognized as equivalent thereto. Certificate/Diploma in Business Administration will be an added qualification. (2) Five years of experience in areas of Finance and Accounts. (3) The candidate must be between 25 to 45 years of age as on 20/10/2008

**DQ:** Should have a strong background in finance and possess substantial general management experience at a middle management level and should be highly proficient in computerized accounting and financial management systems. Should also possess sound knowledge of prevalent national standards, statutory provisions and good practices with respect to financial management & accounting, taxation, MIS and ERP solutions.

**Assistant Librarian: EQ: (1):** A Master's Degree in Library Sciences from a recognised University or its equivalent .(2) Five years of experience in management of a library in an automated environment.(3) The candidate must be between 25 to 45 years of age as on 20/10/2008.

**DQ:** Should have a strong background in Library systems management and should be highly proficient in computerized library management systems. Should also possess sound knowledge of prevalent national standards, statutory provisions and good practices with respect to Library management & relevant MIS, ERP solutions.

**Notes:** (1) University reserves the right not to fill up any of the vacancies advertised if the circumstances so warrant. (2) University reserves the right to consider candidates of outstanding merit who may not have applied. (3) Relaxation of any of the qualifications may be made in exceptional cases on the recommendation of the selection committee. (4) Separate application is required for each post. (5) Reservation of the posts for SC/ST as per Govt. norms.(6) All posts are on a permanent basis subject to confirmation of probation, after completion of one year probation period satisfactorily.(7) DA, HRA and CCA at central Govt. rates. (8) Persons in employment should route their application through proper channel. (9) No TA, DA for attending the interview.



By Speed Post

## INDIAN INSTITUTE OF SCIENCE EDUCATION & RESEARCH KOLKATA

No. : IISER-K/R/2007  
Date: May 3, 2007

**Sub:** Recruitment to the position of Librarian

The undersigned is directed to offer **DR. V. K. THOMAS** appointment to the post of **Librarian** in the Indian Institute of Science Education & Research, Kolkata under general terms and conditions of the Institute as are in force from time to time and under the specific terms and conditions stated below:

1. **Post:** Permanent.
2. **Scale of Pay:** Rs. 12,000-420-18,300/-.
3. **Basic Pay:** To be fixed as per rules, in addition to five (5) advance increments.
4. **Period of Probation :** One year from the date of joining his duties at the Institute.
5. **Duration:** On confirmation and subject to satisfactory services the employee shall be retained in the services of the Institute till the end of the month in which he attains the age of 62 years.
6. **Leave:** Leave will be governed as per rule of the Institute.
7. **Retirement benefits:** He will be covered under New Pension Scheme of the Institute. (As notified by the Govt. of India, Ministry of Finance Notification No. 5/7/2003-ECB&PR dated December 22, 2003).
8. **Duties:** On his joining, he will be required to perform duties of Librarian as may be assigned to him by or under the orders of the Director and / or any competent authority of the Institute. He will be required to perform duties 6 days a week / staggered / any shift duty in 24 hours as required.
9. **Place of Duty:** Indian Institute of Science Education & Research, Kolkata or elsewhere.
10. **Travelling Expenses:** No travelling expenses for joining duties will be admissible.
11. **Residential Accommodation:** No residential accommodation will be provided to him.
12. **Termination of Services:** (i) Appointment may be terminated during the period of probation without notice and without any cause assigned. (ii) Temporary appointment may be terminated by one month's notice on either side unless otherwise agreed to by the Institute and the employee.
13. **Physical Fitness:** His appointment will be subject to his being found medically fit by the competent authority prescribed by the Board.

P.T.O.

-: 2 :-

14. **Character and Antecedents:** His confirmation in service will be subject to verification of his character and antecedents and also her being found medically fit by the competent medical authority.

If he is willing to accept the offer on terms and conditions mentioned above, including the initial pay, he should communicate his acceptance within **15 days** from the date of issue of this letter and join duties within **30 days** at the latest.

At the time of joining, he should submit the prescribed forms duly filled in and signed as indicated below.

- (a) Attestation form in sextuplicate.
- (b) Proforma showing candidature.
- (c) Property declaration form.
- (d) Medical Certificate from a registered medical practitioner of the status of the Chief Medical Officer of Health of a District.
- (e) Character certificates from two gazetted officers.
- (f) Six sets of his recent photograph of passport size.
- (g) Release order from present employer alongwith Last Pay Certificate, if employed.
- (h) Computer bio-data form.
- (i) Attested copy of Matriculation and all other certificates along with the original.
- (j) Attested copy of community certificate along with the original, in case of SC/ST/OBC.

He will not be permitted to join without the above mentioned documents.

Enclo: As above.

  
( D. Gunasekaran )  
Registrar  
for Board of Governors

To  
Dr. V K Thomas  
3A, Suniti Apartment  
AD - 305  
Rabindra Palli  
P.O. - Prafulla Kanan  
Kolkata - 700101

17 March 2011

From,

Dr V. K. Thomas  
Librarian, NUJS

To,

Vice-Chancellor  
NUJS

Sub: **Extension of Service**

Dear Sir

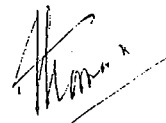
In continuation to my letter of 1 March 2011 regarding extending my service till 15 June 2011, I would like to point out the following too that I had been put on a one-year probation vide Clause 1 of the appointment order (enclosed). It is found that instead considering my probation period at the end of the first year, my case was considered a one-year appointment and extended by one year.

It makes me believe that till the issuing of the appointment order, every process was done in the right routine way, whereas the needful exercise was not done during the one year the incumbent of the newly created position was in place to update the relevant clauses in the 'Regulations' of the University.

I would, in this context, request you to update the Regulations of the University with regard to the appointment of the Librarian and mitigate my grievance.

Thank you.

Yours sincerely,



V. K. Thomas



**The WB National University of Juridical Sciences**

'Dr. Ambedkar Bhawan' 12, LB Block, Sector III, Salt Lake City, Kolkata - 700 098

• Phone : 2335-0534/7379/0765 • Fax : 2335 - 7422 / 0511

• E-mail : [nujs@cal3.vsnl.net.in](mailto:nujs@cal3.vsnl.net.in) • Gram : JURVARSITY

• Website : [www.nujs.edu](http://www.nujs.edu)

NUJS/APPOINTMENTS/2009

October 22, 2009

Dr. V.K. Thomas

IISER

National Institute of Technical Teachers Training Research

FC Block, Salt Lake

Beside Labany Estate Bust Stand.

9433275759/23376838.

Dear Dr. Thomas,

**Appointment as Librarian in the WB National University of Juridical Sciences-Offer regarding**

With reference to your application for the position of Librarian in the West Bengal National University of Juridical Sciences, I am glad to inform you that on the recommendation of the Selection Committee, the University has decided to appoint you as Librarian in the University subject to the following terms and conditions:

1. You shall be on probation for a period of one year from the date of your joining which may be extended for a further period of one year at the discretion of the University.
2. The post to which you are being appointed carries the pay band of Rs. 37400-67000 and Grade Pay of Rs. 10000/-. The University allows Dearness Allowance, House Rent Allowance and Transport Allowance at Central Government rates though it is subject to the sanction of the Executive Council from time to time. The rate, period and mode of payment of these allowances are subject to University rules which can be modified by the University if circumstances so demand. Your initial basic pay will be Rs. 43000 and is subject to approval of the Executive Council.
3. You will be required to submit a detailed medical report on the condition of your health indicating your medical history and any health problem you may have which requires attention, at the time of your joining.

During your tenure in this University, you will be governed by the Rules and Regulations of the University.

In case this offer of appointment is acceptable to you on the above terms and conditions, you are required to join by 7<sup>th</sup> December 2009.

Yours faithfully

Prof. (Dr.) D. Mukhopadhyay

REGISTRAR

Annexure - 5C

ANNEXURE 5C

I. NOTE OF THE THEN REGISTRAR, PROF. DR. D. MUKHOPADHYAY.

Discussed (with the Vice Chancellor) and it is decided not to issue any letter on the issue (superannuation age of Librarian) stated in the mail. However, we may extend his service on year to year basis after attaining age of sixty years as was decided in the FC/SC held on 14/11/2009. This will be based on the performance of the Librarian.

Sd/-  
PROF. DR. D. MUKHOPADHYAY  
23/11/2009.

II. EXTRACT FROM THE MINUTES OF THE 35<sup>TH</sup> STANDING COMMITTEE MEETING  
DATED 14/11/2009:

"Clarification regarding Superannuation age of Librarian."

The University has received an email from Dr. Thomas, the second selected candidate by the "Selection Committee" for the post of Librarian in regard to the retirement age of the Librarian. The UGC - Chaddha Committee Report and the Sixth pay Commission Report which were approved by the Government of India has kept the retirement age of Librarians to 62 years. The Government of India, Ministry of Human Resource Development, (MHRD) Department of Higher Education, New Delhi's 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 was placed..

RESOLUTION

The Standing Committee decided that the Librarians superannuation age will be as per the existing regulations of the University. The University may, however, extend it."

No.1-32/2006-U.II/U.I(i)  
Government of India  
Ministry of Human Resource Development  
Department of Higher Education

New Delhi, dated the 31<sup>st</sup> December, 2008

To

The Secretary,  
University Grants Commission,  
Bahadur Shah Zafar Marg,  
New Delhi - 110 002.

Subject:- Scheme of revision of pay of teachers and equivalent cadres in universities and colleges following the revision of pay scales of Central Government employees on the recommendations of the Sixth Central Pay Commission.

Sir,

I am directed to say that the Government of India have decided, after taking into consideration the recommendations made by the University Grants Commission (UGC) based on the decisions taken at the meeting of the Commission held on 7-8 October 2008, to revise the pay scales of teachers in the Central Universities. The revision of pay scales of teachers shall be subject to various provisions of the Scheme of revision of pay scales as contained in this letter, and Regulations to be framed by the UGC in this behalf in accordance with the Scheme given below. The revised pay scales and other provisions of the Scheme are as under:-

**1. General**

(i) There shall be only three designations in respect of teachers in universities and colleges, namely, Assistant Professors, Associate Professors and Professors. However, there shall be no change in the present designation in respect of Library and Physical Education Personnel at various levels.

(ii) No one shall be eligible to be appointed, promoted or designated as Professor, unless he or she possesses a Ph.D. and satisfies other academic conditions, as laid down by the University Grants Commission (UGC) from time to time. This shall, however, not affect those who are already designated as 'Professor'.

(iii) The pay of teachers and equivalent positions in Universities and Colleges shall be fixed according to their designations in two pay bands of Rs. 15600-39100 and Rs. 37400-67000 with appropriate "Academic Grade Pay" (AGP in short). Each Pay Band shall have different stages of Academic Grade Pay which shall ensure that teachers and other equivalent cadres covered under this Scheme, subject to other conditions of eligibility being satisfied, have multiple opportunities for upward movement during their career.

(iv) Posts of Professors shall be created in under-graduate (UG) colleges as well as in post-graduate (PG) colleges. The number of posts of Professors in a UG College shall be equivalent to 10 percent of the number of posts of Associate Professors in that College. There shall be as many posts of Professors in each PG College as the number of Departments in that College. No new Departments shall be created in UG or PG Colleges without prior approval of the UGC.

(v) Up to 10% of the posts of Professors in universities shall be in the higher Academic Grade Pay of Rs. 12000 with eligibility conditions to be prescribed by the UGC.

(vi) National Eligibility Test (NET) shall be compulsory for appointment at the entry level of Assistant Professor, subject to the exemptions to the degree of Ph.D. in respect of those persons obtaining the award through a process of registration, course-work and external evaluation, as have been/ or may be laid down by the UGC through its regulations, and so adopted by the University. NET shall not be required for such Masters' programmes in disciplines for which there is no NET.

**2. Revised Pay Scales, Service conditions and Career Advancement Scheme for teachers and equivalent positions:**

The pay structure for different categories of teachers and equivalent positions shall be as indicated below:-

**(a) Assistant Professor/Associate Professors/Professors in Colleges & Universities**

(i) Persons entering the teaching profession in Universities and Colleges shall be designated as Assistant Professors and shall be placed in the Pay Band of Rs.15600-39100 with AGP of Rs.6000. Lecturers already in service in the pre-revised scale of Rs. 8000-13500, shall be re-designated as Assistant Professors with the said AGP of Rs. 6000.

(ii) An Assistant Professor with completed service of 4 years, possessing Ph.D. Degree in the relevant discipline shall be eligible, for moving up to AGP of Rs. 7000.

(iii) Assistant Professors possessing M.Phil degree or post-graduate degree in professional courses approved by the relevant Statutory Body, such as LL.M/M.Tech etc. shall be eligible for the AGP of Rs. 7,000 after completion of 5 years service as Assistant Professor.

(iv) Assistant Professors who do not have Ph.D or M.Phil or a Master's degree in the relevant Professional course shall be eligible for the AGP of Rs. 7,000 only after completion of 6 years' service as Assistant Professor.

(v) The upward movement from AGP of Rs. 6000 to AGP of Rs. 7000 for all Assistant Professors shall be subject to their satisfying other conditions as laid down by the UGC.

(vi) The pay of the incumbents to the posts of Lecturer (senior scale) (i.e. the un-revised scale of Rs. 10,000-15200) shall be re-designated as Assistant Professor, and shall be fixed at the appropriate stage in Pay Band of Rs.15600-39100 based on their present pay, with AGP of Rs. 7000.

(vii) Assistant Professors with completed service of 5 years at the AGP of Rs. 7000 shall be eligible, subject to other requirements laid down by the UGC, to move up to the AGP of Rs. 8000.

(viii) Posts of Associate Professor shall be in the Pay Band of Rs.37400-67000, with AGP of Rs.9000. Directly recruited Associate Professors shall be placed in the Pay Band of Rs. 37400-67000 with an AGP of Rs. 9000, at the appropriate stage in the Pay Band in terms of the conditions of appointment.

(ix) Incumbent Readers and Lecturers (Selection Grade) who have completed 3 years in the current pay scale of Rs. 12000-18300 on 1.1.2006 shall be placed in Pay Band of



Rs. 37400-67000 with AGP Pay of Rs. 9000 and shall be re-designated as Associate Professor.

(x) Incumbent Readers and Lecturers (Selection Grade) who had not completed three years in the pay scale of Rs. 12000-18300 on 1.1.2006 shall be placed at the appropriate stage in the Pay Band of Rs. 15600-39100 with AGP of Rs. 8000 till they complete 3 years of service in the grade of Lecturer (Selection Grade)/Reader, and thereafter shall be placed in the higher Pay Band of Rs. 37400-67000 and accordingly re-designated as Associate Professor.

(xi) Readers/ Lecturers (Selection Grade) in service at present shall continue to be designated as Lecturer (Selection Grade) or Readers, as the case may be, until they are placed in the Pay Band of Rs. 37,400-67000 and re-designated as Associate Professor in the manner described in (x) above.

(xii) Assistant Professors completing 3 years of teaching in the AGP of Rs. 8000 shall be eligible, subject to other conditions, that may be prescribed by the UGC and the university, to move to the Pay Band of Rs. 37400-67000 with AGP of Rs. 9000 and to be designated as Associate Professor.

(xiii) Associate Professor completing 3 years of service in the AGP of Rs. 9000 and possessing a Ph.D. degree in the relevant discipline shall be eligible to be appointed and designated as Professor, subject to other conditions of academic performance as laid down by the UGC and if any by the university. No teacher other than those with a Ph.D. shall be promoted, appointed or designated as Professor. The Pay Band for the post of Professors shall be Rs. 37400-67000 with AGP of Rs. 10000.

(xiv) The pay of a directly recruited Professor shall be fixed at a stage not below Rs. 43000 in the Pay Band of Rs. 37400-67000, with the applicable AGP of Rs. 10000.

(xv) Ten percent of the posts of Professors in a university shall be in the higher AGP of Rs. 12000, however, teachers appointed to the posts shall continue to be designated as Professor. Eligibility for appointment as a Professor in the higher Academic Grade Pay shall be as may be laid down by the UGC, and such eligibility conditions shall, inter alia, include publications in peer reviewed/ refereed Research Journals, and the requirement of at least 10 years of teaching as Professor and post-doctoral work of a high standard. No person appointed directly as Professor in the AGP of Rs. 12000 shall be fixed at a stage less than Rs. 48000 along with the AGP.

(xvi) For initial direct recruitment at the level of Associate Professors and Professors, the eligibility conditions in respect of academic and research requirements shall be as may be or have been prescribed by the UGC through Regulations and as may be laid down by the university.

(xvii) Discretionary award of advance increments for those who enter the profession as Associate Professors or Professors with higher merit, high number of research publications and experience at the appropriate level, shall be within the competence of the appropriate authority of the concerned University or recruiting institution while negotiating with individual candidates in the context of the merits of each case, taking into account the pay structure of other teachers in the faculty and other specific factors.

**(b) Professors in Under Graduate and Post Graduate Colleges:**

(xviii) Ten percent of the number of sanctioned posts of Associate Professor in an Under Graduate College shall be that of Professors and shall be subject to the same criterion for selection/ appointment as that of Professors in Universities, provided that there shall not be more than one post of Professor in each Department; and provided further that

One-fourth (25%) of the posts of Professor in UG Colleges shall be directly recruited or filled on deputation by eligible teachers and the remaining three-fourths (75%) of posts of Professors shall be filled by merit promotion from among eligible Associate Professors of the relevant department of the Under Graduate College. Identification of posts of Professor in an Under Graduate College for being filled through direct recruitment/deputation shall be within the competence of the University acting in consultation with the College. Where the number of posts of Professor worked out as a percentage of the number of posts of Associate Professor for merit promotion or direct recruitment/ deputation is not an integer, the same shall be rounded off to the next higher integer.

(xix) There shall be one post of Professor in each Department of a Post Graduate College and shall be subject to the same criterion for selection/ appointment as that of Professors in Universities, provided that One-fourth (25%) of the posts of Professor shall be filled on deputation/direct recruitment from among eligible teachers and the remaining three-fourths (75%) of posts shall be filled through merit promotion from among the eligible Associate Professors in the relevant department of the Post Graduate College. Identification of posts of Professor in a Post Graduate College for being filled through direct recruitment/deputation shall be within the competence of the University acting in consultation with the College. Where the number of posts of professor for merit promotion or direct recruitment/ deputation worked out as a percentage of the total number of posts in a Post Graduate College is not an integer, the same shall be rounded off to the next higher integer. The UGC shall issue separate guidelines to ensure availability of minimum standards of academic infrastructure (library, research facilities etc.) for starting Post Graduate Courses in Colleges.

### **3. Pay Scales of Pro-Vice Chancellor/Vice Chancellor of Universities:**

#### **(i) Pro-Vice-Chancellor**

The posts of Pro-Vice Chancellor shall be in the Pay Band of Rs.37400-67000 with AGP of Rs. 10000 or Rs. 12000, as the case may be, along with a Special Allowance of Rs.4000 per month, subject to the condition that the sum total of pay in the Pay Band, the Academic Grade Pay and the Special Allowance shall not exceed Rs. 80,000.

#### **(ii) Vice Chancellor**

The posts of Vice Chancellor shall carry a fixed pay of Rs. 75000 along with a Special Allowance of Rs. 5000 per month.

### **4. Pay Scales of Principals in Colleges:**

#### **(i) Principal of Under Graduate Colleges**

Appointments to the posts of Principal in Under Graduate Colleges shall be based on the conditions of eligibility in respect of educational qualifications and teaching/research experience laid down by the University Grants Commission and if any by the university from time to time. The posts of Principal in Under Graduate Colleges shall be in the Pay Band of Rs.37400-67000 with AGP of Rs.10000, plus a Special Allowance of Rs. 2000 per month. All Principals in service shall be appropriately fixed in the Pay Band with the AGP of Rs. 10000.

#### **(ii) Principal of Post Graduate Colleges**

Appointments to the posts of Principal in Post Graduate Colleges shall be based on the conditions of eligibility in respect of educational qualifications and teaching/research experience laid down by the University Grants Commission and if any by the university

from time to time. Posts of Principal in Post Graduate Colleges shall also be in the Pay Band of Rs.37400-67000 with AGP of Rs.10,000, plus a Special Allowance of Rs. 3000 per month. All Principals in service shall be appropriately fixed in the Pay Band with the AGP of Rs. 10000.

**5. Pay Scales and Career Advancement Scheme for Librarians etc:**

**(a) Assistant Librarian/ College Librarian:**

(i) Assistant Librarian/ College Librarian in the pre-revised scale of pay of Rs. 8000-13500 shall be placed in the Pay Band of Rs.15600-39100 with AGP of Rs. 6000.

(ii) All existing conditions of eligibility and academic qualifications laid down by the UGC shall continue to be applicable for direct recruitment of Assistant Librarian/ College Librarian.

**(b) Assistant Librarian (Sr. Scale)/ College Librarian (Sr.Scale)**

(i) The posts of Assistant Librarian (Sr. Scale)/ College Librarian (Sr.Scale) in the pre-revised scale of pay of Rs. 10000-15200 shall be placed in the Pay Band of Rs. 15600-39100 with AGP of Rs.7000.

(ii) Assistant Librarian/ College Librarian possessing Ph.D. in Library Science at the entry level, after completing service of 4 years in the AGP of Rs.6000, and if otherwise eligible as per guidelines laid down by the UGC shall be eligible for the higher AGP of Rs. 7000 with in the Pay Band of Rs. 15600-39100.

(iii) Assistant Librarian/ College Librarian not possessing Ph.D. but only M.Phil in Library Science at the entry level after completing service of 5 years in the AGP of Rs. 6000, if otherwise eligible as per guidelines laid down by the UGC, shall become eligible for the higher AGP of Rs. 7000.

(iv) After completing service of 6 years in the AGP of Rs. 6000 Assistant Librarian/ College Librarian without the relevant Ph.D. and M.Phil shall, if otherwise eligible as per guidelines laid down by the UGC and if any by the university, move to the higher AGP of Rs. 7000.

(v) The pay of the existing Assistant Librarian (Sr. Scale)/ College Librarian (Sr.Scale) in the pre-revised scale of pay of Rs. 10000-15200 shall be fixed in the Pay Band of Rs. 15600-39100 with AGP of Rs. 7000. at an appropriate stage based on their present pay,

**(c) Deputy Librarian/ Assistant Librarian (Selection Grade)/College Librarian (Selection Grade)**

(i) Deputy Librarians who are directly recruited at present shall be placed in the Pay Band of Rs. 15600-39100 with AGP of Rs. 8000 initially at the time of recruitment.

(ii) On completion of service of 5 years, Assistant Librarian (Sr.Scale)/ College Librarian (Senior Scale) shall be eligible for the post of Deputy Librarian/ equivalent posts in Pay Band of Rs. 15600-39100, with Academic Grade Pay of Rs.8,000, subject to their fulfilling other conditions of eligibility (such as Ph.D. degree or equivalent published work etc. for Deputy Librarian) as laid down by the UGC. They shall be designated as Deputy Librarian/ Assistant Librarian (Selection Grade)/ College Librarian (Selection Grade), as the case may be.

(iii) The existing process of selection by a Selection Committee shall continue in respect of promotion to the post of Deputy Librarian and their equivalent positions.

(iv) After completing 3 years in the Pay Band of Rs. 15600-39100 with an AGP of Rs. 8000, Deputy Librarians/ equivalent positions shall move to the Pay Band of Rs. 37400-67000 and AGP of Rs. 9000, subject to fulfilling other conditions of eligibility laid down by the UGC and if any by the university.

(v) Assistant Librarians ( Senior Scale) in universities/ College Librarians (Senior Scale) in the AGP of Rs.7000 not possessing Ph.D. in Library Science or equivalent published work but who fulfill other criteria prescribed by the UGC and if any by the university, shall also be eligible for being placed in the AGP of Rs. 8000.

(vi) Incumbents to the posts of Deputy Librarian/ Assistant Librarian (Selection Grade)/College Librarian (Selection Grade) who have completed three years in the pre-revised pay scale of Rs. 12000-18300 on 1.1.2006 shall be fixed at an appropriate stage in the Pay Band of Rs. 37400-67000 with an AGP of Rs. 9000. They shall continue to be designated as Deputy Librarian/ Assistant Librarian (Selection Grade)/College Librarian (Selection Grade)

(vii) Incumbents to the posts of Deputy Librarian/ Assistant Librarian (Selection Grade)/College Librarian (Selection Grade) who have not completed the requirement of three years in the pre-revised pay scale of Rs. 12000-18300, for being eligible to be placed in the higher Pay Band of Rs. 37400-67000, shall be placed at an appropriate stage with Academic Grade Pay of Rs.8000 till they complete three years of service as Deputy Librarian/ Assistant Librarian (Selection Grade)/ College Librarian (Selection Grade).

(viii) Pay in regard to the directly recruited Deputy Librarians shall be initially fixed in Pay Band Rs. 15600-39100 with AGP of Rs. 8000. They shall move to the Pay Band of Rs. 37400-67000 with AGP of Rs. 9000 after completing three years of service in the AGP of Rs. 8000.

(ix) The existing conditions of eligibility and academic qualifications prescribed by the UGC shall continue to be applicable for direct recruitment to the post of Deputy Librarian.

**(d) Librarian (University)**

(i) The post of Librarian shall be in the Pay Band of Rs. 37400-67000 with the Academic Grade Pay of Rs. 10000.

(ii) The existing conditions of eligibility and academic qualifications prescribed by the UGC shall continue to be applicable for appointment to the post of Librarian (University).

(iii) Deputy Librarian completing service of three years in the AGP of Rs. 9000 and otherwise eligible as per conditions prescribed by the UGC and if any by the university, shall also be eligible to be considered for appointment to the post of Librarian through open recruitment.

(iv) Incumbent Librarian (University) shall be placed at the appropriate stage as per the 'fixation formula' of the 6<sup>th</sup> CPC in the Pay Band of Rs. 3740-67000 with AGP of Rs. 10000.

**6. Pay Scales and Career Advancement Scheme for Physical Education Personnel:**

**(a) Assistant Director of Physical Education( Assistant DPE)/ College Director of Physical Education (College DPE)**

- (i) The Assistant Director of Physical Education/ College DPE in the pre-revised pays scale of Rs. 8000-13500 shall be placed in the Pay Band of Rs.15600-39100 with AGP of Rs. 6000.
- (ii) Pay of incumbent Assistant Directors of Physical Education/ College DPE shall be fixed at an appropriate stage in the Pay Band of Rs. 15600-39100 with an AGP of Rs. 6000, in accordance with the 'fixation formula' of the 6<sup>th</sup> CPC.
- (iii) All existing conditions of eligibility and academic qualifications laid down by the UGC shall continue to be applicable for direct recruitment of Assistant Director of Physical Education/College DPE.

**(b) Assistant Director of Physical Education (Senior Scale)/ College DPE (Senior Scale)**

- (i) Assistant Directors of Physical Education (Senior Scale)/ College DPE (Senior Scale) in the pre-revised pay scale of Rs. 10000-15200 shall be placed in the Pay Band of Rs. 15600-39100 with AGP of Rs. 7000.
- (ii) Assistant Directors of Physical Education (Senior Scale)/ College DPE (Senior Scale) possessing Ph.D. in Physical Education at the entry level of Assistant DPE/ College DPE in the AGP of Rs. 6000 shall, after completing service of four years in the AGP of Rs.6000, and if otherwise eligible as per guidelines prescribed by the UGC and if any by the university, move to higher AGP of Rs. 7000 in the Pay Band of Rs. 15600-39100.
- (iii) Assistant Directors of Physical Education (Senior Scale)/ College DPE (Senior Scale) possessing M.Phil in Physical Education at the entry level of Assistant DPE/ College DPE in the AGP of Rs. 6000 shall, after completing service of five years in the AGP of Rs. 6000, be eligible for the higher AGP of Rs. 7000.
- (iv) Assistant Directors of Physical Education/ College DPEs without the relevant Ph.D. and M.Phil shall, after completing service of six years as Assistant Director of Physical Education/College DPE in the AGP of Rs. 6000, and if otherwise eligible as per guidelines prescribed by the UGC and if any by the university, be eligible for being placed in the AGP of Rs. 7000.

- (v) Pay of incumbent Assistant Directors of Physical Education (Senior Scale)/ College DPE (Senior Scale) shall be fixed in Pay Band of Rs. 15600-39100 at an appropriate stage in the AGP of Rs. 7000, as per the 'fixation formula' of the 6<sup>th</sup> CPC.

**(c) Deputy Director of Physical Education/ Assistant Director of Physical Education (Selection Grade)/ College Director of Physical Education (Selection Grade)**

- (i) After completing service of five years in the Pay Band of Rs. 15600-39100 with the AGP of Rs. 7000 and subject to satisfying other eligibility conditions laid down by the UGC and if any by the university, Assistant Director of Physical Education (Senior Scale)/ College DPE (Senior Scale) shall move to AGP of Rs. 8000 in the Pay Band of Rs. 15600-39100. They shall be designated as Deputy Director of Physical Education/ Assistant DPE (Selection Grade)/ College DPE (Selection Grade), as the case may be.

(ii) After completing service of three years in the Pay Band of Rs. 15600-39100 and the AGP of Rs. 8000 and subject to eligibility laid down by the UGC and if any by the university, Deputy DPE/ Assistant DPE (Selection Grade)/ College DPE (Selection Grade) shall move to the Pay Band of Rs. 37400-67000 with the AGP of Rs. 9000. They shall continue to be designated as Deputy DPE/ Assistant DPE (Selection Grade)/ College DPE (Selection Grade)

(iii) All Incumbents to the post of Deputy DPE/ Assistant DPE (Selection Grade)/ College DPE (Selection Grade) who have completed service of at least three years in the un-revised Pay Scale of Rs. 12000-18300 as on 1.1.2006 shall be eligible to be fixed in the Pay Band of Rs. 37400-67000 with AGP of Rs. 9000.

(iv) All incumbents to the post of Deputy DPE/ Assistant DPE (Selection Grade)/ College DPE (Selection Grade) whose services in the un-revised Pay Scale of Rs. 12000-18300 fall short of three years which would have made them eligible to move to the higher Pay Band, shall be placed at an appropriate stage at the AGP of Rs. 8000 in the Pay Band of Rs. 15600-39100 till they complete the required service of three years as Deputy DPE/ ADPE (Selection Grade)/ College DPE (Selection Grade) in the un-revised Pay Scale.

(v) Pay of the directly recruited Deputy DPE shall be initially fixed with the AGP of Rs. 8000 in the Pay Band of Rs. 15600-39100, and after completing 3 years of service directly recruited Deputy DPE and equivalents shall move to Pay Band Rs. 37400-67000 with AGP of Rs. 9000.

**(d) Director of Physical Education (University):**

(i) Post of Director Physical Education in universities shall be in the Pay Band of Rs. 37400-67000 with AGP of Rs. 10000.

(ii) Post of Director Physical Education (University) shall continue to be filled through direct recruitment and the existing conditions of eligibility i.e. the minimum qualification, number of years of relevant experience and other conditions prescribed by the UGC shall continue to be the eligibility for recruitment.

(iii) Pay of the incumbents shall be fixed at the appropriate stage in the Pay Band of Rs. 37400-67000 as per 'fixation formula' of the Government of India for 6<sup>th</sup> CPC.

**7. Incentives for Ph.D./M.Phil and other higher qualification:**

(i) Five non-compounded advance increments shall be admissible at the entry level of recruitment as Assistant Professor to persons possessing the degree of Ph.D. awarded in the relevant discipline by a university following the process of registration, course-work and external evaluation as prescribed by the UGC.

(ii) M.Phil degree holders at the time of recruitment to the post of Assistant Professor shall be entitled to two non-compounded advance increments.

(iii) Those possessing Post Graduate degree in a professional course such as LL.M/M.Tech etc., recognised by the relevant Statutory Body/Council, shall also be entitled to 2 non-compounded advance increments at the entry level.

(iv) Teachers who complete their Ph.D. degree while in service shall be entitled to three non-compounded increments if such Ph.D. is in the relevant discipline and has been awarded by a university complying with the process prescribed by the UGC for enrolment, course-work and evaluation etc.

(v) However, teachers in service who have been awarded Ph.D. at the time of coming into force of this Scheme or having been enrolled for Ph.D. have already undergone course-work, if any, as well as evaluation, and only notification in regard to the award of Ph.D. is awaited, shall also be entitled to the award of three non-compounded increments even if the university awarding such Ph.D. has not yet been notified by the UGC as having complied with the process prescribed by the Commission.

(vi) In respect of every other case, a teacher who is already enrolled for Ph.D. shall avail the benefit of three non-compounded increments only if the university awarding the Ph.D. has been notified by the UGC to have complied with the process prescribed by the Commission for the award of Ph.D. in respect of either course-work or evaluation or both, as the case may be.

(vii) Teachers in service who have not yet enrolled for Ph.D. shall therefore derive the benefit of three non-compounded increments on award of Ph.D. while in service only if such enrolment is with a university which complies with the entire process, including that of enrolment as prescribed by the UGC.

(viii) Teachers who acquire M.Phil. degree or a post graduate degree in a professional course recognised by the relevant Statutory Body/Council, while in service, shall be entitled to one advance increment. If post graduate qualification in a particular subject is not a mandatory requirement at the entry level of recruitment, acquisition of such a qualification for in service candidates shall also entitle them to one advance increment.

(ix) Five non-compounded advance increments shall be admissible to Assistant Librarian/ College Librarian who are recruited at entry level with Ph.D. degree in the discipline of library science from a university complying with the process prescribed by the UGC in respect of enrolment, course-work and evaluation process for the award of Ph.D. in library science.

(x) Assistant Librarian/ College Librarian and other Library personnel acquiring the degree of Ph.D. at any time while in service, in the discipline of library science from a university complying with the process prescribed by the UGC in respect of enrolment, course-work and evaluation shall be entitled to three non-compounded advance increments.

(xi) However, persons in posts of Assistant Librarian/College Librarian or higher positions who have been awarded Ph.D. in library science at the time of coming into force of this Scheme or having been enrolled for Ph.D. in library science have already undergone course-work, if any, as well as evaluation, and only notification in regard to the award of Ph.D. is awaited, shall also be entitled to the award of three non-compounded increments even if the university awarding such Ph.D. has not yet been notified by the UGC as having complied with the process prescribed by the Commission.

(xii) In respect of every other case of persons in the posts of Assistant Librarian/ College Librarian or higher positions who are already enrolled for Ph.D. shall avail the benefit of three non-compounded increments only if the university awarding the Ph.D. has been notified by the UGC to have complied with the process prescribed by the Commission for the award of Ph.D. in respect of either course-work or evaluation or both, as the case may be.

(xiii) Assistant Librarian/ College Librarian and others in higher Library positions in service who have not yet enrolled for Ph.D. shall therefore derive the benefit of three non-compounded increments on award of Ph.D. while in service only if such enrolment is with a university which complies with the entire process, including that of enrolment as prescribed by the UGC.

(xiv) Two non-compounded advance increments shall be admissible for Assistant Librarian/ College Librarian with M.Phil degree in Library Science at the entry level. Assistant Librarian/ College Librarian and those in higher positions acquiring M.Phil degree in Library Science at any time during the course of their service, shall be entitled to one advance increment.

(xv) Five non-compounded advance increments shall be admissible to Assistant Director of Physical Education/ College Director of Physical Education who are recruited at entry level with Ph.D. degree in the discipline of Physical Education from a university complying with the process prescribed by the UGC in respect of enrolment, course-work and evaluation process for the award of Ph.D. in Physical Education.

(xvi) Persons in posts of Assistant Director of Physical Education/ College DPE or higher positions acquiring the degree of Ph.D in the discipline of Physical Education, at any time while in service from a university complying with the process prescribed by the UGC in respect of enrolment, course-work and evaluation shall be entitled to three non-compounded advance increments.

(xvii) However, persons in posts of Assistant Director of Physical Education/ College DPE or higher positions who have been awarded Ph.D. in Physical Education at the time of coming into force of this Scheme or having been enrolled for Ph.D. in Physical Education have already undergone course-work, if any, as well as evaluation, and only notification in regard to the award of Ph.D. is awaited, shall also be entitled to the award of three non-compounded increments even if the university awarding such Ph.D. has not yet been notified by the UGC as having complied with the process prescribed by the Commission.

(xviii) In respect of every other case of persons in the posts of Assistant Director of Physical Education/ College DPE or higher positions who are already enrolled for Ph.D. in Physical Education shall avail the benefit of three non-compounded increments only if the university awarding the Ph.D. has been notified by the UGC to have complied with the process prescribed by the Commission for the award of Ph.D. in respect of either course-work or evaluation or both, as the case may be.

(xix) Assistant Director of Physical Education/ College DPE and others in higher Physical Education positions in service who have not yet enrolled for Ph.D. shall therefore derive the benefit of three non-compounded increments on award of Ph.D, while in service only if such enrolment is with a university which complies with the entire process, including that of enrolment as prescribed by the UGC.

(xx) Two non-compounded advance increments shall be admissible for Assistant Director of Physical Education/ College DPE with M.Phil degree in Physical Education at the entry level. Assistant Director of Physical Education/ College DPE and those in higher positions acquiring M.Phil degree in Physical Education at any time during the course of their service, shall be entitled to one advance increment.

(xxi) Notwithstanding anything in the foregoing clauses, those who have already availed the benefits of advance increments for possessing Ph.D./ M.Phil. at the entry level under the earlier scheme shall not be entitled to the benefit of advance increments under this Scheme.

(xxii) For posts at the entry level where no such advance increments were admissible for possessing Ph.D/ M.Phil. under the earlier scheme, the benefit of five advance increments for possessing Ph.D./ M.Phil. shall be available to only those appointments which have been made on or after the coming into force of this Scheme.



(xxiii) Teachers, Library and Physical Education cadres who have already availed the benefits of increments as per existing policy for acquiring Ph.D./M.Phil while in service, would not be entitled to benefits under this Scheme.

**8. Other terms and conditions:**

**(a) Increments:**

(i) Each annual increment shall be equivalent to 3% of the sum total of pay in the relevant Pay Band and the AGP as applicable for the stage in the Pay Band.

(ii) Each advance increment shall also be at the rate of 3% of the sum total of pay in the relevant Pay Band and the AGP as applicable and shall be non-compoundable.

(iii) The number of additional increment(s) on placement at each higher stage of AGP shall be as per the existing scheme of increment on promotion from lower Pay Scale to higher Pay Scale; however, in view of the considerable raise in effective pay between the two Pay Bands, there shall be no additional increment on movement from the Pay Band of Rs. 15600-39100 to the Pay Band of Rs. 37400-67000.

(iv) All issues relating to grant of advance increments to teachers engaged in engineering/ technical courses in the university system shall be subject to recommendations of the Committee separately constituted by the Central Government for pay review of teachers in technical education.

**(b) Pay 'fixation formula':**

The pay 'fixation formula' recommended by 6<sup>th</sup> Central Pay Commission as accepted by the Central Government shall be adopted for teachers and equivalent positions in the Library and Physical Education Cadres.

**(c) Allowances:**

(i) Allowances such as Leave Travel Concession, Special Compensatory Allowances, Children's Education Allowance, Transport Allowance, House Rent Allowance, Deputation Allowance, Travelling Allowance, Dearness Allowance, area based Special Compensatory Allowance etc. as applicable to teachers and Library and Physical Education Cadres, shall be at par with those accepted by the Central Government for Central Government employees on the recommendations of 6<sup>th</sup> Central Pay Commission and shall be applicable from 1.09.2008.

(ii) For teachers and equivalent positions in Library and Physical Education cadres in UGC maintained universities/colleges and institutions deemed to be universities, the rates of allowances as applicable to Central Government Group 'A' employees shall be adopted.

(iii) Teachers and equivalent positions in Library and Physical Education cadres, in UGC maintained universities/colleges and institutions deemed to be universities, with visual, orthopedic hearing or other disabilities under the provisions of 'Persons with Disabilities (Protection of Rights, Equal Opportunities and Full Participation) Act, 1995' shall be entitled to twice the normal rate of transport allowance as accepted by the Central Government on the recommendations of 6<sup>th</sup> CPC for Central Government Employees with disabilities.

(d) **Study Leave:**

(i) University Grants Commission shall revise its guidelines in respect of granting study leave with pay for acquiring M. Phil etc. and Ph.D. in the relevant discipline while in service by relaxing the number of years to be put in after entry while keeping in mind the availability of vacant positions for teachers and other cadres in colleges and universities, so that a teacher and other cadres entering service without Ph.D. or M.Phil. or higher qualification could be encouraged to acquire these qualifications in the relevant disciplines at the earliest rather than at a later stage of the career.

(e) **Research Promotion Grant:**

(i) University Grants Commission shall prescribe a scheme with appropriate guidelines for providing by way of appropriate 'start up grants' to teachers and other cadres taking up research in all disciplines including basic science research as recommended by 'Prof. M.M. Sharma Committee on Strengthening of Basic Science Research' and suitably adopted for research in social sciences/humanities and other disciplines by the UGC.

(f) **Age of Superannuation:**

(i) In order to meet the situation arising out of shortage of teachers in universities and other teaching institutions and the consequent vacant positions therein, the age of superannuation for teachers in Central Educational Institutions has already been enhanced to sixty five years, vide the Department of Higher Education letter No.F.No.1-19/2006-U.II dated 23.3.2007, for those involved in class room teaching in order to attract eligible persons to the teaching career and to retain teachers in service for a longer period. Consequent on upward revision of the age of superannuation of teachers, the Central Government has already authorized the Central Universities, vide Department of Higher Education D.O. letter No.F.1-24/2006-Desk(U) dated 30.3.2007 to enhance the age of superannuation of Vice- Chancellors of Central Universities from 65 years to 70 years, subject to amendments in the respective statutes, with the approval of the competent authority ( Visitor in the case of Central Universities).

(ii) Subject to availability of vacant positions and fitness, teachers shall also be re-employed on contract appointment beyond the age of sixty five years up to the age of seventy years. Re-employment beyond the age of superannuation shall, however, be done selectively, for a limited period of 3 years in the first instance and then for another further period of 2 years purely on the basis of merit, experience, area of specialization and peer group review and only against available vacant positions without affecting selection or promotion prospects of eligible teachers.

(ii) Whereas the enhancement of the age of superannuation for teachers engaged in class room teaching is intended to attract eligible persons to a career in teaching and to meet the shortage of teachers by retaining teachers in service for a longer period, and whereas there is no shortage in the categories of Librarians and Directors of Physical Education, the increase in the age of superannuation from the present sixty two years shall not be available to the categories of Librarians and Directors of Physical Education. //

(g) **Pension:**

(i) For teachers and other cadres in UGC maintained institutions in receipt of pension, the Central Government rules for pension and gratuity as applicable to Central Government employees shall be applicable. Recommendations of Sixth Central Pay Commission in respect of pension for Central Government employees, including eligibility for full pension i.e. 50% of average pay or last pay drawn whichever is higher after 20 years of qualifying service, shall be adopted for only those teachers and other cadres

who are already on pension in Central Universities/ colleges and other institutions deemed to be universities coming under the purview of the UGC .

(ii) In view of the new pension scheme effective from 1.1.2004, no new cases of conversion to pension scheme shall be allowed.

(h) **Family Pension:**

(i) Family Pension facilities as approved by the Central Government in respect of Central Government Employees on the recommendations of Sixth CPC shall be available to teachers and other cadres in Central Universities and other UGC maintained institutions who are eligible for such Pension at present.

(i) **Additional Quantum of Pension to senior pensioners:**

(i) The facility of additional quantum of pension accepted by the Central Government on the recommendation of 6<sup>th</sup> CPC for senior pensioners of the Central Government shall be extended to persons who are or were in teaching and other cadres on attaining the age of eighty years if they are already in pension scheme in Central Universities and other UGC maintained institutions.

(j) **Gratuity and Encashment of Leave:** Facilities of gratuity and encashment of leave accepted by the Central Government on the recommendation of 6<sup>th</sup> CPC for Central Government employees shall be extended to teachers and other cadres in Central Universities and other UGC maintained institutions.

(k) **Ex-Gratia Compensation:** Families of teachers and other cadres who die in performance of their bona fide duties shall be compensated in the same manner as similarly placed families of Central Government Employees.

(l) **Provident Fund:**

(i) In view of the present policy in regard to Contributory Provident Fund, the status quo shall continue.

(m) **Consultancy Assignments:**

(i) University Grants Commission shall work out a suitable model, for which the models of revenue sharing between institutions and consultant-teachers prevailing in the Indian Institutes of Technology, Indian Institutes of Management and other institutions may be taken into consideration.

(n) **Anomalies of the last PRC:**

(i) Anomalies and unimplemented recommendations of the last Pay Review Committee, if any, shall be examined by the University Grants Commission in consultation with the Ministry of Human Resource Development.

(o) **Other recommendations of PRC and UGC:**

(i) Recommendations made by the Pay Review Committee and the UGC in regard to the various selection processes, service and working conditions, training/ refresher courses etc. shall be considered appropriately by University Grants Commission with the approval of the Central Government, wherever required, or under the Commission's Regulations in accordance with the provisions of the University Grants Commission Act.

(p) **Applicability of the Scheme:**

(i) This Scheme shall be applicable to teachers and other equivalent cadres of Library and Physical Education in all the Central Universities and Colleges there-under and the Institutions Deemed to be Universities whose maintenance expenditure is met by the UGC. The implementation of the revised scales shall be subject to the acceptance of all the conditions mentioned in this letter as well as Regulations to be framed by the UGC in this behalf. Universities implementing this Scheme shall be advised by the UGC to amend their relevant statutes and ordinances in line with the UGC Regulations within three months from the date of issue of this letter.

(ii) This Scheme does not extend to the cadres of Registrar, Finance Officer and Controller of Examinations for which a separate Scheme is being issued separately.

(iii) This Scheme does not extend to the Accompanists, Coaches, Tutors and Demonstrators. Pay and Grade Pay of the said categories of employees shall be fixed in the appropriate Pay Bands relative to their existing Pay in each university/ institution corresponding to such fixation in respect of Central Government employees as approved by the Central Government on the basis of the recommendations of 6<sup>th</sup> Central Pay Commission.

(iv) This Scheme does not extend to the posts of professionals like System Analysts, Senior Analysts, Research Officers etc. who shall be treated at par with similarly qualified personnel in research/ scientific organizations of the Central Government.

(v) This Scheme may be extended to universities, Colleges and other higher educational institutions coming under the purview of State legislatures, provided State Governments wish to adopt and implement the Scheme subject to the following terms and conditions:

(a) Financial assistance from the Central Government to State Governments opting to revise pay scales of teachers and other equivalent cadre covered under the Scheme shall be limited to the extent of 80% (eighty percent) of the additional expenditure involved in the implementation of the revision.

(b) The State Government opting for revision of pay shall meet the remaining 20% (twenty percent) of the additional expenditure from its own sources.

(c) Financial assistance referred to in sub-clause (a) above shall be provided for the period from 1.01.2006 to 31.03.2010.

(d) The entire liability on account of revision of pay scales etc. of university and college teachers shall be taken over by the State Government opting for revision of pay scales with effect from 1.04.2010.

(e) Financial assistance from the Central Government shall be restricted to revision of pay scales in respect of only those posts which were in existence and had been filled up as on 1.01.2006.

(f) State Governments, taking into consideration other local conditions, may also decide in their discretion, to introduce scales of pay higher than those mentioned in this Scheme, and may give effect to the revised bands/ scales of pay from a date on or after 1.01.2006; however, in such cases, the details of modifications proposed shall be furnished to the Central Government and Central assistance shall be restricted to the Pay Bands as approved by the Central Government and not to any higher scale of pay fixed by the State Government(s).

(g) Payment of Central assistance for implementing this Scheme is also subject to the condition that the entire Scheme of revision of pay scales, together with all the conditions to be laid down by the UGC by way of Regulations and other guidelines shall be implemented by State Governments and Universities and Colleges coming under their jurisdiction as a composite scheme without any modification except in regard to the date of implementation and scales of pay mentioned herein above.

**9. Date of implementation of revised pay and allowance and payment of arrears:**

(i) The revised Pay and revised rates of Dearness Allowance under this Scheme shall be effective from 1.01.2006. The revised rates of all other applicable allowances such as House Rent Allowance, Transport Allowance, Children Education Allowance etc. and the non-compounded advance increments shall take effect from 1.09.2008.

(ii) Payment of arrears up to 40% of the total arrears shall be made during the current financial year i.e. 2008-09, after deduction of admissible income tax.

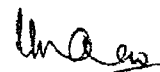
(iii) An undertaking shall be taken from every beneficiary under this Scheme to the effect that any excess payment made on account of incorrect fixation of pay in the revised Pay Bands or grant of inappropriate Pay Band/ Academic Grade Pay or any other excess payment made shall be adjusted against the future payments due or otherwise to the beneficiary in the same manner as provided in this Ministry's O.M. No. F.23-7/2008-IFD dated 23.10.2008., read with Ministry of Finance (Department of Expenditure) O.M.No.F.1-1/2008-IC dated 30.8.2008.

10. The revised Pay in the relevant Pay Band and the Academic Grade Pay together with the applicable allowances including arrears of salary as mentioned above shall be paid to all eligible beneficiaries under this Scheme pending issue of Regulations by the UGC.

11. This Scheme is subject to the guidelines issued by the Ministry of Finance (Department of Expenditure) vide OM No. 7-23/2008-E.III dated 30.09.2008.

12. Anomalies, if any, in the implementation of this Scheme may be brought to the notice of the Department of Higher Education, Ministry of Human Resource Development, for clarification/decision of the Central Government.

Yours faithfully,



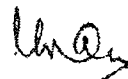
(R.Chakravarty)

Deputy Secretary to the Government of India

**Copy to:**

1. Vice Chancellors of all Central Universities/ Institutions Deemed to be Universities fully funded by the Central Government.
2. Principal Secretary to Prime Minister, South Block, Central Secretariat, New Delhi
3. Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhavan, New Delhi
4. Secretary, Department of Expenditure, North Block, New Delhi
5. Secretary, Department of Personnel & Training, North Block, New Delhi
6. Secretary, Department of Agriculture Research and Education, Krishi Bhavan, New Delhi.

7. Secretary, Ministry of Health and Family Welfare (Medical Education), Nirman Bhavan, New Delhi.
8. Member Secretary, All India Council for Technical Education, New Delhi
9. Chief Secretaries of all State Governments.
10. Web Master, Ministry of Human Resource Development for publication on the website of the Ministry, hosted by the National Informatics Centre.



(R.Chakravarty)

Deputy Secretary to the Government of India

**Agenda Item No:7**

**Application for Study Leave of Mr.Sarfaraz Ahmed Khan,Assistant Professor(Law)**

The University has received an application from Mr.Sarfaraz Ahmed Khan for study leave w.e.f 1/9/2012.(Annexure 7A). Mr.Khan joined the University as a Lecturer on 18/9/2005.

As per existing leave rules of the University Mr. Khan is eligible to go on study leave with pay . Copy of the relevant rules are given in annexure 7B. The Leave Rules of the University was approved by the University Executive Council in its 35<sup>th</sup> meeting dated 30/4/2011.

Mr.Khan has also applied for a Teacher Fellowship under Faculty Improvement Programme(FIP) of the UGC.(Annexure 7C)

Submitted for directions.

Regd 31/7/12  
3/7/12

VC 0003/7/3/7/12

ANNEXURE-7A.

Date: 02-07-2012

To,  
The Vice-Chancellor  
West Bengal National University of Juridical Sciences  
Kolkata - 700098.

Sub: Application for Study Leave for a period of three years from 1<sup>st</sup> September, 2012 to 31<sup>st</sup> August, 2015 to pursue PhD at City University of Hong Kong

Respected Sir,

It gives me immense pleasure to inform you that City University of Hong Kong have awarded UGC Hong Kong (Government) Scholarship to pursue Ph.D. at City University of Hong Kong. The duration of the course shall be three years. The topic of my research is "*Protecting Women And Children From Cross-Border Human Trafficking For Sexual Exploitation: A Critical Analysis In The Light Of Normative And Operational Realities In India And Bangladesh*". The course is full time and I need to stay at Hong during major part of my study period.

Sir, I am associated with the University since its inception in the year 2000 in different capacity, initially as LL.M students and subsequently as faculty member. I have been granted leave of one year by Executive Council to join as Lecturer during 2004-2005 to pursue my study at the University of Essex which was become possible because of British Chevening Scholarship award. I have been appointed as full time faculty on regular pay scale since September, 2005 and satisfactorily serving the University.

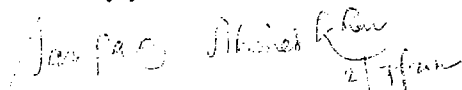
Sir, I believe that the scholarship amount shall be merely sufficient to support my stay at Hong Kong during the period of study but it will neither support my family expenses to stay at Hong Kong nor I can support them in India from such scholarship amount. The scholarship amount shall be HK\$ 14000 per month in which I have to pay monthly tuition fee of around HK\$ 3500 and Hostel Charge of HK\$ 2000 per month. The remaining amount shall be for other living expenses like food, travel, books, stationery, study materials etc. Accordingly, I will face hardship to support my family during my study period even when awarded 'Postgraduate Scholarship' by the University.

Sir, by virtue of office order No. 326/Reg/II dated 02-06-2011, the Executive Council in its 35<sup>th</sup> meeting dated 30<sup>th</sup> April, 2011, approved the Leave Rules prescribed by UGC according to which University may grant me study leave for higher studies for a period of three years with full or partial pay or without pay keeping in mind my fellowship grant.

In view of the above circumstances, I humbly request you to grant Study Leave for a period of three years starting from 1<sup>st</sup> September, 2012 to 31<sup>st</sup> August, 2015.

Thanking you

Sincerely yours



(Sarfaraz Ahmed Khan)



13 Jun 2012

Mr KHAN Sarfaraz Ahmed  
16/2B  
TOPSIA ROAD (SOUTH)  
KOLKATA, 700098  
India

Application No.: 52748894

Dear Mr Khan

### Letter of Admission

Thank you for your application for admission to a research degree programme at City University of Hong Kong (CityU). I am pleased to inform you that you have been offered a place as follows:

Department/School: School of Law  
Programme: Doctor of Philosophy (PhD)  
Programme Code: FL/P  
Mode of Study: Full-time  
Normal Period of Study: 36 months  
Commencement Date: 1 September 2012  
Research Supervisor: Dr. Surya DEVA  
Quota and source of funding:

Study Year (From - To)	Quota Type	Funding Source
1st-3rd	UGC-funded	Government funds

If you wish to accept the admission offer, you are required to confirm the offer acceptance and pay a non-refundable acceptance fee in the amount of HK\$7,016 online via your application account (login at [www.cityu.edu.hk/sgs/oas](http://www.cityu.edu.hk/sgs/oas)) **by 27 June 2012**. Request for late payment, partial payment or waiver of acceptance fee would not be entertained.

If we do not receive your online payment of acceptance fee in full and confirmation of offer acceptance by the stipulated deadline, we shall assume that you do not wish to accept the admission offer which shall be thereupon be withdrawn.

### Enrolment and Related Issues

Please refer to the Admission Notes being posted on our website (<http://www.cityu.edu.hk/sgs/rpg/admissionnotes1>) for details of enrolment procedures, fees and other information relevant to research degree studies. If you accept the offer, you are required to commence your studies **by 1 Sep 2012**, subject to your obtaining a valid visa. Please notify us once your visa application has been approved. Request for postponement of commencement date will not normally be considered. If you fail to comply with the above, you will be deemed to have declined the offer.

### Submission of Transcript (qualifications obtained from mainland and overseas institutions)

To facilitate verification of your academic qualifications, please arrange for the relevant institution(s) to send us, before your registration with CityU, an original copy of your official transcript for the bachelor's degree(s) and postgraduate degree(s) you have obtained. A Transcript Request Form is enclosed for your use. In the event that any misrepresentation, fraudulent, and non-disclosure of information is subsequently detected, the admission offer will be withdrawn.

Scholarships and Financial Aids

Consideration for the award of the Research Tuition Scholarship will be made at a later stage. We will advise you of the result once it is available.

You have been awarded the following scholarship(s) and financial aid(s) as detailed below:

- 1) Title of award: Postgraduate Studentship  
Value of studentship: HK\$14,000 per month (subject to revision in September of every year)  
Duration of award: 12 months (renewable every year up to 36 months)

The Studentship is payable from the commencement date of your candidature. The continuation and renewal of the award are based on satisfactory progress in your studies as stipulated under the "Regulations Governing Postgraduate Studentships" and additional requirements as stipulated by individual department. As a condition of the award, you may be required to undertake academic-related duties, as assigned by your School/Department.

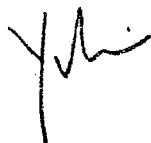
Details of the above-mentioned scholarships and financial aids are available in the Admission Notes.

Enquiry

If you have any queries concerning the above, please contact Miss Flora Chan at +852 3442-4519 or by fax (+852 3442-0332)/e-mail (sgflora@cityu.edu.hk).

We look forward to you undertaking your studies at the University.

Yours sincerely



Prof Y V Hui  
Associate Dean  
Chow Yei Ching School of Graduate Studies

cc: Head (FL); Supervisor: Dr. Surya DEVA (FL) – w/o enclosure

N:/admission/master sample admission letter (5 December 2011)

West Bengal National University of Juridical Sciences

Leave Rules

The following kinds of leave shall be admissible to permanent teachers.

Note: A permanent teacher means a teacher appointed on a time scale of pay for a minimum period of five years.

i) Leave treated as duty

Casual Leave  
Special Casual Leave  
Duty Leave

ii) Leave earned by duty—Earned Leave

Half Pay Leave, Commuted Leave

iii) Leave not earned by duty—

Extraordinary Leave  
Leave not due

iv) Leave not debited to Leave Account—

a) Leave for academic pursuits—Study Leave, Sabbatical Leave and Academic Leave

Leave on grounds on health and other leaves—Maternity Leave. Leave at the discretion of the Vice Chancellor

The Executive Council may, in exceptional cases, and on recommendations of the Academic Council grant, for the reasons to be recorded, any other kind of leave, subject to such terms and conditions as it may deem fit to impose.

20.5.C CASUAL LEAVE :

Casual leave may be granted to teachers of the University for 8(eight) days in each academic year. Casual leave to temporary staff will be granted in the same manner as to those holding permanent appointments.

Casual leave shall be granted only when it can be given without inconvenience to University services.

It shall not ordinarily be granted in continuation of other leave (except special casual leave) but it may be combined in any manner with Sundays and other authorized holidays but not more than three days casual leave exclusive of such Sundays and holidays shall be taken during one period of absence and provided also that such period of absence shall not exceed six days in a

There is no provision for half-day Casual Leave. Holidays or Sundays falling within the period of casual leave shall not be counted as casual leave.

#### 20.5.F Special Casual Leave

(i) Special Casual Leave, not exceeding 10 days in an academic year, may be granted to a teacher:

- (a) To conduct examination of a University/Public Service Commission / Board of examination or other similar bodies / institutions ; and
- (b) To inspect academic institutions attached to a statutory board etc.

(ii) In computing the 10 days' leave admissible, the days of actual journey, if any, to and from the places where activities specified above, take place, will be excluded.

(iii) In addition, special casual leave to the extent mentioned below, may also be granted:

- (a) To undergo sterilization operation (vasectomy or salpingectomy) under family welfare programme Leave in this case will be restricted to 6 working days; and
- (b) To a female teacher who undergoes non-puerperal sterilization. Leave in this case will be restricted to 14 days.

Special casual leave cannot be accumulated, nor can it be combined with any other kind of leave except casual leave. It may be granted in combination with holidays or vacation by the sanctioning authority on each occasion

#### 20.5. G - DUTY LEAVE

i. Duty Leave of the maximum of 30 days in an academic year may be granted for the following :

- a) Attending conferences, congress, symposia and seminars on behalf of the University or with the permission of the University;
- b) Delivering lectures in institutions and universities at the invitation of such institutions or universities received by the university, and accepted by the Vice Chancellor;
- c) Working in another Indian or foreign University, any other agency, institution or organization, when so deputed by the university;
- d) Participating in a delegation or working on a committee appointed by the Central Government, State Government, the UGC, a sister university or any other academic body; and

e) For performing any other duty for the university;

ii The duration of leave should be such as may be considered necessary by the sanctioning authority on each occasion.

iii. The leave may be granted on full pay , provided that if the teacher receives a fellowship or honorarium or any other financial assistance beyond the amount needed for normal expenses, he/she may be sanctioned duty leave on reduced pay and allowances.

iv. Duty leave may be combined with earned leave, half pay leave or extraordinary leave.

v. Duty leave should be given also for attending meetings in the UGC, DST, etc. where a teacher invited to share expertise with academic bodies, government or NGO.

#### 20.1.(1) Earned Leave

- (i) Earned leave admissible to a teacher shall be
    - (a)  $1/30^{\text{th}}$  of actual service including vacation; plus
    - (b)  $1/3^{\text{rd}}$  of the period, if any, during which he/she is required to perform duty during vacation.
- For purposes of computation of period of actual service, all periods of leave except casual, special casual and duty leave shall be excluded.
- (ii) Earned leave at the credit of a teacher shall not accumulate beyond 300 days. The maximum earned leave that may be sanctioned at a time shall not exceed 60 days. Earned leave exceeding 60 days may, however, be sanctioned in the case of higher study, or training or leave with medical certificate, or when the entire leave, or a portion thereof, is spent outside India.

For avoidance of doubt, it may be noted

1. When a teacher combines vacation with earned leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.
2. In case where only a portion of the leave is spent outside India, the grant of leave in excess of 120 days shall be subject to the condition that the portion of the leave spent in India shall not in the aggregate exceed 120 days.
3. Encashment of earned leave shall be allowed to non-vacation members of the teaching staff as applicable to the employees of Central/State Governments.

In the case of a person re-employed after retirement, the provisions of these rules shall apply insofar as the leave is concerned, as if he had entered the University services for the first time on the day of his re-employment.

Leave cannot be claimed as a matter of right and the leave sanctioning authority may refuse and revoke leave.

Leave cannot be claimed as a matter of right and the leave sanctioning authority may refuse and revoke leave.

#### 20.5.H. Half-pay Leave

Half-pay leave admissible to a permanent teacher shall be 20 days for each completed year of service. Such leave may be granted on the basis of medical certificate from a registered medical practitioner, for private affairs or for academic purposes.

#### Explanation :

A "completed year of service" means continuous service of specified duration under the university and includes periods of absence from duty as well as leave including extraordinary leave.

#### 20.5.I. Commuted Leave

Commuted Leave, not exceeding half the amount of half pay leave due, may be granted on the basis of medical certificate from a registered medical practitioner to a permanent teacher subject to the following conditions:

- (i) Commuted leave during the entire service shall be limited to a maximum 240 days;
- (ii) When commuted leave is granted, twice the amount of such leave shall be debited against the half-pay leave due, and
- iii) The total duration of earned leave and commuted leave taken in conjunction shall not exceed 240 days at a time. Provided that no commuted leave shall be granted under these rules unless the authority competent to sanction leave has reason to believe that the teacher will return to duty on its expiry.

#### 20.5.J EXTRAORDINARY LEAVE

- (i) A permanent teacher may be granted extraordinary leave when;

- (a) No other leave is admissible ; or
- (b) Other leave is admissible and the teacher applies in writing for the grant of extraordinary leave.

i) Extraordinary leave shall always be without pay and allowances. Extraordinary leave shall not count for increment except in the following cases:

- a) Leave taken on the basis of medical certificates;

b) Cases where the Vice Chancellor/Principal is satisfied that the leave was taken due to causes beyond the control of the teacher, such as inability to join or rejoin duty due to civil commotion or a natural calamity, provided the teacher has no other kind of leave to his credit;

c) Leave taken for pursuing higher studies, and

d) Leave granted to accept an invitation to a teaching post or fellowship or research-cum-teaching post or on assignment for technical or academic work of importance.

e) Extraordinary leave may be combined with any other leave except casual leave and special casual leave, provided that the total period of continuous absence from duty on leave (including periods of vacation when such vacation is taken in conjunction with leave) shall not exceed three years except in cases where leave is taken on medical certificate. The total period of absence from duty shall in no case exceed five years in the full working life of the individual.

f) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

#### 20.5.K Study Leave

i) Study leave may be granted for the entry level appointees as Assistant Professors/Assistant Librarian/Assistant Director of Physical Education and Sports / College DPE&S after a minimum of three years of continuous service, to pursue a special line of study or research directly related to his/her work in the university or to make a special study of the various aspects of university organization and methods of education.

ii) Subject to the terms contained in this clause 8.2, in respect of granting study leave with pay for acquiring Ph.D. in a relevant discipline while in service, the number of years to be put in after entry would be a minimum of two or the years of probation specified in the university statutes connected, keeping in mind the availability of vacant positions for teachers and other cadres in colleges and universities, so that a teacher and other cadres entering service without Ph.D. or higher qualification could be encouraged to acquire these qualifications in the relevant disciplines at the earliest rather than at a latest stage of the career.

iii) The paid period of study leave should be for three years, but two years may be given in the first instance, extendable by one more year, if there is adequate progress as reported by the Research Guide. Care should be taken that the number of teachers given study leave, does not exceed the stipulated percentage of teachers in any department. Provided that the Executive Council/Syndicate may, in the special circumstances of a case, waive the condition of two years service being continuous.

Explanation : In computing the length of service, the time during which a person was on probation or engaged as a research assistant may be reckoned provided :  
The person is a teacher on the date of the application;

- a) There is no break in service; and
- b) The leave is requested for undertaking the Ph.D. research work.

(iv) Study leave shall be granted by the Executive Council/Syndicate on the recommendation of the concerned Head of the Department. The leave shall not be granted for more than three years in one spell, save in very exceptional cases in which the Executive Council/Syndicate is satisfied that such extension is unavoidable on academic grounds and necessary in the interest of the university.

(v) Study leave shall not be granted to a teacher who is due to retire within five years of the date on which he /she is expected to return to duty after the expiry of study leave.

(vi) Study leave may be granted not more than twice during one's career. Provided that, under no circumstances, the maximum of study leave admissible during the entire service should not exceed five years.

(vii) No teacher, who has been granted study leave, shall be permitted to alter substantially the course of study or the programme of research without the prior permission of the Executive Council/Syndicate. In the event, the course of study falls short of study leave sanctioned, the teacher shall resume duty immediately on the conclusion of such course of study, unless a prior approval of the Executive Council/Syndicate to treat the period of shortfall as ordinary leave has been obtained.

(viii) Subject to the provisions of sub-clauses (ix) below, study leave may be granted on full pay up to two years extendable by one year at the discretion of the university.

viii) The amount of scholarship, fellowship or other financial assistance that a teacher, granted study leave, has been awarded will not preclude his/her being granted study leave with pay and allowances but the scholarship, etc., so received shall be taken into account in determining the pay and allowance on which the study leave may be granted. The Foreign scholarship/fellowship would be set off against pay only if the fellowship is above a specified amount, which shall be determined by the UGC, from time to time, based on the cost of living for a family in the country in which the study is to be undertaken. In the case of an Indian fellowship, which exceeds the salary of the teacher, the salary would be forfeited.

ix) Subject to the maximum period of absence from duty on leave not exceeding three years, study leave may be combined with earned leave, half-pay leave, extraordinary leave or vacation, provided that the earned leave at the credit of the teacher shall be availed of at the discretion of the teacher. A teacher, who is selected to a higher post during study leave, will be placed in that position and get the higher scale only after joining the post.

x) A teacher granted study leave shall on his/her return and re-joined the service of the university may be eligible to the benefit of the annual increment(s) which he/she would have earned in the course of time if he/she had not proceeded on study leave. No teacher shall however, be eligible to receive arrears of increments.

xi) Study leave shall count as service for pension /contributory provident fund, provided the teacher joins the university on the expiry of his/her study leave.

xii) Study leave granted to a teacher shall be deemed to be cancelled in case it is not availed of within 12 months of its sanction.

Provided that where study leave granted has been so cancelled, the teacher may apply again for such leave.

xiv) A teacher availing himself/herself of study leave shall undertake that he/she shall serve the university for a continuous period of at least three years to be calculated from the date of his/her resuming duty on expiry of the study leave.

xv) After the leave has been sanctioned, the teacher shall, before availing himself/herself of the leave, execute a bond in favour of the university, binding himself/herself for the due fulfillment of the conditions laid down in sub-clause above and give security of immovable property to the satisfaction of the Finance Officer/Treasurer or a fidelity bond of an insurance company or a guarantee by a scheduled bank or furnish security of two permanent teachers for the amount which might become refundable to the university in accordance with sub-clause (xiv) above.

xvi) The teacher shall submit to the Registrar, six monthly reports of progress in his/her studies from his/her supervisor or the Head of the Institution. This report shall reach the Registrar within one month of the expiry of every six months of the study leave. If the report does not reach the Registrar within the specified time, the payment of leave salary may be deferred till the receipt of such report.

#### 20.5.L. SABBATICAL LEAVE:

- (i) Permanent, whole-time teachers of the university and colleges who have completed seven years of service as Reader/Associate Professor or Professor may be granted



sabbatical leave to undertake study or research or other academic pursuit solely for the object of increasing their proficiency and usefulness to the University and higher education system.

- (ii) The duration of leave shall not exceed one year at a time and two years in the entire career of a teacher.
- (iii) A teacher, who has availed himself/herself of study leave, would not be entitled to the sabbatical leave.
- (iv) A teacher, shall during the period of sabbatical leave, be paid full pay and allowances (subject to the prescribed conditions being fulfilled) at the rates applicable to him/her immediately prior to his/her proceeding on sabbatical leave.
- (i) A teacher on sabbatical leave shall not take up, during the period of that leave, any regular appointment under another organization in India or abroad. He/she may, however, be allowed to accept a fellowship or a research scholarship or ad hoc teaching and research assignment with honorarium or any other form of assistance, other than regular employment in an institution of advanced studies, provided that in such cases the Executive Council/Syndicate may, if it so desires, sanction sabbatical leave on reduced pay and allowances.
- (ii) During the period of sabbatical leave, the teacher shall be allowed to draw the increment on the due date. The period of leave shall also count as service for purposes of pension/contributory provident fund; provided that the teacher rejoined the university on the expiry of his/her leave.

#### 15.E. MATERNITY LEAVE:

- (i) A female employee may be granted maternity leave by the authority competent to grant leave for a period not exceeding 180 days from the date of its commencement to be availed of twice in the entire career. During such period, she shall be paid full pay.
- (ii) Maternity leave may also be granted in case of miscarriage, including abortion, subject to the conditions that –
  - (a) the leave does not exceed 45 days;
  - (b) the application for the leave is supported by a medical certificate of an approved medical authority.
- (iii) Maternity leave may be combined with earned leave, half pay leave or extraordinary leave but any leave applied for in continuation of maternity leave may be granted if the request is supported by a medical certificate.
- (iv) Maternity leave shall not be debited against the leave account.

#### 20.5.M. LEAVE NOT DUE (Medical Reasons):

- (i) Leave not due may, at the discretion of the Vice-chancellor/Principal, be granted to a permanent teacher for a period not exceeding 360 days during the entire period of service, out

of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave shall be debited against the half-pay leave earned by him/her subsequently.

(ii) 'Leave not due' shall not be granted, unless the Vice chancellor/Principal is satisfied that as far as can reasonably be foreseen, the teacher will return to duty on the expiry of the leave and earn the leave granted.

(iii) A teacher to whom 'leave not due' is granted shall not be permitted to tender his/her resignation from service so long as the debit balance in his/her leave account is not wiped off by active service, or he/she refunds the amount paid to him/her as pay and allowances for the period not so earned. In a case where retirement is unavoidable on account of reason of ill health, incapacitating the teacher for further service, refund of leave salary for the period of leave still to be earned may be waived by the Executive Council.

Provided that the Executive Council may waive off, in any other exceptional, for reasons to be recorded in writing, the refund of leave salary for the period of leave still to be earned.

#### 20.5.N Child Care Leave

Women teachers having minor children may be granted leave upto two years for taking care of their minor children. Child care leave for a maximum period of two years (730 days) may be granted to the women teachers during entire service period in lines with Central Government women employees. In the cases, where the child care leave is granted more than 45 days, the University/College / Institution may appoint a part time/guest substitute teacher with intimation to the UGC.

#### 20.5.O. Paternity Leave

Paternity Leave of 15 days may be granted to male teachers during the confinement of their wives, and such leave shall granted only up to two children.

#### 20.5.P. Adoption Leave

Adoption leave may be provided as per the rules of the Central Government.

Date: 05-07-2012

To,  
The Vice-Chancellor  
West Bengal National University of Juridical Sciences  
Kolkata - 700098.

**Sub: Application for Teacher Fellowship under Faculty Improvement Programme (FIP) of UGC**

Respected Sir,

It gives me immense pleasure to inform you that City University of Hong Kong have awarded UGC Hong Kong (Government) Scholarship to pursue Ph.D. at City University of Hong Kong. The duration of the course shall be three years. The topic of my research is "*Protecting Women And Children From Cross-Border Human Trafficking For Sexual Exploitation: A Critical Analysis In The Light Of Normative And Operational Realities In India And Bangladesh*". The course is full time and I need to stay at Hong Kong during major part of my study period.

Sir, the Teaching Fellowship under FIP of UGC allows the University to claim salary of the substitute faculty members. It also provides financial support to the candidate for contingency expenses and travelling expenses incurred for joining the course and return to the institution. As I have been awarded scholarship, I do not need contingency grant. Under the scheme my salary and travel to and fro from Hong Kong may be granted. The complete form as prescribed by UGC is enclosed herewith.

Sir, I believe that the scholarship amount shall be merely sufficient to support my stay at Hong Kong during the period of study but it will neither support my family expenses to stay at Hong Kong nor I can support them in India from such scholarship amount. The scholarship amount shall be HK\$ 14000 per month in which I have to pay monthly tuition fee of around HK\$ 3500 and Hostel Charge of HK\$ 2000 per month. The remaining amount shall be for other living expenses like food, travel, books, stationery, study materials etc. Accordingly, I will face hardship to support my family during my study period even when awarded 'Postgraduate Scholarship' by the University.

In view of the above circumstances, I humbly request you to recommend my application as per UGC norms for Teacher Fellowship so that I may continue to get full or partial salary during my study period which will help me in supporting my family during such period.

Thanking you

Sincerely yours

*Sarfaraz Ahmed Khan*  
(Sarfaraz Ahmed Khan)



ज्ञान-विज्ञान विमुक्तये

## **X PLAN GUIDELINES FOR FACULTY IMPROVEMENT PROGRAMME**

### **1. INTRODUCTION:**

The Commission will provide assistance for award of "Teacher Fellowships" for doing M.Phil. or completing Ph.D. to teachers of those Universities and Colleges which are included in the list maintained by the UGC under Section 2(f) and 12 (B) of the UGC Act, 1956.

### **2. OBJECTIVE**

The objective of the "Teacher Fellowship" under Faculty Improvement Programme is to provide an opportunity to the teachers of the Universities and Colleges to pursue their academic/research activities leading to the award of M.Phil./Ph.D., degree.

### **3. ELIGIBILITY/TARGET GROUP**

3.1 The teacher should be permanent/confirmed (or have been appointed on a regular basis in case of Government colleges.)

3.2 The teacher should not be more than 45 years of age (relaxable by 5 years in the case of women teachers and teachers belonging to SC/ST category on the date of application.

3.3 The teacher should have at least a second class Master's Degree with minimum 50% marks (45% marks for SC/ST teachers). In case of a teacher appointed after 1986, he/she should have at least 55% marks (50% marks in case of SC/ST teachers) at Master's level or equivalent in the seven point grading scale with letter grades, O,A,B,C,D,E & F.

3.4 The teacher should have at least 3 years of teaching experience on the date of submitting the application for award of teacher fellowship.

3.5 The teacher who did not avail any teacher fellowship from UGC or any other agencies may be given preference.

3.6 A Teacher Fellow will register for the M.Phil. in a College/University/Institution, which offers the M.Phil. programme in the concerned subject. A teacher seeking Teacher Fellowship for completion of Ph.D. should have completed his/her registration process in a recognized College/University/Institution having a well developed Post-graduate department in the concerned subject with adequate research facilities.

3.7 The teacher will continue to receive full salary from the parent institution/college during the period of Teacher Fellowship.

3.8 The scheme will also be applicable to the teachers who are entitled to Study Leave with full pay. However, it would be open to them either to opt for the Teacher Fellowship under Faculty Improvement Programme or Study Leave given by the Universities.

3.9 RESERVATION : 15% and 7.5% out of the total fellowships allocated to a University/College will be reserved for SC and ST candidates respectively.

### **3.10. TENURE OF TEACHER FELLOWSHIP AND PROVISION FOR EXTENSION**

3.10.1 The Teacher Fellowship for the Ph.D. programme would be for a period of two years. Extension of one year could be granted based on the justification and merits of the case. The Teacher Fellowship for M.Phil. programme would be for one year extendable for another six months if necessary and justified.

3.10.2 The tenure of Teacher Fellowship under 'Faculty Improvement Programme' for doing M.Phil. or completing the Ph.D. should be confined within the Plan period and under no circumstances should it be extended beyond the plan period, i.e. beyond 31st March, 2007. Hence, the selection for 2006-2007 would be completed before March 31<sup>st</sup> of the year 2006 for M.Phil. and by March 31<sup>st</sup> of the year 2005 for completion of Ph.D.

### **4. NATURE OF ASSISTANCE AVAILABLE UNDER THE SCHEME:**

#### **4.1 Contingency Grants**

A Teacher Fellow will be eligible for reimbursement of actual contingency expenditure subject to a maximum of Rs. 10,000/- per year. The accounts for contingency grant and audited Utilization Certificate in the prescribed proforma (**Annexure-IV**) may be submitted to the respective UGC Regional Office under whose jurisdiction the college (parent institution) is located. In case of State Universities and Central Universities, the same may be sent to the respective Bureau of UGC. The documents should be duly counter-signed by the Registrar/Head of the concerned University/Research Institute/Principal of the College where the Teacher Fellow is conducting research work. Rules for Leave and Utilization of Contingency Grant under the scheme of Teacher Fellowship are attached (**Annexure-V**). However, the amount of contingency grant under the scheme for the extended period i.e. 3rd year shall be Rs. 8,000/- only.

#### **4.2 Travel Allowance**

The Teacher Fellow will be entitled to reimbursement of actual train fare or bus fare as per his/her entitlement according to College/University rules for joining the research centre and also for return to his/her parent institution after completing the tenure of his/her award, if the distance between the university/college (parent institution) and the research centre is above twenty kilometers. Also, the research centre and the parent institution should not be located in the same city. The expenditure to be incurred in this regard is to be met out of the contingency grant.

#### **4.3 Salary of the Substitute Teacher**

The salary of the substitute teacher, appointed by the university/college in place of a teacher selected for award of Teacher Fellowship, will be reimbursed by the UGC. The university/college will make a fresh appointment of a substitute teacher in accordance with the prescribed procedure of UGC, on the minimum Pay scale prescribed for a Lecturer. If the substitute teacher is appointed on a pay scale higher than the minimum pay scale of a Lecturer, the grant towards reimbursement of the salary of the substitute teacher will be paid by the UGC in the minimum scale and the balance amount will be met by the respective university/institute/college or by the respective State Government. If the post vacated by the Teacher Fellow is filled by transfer or deputation, such a substitute's salary will not be reimbursed. The substitute teacher must be appointed on a full time basis. The Commission will not pay the salary of the substitute if appointed on a part-time basis, unless there are substantial reasons for the same. The grant will be paid to the University/College for the salary of the substitute teacher on receipt of the joining report of the Teacher Fellow along with the following information relating to the substitute teacher:

- (i) Name of the Substitute teacher

(ii) Date of Birth

(iii) Qualifications

(iv) Experience

(v) Date of Joining

(vi) Details of pay including allowances payable per month in the approved pay scale

(vii) Amount payable up to the end of the tenure of fellowship

(viii) A certificate from the Registrar/Principal of University/College that the appointment of the substitute has been made in accordance with the procedure prescribed by the University/State Government and

(ix) Specific approval letter of the affiliating University/State Government regarding the appointment of the substitute.

In case it is not possible to appoint a substitute at the initial stage, or, if the appointment of a substitute is delayed, then lectures may be arranged on the basis of honorarium with Rs. 250/- per lecture subject to a maximum of Rs. 5,000/- per month. All efforts should be made for an early appointment of a substitute teacher.

## **5. PROCEDURE FOR APPLYING FOR THE SCHEME**

5.1 Application of award of Teacher Fellowship under 'Faculty Improvement Programme' in respect of a teacher will not be considered unless it is recommended by a Selection Committee to be constituted with the following as members:-

5.1.1 Principal of the College/ Nominee of the Vice-Chancellor, in case of University.

5.1.2 Head of the Department/A Senior Teacher in the subject concerned

5.1.3 A nominee of the affiliating University, preferably the Director of the College Development Council/Dean of Science, in case of University.

5.1.4 A subject expert from a teaching Department/College other than the concerned institution.

5.1.5 In case of selection of SC/ST candidate, a SC/ST person, preferably an academician in the University, should also be present.

5.2 The Selection Committee will scrutinize the applications submitted in prescribed proforma (Annexure-I) by the applicants and ensure that the applicants satisfy all the conditions laid down by the Commission for the award of Teacher Fellowship. A certificate to this effect will be furnished in the proceedings of the Selection Committee, which will be signed by all the members.

5.3 The Selection Committee will prepare a panel of names of teachers to be awarded Teacher Fellowships in order of merit. While preparing the panel, care must be taken to select teachers from various disciplines. Separate panels will be preferred for Humanities, Social Sciences and Sciences respectively. The number of candidates to be included in the panel should not exceed 20% of the number of permanent teachers (and in case of a Government College, teachers appointed on a regular basis) who satisfy the eligibility conditions and do not possess M.Phil. and/or Ph.D. degree. If there are less than 20% of permanent teachers in a University/College who satisfy eligibility conditions, some or all may be considered for award of Teacher Fellowship.

## **6. PROCEDURE FOR APPROVAL BY THE JGC**

The short listing will be done at the University itself keeping in view the availability of funds:

6.1 The teachers to be awarded Teacher Fellowships, including duration of the fellowship in each case, will be communicated by the Regional Offices of the UGC under whose jurisdiction the College is located. The concerned Regional Office will also release the grants towards the Teacher Fellowship. All correspondence in this regard shall be addressed to the Officer Incharge of the concerned Regional Office, and in case of State Universities/Central Universities by the concerned Bureaus of the UGC.

#### **7. PROCEDURE FOR RELEASE OF GRANTS BY UGC:**

7.1 Grants towards Contingency for the Teacher Fellowship for the first year will be paid to the research Centre/place of research of the Teacher Fellow on receipt of the item-wise statement of expenditure duly signed by Registrar/Principal of the Institution. The 2<sup>nd</sup> year's Contingency grant will be paid on receipt of Utilization Certificate for the 1<sup>st</sup> Instalment of grant duly signed by the Registrar/Principal of the Institution and item-wise statement of expenditure for the 2<sup>nd</sup> year.

7.2 Grant towards salary of the substitute teacher (if appointed) will be paid to the University/College where the Teacher Fellow was working (parent institution) immediately before joining Teacher Fellowship.

#### **8. PROCEDURE FOR MONITORING THE PROGRESS OF THE SCHEME**

8.1 The supervisor/guide of the Teacher Fellow must give a 'progress report' in the mid-month of the period for which the fellowship is awarded. In case of a negative report given by the Supervisor/Guide, the awarded fellowship to the Teacher Fellow may be withdrawn by the UGC.

8.2 A Teacher Fellow may be permitted to do M.Phil. in the University/College in which he/she is employed provided that the University/College is running the M.Phil. courses in the concerned subject. Also, a teacher fellow will be permitted to do research work leading to the Ph.D. in the University/College where he/she is employed, provided that the University/College has post-graduate teaching in the concerned subject with adequate facilities for Conducting research.

8.3 If a Teacher Fellow fails to complete his/her Ph.D./M.Phil. programme and leaves it midway, he/she has to refund the entire amount paid to him by the UGC during his/her Teacher Fellowship.

#### **9. PROFORMA FOR APPLYING UNDER SCHEME, SUBMITTING UTILIZATION CERTIFICATE, SUBMITTING PROGRESS REPORT ETC.**

**Annexure -I :** Application form for Teacher Fellowship.

**Annexure- II :** Undertaking to be given by the College where Teacher is employed.

**Annexure-III :** Joining Report of Teacher Fellowship under 'Faculty Improvement Programme.

**Annexure-IV :** Proforma for submitting Accounts of Contingency Grants and Utilisation Certificate.

**Annexure-V :** Rules for Leave and Utilisation of Contingency Grant under the scheme of 'Faculty Improvement Programme'.



ज्ञान-विज्ञान विमुक्तये

UNIVERSITY GRANTS COMMISSION

Date of Receipt of Proposal:-

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Application form for Teacher Fellowship Under Scheme of 'Faculty Improvement Programme' (The form must be filled carefully. An incomplete form is liable to be rejected)

1. Name (IN BLOCK LETTER) with  
Surname underlined Shri :

**SARFARAZ AHMED KHAN**

2. Name of the College and address  
Where employed at present :

**WEST BENGAL NATIONAL  
UNIVERSITY OF JURIDICAL  
SCIENCES  
12, LB, BLOCK, SECTOR III, SALT LAKE  
CITY, KOLKATA - 700098  
+91 (33) 25694700  
+91 (33) 23357422  
info@nujs.edu**

Tel. No.

Fax:

E-mail :

3. Date of Birth :

25<sup>th</sup> July, 1974

4. Permanent Home Address :

**16/2B, TOPSIA ROAD (SOUTH),  
KOLKATA - 700046**

5. Whether the teacher wants to do  
M.Phil. or to complete Ph.D.:

Ph.D from City University of Hong Kong



6. Service particulars :

- i. Date of appointment : 18<sup>th</sup> September, 2005  
ii. Date of confirmation : 18<sup>th</sup> September, 2006  
(or appointment on regular basis in case of Govt. Colleges)

7. Name of the Institution(s) where: WEST BENGAL NATIONAL  
UNIVERSITY  
Served as a teacher with dates and OF JURIDICAL SCIENCES  
Length of service in each case. Joined as Lecturer on 18<sup>th</sup> September, 2005  
and serving since then.

8. Category

(i) Male / Female : MALE

(ii) General / Scheduled Caste,  
Schedules Tribes, OBC

(noncreamy layer), Minorities: Muslim Minority

9. Particulars of Educational Qualifications starting with Matriculation or equivalent  
onwards (attested photocopy of the certificates may be enclosed)

Examination passed and the year of passing	School /College/ University	Subjects	Division/Grade	Percentage of marks / Cumulative Grade Point
MADHYAMIK 1988	Calcutta Madrasah Aliah (A.P.Department), WBBSE	Urdu, English, History, Geography, Math, Phy. Sc., Life Sc.,	II	54%
Higher Secondary 1990	Umesh Chandra College WBCHSE	Commerce	II	48%
LL.B	South Calcutta Law College, Calcutta University	31 Law Subjects	II	53%
LL.M	West Bengal National University of Juridical Sciences	Constitutional Law, ADR etc.	II	B+
LL.M	Essex University, United Kingdom	International Human Rights Law	M	60%
M.Phil	West Bengal National University of Juridical Sciences	Restorative Justice		67%

9. i. Name of the College/University/ : City University of Hong Kong  
Research Centre where the admission to  
M.Phil. is sought/the research work  
leading to Ph.D.degree is proposed to be undertaken.  
Tel.No.: +852 34427654

Fax: +852 3442 0332  
E -mail : webmaster@city.edu.hk  
ii. Name of the Department : **Chow Yei Ching School of Graduate Studies**  
Tel. No: +852 3442 9076  
  
Fax: +852 3442 0332

9. a. Subject/Area of M.Phil and/or research : Criminal Justice Administration

b Title of Research Problem (Brief abstract : *"Protecting Women And Children From Cross-Border Human Trafficking For Sexual Exploitation:*

research work for M.Phil or Ph.D. *A Critical Analysis In The Light Of Normative And method of approach etc. must be Operational Realities In India And Bangladesh"*

sent alongwith the application, without which the application will be treated as incomplete).

Amount of Ph.D. research work already done : Not yet started. Three years require for and the time required to complete the rest completing study.

10. Name and designation of the :  
supervisor with whom the research is  
proposed to be undertaken

Dr. Surya Deva, Associate Professor

11. Date of admission in M.Phil./  
Registration for Ph.D. :

Date of offer 13<sup>th</sup> June, 2012 and the course will start on 1<sup>st</sup> September, 2012

12. Any other information relevant to  
the Research work leading to Ph.D.  
Degree, including details of  
prosecutors,  
research papers  
(copies of papers may be enclosed):

I am continuously associated with Anti-Human Trafficking movement and organized a large number of training program for police,

Judges etc. and publish several training manual. List is enclosed along with my C.V.

I have been awarded UGC Hong Kong funding which will cover my contingency expenses in Hong Kong.

Signature \_\_\_\_\_  
Name in Block letters: SARFARAZ AHMED KHAN  
Designation: Assistant Professor of Law  
Date : 05-07-2012 Place : Kolkata

## DECLARATION

I hereby declare :

That I have read the rules regarding the award of Teacher Fellowship under 'Faculty Improvement Programme' of the University Grants Commission and, in the event of the fellowship being awarded, I undertake to engage myself whole time for the work on the subject under the direction of the Research Supervisor/guide during the tenure of the fellowship.

I further declare that, to the best of my knowledge and belief, the particulars given in the form are correct.

Place \_\_\_\_\_ SIGNATURE  
Date \_\_\_\_\_ Teacher (Applicant)

Signature  
Registrar

Name of the University:

WEST BENGAL NATIONAL UNIVERSITY  
OF JURIDICAL SCIENCES

Address :

12, LB BLOCK, SECTOR III, SALT LAKE  
CITY KOLKATA - 700098

13 Jun 2012

Mr KHAN Sarfaraz Ahmed  
16/2B  
TOPSIA ROAD (SOUTH)  
KOLKATA, 700098  
India

Application No.: 52748894

Dear Mr Khan

**Letter of Admission**

Thank you for your application for admission to a research degree programme at City University of Hong Kong (CityU). I am pleased to inform you that you have been offered a place as follows:

Department/School: School of Law  
Programme: Doctor of Philosophy (PhD)  
Programme Code: FL/P  
Mode of Study: Full-time  
Normal Period of Study: 36 months  
Commencement Date: 1 September 2012  
Research Supervisor: Dr. Surya DEVA  
Quota and source of funding:

Study Year (From - To)	Quota Type	Funding Source
1st-3rd	UGC-funded	Government funds

If you wish to accept the admission offer, you are required to confirm the offer acceptance and pay a non-refundable acceptance fee in the amount of HK\$7,016 online via your application account (login at [www.cityu.edu.hk/sgs/oas](http://www.cityu.edu.hk/sgs/oas)) **by 27 June 2012**. Request for late payment, partial payment or waiver of acceptance fee would not be entertained.

If we do not receive your online payment of acceptance fee in full and confirmation of offer acceptance by the stipulated deadline, we shall assume that you do not wish to accept the admission offer which shall be thereupon be withdrawn.

**Enrolment and Related Issues**

Please refer to the Admission Notes being posted on our website (<http://www.cityu.edu.hk/sgs/rpg/admissionnotes1>) for details of enrolment procedures, fees and other information relevant to research degree studies. If you accept the offer, you are required to commence your studies **by 1 Sep 2012**, subject to your obtaining a valid visa. Please notify us once your visa application has been approved. Request for postponement of commencement date will not normally be considered. If you fail to comply with the above, you will be deemed to have declined the offer.

**Submission of Transcript (qualifications obtained from mainland and overseas institutions)**

To facilitate verification of your academic qualifications, please arrange for the relevant institution(s) to send us, before your registration with CityU, an original copy of your official transcript for the bachelor's degree(s) and postgraduate degree(s) you have obtained. A Transcript Request Form is enclosed for your use. In the event that any misrepresentation, fraudulent, and non-disclosure of information is subsequently detected, the admission offer will be withdrawn.

Scholarships and Financial Aids

Consideration for the award of the Research Tuition Scholarship will be made at a later stage. We will advise you of the result once it is available.

You have been awarded the following scholarship(s) and financial aid(s) as detailed below:

- 1) Title of award: Postgraduate Studentship  
Value of studentship: HK\$14,000 per month (subject to revision in September of every year)  
Duration of award: 12 months (renewable every year up to 36 months)

The Studentship is payable from the commencement date of your candidature. The continuation and renewal of the award are based on satisfactory progress in your studies as stipulated under the "Regulations Governing Postgraduate Studentships" and additional requirements as stipulated by individual department. As a condition of the award, you may be required to undertake academic-related duties, as assigned by your School/Department.

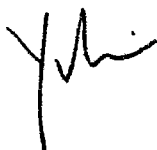
Details of the above-mentioned scholarships and financial aids are available in the Admission Notes.

Enquiry

If you have any queries concerning the above, please contact Miss Flora Chan at +852 3442-4519 or by fax (+852 3442-0332)/e-mail (sgflora@cityu.edu.hk).

We look forward to you undertaking your studies at the University.

Yours sincerely



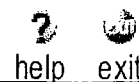
Prof Y V Hui  
Associate Dean  
Chow Yei Ching School of Graduate Studies

cc: Head (FL); Supervisor: Dr. Surya DEVA (FL) – w/o enclosure

N:/admission/master sample admission letter (5 December 2011)



## Admission Application System



Application Number: 52748894 / Name: KHAN Sarfaraz Ahmed

[Notes for Applicants on applications: [Undergraduate Programmes](#) | [Taught Postgraduate Programmes](#) | [Professional Doctorate Programmes](#) | [Research Degree Programmes](#)]  
[FAQ and [Demo on Online Application](#) for Undergraduate Programmes]

## Acceptance of Offer

Name of Applicant: KHAN Sarfaraz Ahmed

Application Number: 52748894

Offered Programme: FL/P PhD Law

Decision: Offer

Applicant Reply: Offer Accepted (Paid by credit card)

Acceptance Fee (Non-refundable): HKD\$ 7016

Acceptance Fee Paid: HKD\$ 7016

Receipt No.: 217119607821

Date Paid: 19 June 2012 17:34:49

## Declaration

1. I have read the offer letter, the information set out in the "Notes for Applicants on Acceptance of Offer" and other attachments (if applicable). I understand that the acceptance fee is non-refundable.
2. I am aware that upon request by the University, I have to provide the original documentary proof of my qualifications before the start of semester in September.
3. I understand that if I have been given more than one admission offer, my acceptance of the current admission offer will automatically supersede and cancel any previous acceptance.
4. With the successful payment of acceptance fee, I confirm my acceptance of the admission offer as set out in the offer letter and its attachments.

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## RESEARCH PROPOSAL

### PROTECTING WOMEN AND CHILDREN FROM CROSS-BORDER HUMAN TRAFFICKING FOR SEXUAL EXPLOITATION: A CRITICAL ANALYSIS IN THE LIGHT OF NORMATIVE AND OPERATIONAL REALITIES IN INDIA AND BANGLADESH.

#### I. BACKGROUND:-

The problem of Human Trafficking is multidimensional. It is worst form of crime which human civilization is experiencing now. Human Trafficking perceived to be one of the world's fastest growing criminal enterprises, it also developed as a multi billion industry for such criminal network<sup>1</sup>. It is third biggest crime in the world followed by illegal arms trade and drugs. It is being considered as crime against humanity. The offence of Human Trafficking is being committed for different purposes which include Commercial Sexual Exploitation, Bonded Labor and Organ Transplantation. Human trafficking for sexual exploitation is reported more frequently than trafficking for forced labour at the global level. Most identified human trafficking victims have been women and children who seem to be particularly vulnerable to sexual exploitation. According to Trafficking In Persons Report 2010<sup>2</sup>, the number of adults and children in forced labor, bonded labor, and forced prostitution around the world is about 12.3 million while successful trafficking prosecutions in the year 2009 was merely 4,166<sup>3</sup>. It shows the ratio of offences compared to the meager successful prosecution. The non-serious prosecution of trafficking cases is also one of the probable reasons for organized crime network to indulge in the illegal trade of Human Trafficking<sup>4</sup>. Even though, around 49,105 victims of the Human Trafficking were identified

<sup>1</sup> The process of trafficking generates huge funds for criminal network and one of the ways suggested by scholars to address the issues of trafficking is that the punishment should be given in such a manner that it will target the fund generated out of such exploitation. See Siddharth Kara, *Designing More Effective Laws Against Human Trafficking*, Northwestern University School of Law Northwestern Journal of International Human Rights, Volume 9, Number 2 (Spring 2011).

<sup>2</sup> Trafficking in Person Report, 10<sup>th</sup> Edition, June, 2010, Department of States, United States of America

<sup>3</sup> The hidden nature of the crime presents a serious challenge to calculating accurate estimates on the prevalence of human trafficking. Victims of human trafficking are often under intense surveillance by their captors, living and working in private homes and have very little exposure to the outside world. Because trafficking victims and offenders are often part of such a hidden population it becomes difficult to establish the parameters upon which representative samples should be drawn to develop accurate estimates. Both the statistics are based on the methodology adopted by both the organization cannot be fully relied upon as authentic number. However, these numbers are the only source while frequently quoted in academic writings and research.

<sup>4</sup> According to TIP Report 2010, in South and Central Asia the total number of prosecution in the year 2004 was 2764 while in the year 2005, 2006, 2007, 2008 and 2009 were 1041, 629, 824, 644 and 1989 respectively. Similarly the total number of conviction in the year 2004 was 1541 while in the year 2005, 2006, 2007, 2008 and 2009 were 406, 275, 298, 342 and 1450 respectively. This data itself need some further analysis because in

during the year, the ratio of convicted offenders to victims identified, was only 8.5 percentage and the ratio of victims identified to estimated victims only 0.4 percentage. Asia and Pacific region as one of the major source, transit and destination region for Human Trafficking is reflected from the fact that while prevalence of trafficking victims in the world is 1.8 per 1,000 inhabitants, the prevalence of trafficking victims in Asia and the Pacific is 3 per 1,000 inhabitants, little less than double of the other regions<sup>5</sup>. The victims who are trafficked from one country to other should get certain kinds of protection available under national and international laws. The receiving state cannot in any circumstances deny their responsibility of providing same treatment, care and protection to the trafficking victim from abroad as they provide to in-country trafficking victims.

## II. CROSS-BORDER TRAFFICKING BETWEEN INDIA AND BANGLADESH:-

There are plethora of examples of cross-border human trafficking for commercial exploitation between India and Bangladesh. Most of the trafficking occurred in Bangladesh is cross border and often such transaction is carried out with ease<sup>6</sup>. There are 111 Indian enclaves in Bangladesh and 51 of such enclaves of Bangladesh in India<sup>7</sup>. Studies suggest that these enclaves are being used as recruitment and collection sites for traffickers<sup>8</sup>. A UNICEF report suggest that approximately 400 women and children in Bangladesh are victims of trafficking each month<sup>9</sup>. Another study reports that approximately 300,000 Bangladeshi children and women between the ages of 12 and 30 have been trafficked to India alone in the last 10 years<sup>10</sup>. In the case relating to cross border trafficking each of the sources, transit and destination countries have certain procedural as well as substantive obligations. The pathetic condition of prevalent practices and disregard of normative framework by both the countries

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some cases police prosecute the trafficking victim for solicitation in India which is gradually decreasing. Thus we have to see the statistics from the angle of real prosecution of the traffickers and not victimization of victims.

<sup>5</sup> Trafficking in Person Report, 10<sup>th</sup> Edition, June, 2010, Department of States, United States of America, Pg. 8.

<sup>6</sup> UNODC Report, *Responses to the Human Trafficking in Bangladesh, India, Srilanka and Nepal* (2011), Page 11, available at

[http://www.unodc.org/documents/southasia/reports/LEGAL\\_AND\\_POLICY\\_REVIEW\\_human\\_trafficking\\_-\\_2011.pdf](http://www.unodc.org/documents/southasia/reports/LEGAL_AND_POLICY_REVIEW_human_trafficking_-_2011.pdf) last visited on 30-09-2011

<sup>7</sup> *Ibid*

<sup>8</sup> Study conducted by Bangladesh National Women Lawyers Association established the used of these areas are source as well as transit. See *Ibid* at Pg. 10

<sup>9</sup> See <http://www.unodc.org/unodc/en/frontpage/2009/June/human-trafficking-in-bangladesh.html> last visited on 30-09-2011

<sup>10</sup> The statistics revealed by Mr. Professor Md. Zakir Hossain during interview with UNODC representative. The interview can be access at <http://www.unodc.org/unodc/en/frontpage/2009/June/human-trafficking-in-bangladesh.html> last visited on 30-09-2011



can be established from the example of a recent cross-border trafficking case. In the middle of December, 2011, a 16 year old girl Nadia from Faridpur, Bangladesh was trafficked by unidentified traffickers and brought to India through illegal means for commercial sexual exploitation<sup>11</sup>. She was exploited by traffickers and other miscreants who kept her into captivity for few days. The traffickers who purchased the girl in India from the Bangladeshi counterpart were transporting her to some other location. Her luck favors for a while as she was rescued by the local inhabitant at Gobardanga Police Station area along with an NGO representative on 23<sup>rd</sup> November, 2011. She was handed over to police authority on same day with expectation that police will prosecute the real offenders<sup>12</sup> and will provide all protection to Nadia which she is entitled under law<sup>13</sup>. It is an astonishing fact that police instead of prosecuting real criminals prosecuted the girl for being Bangladeshi citizen who had entered the county without valid documents<sup>14</sup>. Further more the police booked her as major and did not record a single word about her trafficking and exploitation, and produced her before the local court from where she was remanded to judicial custody for 14 days. Court on it part also failed to assess the case in appropriate manner regarding her ordeal. She lost her life on 25<sup>th</sup> November, 2011 at Dum Dum Central Jail which according to jail authorities was a case of suicide<sup>15</sup>. She suffered horrible physical and sexual abuse and she was doubly victimized by the hands of law enforcement agency who instead of treating her as victim prosecuted her being foreign national. In case like Nadia's, the Government of India as well as Bangladesh

<sup>11</sup> The name of the victim was Nadia Sultana of Village Mechur, Post & Police Station Madhu Khali, District Faridpur, Bangladesh. She was earlier studying at Raichun Necha Balika Uccha Vidyalaya in Class VII. Her date of Birth according to School record was 01-01-1994

<sup>12</sup> The researcher was contacted by one of the NGOs worker namely Ms. Ratna Chakraborti on that day and the researcher advised her to take the girl before the police and asked them to register a case against the traffickers, both Indian and Bangladeshi, and the Nadia Sultana being minor victim should be produced before Child Welfare Committee for her protection, safety and safe repatriation.

<sup>13</sup> She was a minor and hence entitled to all protection enshrined in Convention on the Rights of the Children to which India is a party and Juvenile Justice (Care and Protection of Children) Act, 2000 is the instrument for implementation of Convention.

<sup>14</sup> A case was registered against her U/S 14 Foreigners Act, 1946. The police in their report made completely false claim that she was produced before police by BSF. Police further acted illegally by showing her as major instead of her being minor aged around 16 years. It is common practice among police for the mere reason that if they show the girl minor police should have to produce the girl before JJB which sits around 70 KM away at Salt lake, Kolkata while if they falsely write her age above 18 they have to produce before local court which is just 5-10 KM. Police feel it convenience without caring about the basic human rights of the person whom they take into custody.

<sup>15</sup> She lost her life because of false prosecution and no one knows the real reasons for her death as it is uncommon for a new girl to arrange all materials in jail premises to hang. The possibility of further exploitation cannot be excluded. The another completely false statement made by the police in the record of the case that Nadia Sultana was brought by BSF representative but in reality local people and NGOs representative had handed over her to the police. In fact a PIL was filed before Calcutta High Court in respect of Nadia Death in which the researcher played crucial role.

cannot deny their responsibility to protect the victim, investigate and prosecute the real offenders and make arrangement for repatriation.

In the process of trafficking a plethora of Human Rights violation takes place which includes; Deprivation of Right to Life; Deprivation of Right to Liberty; Deprivation of Right to Security; Deprivation of Dignity; Deprivation of Right to Access to Justice and Redressal of Grievances; Denial of Access to Health Services; Re-victimization<sup>16</sup>; Denial of Right to Representation; Denial of Right to be Heard before Decision Making. One of the key findings of a two year research by Anti-Slavery International concluded that the current model of protection offered to trafficked persons prioritize the needs of law enforcement over the rights of trafficked person<sup>17</sup>. In India, the NHRC study<sup>18</sup> clearly suggested that laws which are made to prosecute offenders, traffickers, pimps etc was frequently used against the victims which resulted in double victimization of victims.

### **III. DOMESTIC LEGAL FRAMEWORK TO ADDRESS TRAFFICKING FOR SEXUAL EXPLOITATION:**

There are domestic legislations in both countries but it seems inadequate to address the issues of Human Trafficking. In India none of the federal legislation attempted to define Human Trafficking. The Goa Children's Act, 2003 is the only Indian statute, which gives a legal definition of trafficking and even this is child specific<sup>19</sup>. Though there are no specific laws to define Human Trafficking there are several legislation or instruments which, directly or indirectly, have implication on Human Trafficking cases. As example, in order to redress Human Trafficking for commercial sexual exploitation, in the year 1956 India enacted the Suppression of Immoral Traffic in Women and Girls Act (SITA) (Act 104 of 1956). By Section 3 of the Suppression of Immoral Traffic in Women and Girls (Amendment) Act 1986 (44 of 1986) the nomenclature of the Act has been changed from 1987. Now it stands as the Immoral Traffic (Prevention) Act 1956 (104 of 1956) and is the main statute dealing with

<sup>16</sup> Invariably the victims were revictimised by the process of law mostly in two ways; First, the trafficked persons are victim of offence committed against them and the law enforcement agency usually arrest them U/S 8 instead of traffickers, pimps and others. Secondly, a girl who trafficked abroad, say Bangladesh and sole at India, law enforcement agency instead of treating as victim start a case U/S 14 of the foreigners Act. These facts were revealed by the Study of NHRC.

<sup>17</sup> Pearson E., Human Traffic Human Rights: Redefining Victims Protection, Anti-Slavery International, London, 2003

<sup>18</sup> Dr. P. M. Nair, Human Trafficking, NHRC (2004)

<sup>19</sup> It says 'Child trafficking means the procurement, recruitment, transportation, transfer, harboring or receipt of persons, legally or illegally, within or across borders, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving payments or benefits to achieve the consent of a person having control over another person, for monetary gain or otherwise.'

Human Trafficking for commercial sexual exploitation in India. The statutes which are also being used for addressing or redressing the menace of Human Trafficking in India are the Juvenile Justice (Care and Protection of Children) Act, 2000, Information Technology Act, 2000, The Criminal Law Amendment Ordinance, 1944 as well as major Acts like Indian Penal Code, 1960, Indian Evidence Act, 1872 and Criminal Procedure Code, 1973. The Constitution of India either expressly or impliedly prohibits traffic in human beings. Article 14 provides for equality in general while Article 15 prohibits discrimination on the grounds of religion, race, caste, sex or place of birth. Article 15 (3) provides for special protection in favor of women and children<sup>20</sup>. Article 16 (1) covers equality of opportunity in matters of public employment. Article 23 prohibits traffic in human beings and forced labor. Article 24 prohibits employment of children in any hazardous employment or in any factory or mine unsuited to their age. Article 45 makes provision for free and compulsory education for children, which is now well settled as a fundamental right of children under Article 21 A. Article 46 directs that the State should promote the educational and economic interests of the women and weaker sections of the people and that it shall protect them from social injustice and all forms of exploitation.

So far Bangladesh is concerned, the legal protection against trafficking is enshrined in the Constitution of Bangladesh itself. Article 34 of the Constitution prohibits all forms of forced labour while Article 18(2) places duty upon state to prevent prostitution. Article 31 guarantees every citizen protection of law wherever they may be. The Government of Bangladesh prepared National Plan of Action against sexual abuse and exploitation of children and National Plan of Action for children 2004-2009. There are legislations which addresses trafficking directly or indirectly. The Children Act 1994 and the Oppression Against Women and Children 1995 are the most important legislations to combat Human Trafficking. It was further strengthened by the enactment of Women and Child Repression Prevention Act, 2000. Moreover, the Penal Code, 1860 has provision for different offences which are applicable for trafficking cases. The Government has taken some initiatives which include the establishment of Anti-trafficking Cell within the Ministry of Home Affairs. However, the existing legislation is based on crime control model rather than human right

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<sup>20</sup> It states that "Nothing in this article shall prevent the State from making any special provision for women and children".

model. The legislative instruments further neglected the victims who are seen normally as witness to the crime<sup>21</sup>.

#### IV. INTERNATIONAL AND REGIONAL LEGAL FRAMEWORK TO ADDRESS TRAFFICKING FOR SEXUAL EXPLOITATION:-

Government of India has recently ratified United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UN Protocol).<sup>22</sup> One of the major contribution which U. N. Protocol made was the definition of the term Human Trafficking<sup>23</sup> which categorizes the Act, Means and Purpose to qualify as trafficking. The Protocol incorporated a series of obligations for the member countries which include protection of victim and proper repatriation as well as right to stay in receiving country if necessitate<sup>24</sup>. Both countries are also part of Convention for the Suppression of the Traffic in Persons and of the exploitation of the Prostitution of others, 1949<sup>25</sup>. The preamble of the convention provides that prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community. It mandates the member state to suppress the traffic in women and children. Apart from specific Convention relating to Human Trafficking, there are Human Rights instruments to which most of the countries are bound with such as ICCPR<sup>26</sup>, ICESCR<sup>27</sup>, CEDAW<sup>28</sup>, CRC<sup>29</sup> among

<sup>21</sup> UNODC Report, Responses to the Human Trafficking in Bangladesh, India, Srilanka and Nepal (2011), Page 11, available at [http://www.unodc.org/documents/southasia/reports/LEGAL\\_AND\\_POLICY\\_REVIEW\\_human\\_trafficking\\_-\\_2011.pdf](http://www.unodc.org/documents/southasia/reports/LEGAL_AND_POLICY_REVIEW_human_trafficking_-_2011.pdf) last visited on 30-09-2011

<sup>22</sup> The Protocol was adopted under United Nations Convention against Transnational Organized Crime. Government of India Ratified on 5<sup>th</sup> May, 2011.

<sup>23</sup> According to this definition Human trafficking is: The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

<sup>24</sup> Art. 5 of the Protocol mandate the member state for Criminalization of Trafficking Act along with its abetment and attempt. Art. 6 mandates for protection of trafficking victims while Art. 8 provides about Status of victims of trafficking in persons in receiving States and repatriation. Art. 9 enlisted the kinds of action the member states should undertake to prevent trafficking.

<sup>25</sup> This convention is most important international instrument to prevent and combat Human Trafficking.

<sup>26</sup> International Convention On Civil And Political Rights (1966):

<sup>27</sup> International Convention On Economic, Social And Cultural Rights (ICESCR) 1966:

<sup>28</sup> Convention on the Elimination of All Forms of Discrimination against Women

<sup>29</sup> The Convention on the Rights of the Child, 1989 Moreover, an Optional Protocol to the CRC, purporting to extend the scope and reach of the Convention's provisions in relation to sale of children, child prostitution, and child pornography, was concluded through the United Nations Commission on Human Rights in 2000

others<sup>30</sup>. Keeping in mind the obligation of the member countries of different Human Rights instruments, the UNOHCHR recommended principles and guidelines on Human Rights and Human Trafficking in the year 2002<sup>31</sup>. The guidelines clarify about the primacy of human rights and provides a detail obligation of the state from human rights perspective in respect of (a) preventing trafficking, (b) protection and assistance of victims of Human Trafficking and (c) criminalization, punishment and redress in trafficking cases<sup>32</sup>. These instruments and guidelines show that both of the researched countries have binding obligations under international law as well as under International Human Rights Law to take appropriate action in trafficking cases.

There is also a regional mechanism created in Asia for protection and cooperation between countries in relation to trafficking cases. The Convention on Preventing and Combating Trafficking in Women and Children for Prostitution was formulated by the SAARC in 2002<sup>33</sup>. The Convention emphasizes on the evil of trafficking in women and children. The Convention categorically provided that prostitution is incompatible with the dignity and honour of human beings and is a violation of basic human rights. Such a strong comment of the Convention has indicated the movement of SAARC towards abolition of trafficking and prostitution. India and Bangladesh being part of SAARC Convention have legal as well as moral obligation to strengthen the system against trafficking for commercial sexual exploitation in the region.

## **V. OBLIGATION OF SOURCE AND DESTINATION COUNTRIES IN RESPECT OF TRAFFICKING:-**

The international and regional instruments enlisted the obligations of member countries to combat trafficking. The European Court of Human Rights, in 2010, explained clearly about the responsibility of source as well as destination country and in which

<sup>30</sup> There are other international instruments to which most of the countries are bound with such as (1) Slavery Convention of 1927, (2) Convention No. 29 Concerning Forced Labour of ILO (3) Convention No. 182 On The Prohibition And Immediate Action Against The Worst Forms Of Child Labour of 1999 of ILO, (4) Tourism Bill of Rights and the Tourist Code 1985 of WTO

<sup>31</sup> UNOHCHR recommended principles and guidelines on Human Rights and Human Trafficking, Economic and Social Council- E/2002/68/Add.1.

<sup>32</sup> 17 guidelines were provided by UNOHCHR under aforesaid four heads. This instrument is one of important guidelines given by UNOHCHR on Human Trafficking from the perspective of Human Rights. It is important because there are country which might not ratified Organized crime convention or Optional Protocol or don't want to look Human Trafficking from such angle but Human Rights have binding force on all such countries. Human rights jurisprudence obliges them to take positive action in this regards.

<sup>33</sup> India has ratified the convention along with Bangladesh.

circumstances the respective countries shall be liable for violation of human rights<sup>34</sup>. The Court found that Cyprus and Russia had incurred international legal responsibility with respect to the death of a Russian national, probable victim of trafficking in Cyprus and that they were therefore liable in damages<sup>35</sup>. Although the victim's death and likely exploitation were not attributed to Cyprus or Russia, both States were held to have violated human rights obligations, specifically through failure to regulate employment and through inaction in the face of private conduct. These violations arose through failure to carry out an effective investigation into the death including securing the relevant evidence from overseas as well as domestically, and investigating whether there had been any trafficking-related corruption; failure to ensure that the migration regime itself afforded protection against trafficking; and failure to investigate trafficking<sup>36</sup>. The Court held that "national legislation must be adequate to ensure the practical and effective protection of the rights of victims or potential victims of trafficking<sup>37</sup>". In Asia region we do not have a similar Human Rights Court for instances like Nadia Sultana Case, where the concerned Government could have been reprimanded and held liable for violation of Human Rights. The European Court explained that in addition to criminal law measures to punish traffickers, member states are also required to "put in place adequate measures regulating businesses often used as a cover for human trafficking,"<sup>38</sup> and to ensure their immigration rules "address relevant concerns relating to encouragement, facilitation or tolerance of trafficking."<sup>39</sup>

## VI. ISSUES AND CONCERNS:-

There are so many domestic legislations but still, it seems, such laws as well as practices in both countries are incompatible with the international obligations under different Conventions as well as Human Rights instruments. In India we find the cases like Nadia Sultana where none of the international obligations are complied with nor are the domestic legislations in conformity with international obligations<sup>40</sup>. In the United States, the Trafficking Victims Violence Prevention Act of 2000 (TVPA) obliges the government to

<sup>34</sup> Rantsev v. Cyprus and Russia, Dec. No. 25965/04 (ECHR, Jan. 7, 2010)

<sup>35</sup> Rantsev v. Cyprus and Russia, Dec. No. 25965/04 (ECHR, Jan. 7, 2010). Quoted in ANNE T. GALLAGHER, *The International Law of Human Trafficking*, Cambridge University Press, 2011, P 499

<sup>36</sup> ANNE T. GALLAGHER, *The International Law of Human Trafficking*, Cambridge University Press, 2011, P 500

<sup>37</sup> Rantsev *Supra* 34

<sup>38</sup> Rantsev *Supra* 34

<sup>39</sup> Rantsev *Supra* 34

<sup>40</sup> Nadia Sultana was booked under Section 14 of Foreigners Act which is in reality a draconian law. How a trafficking victim can be booked as an offender while all traffickers are moving freely. Section 14 of Foreigners Act provides some sort of strict liability for the person came from other country.

grant stay permit to the trafficking victims. Neither of the two countries has enacted a similar domestic legislation. The international law also obliges the state to provide protection to trafficking victims like Nadia Sultana<sup>41</sup>. On some occasions the practice under different domestic legislation seems inconsistent with international legal obligation of the country. For instance, the Juvenile Justice Act<sup>42</sup> does not made any distinction between children from different countries and obliges the functionaries to provide protection to the juvenile who need care and protection<sup>43</sup>. But in practice the victims belonging to other countries do not get same kind of protection as they are entitled to and in some cases the government bodies become instrumental in prosecution of trafficking victims<sup>44</sup>. There are countries which attempted to address the issue of Human Trafficking by criminalizing demand for women in prostitution but neither of the two countries has adopted such measures.

There are constitutional guarantees as well as penal provisions against Human Trafficking in frequently encountered cases. However this problem is multifaceted and accordingly we need multidimensional responses. The lack of academic research, particularly legal research, has resulted in slow pace of legal reform<sup>45</sup>. The most important research work in India was done by NHRC which established a foundation for Anti-Human Trafficking movement in India. But this foundation was established more than a decade back and is limited to Indian Territory. There is a dire need to undertake comprehensive research, focusing on cross border trafficking between Bangladesh and India wherein Bangladesh is mainly a source region and India as a transit as well as a destination region. There is further need to analyze the demand factors in all trafficking processes of such countries.

## VII. RESEARCH QUESTIONS:-

This research will attempt to answer to the following questions;

1. How best can we define the term 'Human Trafficking'?

<sup>41</sup> The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the Convention on Transnational Organized Crime (2000) as well as UNOHCHR guidelines categorically obliges states to make arrangement for stay permit for trafficking victims.

<sup>42</sup> Juvenile Justice (Care and Protection of Children) Act, 2000

<sup>43</sup> Juvenile Justice Act divided the children into two categories, (1) Juvenile in Conflict with laws, JCL, (2) Child in Need of Care and Protection, CNCP. It further mandates that for CNCP, the Child Welfare Committee shall issue appropriate order for protection, rehabilitation and reintegration. But there are instances when CWC send foreigner girls with direction to prosecute her for being foreigners though victims of trafficking.

<sup>44</sup> In fact Standard Operating Procedure (SOP) prepared by UNICEF for Government of West Bengal for repatriation of trafficking victims provides the procedure in which invariably a trafficking victims of other countries face prosecution under Foreigners Act.

<sup>45</sup> It was really shocking that not a single PhD has been completed in India in all renowned universities on Human Trafficking. Mostly research done by NGOs in the areas of their activities.

2. How and what basic Human Rights of the victims are being violated during the process of Cross Border Human Trafficking?
3. What are the international and regional legal instruments to combat Cross Border Human Trafficking?
4. What are the domestic legal instruments to combat Human Trafficking between Bangladesh and India?
5. How far domestic legislations are compatible with international legal obligations?
6. How to make criminal justice system more victim friendly in cases relating to Cross Border Human Trafficking and to provide reparation to victims?

### **VIII. RESEARCH METHODOLOGY:-**

The present research has the scope for both Doctrinal and Empirical Method.

Doctrinal Research involves analysis of convention, declaration, statute which has some implication on Human-Trafficking or which can be used either for prosecution of the offender or for reparation of the victims. With this, the statutes of the couple of other countries of the world this research will then make a comparison of the law and process adopted in India and Bangladesh and such other countries for redressal of situations. The analyzing of scholarly writing and judicial opinions through legal reasoning and logical and rational deduction shall then be done to draw up a framework for future plan of action for combating Cross Border Human-Trafficking in India, and Bangladesh.

Empirical Research involves collection and analysis of data available about the Cross Border Trafficking cases. The researcher intend to visit different selective places in Border areas of West Bengal as well as few source areas in Bangladesh where the modern day slavery is being practiced or is acting as the source or transit area. Also the researcher will visit a few places in each of the countries where trafficking is rampant. The researcher will further do a comparative study of the pattern and causes of trafficking in different states taking sample from each of the countries.

This research design shall employ a three-stage model;

- Research planning;
- Research implementation;



- Presentation of research findings.

## **IX. OBJECT OF THE STUDY:-**

The object of the study is to locate the causes, issues and challenges from the legal perspective of the Cross Border Human Trafficking in India and Bangladesh. In the process to analyzing various legal strategies adopted in both countries for combating human trafficking, the study envisages to develop a comprehensive legal framework for reparation to the victims of Human Trafficking.

## **X. SIGNIFICANCE OF THE STUDY:-**

The study aspires to consider a holistic approach to the various issues relating to Cross Border Human-Trafficking, the framework of the study essentially would include the legal mechanism relating to the reparation of the victims. The significance of the study lies in conceptualizing the whole menace of Cross Border Human Trafficking and urgently locating the schemes for effective prosecution of offenders and reparation to the victims of such trafficking.

## **XI. LIMITATIONS OF THE STUDY:-**

From the doctrinal point of view the study will analyze the available international, regional and national legal material and for empirical purposes the study would limit to the few Border areas in the State of West Bengal, India and some places in Bangladesh. The detailed research design will be formulated with the progress of the study. The researcher has been working as a trainer since 2006 on Human Trafficking to the Police Officers and Prosecutors of Bihar as well as Prosecutors of West Bengal under the project of UNODC, and has helped several NGOs in trafficking cases and as such has developed certain insight into the topic. The researcher had visited several States of U.S.A as one of the invitees of Department of State, Government of U.S.A on the issue relating to Human Trafficking. The researcher has an advantage to have had first hand interaction with various functionaries of Criminal Justice Administration.

## **XII. HYPOTHESIS:-**

1. The current system of Criminal Justice Administration in India and Bangladesh is ill prepared to combat the much organized crime like Cross Border Human Trafficking for commercial sexual exploitation which has its roots across the borders.
2. As demand plays a vital role in Human Trafficking, there is need for criminalization of such demand, most importantly at destination country.
3. The victims of Human Trafficking are the most critically located from socio, economic and political status. The Reparation to the Victim need to be scientific and holistic in view of restorative justice.

## **XIII. CHAPTERIZATION:-**

### **PRELUDE**

**CHAPTER 1 : Problem and Perspective of Cross Border Human Trafficking Between Bangladesh and India.**

**CHAPTER 2 : International and regional legal framework for combating Human Trafficking**

**CHAPTER 3 : Laws relating to Human Trafficking in India and Bangladesh.**

**CHAPTER 4 : Criminal Justice Administration System for combating Human Trafficking in India and Bangladesh.**

**CHAPTER 5 : Case study of Cross Border Human Trafficking between India and Bangladesh.**

**CHAPTER 6 : Reparation to victims of Cross-Border Human Trafficking between Bangladesh and India.**

**RECOMMENDATIOND AND SUGGESTIONS**

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### **Teaching Experience:**

#### **Subjects Taught to LL.B. Students at NUJS,**

1. Criminal Procedure Code
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### **Experience at Bar**

1. Worked as retainer of Jalan & Co, Advocate and Solicitors (Calcutta) during 1999-2000
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3. Enrolled as an Advocate on the Roll of Bar Council of West Bengal on 9<sup>th</sup> April' 1999. Enrollment No. WB/1393/1999.

### **Research Experience:**

1. Joint Principal Researcher, Child Protection Mechanism in the States of Manipur, Nagaland, Mizoram and Meghalaya, Assigned by UNICEF, working with Jay Prakash Institute of Social Change, July, 2011 to November, 2011.
2. Associated with the research project on '*Prison Reform in India*' assigned by Bureau of Police Research and Development, Government of India, as co-coordinator.
3. Associated with the research project on '*Use of Forensic Science in Criminal Investigation and Trial* ', the report submitted to Bureau of Police Research and Development, New Delhi.

4. Worked as Research Fellow for the Project on '*Criminal Justice Administration in India*' conducted by the School of Criminal Justice and Administration, National University of Juridical Sciences, funded by with Ford Foundation.

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1. Awarded British Chevening Human Rights Scholarship, 2004 from British Council, India, for studying LL.M in International Human Rights at University of Essex, United Kingdom during 2004 – 2005.
2. International Visitor Leadership Fellowship, U.S. Department of State, to attend Three Weeks Programme on Anti-Human Trafficking at U.S.A during May, 21, 2007 to June, 8, 2007 and attended several workshops, seminars, talk and discussions at several places of U.S.A including Washington D.C, New York, Kansas City and Sanfrasisco.

#### **Book Published**

1. Lok-Adalat: An Effective ADR Mechanism, (2006), APH Publishing Corporation.
2. Rights of the Victims: Reparation by International Criminal Court, (2007), APH Publishing Corporation.
3. Restorative Justice in India, (2011), (Under Process of Publication by CLP)

#### **Published Training Manual Prepared:**

1. Co-authored, Training Manual on, 'Developing a Rights Based Approach For Anti-Trafficking Actions in South Asia, Prepared and Published by 'terre des homes, Suisse (2008)
2. Manual for Prosecutors on Human Rights, to be published by National Human Rights Commission, (Under process of Publication).
3. Co-authored, *Training Manual for Government Officials, Police Officers and Prosecutors of Bihar on Anti-Human Trafficking*, (2008)
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7. Co-Edited, *The Manual on Environmental Protection*, Vol. 1 & 2, (2005), Published by West Bengal Pollution Control Board.

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2. Study Manual for Diploma Course on Human Trafficking, IGNOU (2010)
3. Training Manual for Workshop on 'Child Rights' organized by W. B. National University of Juridical Sciences in Collaboration with CHILDLINE India Foundation, on 27<sup>th</sup> September, 2008.

4. Training Manual for Assistant Public Prosecutors for 'Induction Training Programme held at W. B. National University of Juridical Sciences, Kolkata, during 7<sup>th</sup> September, 2008 to 12<sup>th</sup> September, 2008.
5. Training Manual for Course on 'International Law for Criminal Investigators', Prepared for Bureau of Police Research and Development, Ministry of Home Affairs, Government of India. (April, 2008)
6. Study Material Prepared for Seminar on Fair Deal to Victims, organized by School of Criminal Justice and Administration of NUJS and Institute of Social Sciences, New Delhi, on 14<sup>th</sup> January 2006.
7. Study Materials prepared for One day workshop on Intellectual Property Rights With Special Reference to Music Piracy, on 9<sup>th</sup> December 2006, jointly organised by School of Criminal Justices and Administration of NUJS and The Indian Music Industry.
8. Study Material Prepared for Vertical Interaction Course for Senior I.P.S. Officers, on 6<sup>th</sup> to 11<sup>th</sup> November 2006, organized by School of Criminal Justice and Administration of NUJS and Bureau of Police Research and Development, Ministry of Home Affairs, Government of India.
9. Study Material Prepared for Vertical Interaction Course for Senior I.P.S. Officers, on 21<sup>st</sup> to 26<sup>th</sup> November 2005, organized by School of Criminal Justice and Administration of NUJS and Bureau of Police Research and Development, Ministry of Home Affairs, Government of India.
10. Study Material prepared for Vertical Interaction Course for Senior I.P.S. Officers, on 1<sup>st</sup> to 6<sup>th</sup> September 2003, organized by School of Criminal Justice and Administration of NUJS and Bureau of Police Research and Development, Ministry of Home Affairs, Government of India.
11. Study Material Prepared for Seminar on Use of Forensic Science in Criminal Investigation and Trail, on 25<sup>th</sup> September, 2004, organized by School of Criminal Justice and Administration of NUJS and Bureau of Police Research and Development, Ministry of Home Affairs, Government of India.

#### **Article Published**

1. Law of Evidence in the Age of Internet: An Analysis, 2002(2) UJ 106 (Journal) & 2002 (3) GCD 121 (Journal).
2. Extradition and Death Penalty – An Unresolved Dilemma in European States, IJIL, to be published.
3. Victims Right to Reparation – Need for a Proper Policy Framework, to be published by Indian Society of Victimology.

#### **Dissertation**

1. Submitted dissertation on "*Lok-Adalat: An Effective ADR Mechanism: Study of the functioning of the institution in West Bengal*". WBNUJS, (2003).
2. Submitted dissertation on '*Study of the Right to Reparation to the Victims under the International Criminal Court*', LL.M Dissertation, Essex University (2005).
3. Restorative Justice within Indian Criminal Justice System – with special reference to Plea Bargaining and Compounding measures. (2011), M.Phil Dissertation, WBNUJS

#### **News Paper Article:**

1. Fundamental Right To Education: Is It A Hollow Assurance?, April 1, 2009, The Eastern Post, Fortnightly, Kolkata

2. Legal Remedy For Domestic Violence, November 1, 2008, The Eastern Post, Fortnightly, Kolkata
3. Arrest - Know Your Rights, October 16, 2008, The Eastern Post, Fortnightly, Kolkata
4. Help yourself through RTI, August 15, 2008, The Eastern Post, Fortnightly, Kolkata
5. Help Yourself Through RTI Part II, October 01, 2008, The Eastern Post, Fortnightly, Kolkata

### **Leadership qualities:**

1. I am leading an educational movement in Kolkata and for which we have established an Educational Trust by name SAKET, under which we are running several projects with a mission to empower underprivileged through education.
2. I was the General Secretary of the South Calcutta Law College where only 2% students were belonging to our community as well as language.
3. I was the elected director continuously for 5 years of a Cooperative Credit Society namely SHIV-PARVATI COOPERATIVE CREDIT SOCIETY LIMITED whose membership strength is around 2000.
4. I am associated with several organization in different capacities such as Ideal Public School, Shishu Bikas Academy, Milli Council, Indo-British Scholars Association, SCLC Alumni Association, Topsia Bayam Samity Club (Vice-President). I am also associated with different professional bodies. In the capacity of trainer, I do visit all places throughout West Bengal, Bihar etc on the invitation different NGOs & CBOs of West Bengal and Bihar.
5. I was the General Secretary of 'Favourable Finance Field Employees Union' and lead the movement against management as well as government when finance company cheated thousands of innocent citizen and the agents were become victims of circumstances.
6. Representative of students body at my School, Calcutta Madrasah, A.P. Dept., Kolkata and because of our movement in Class VIII, which I given the lead, several infrastructural developments took place at our School.
7. First public gathering I address at Esplanade when I was merely in VII where movement for Urdu language was going on under the leadership of Prof. Kazmi, being the representative of my School students.

### **Refreshers Course & Orientation Course**

1. Attended 3 Week Refreshers Course in Law at Academic Staff College, Jamia Milia Islamia, New Delhi from 15<sup>th</sup> January, 2009 to 5<sup>th</sup> February, 2009 and got excellent evaluation.

### **International Seminar, Visit and programme abroad**

1. Invited as sole representative of India under International Visitor Leadership Programme by U.S. Government to attend Three Weeks Programme on Anti-Human Trafficking at U.S.A during May, 21, 2007 to June, 8, 2007 and attended several workshops, seminars, talk and discussions at several places of U.S.A including Washington D.C, New York, Kansas City and Sanfransisco.
2. Attended *Inter-Regional Conference on Justice Systems and Human Rights*, during 18-20<sup>th</sup> September, 2006 at Brasilia, Brazil, Organized by British Council, Brazil in association with Ford Foundation and Essex University.
3. Attended weeklong seminar (14-19 November, 2004) on, "*Realising Human Rights: Implementing human rights through litigation*", organised by British Council, Oxford, U.K

4. Attended International Seminar on, "*Alternative Dispute Resolution*", held at Dhaka on 7<sup>th</sup> & 8<sup>th</sup> March, 2004 organised by British Council, Bangladesh.

**Delivered Lecture and Talk outside NUJS (It is not an exhaustive list)**

1. Resource Person during Tw-Days Training Program for Prosecutors of West Bengal, 24-25 September, 2011, held at Asansol, organized by Directorate of Public Prosecution, Government of West Bengal.
2. Training of Government Functionaries on Gender Issues on the Topic Legal rights of women, Administrative Training Institute, 23<sup>rd</sup> September, 2011
3. Resource person of the training program on Human Trafficking for NGOs Representative from Bihar, U.P. and Jharkhand, at Patna on 5 September, 2011, Organized by Justice Venture Initiative, New Delhi.
4. Resource Person for the TOT on Anti-Human Trafficking from 17 to 19 Feb, 2011, on 19<sup>th</sup> Feb, 2011 organized by Biju Patnaik State Police Academy, Bhubaneswar, jointly with BPR&D, MHA, New Delhi.
5. Resource Person for the three day regional level Training of Trainers (ToTs) workshop on Anti-Human Trafficking, from January 12 to 14, 2011, organised by Rajasthan Police Academy, Jaipur jointly with BPR&D and delivered lecture on "Laws & Legal Aspect of Human Trafficking" on 14.01.2011.
6. Delivered lecture on 'Role of Judiciary in Prevention of Torture on 18<sup>th</sup> November, 2010 organised by CCTV and National Alliance of Women's Organisation (NAWO).
7. Resource person for three days training program for Special Juvenile Police Unit of Manipur on Juvenile Justice during 4<sup>th</sup> August to 6<sup>th</sup> August, 2010, held at Imphal, organized by Department of Social Welfare, Government of Imphal.
8. Panelist in the Panel Session on 'International Cooperation and Mutual Legal Assistance' on 28<sup>th</sup> June 2010, during workshop on Role of Civil Society in Community Policing to prevent cross border trafficking between Bangladesh, India and Nepal organized by ATSEC India and Socio-Legal Aid Research & Training Centre (SLARTC) at the Bramhananda Hall, Ramkrishna Mission Institute of Culture, Kolkata.
9. Spoke to Child Marriage Prohibition Officers of West Bengal on The Prohibition of Child Marriage Act, 2006 and Prohibition of Child Marriage Rule, 2008, organised by Directorate of Social Welfare, Government of West Bengal on 26<sup>th</sup> June, 2009 at Directorate Conference Hall.
10. Address the participants in the Panel Session on International Cooperation and Mutual Legal Assistance on 28th June 2010 at the workshop on Role of Civil Society in Community Policing to prevent cross border trafficking between Bangladesh, India and Nepal, organized by ATSEC India and Socio-Legal Aid Research & Training Centre (SLARTC).
11. I was Chief Guest at a function to commemorate the 26 June UN International Day in Support of Victims of Torture on 25<sup>th</sup> June, 2010 organised by CCTV, a well known Indian NGO.
12. Spoke on J. J. Act at the workshop held for Members of Allied System by CLIF and National Institute of Social Defence on 22-02-2010 at Haldia.
13. Delivered lecture on '*Legal and Ethical Issues on HIV*' at the Regional GIPA Consultation Workshop for State of West Bengal, Orissa and Jharkhand, Organised by W. B. State Aids Prevention & Control Society, Held on 08-06-2009 at Seva Kendra, Calcutta.

14. Trained 35 lawyers of Bar from Patna on '*Legal and Ethical Issues on HIV*' and '*HIV and Human Rights*', organised by Bhoruka Public Welfare Trust in Collaboration with NACO, on 7<sup>th</sup> June, 2009 at SCADA Business Centre, Patna.
15. Trained 13 Senior Judicial Officers of Manipur on Laws Relating to Juveniles during '*Three-days Training of Judicial Magistrates (1<sup>st</sup> Class) on Child Psychology and Child Welfare*', Organised jointly by Childline India Foundation & Department of Social Welfare, Government of Mnipur, on 27<sup>th</sup> to 29<sup>th</sup> April, 2009 at State Guest House, Imphal.
16. Given training to police officers in four training organized by Women Interlink Foundation in collaboration with TDH on 8/2/2009 at Swarupnagar P.S under Basirhat Sub Division in which 33 Police Officers were participated, on 14/2/2009 at Gaigatha (Bangaon) in which 70 Police Officers were participated, on 23/2/2009 at Mekhligunge in which 34 Police Officers were participated and on 24/2/2009 at District North 24 Parganas in which 106 Police Personnel and other NGOs representative participated.
17. Participation as one of the Panelist on Child Protection Campaign on 19<sup>th</sup> November 2008, at Nandan Rabindrasadan Complex, Organised by The Hope Foundation.
18. Took several session during 2 days workshop on 'Arbitration & Conciliation' for the officials of NHPC Ltd., A Government of India Enterprise, during 9<sup>th</sup> & 10<sup>th</sup> February, 2009.
19. Participated as one of the panelist on International Day for the Elimination of Violence Against Women on 28<sup>th</sup> November, 2008 at American Center, Kolkata
20. Delivered lecture on 'Different Laws and Regulation on Child Laborers', organised by Right Track, NGO, on 24<sup>th</sup> November, 2008
21. Invited as one of the Panelist in the Child Protection Campaign on 19th November 2008 at Nandan Rabindrasadan Complex, organised by Hope Foundation.
22. Participated as one of the panelist during Panel Discussion on 'Effective Implementation of CLPRA through Public, Private and People Partnership' organised by Save The Children, on 1<sup>7th</sup> October, 2008 at Academy of Fine Arts Auditorium.
23. Spoke at National Workshop on Right to Information Act and Alternative Dispute Resolution, Organised by Guwahati Branch of the Institute of Chartered Accountants, at Institution of Engineers, near Panbazar over bridge, Gauhati, on Saturday the 05<sup>th</sup> July 2008.
24. One of the Panelist on the occasion of celebration of World Day Against Child Labor, organised by American Centre, Kolkata, Loreto Day School & CII at American Centre on 6<sup>th</sup> June, 2008.
25. Participated as one of the panelist at the seminar on 'Prevention of Cross Border Trafficking in Women and Children between Bangladesh and West Bengal, India', on 12<sup>th</sup> April, 2008 at Subarnatat, Dakhin Dinajpur, West Bengal. 22 Police Personnel and 17 BSF Personnel participated in the program.
26. Participated as sole resource person for training program on Anti-Human Trafficking for Police Officers of District South Dinaj Pur, Organized by Women Interlink Foundation, On 29rd March, 2008 at Hili Police Station in which 25 Police Personnel Participated.
27. Participated as Resource Person in Workshop on Cross Border Trafficking-Rescue, Rehabilitation and Repatriation, Organised by Socio-Legal Aid Research & Training Centre, on 31<sup>st</sup> August, 2007 at Hotel Hindustan International.

28. Delivered lecture on '*Protection of Women from Domestic Violence Act, 2005*', organized by SLARTC and SWD, Government of West Bengal, on 21<sup>st</sup> August, 2007 at Barasat.
29. Delivered Lecture on 'Life' at Don Bosco School, Liluah, on 2<sup>nd</sup> April, 2007. The Theme for 2007 of the organization was LIFE and I was invited as Chief Guest on inaugural day to deliver lecture on the topic.
30. Delivered Lecture on 'Women's Rights – Looking forward from Survival to Success', on the occasion of International Women Day on 8<sup>th</sup> March, 2007 at Jawaharkunj, Barrackpur, organized by Millennium Care & Development.
31. Participated as Resource Person at the State Level Workshop on 'Developing a Right Based Approach for Anti-Trafficking action in South Asia' organised by Women Interlink Foundation under EC TDH Project, on 27<sup>th</sup> February, 2007 at Hotel Peerless Inn.
32. Participated as Guest of Honour at the State Level Workshop on 'Prevention of Trafficking and HIV/AIDS in women and girls of West Bengal' organised by ATSEC West Bengal and Supported by UNDP/TAHA on 20<sup>th</sup> January, 2007 at Middleton Chamber.
33. Delivered talk on 'Gaps in investigation and prosecution of cases relating to Human Trafficking' as one of the panelist along with Justice Samaresh Banerjee, Lok-Ayukta, West Bengal and Mr. Taj Mohammad, Dy. Director, Directorate of Prosecution, W. B., in Consultative Meeting organized by JABALA on 23<sup>rd</sup> December, 2006.
34. Delivered lecturer on '*Right to Information*', at workshop organized by SANLAP, on 12<sup>th</sup> December, 2006.
35. Delivered talk on '*Anti-Human Trafficking Laws*' at Apne Aap Women Worldwide, Kolkata on 8<sup>th</sup> December, 2006
36. Delivered talk on '*Concept, Skill and Implementation of Mediation in India*' at Indian Chamber of Commerce on 10<sup>th</sup> November, 2006 before Member of Task Force on ADR formed under the auspices of Indian Chamber of Commerce.
37. Delivered lecture on '*Investigation and Prosecution of Human Trafficking Cases*', State Police Training College, Saltlake, for Police Officers of West Bengal on 14<sup>th</sup> October, 2006.
38. Delivered lecture on '*Defect in Investigation and Prosecution*', as well as "Expert Evidence" on 7<sup>th</sup> September, 2006 at CDTS.
39. Delivered talk on "*Implementation of Consumer Rights at National and International level*" at National Seminar on "*Protection of Consumers' Rights and Welfare under the consumer protection law : the Emerging Problem and challenges*", organized by Department of Law, Burdwan University, during 26-27 August, 2006.
40. Deliver lecture on "*Laws on cyber crime*" on 25<sup>th</sup> August, 2006 at CDTS Kolkata.
41. Delivered lecture on, "*Role of Prosecutor and Responsibility of Investigating Officers in Presenting Cases before the Court*", on 11<sup>th</sup> July, 2006 at CDTS, Kolkata.
42. Delivered lecture on, "*Conciliation and Mediation*", on 18<sup>th</sup> May, 2006, at EIRC, ICAI.
43. Delivered lecture on, "*Basic Concept of Disputes, Conflict and Litigation*", on 17<sup>th</sup> May, 2006, at EIRC, ICAI.
44. Interactive Counselling Radio Programme organized by Indira Gandhi National Open University on '*Human rights and Intellectual Property*', at all India Radio, Kolkata, on 19<sup>th</sup> March, 2006.

45. Delivered lecture on 'Copy Right Act' on 13<sup>th</sup> March, 2006 at CTDS, Kolkata.

### **Associated with different Seminar and Training Programs**

1. Coordinated, Two-Days training program for Prosecutors of West Bengal, organized by the School of Criminal Justice & Administration, WBNUJS, jointly with Directorate of Prosecution, WB, on 26th & 27th March, 2011 at WBNUJS.
2. Coordinated, Seminar on Application of International Humanitarian laws, Organised by SCJA jointly with ICRC, on 10 December 2010
3. Given training to Social Workers on 'Combating Trafficking: Legal Intervention' on 9 Mar, 2010, organized by Jay Prakash Institute.
4. Given training to police personnel on "Policing and Rights of Children Including Trafficked Children" on 9th March 2010, organized by The Institute of Social Sciences in collaboration with West Bengal Police
5. Coordinated Training Programme and participated as Resource Person in the training for Police, Advocates, Journalist and NGOs representative on Witness Protection, on 26<sup>th</sup> July, 2009 at Araria, Organised by Apne aap Women Worldwide.
6. Coordinated 5 Law School Training Program on Anti-Human Trafficking on 12/1/2009 at NUJS, 21/1/2009 at South Calcutta Law College, 12/2/2009 at Kingston College, 26/2/2009 at North Bengal University, Law Department and 28/2/2009 at Jogesh Chandra Chowdhury Law College, Organised by Women Interlink Foundation in collaboration with TDH.
7. Coordinated 8 training program for Prosecutors of West Bengal on Anti-Human Trafficking organized by National University of Juridical Sciences in Collaboration with UNODC during March, 2007 to September, 2008.
8. Co-ordinated 24 training programme on Anti-Human Trafficking, during March, 2007 to September, 2008, for Prosecutors and Police Officers of five Districts of Bihar namely Begusarai, Araria, Purnea, Kishanganj and Katihar, Bhagalpur, Banka, Rohtas, Supaul, Saharsa, jointly organized by Apne Aap Women Worldwide, Bihar Police and United Nation Office on Drug and Crimes.
9. Organised and Coordinated one day workshop on, *Throwing Light on Child Rights and Discussion on Legalities and Realities of Child Line Cases*, on 27<sup>th</sup> September, 2008, for Magistrate, Advocates & Prosecutors, Organised jointly by the Childline India Foundation, Kolkata and SCJA, WBNUJS, Kolkata.
10. Coordinated 6 day Induction Training for newly recruited Assistant Public Prosecutors of West Bengal during 7<sup>th</sup> – 12<sup>th</sup> September, 2008, organized by NUJS in collaboration with Directorate of Prosecution, West Bengal.
11. Coordinated on behalf of WBNUJS, Judicial Seminar "Human Rights in Judgments in South Asia", organized by International Commission of Jurist in Collaboration with WBNUJS during 14-15<sup>th</sup> December 2007, at Hotel Hyatt International, Kolkata, India
12. Delivered lecture on 'Plea Bargaining' to the CBI officers at Regional Training Centre, CBI, on 15<sup>th</sup> December, 2007.
13. Associated as co-coordinator with organizing one day *Colloquium On Police Reforms* on 10<sup>th</sup> February, 2007 jointly with Institute of Social Sciences, New Delhi, W.B.N.U.J.S.
14. Co-ordinator, *One day workshop on Intellectual Property Rights with special reference to Music Piracy*, organized jointly by SCJA & IMI, on 9<sup>th</sup> December, 2006.



15. Co-coordinator, *Vertical Interaction Course for Senior Police Officers*, 6<sup>th</sup> – 11<sup>th</sup> November, 2006, Organized by School of Criminal Justice and Administration, NUJS, Sponsored by, Bureau of Police Research and Development, MHA, GOI.
16. Coordinator, "*Training on Anti Human Trafficking*", for Prosecutors of West Bengal, jointly organized by WBNUJS and United Nation Office on Drug and Crime, ROSA, from 28<sup>th</sup> – 29<sup>th</sup> October, 2006.
17. Coordinator, "*Training of Trainers on Anti Human Trafficking*", for Public Prosecutors of West Bengal and Andhra Pradesh, jointly organized by WBNUJS and United Nation Office on Drug and Crime, ROSA, from 28<sup>th</sup> July, 2006 to 31<sup>st</sup> July, 2006.
18. Coordinator, *Certificate Course on Human Rights Law*, 10-06-2006 to 31.07.2006.
19. Associated with the organization of the seminar on, *Forensic Science in Criminal Investigation and Trial* held on 25.03.2006 at NUJS.
20. Associated with the organization of the Seminar on '*Consumer Protection – Legality and Reality*', held on 19-03-2006 at NUJS.
21. Coordinated the Seminar on '*Fair Deal to Victims*', jointly organized by WBNUJS and Institute of Social Sciences, New Delhi, on 14.01.2006.
22. Associated with the Seminar on, "*Criminal Law Amendment, Act 2005 and its implications*", held on 24.12.05 at NUJS.
23. Co-coordinator, Six-day Vertical Interaction Course for Senior Police Officers on, "*Administration of Criminal Justice*", from 21<sup>st</sup> to 26<sup>th</sup> November, 2005.
24. Actively associated with the Two-day Workshop on, "*Human Rights*", for the Public Prosecutors and Assistant Public Prosecutors of West Bengal – 24<sup>th</sup> and 25<sup>th</sup> September, 2005, held at NUJS.

**Acting as Consult of Different organizations for specified assignment:**

1. Short Consultancy with UNICEF Jharkhand, Two-Days Handholding support program for JJB in Jamshedpur during 21 -22 September, 2011
2. Consultant Apne Aap Women Worldwide, Developing Learning, Legal Advocacy & Leadership and Livelihood Project, April, 2011 to June, 2011
3. Honorary Consultant, Childline India Foundation, Eastern India during the year 2010-2011

**Participation in Seminars, workshop and Important Programs (It is not an exhaustive list):**

1. Participated as one of the Jury Member, Fact Finding Meeting on the West Bengal Human Rights Commission, Organized by HRLN, at Seva Sadan Kolkata, on 31<sup>st</sup> July, 2011. The other Jury Members were Justice Malay Sengupta, Mr. Sujata Bhadra and others.
2. Attended Regional Consultation on 'Protection of Children from Sexual Offences Bill, 2011' organized by NCPDR at WBNUJS on 18<sup>th</sup> June, 2011
3. Attended international conference on 'Towards Knowledge, Development and Peace – Outlining Roadmaps for the Future' on April 15-17, 2011, organized by Institute of Objective Studies at India Islamic Cultural Centre, New Delhi
4. Participated in consultation on "Crossing the Hurdles" on Human Trafficking & Legal Challenges on 26th February 2011 between 10:00 AM – 2:00 PM at Gharana, The Oberoi Grand, Kolkata, organized by SANLAP, Kolkata.

5. Actively Participated in the 2nd Regional Consultation on Electoral Reforms organised jointly by the Ministry of Law and Justice and the Election Commission of India on 9th January, 2011 at WBNUJS.
6. Attended three-days Workshop for law teachers on Humanitarian Law, Organised by ICRC and Burdwan University, 28-30<sup>th</sup> October, 2010
7. Attended Two-Days experiential leadership workshop, organized by American Consulate, on September 9 and 10, 2010 at American Centre, Kolkata.
8. Attended Law School Networking Seminar on '*Developing A Right Based Approach for Anti-Trafficking Actions in South Asia*', on 22<sup>nd</sup> October, 2008, Organised by Terre des Hommes Suisse.
9. Participated in day long seminar on '*Towards Police Reform*', Organised by Indian Institute of Mass Communication in collaboration with ICRC, on 21<sup>st</sup> September, 2008 at Hotel Taj Bengal, Kolkata.
10. Participated in Regional Workshop on Disability, organized by NHRC in collaboration with CHRCS, NUJS during 22-23<sup>rd</sup> August, 2008.
11. Participated in the UGC Sponsored National Level Workshop on 'The Challenges of Formulating Remedies Against Emerging Growth of Cyber Crime, Organised by Jogesh Chandra Chaudhuri Law College, on 16<sup>th</sup> January, 2008.
12. Participated in 5<sup>th</sup> Regional Training of Trainers on '*CLINICAL LEGAL EDUCATION*', during 18-20 December, 2007, organized by MILAT, NUJS & IGNOU at NUJS.
13. Participated in Two-Days SARRC Conference on Human-Trafficking organized by UNODC at New Delhi on 10<sup>th</sup> & 11<sup>th</sup> October, 2007.
14. Participated as Guest of Honor at the Workshop on '*Cross Border Trafficking-Rescue, Rehabilitation and Repatriation*', organized by SLARTC at Hotel Hindustan International on 31<sup>st</sup> August, 2007.
15. Participated the one-day seminar on '*Family Court, Matrimonial Laws and Access to Gender Justice*', organized by The West Bengal Commission for Women on 25<sup>th</sup> August, 2007 at WBNUJS.
16. Actively participated in Two-days National Consultation meeting on Prevention and Combating Human Trafficking with Special Focus on Children and Women, organized by National Commission for Women, National Human Rights Commission and UNICEF on 3<sup>rd</sup> & 4<sup>th</sup> August, 2007 at Vigyan Bhavan, New Delhi.
17. Participated in Training of Trainers on Anti-Human Trafficking, Organised by UNODC at Patna on 9<sup>th</sup> & 10<sup>th</sup> March, 2007.
18. Presented Paper on '*Victims Right to Reparation : Need for Proper Policy Framework*', at Indian Criminology Congress, February 23 – 25, 2007 held at University of Kolkata.
19. Participated in Eastern Regional Workshop to discuss the draft Plan of Action to prevent and combat Human Trafficking with special focus on children and women, organized by West Bengal Women Commission, at H.L. Roy Auditorium, on 1<sup>st</sup> & 2<sup>nd</sup> February, 2007.
20. Attended State Level Advocacy Workshop on '*Prevention of Cross-Border Trafficking in Women and Children between Bangladesh and West Bengal*', at ITC Sonar Bangla, 17<sup>th</sup> January, 2007.
21. Attended National Legal Colloquium for Review and Development of State Legal Aid Policy for Prisoners, organized by NLSA in association with Prison Directorate, W.B, at WBNUJS on 24<sup>th</sup> September, 2006.

22. Participated in a seminar on '*Demand Issues in Human Trafficking*', organized by Apne Aap Women Worldwide and Bengal Chamber of Commerce on 2<sup>nd</sup> September, 2006.
23. Attended Workshop on '*Human Rights in Prison Administration*', Organized by National Human Rights Commission, on 5<sup>th</sup> June, 2008.
24. Indo-US Seminar and Workshop on '*Intellectual Property Rights Enforcement*', 8-10<sup>th</sup> May, 2006, at The Park, Kolkata, Organised by Confederation of Indian Industries.
25. Judges Colloquium on '*International Human Rights Law*', Organised by Human Rights Law Network, 8<sup>th</sup> April, 2006.
26. Colloquium on the '*Role of Alternative Dispute Resolution Mechanisms in Settlement of Commercial and Industrial Disputes*', 1<sup>st</sup> April, 2006 at the Park, Kolkata, Organised by Indian Chamber of Commerce.
27. Participated Seminar on '*Consumer Protection – Legality and Reality*', held on 19<sup>th</sup> March, 2006 at NUJS.
28. Attended the panel discussion on '*Judicial Accountability*', by The Right Hon'ble Sir Igor Judge and Justice Ashok Ganguly, organized by British Council, Kolkata, on 1<sup>st</sup> March, 2006.
29. Participated Workshop on, '*Fringe Benefit Tax – its socio-economic benefits*', Organized at NUJS on 7.1.2006.
30. Attended Seminar organized under the project Indo-US DVC Programme on '*Development of Alternative Dispute Resolution*', at American Centre, Kolkata, September, 2005.
31. Attended workshop on '*Trafficking of Women and Children*', organized by Institute of Social Sciences, Kolkata & W. B. Commission for Women, on 8<sup>th</sup> July, 2005.
32. Actively involved with the six days training programme for senior IPS officers at NUJS from 1-6 September, 2003. Acted as Assistant Course Coordinator.
33. Actively participated in two days National Seminar on, '*Criminal justice*', organized by NUJS on 6<sup>th</sup> and 7<sup>th</sup> September, 2003.
34. Participated in the Workshop on '*A Proactive Agriculture Focused Consumer Forum for Farmers, Agricultural Work*', organized by SEBL, NUJS on 16<sup>th</sup> August, 2003.
35. Attended several Lok-Adalat and actively participated in Legal Aid programmes.
36. Attended week long workshop on ADR organised by American Center in collaboration of Legal Aid Services-West Bengal.
37. Participated in Seminars organised by Indian Chamber of Commerce on Arbitration.
38. Participated the Seminar on Law of Arrest organised by Law Commission of India.
39. Participated in three day National Seminar on, '*Access to Social Justice*'.
40. Attended training programme on Copyright law teaching from 18<sup>th</sup> -24<sup>th</sup> July, 2002.
41. Actively participated in the Patent Awareness Camp organised by Patent office, India.
42. Actively participated in the several Copy Right, Patent seminars organised by National University of Juridical Sciences, or other organisations like Patent office, from time to time.
43. Completed three days Leadership Development Programme for Chairman/Directors of Thrift and Credit Societies from 04-04-2000 to 06-04-2000, conducted by, Netaji Subhas Regional Institute of Co-operative Management Kalyani, West Bengal.

## References

1. Prof. (Dr.) Mahendra Pal Singh  
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4. Justice Samaresh Banerjea  
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& First Lok-Ayukta, West Bengal  
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**Language Known:**

English /Hindi /Urdu /Bengali.

**Sarfaraz Ahmed Khan.**

**Agenda Item No.8**

**Procurement of RFID, Tattle Tape, Self Check Out System ,Digital Library Assistant and compatible software for the Library.**

The University as per proposal received from the University Librarian proposes to procure RFID, Tattle Tape, Self Check Out System ,Digital Library Assistant and compatible software for the Library.

Details of the offers received and the University Librarian's recommendation/observation is given in annexure 8 A.

The University proposes to procure the RFID and EM System from M/s.Tihots and the VTLS-Virtua Library Management Software from M/s.VTLS Software Pvt. Ltd. The total expenditure for procurement will be around Rs.30 Lakhs(Approximate) and will be spent from the UGC funds allocated for the Library.

The Finance Committee in its meeting dated 11/7/2012 accepted the proposal and referred the matter to the Executive Council for approval

Submitted for directions.

Annexure - 8A

	VTLS		LIBSYS		NUCSOFT		Daphne		Softlink		TIHOTS	
	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo
RFID TAGS	not quoted	not quoted	347380	347380	404415	404415	434000	374000	424600	415800	563200	475200
TATTLE TAPE												
SECURITY STRIPS	not quoted	not quoted	185240	185240	146039	146039	175000	175000	153340	153340	236500	200200
TATTLE TAPE SENSITIZER & DESENSITIZER												
RFID READ	not quoted	not quoted	184188	184188	118805	118805	82000	82000	136626	124745	668650	564000
WRITE	not quoted	not quoted	78938	78938	154606	154606	99000	134000	98043	89517	79600	67000
SELF CHECK OUT SYSTEM	not quoted	not quoted	573613	573613	218562	218562	275000	275000	251345	229489	1253700	1058000
BOOK DROP UNIT	not quoted	not quoted	468363	468363	239757	239757	285000	not quoted	275720	251744	916700	773300
DETECTION GATE	not quoted	not quoted	363113	363113	332365	332365	638000	199000 EM GATE ONLY	461974	421802	714500	603000
TOTAL			2200835	2200835	1614549	1614549	1988000	1239000	1801648	1686437	4432850	3740700
RFID and EM Installation	not quoted	not quoted	166002	166002	50000	50000	270000	270000			150000	Free
RFID TAG fixing	not quoted	not quoted	55000	44000				110000			33000	22000
EM TAPE fixing	not quoted	not quoted	55000	44000				175000			22000	16500
Data Conversion	not quoted	not quoted	not quoted	not quoted	16 per record	22000				15000		
Data Migration (Optional)						40000						
AMC		15% p.a.		15% p.a.	45000	45000		12.5 % pa till 3rd year and 15% 4th year onwards				

Rates are inclusive of vat but exclusive of service tax/local taxes as well freight charges wherever applicable

For other details the quotations in original may be referred to

"A" is to be considered as quote value pre and post demo

"B" is to be considered as add-ons

	VTLS		LIBSYS		NUCSOFT		Daphne		Softlink		T/HOTS	
	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo
LIBRARY SOFTWARE		1000000 (XE supports maximum 50,000 records)										
	1250000 (SE)	1250000 (SE)	236813	236813	222348	222348	155000	99000	528352	727191	347150	292800
									3-user license	5-user license		

Rates are inclusive of vat but exclusive of service tax/local taxes as well freight charges wherever applicable  
For other details the quotations in original may be referred to

	VTLS	LIBSYS	NUCSOFT	Daphne	Softlink	After Demo	Before Demo	After Demo	Before Demo	TIHOTS
	Before Demo	After Demo	Before Demo	Before Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo
RFID TAGS	not quoted	347380	347380	404415	434000	374000	424600	415300	563200	475200
TATTLE TAPE SECURITY STRIPS	not quoted	185240	185240	146039	175000	175000	153340	153340	236500	200200
TATTLE TAPE SENSITIZER & DESENSITIZER	not quoted	184188	184188	118805	82000	82000	136626	124745	668650	564000
RFID READ WRITE	not quoted	78938	78938	154606	99000	134000	98043	89517	79600	67000
SELF CHECK OUT SYSTEM	not quoted	573613	573613	218562	275000	275000	251345	229489	1253700	1058000
BOOK DROP UNIT	not quoted	468363	468363	239757	285000	7	275720	251744	916700	773300
DETECTION GATE	not quoted	363113	363113	332365	638000	199000	461974	421802	714500	603000
TOTAL		2200835	2200835	1614549	1988000	1239000	1801648	1686437	4432850	3740700
RFID and EM Installation	not quoted	166002	166002	50000	270000	270000		150000	Free	
RFID TAG fixing	not quoted	55000	44000			110000		33000	22000	
EM TAPE fixing	not quoted	55000	44000			175000		22000	16500	
Data Conversion	not quoted	not quoted	not quoted	16 per record				15000		
Data Migration (Optional)				40000						
AMC		15% p.a.	15% p.a.	45000		12.5 % pa till 3rd year and 15% 4th year onwards				

Rates are inclusive of vat but exclusive of service tax/local taxes as well freight charges wherever applicable  
For other details the quotations in original may be referred to

A is to be considered as quote value pre & post demo



	VTLS		LIBSYS		NUCSOFT		Daphne		Softlink		TIHOTS	
	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo	Before Demo	After Demo
LIBRARY SOFTWARE	1250000 (SE)	1000000 (XE supports maximum 50,000 records)	236813	236813	222348	222348	155000	99000	528352	727191	347150	292800

Rates are inclusive of vat but exclusive of service tax/local taxes as well freight charges wherever applicable  
 For other details the quotations in original may be referred to

*[Signature]*  
 12/4/12

*when license increases*

### RECOMMENDATION OF LIBRARIAN.

Ref: The Registrar's note on professional and technical discussion on 20.4.12 on purchase of 1) RFD and EM systems and 2) Library software -- Report

#### 1) RFID and EM systems

<i>Sl. No. (as per comparative chart)</i>	<i>System offered</i>	<i>Gist of discussion</i>
1.VTLS Software Pvt Ltd, Noida	Did not quote	-----
2. Libsys, Gurgaon	Hybrid system	Still an emerging technology in the West. Also purchase of this system is tagged with purchasing of their library software
3. Nucsoft Ltd, Kolkata	Rapid Radio	Rated very poorly in the market because of erroneous performance. It's reported that the various components are assembled in India
4. Daphane Systems, Delhi	Feig	Rated high. However, only RFID can be tuned to Feig. The University requires an EM- enabled security system
5. Softlink, Faridabad	Rapid Radio	As under 3 above
6. Tihots, Kolkata	3M	Fits our requirements in respect of both the systems

## 2) Library software

<i>Sl. No. ( as per comparative chart)</i>	<i>Software offered</i>	<i>Gist of discussion</i>
1. VTLS Software Pvt Ltd, Noida	Virtua	<ul style="list-style-type: none"> <li>• Very good in library management</li> <li>• Outstanding in information service (federated search, user-enabled SDI etc)</li> <li>• Excellent after -sales support from Noida by remote mode</li> </ul>
2. Libsys, Gurgaon	Libsys	<ul style="list-style-type: none"> <li>• Doesn't allow integration of third party applications thereby one has to buy every application/hardware through them and /or pay them heavily. Will be handicapped while integrating any current, or future technology development</li> <li>• Support service is poor</li> </ul>
3. Nucsoft Lts, Kolkata	KOHA	<ul style="list-style-type: none"> <li>• Open source software. Will require an additional expert -hand and also lots of enthusiasm to discover and absorb</li> </ul>
4. Daphane Systems, Delhi	KOHA	<ul style="list-style-type: none"> <li>• As under 3 above</li> </ul>
5. Softlink, Faridabad	Liberty	<ul style="list-style-type: none"> <li>• Appears to be good. But the platform is Winows OS, not recommended for a software of this ramification</li> </ul>
6. Tihots, Kolkata	SLIM 21	<ul style="list-style-type: none"> <li>• Party didn't demonstrate the product</li> </ul>

*[Signature]*  
23.4.12

**Agenda Item No.9**

**Minutes of the Finance Committee meeting of the University**

The minutes of the 64<sup>th</sup> Finance Committee meeting of the University is given in Annexure9A.

Submitted for information.



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

**MINUTES OF THE 64<sup>th</sup> MEETING OF THE**

**FINANCE COMMITTEE**

**HELD ON 24<sup>th</sup> FEBRUARY 2012**

**THE W. B. NATIONAL UNIVERSITY OF JURIDICAL SCIENCES**

**Dr. Ambedkar Bhavan**

**Salt lake, Kolkata**

**Minutes of the Sixty fourth Meeting of the  
Finance Committee**

**The W.B. National University of Juridical Sciences**

**Held on 24<sup>th</sup> February 2012**

**At Dr.Ambedkar Bhavan, Salt lake, Kolkata.**

The Sixty-fourth Meeting of the Finance Committee was held on 24<sup>th</sup> February 2012. The Following members were present:

1. Prof. (Dr.) P.Ishwara Bhat, Member  
Vice Chancellor, West Bengal National University of Juridical Sciences.
2. Mr.A.K.Mitra,Member  
Advocate General, West Bengal
3. Mr.R.N.Dutta,Member  
Kolkata

Mr.Dipankar Gupta, Chairman,Sr.Advocate, Supreme Court of India, New Delhi, Pr.Secretary to the Govt. of West Bengal, Judicial Department, Member; could not attend the meeting due to preoccupations.

# The West Bengal National University of Juridical Sciences

**Minutes of the 64<sup>th</sup> Meeting of the Finance Committee of  
WBNUJS held on 24<sup>th</sup> February 2012.**

Sl. No.	Agenda Item	Resolution	Remarks/Action Taken
1.	Confirmation of the minutes of the 63 <sup>rd</sup> meeting of the Finance Committee held on 17 <sup>th</sup> December 2011.	The Minutes of the 63 <sup>rd</sup> meeting of the Finance Committee held on 17 <sup>th</sup> December 2011 were confirmed .	
2.	Library fund transfer.	<p>The University has received a request from the University Librarian for converting the fund allocated under 'Books and E resources' of Rs.70.14 Lakhs to Library 'Infrastructure' since the UGC has allocated Rs. 1 Crore and Thirty Lakhs for procuring books and journals</p> <p><b><u>RESOLUTION</u></b></p> <p>The Finance Committee accepted the proposal and referred it to the Executive Council for its consideration.</p>	The matter has been accordingly approved in the Executive Council meeting dated: 3/3/2012
3.	Release of Government Grant for the F.Y. 2011-2012	<p>For this F.Y. 2011-2012 we have placed a demand to the State Govt. for Rs. 2,80,00,000/- (Rupees Two Crores Eighty Lacs) only as Grant -in-aid, which is receivable till date. In the Previous F.Y. 2010-2011, we have received 2,20,50,000/- (Rupees two crores and Twenty Lacs Fifty Thousand ) only as Grant-in-aid from the State Govt. However, we have repaid Rs. 2,59,00,000/- (Rupees Two Crores Fifty Nine Lacs) only to the Corporation Bank against our term loan. Hence the shortfall of Rs. 38,50,000/- (Rupees Thirty Eight Lacs Fifty Thousand) only of the F.Y. 2010-2011 is also still receivable from the State Govt.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Finance Committee directed that the University may follow up the matter with the Government of West Bengal and send reminder letters to them for release of the receivable Grant.</p>	The University has written to the Govt. Of West Bengal .Reply from them is awaited.

4.	Reinvestment of Matured Funds in GOI Bonds	<p>The University has received Rs. 2,25,18,000/- (Rupees Two Crores Twenty Five Lacs Eighteen Thousand) towards maturity of WBNUJS Depreciation Fund GOI Bond on 18.02.2012 which was for a term of 6 years @ 8% per annum.Now it is proposed that the matured amount may be reinvested.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Finance Committee directed that the University should do all reinvestments at the best interest rates obtained from nationalized banks.</p>	<p>The Matter has accordingly been processed</p>																																				
5.	Request for enhancement of medical reimbursement	<p>The University has received a request from the employees for enhancement of the existing Rs.3600/- annual medical allowance(January to December) of Rs.3600/- to Rs.12000/- .</p> <p><b><u>RESOLUTION</u></b></p> <p>The Finance Committee deferred the proposal with the direction that a comprehensive proposal may be placed vis a vis the practice being followed in other National Law Schools/Universities..</p>	<p>The University has written to law schools reply from them is awaited.</p>																																				
6.	Mobile phone allowance for employees.	<p>The University proposes to provide a monthly relief amount for the use of mobile phone for executing official work to the following employees of the University since the nature of their duty goes beyond office hours:</p> <table><tr><td>1. Librarian</td><td>=Rs.500/-</td></tr><tr><td>2. A.R.(Admin)</td><td>=Rs.500/-</td></tr><tr><td>3. A.R.(Academics)</td><td>=Rs.500/-</td></tr><tr><td>4. Accounts Officer</td><td>=Rs.500/-</td></tr><tr><td>5. Assistant Librarian .</td><td>=Rs.500/-</td></tr><tr><td>6. Warden in Charge(Boys &amp; Girls Hostel)</td><td>= Rs.500/-</td></tr><tr><td>7. Wardens(Boys Hostel &amp; Girls Hostel)</td><td>= Rs.500/-</td></tr><tr><td>8. Campus Supervisor</td><td>= Rs.350/-</td></tr><tr><td>9. P.A to the Vice Chancellor</td><td>= Rs.300/-</td></tr><tr><td>10. P.A. to the Registrar</td><td>= Rs.300/-</td></tr><tr><td>11. DEO(Front Office)</td><td>= Rs.300/-</td></tr><tr><td>12. DEO(Stores)</td><td>= Rs.300/-</td></tr><tr><td>13. DEO(Hostel Office)</td><td>= Rs.300/-</td></tr><tr><td>14. Mr.Rajesh Kumar Singh(Driver cum Attendant)</td><td>= Rs.200/-</td></tr><tr><td>15. Mr.S.N.Das(Driver cum Attendant)</td><td>= Rs.200/-</td></tr><tr><td>16. Mr.Manick Mullick(Hostel &amp; Campus Attendant)</td><td>=Rs.200/-</td></tr><tr><td>17. Mr.U.Metya(Hostel &amp; Campus Attendant)</td><td>=Rs.200/-</td></tr><tr><td>18.Mr.Ali Imam Siddiqui(Attendant Front Office)</td><td>=Rs.200/-</td></tr></table> <p><b><u>RESOLUTION</u></b></p> <p>The Finance Committee deferred the matter with the direction that this may be placed for consideration in the next meeting of the Finance Committee during April 2012.</p>	1. Librarian	=Rs.500/-	2. A.R.(Admin)	=Rs.500/-	3. A.R.(Academics)	=Rs.500/-	4. Accounts Officer	=Rs.500/-	5. Assistant Librarian .	=Rs.500/-	6. Warden in Charge(Boys & Girls Hostel)	= Rs.500/-	7. Wardens(Boys Hostel & Girls Hostel)	= Rs.500/-	8. Campus Supervisor	= Rs.350/-	9. P.A to the Vice Chancellor	= Rs.300/-	10. P.A. to the Registrar	= Rs.300/-	11. DEO(Front Office)	= Rs.300/-	12. DEO(Stores)	= Rs.300/-	13. DEO(Hostel Office)	= Rs.300/-	14. Mr.Rajesh Kumar Singh(Driver cum Attendant)	= Rs.200/-	15. Mr.S.N.Das(Driver cum Attendant)	= Rs.200/-	16. Mr.Manick Mullick(Hostel & Campus Attendant)	=Rs.200/-	17. Mr.U.Metya(Hostel & Campus Attendant)	=Rs.200/-	18.Mr.Ali Imam Siddiqui(Attendant Front Office)	=Rs.200/-	<p>The matter has again been placed for consideration.</p>
1. Librarian	=Rs.500/-																																						
2. A.R.(Admin)	=Rs.500/-																																						
3. A.R.(Academics)	=Rs.500/-																																						
4. Accounts Officer	=Rs.500/-																																						
5. Assistant Librarian .	=Rs.500/-																																						
6. Warden in Charge(Boys & Girls Hostel)	= Rs.500/-																																						
7. Wardens(Boys Hostel & Girls Hostel)	= Rs.500/-																																						
8. Campus Supervisor	= Rs.350/-																																						
9. P.A to the Vice Chancellor	= Rs.300/-																																						
10. P.A. to the Registrar	= Rs.300/-																																						
11. DEO(Front Office)	= Rs.300/-																																						
12. DEO(Stores)	= Rs.300/-																																						
13. DEO(Hostel Office)	= Rs.300/-																																						
14. Mr.Rajesh Kumar Singh(Driver cum Attendant)	= Rs.200/-																																						
15. Mr.S.N.Das(Driver cum Attendant)	= Rs.200/-																																						
16. Mr.Manick Mullick(Hostel & Campus Attendant)	=Rs.200/-																																						
17. Mr.U.Metya(Hostel & Campus Attendant)	=Rs.200/-																																						
18.Mr.Ali Imam Siddiqui(Attendant Front Office)	=Rs.200/-																																						



7. **Refund Rules  
for Withdrawal  
Student**

Students who have sought withdrawal after joining the University Programme/Course, have requested to refund their fees paid to NUJS. UGC letter dated 23.04.2007(Annexure 8A) does not specifically indicate the refund procedure to be followed in these cases. However, since a decision has been taken not to fill up the vacancies caused by these withdrawals after specified due dates to be notified as per CLAT schedule, it is necessary to work out a uniform guideline to be followed in this behalf. In case of the student withdrawing within one month of commencement of classes following deductions may be made from the quantum of fees paid.

**LLB Programme:**

Components	Amount received Rs.	Amount to be retained Rs.	Amount to be refunded Rs.
Admission Fee	1000	1000	-
<b>Semester Fee</b>			Rupees equivalent of \$ 2,095
NRI Sponsored/ Foreign Nationals Others Students	\$ 3125	\$1,030	
	50000	16,500	33,500
Examination Fee	1,000	-	1,000
Library Fee	15,000	4,500	10,500
Computer Fee	3,000	1,000	2,000
Student Welfare Fund	3,000	1,000	2,000
Development Fee	10,000	-	10,000
Composite Hostel Fee	8,000	2,700	5,300
Adjustable Hostel Deposit	12,500	Actual expenses	Balance Amount to be refunded
Refundable Deposit	10,000	Actual charges (if any)	Balance Amount to be refunded

**LLM Programme:**

Components	Amount received Rs.	Amount to be retained Rs.	Amount to be refunded Rs.
Admission Fee	1000	1000	-
<b>Semester Fee</b>			Rupees equivalent of \$ 300
NRI Sponsored/ Foreign Nationals Others Students	\$ 500	\$200	
	5000	2000	3000
Examination Fee	1,000	-	1,000
Library Fee	5,000	1,500	3,500
Computer Fee	3,000	1,000	2,000
Student Welfare Fund	3,000	1,000	2,000
Development Fee	5,000	-	5,000
Composite Hostel Fee	6,000	2,000	4,000
Adjustable Hostel Deposit	12,500	Actual expenses	Balance Amount to be refunded
Refundable Deposit	10,000	Actual charges (if any)	Balance Amount to be refunded

Those seeking withdrawal after one month of commencement of classes will be refunded only refundable deposit

**RESOLUTION**

The Finance Committee directed that the University may follow the CLAT regulations of refund .It also directed that in future the refund rules should be printed in the CLAT Brochure.

The  
matter has  
accordingl  
y been  
processed.

8.	Request for IDIA fund transfer	<p>A letter received from Professor Basheer in regard to transfer of the existing IDIA Trust account under the Diversity Project fund account in the University to its recently opened account in Bangalore was placed in the Executive Council meeting dated 19/11/2011. The Executive Council in its 37<sup>th</sup> meeting dated :19/11/2011 referred the matter to the Finance Committee for its views.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Finance Committee directed that the University should put up a detailed report of the IDIA Funds in the next meeting of the Finance Committee for consideration.</p>	The matter has accordingly been processed
9.	Adjacent Land	<p>The University has been writing to the Government of West Bengal requesting for allocation of an adjacent plot of land which is being used as a godown by the KMDA.</p> <p><b><u>RESOLUTION</u></b></p> <p>The Finance Committee directed that the University may follow up the matter with the Government of West Bengal.</p>	The University has written to the Govt. Of West Bengal .Reply from the Govt. is awaited.

**OTHER  
MATTERS  
WITH THE  
PERMISSION  
OF THE  
CHAIR**

1.

Application of  
Mr..Anup Sahoo

The University has received an application from Mr.Anup Sahoo for waiver of his fees since he has lost his father recently which has resulted in financial difficulties for him and his family.

**RESOLUTION**

The Finance Committee directed that the Vice Chancellor may decide on the matter .

**Agenda Item No:10**

**Request for IDIA fund transfer**

The matter arises out of the 37<sup>th</sup> meeting of the Executive Council dated 19/11/2011.

A letter received from Professor Basheer in regard to transfer of the existing IDIA Trust account under the Diversity Project fund account in the University to its recently opened account in Bangalore was placed in the Executive Council meeting dated 19/11/2011.

The Executive Council in its 37<sup>th</sup> meeting dated :19/11/2011 referred the matter to the Finance Committee for its views.

The Finance Committee in its meeting dated 11/7/2012 resolved that the IDIA Funds are not University funds and the University has nothing to do with them. In this regard the request of Professor Basheer for transfer of IDIA Funds may be accepted .

Copy of the letter ,etc is given in annexure 10A.

Submitted for directions.

To:

Prof MP Singh  
Vice Chancellor  
NUJS

17 November 2011

**Re: IDIA**

Dear Professor Singh:

As you are aware (both as head of institution and as the trustee of IDIA), IDIA is now registered as a trust with the following members:

1. Justice Ruma Pal (ex justice of the Supreme Court of India)
2. Professor MP Singh (Vice Chancellor, NUJS)
3. Shishira Rudrappa (Founder, Spire Capital and Bar and Bench)
4. Shamnad Basheer (MHRD Chaired Professor in IP Law, NUJS)

An independent trust is critical to the functioning of IDIA, as it is a pan India movement with presence in almost 18 states of India and has already covered more than 500 different schools. We were very lucky in that 13 of the scholars that we trained last year made it to the leading national law schools. We also just appointed our first CEO, General Ram Naidu, who has good experience in the educational sector, having worked with LST (for CLAT coaching) and with Educomp Solutions Ltd in this past.

All of this would not have been possible but for the wonderful support provided by NUJS and by you personally. Now that the trust has been set up and an independent account for the trust opened in Bangalore, may I please request that the funds available in the Diversity account at NUJS be transferred to the account of the IDIA Trust. Prior to the funds being shifted, may I also request an audit of the accounts (the moneys for which may be paid out of the current Diversity Account at NUJS).

As you are aware of IDIA was registered as a charitable trust on 4<sup>th</sup> Feb 2011. IDIA has an administration office based out of Bangalore, where its present CEO General Ram Naidu has just begun operations. We therefore we found it prudent to open a Bank account in Bangalore. The IDIA Trust Account Details are as follows:

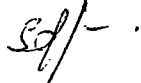
**Account: IDIA Charitable Trust**

Bank Name & Branch: Canara Bank, HSR Layout Branch

Account Number: 2673101012389

Thanking you very much, I remain

Most sincerely yours,



Shamnad Basheer

Managing Trustee

IDIA

**Agenda Item No:11**

**Infrastructure Development**

The work for development of the University campus on the basis of receipt of UGC Funds has started subsequent to the selection of the Architect by the Justice P.C.Ghose Committee.

M/s.Ark Architecture & Research Kinetics 27 East Point, Kolkata - 700078,India has started work on the following items:

- A. Reverse Osmosis Plant
- B. Moot Court Room(Room No 227)
- C. Renovation of two joint classrooms(Room no 201 and 328)
- D. Vertical extension of staff quarters for Guest House.
- E. University Campus Landscaping.

The University has also approached the Govt. of West Bengal for the adjacent land Copy of the letter written to the Govt.of West Bengal is given in annexure 11A .

Submitted for directions.



Professor Dr. P. Ishwara Bhat  
Vice Chancellor

Annexure - 1/A

April 11, 2012

To  
The Hon'ble Minister-in-Charge  
Shri Moloy Ghatak  
Law Department  
Government of West Bengal  
Kolkata

Sir,

This follows from our earlier conversation on 28.3.2012 regarding the need for WB NUJS to expand its physical facilities in order to keep up with the tremendous growth in academic and extracurricular activities over the last decade.

As you are aware WB NUJS is a residential university and approximately 700 students are on its rolls. Happily the WB NUJS has become over the years a much sought after institution for students all across the country, with the result that the infrastructure created about a decade ago is no longer adequate to carry on the multifarious activities of the university. There is a critical need for expanding our accommodation, specially for girl students, who have increasingly performed better in the CLAT examination than the boys. It is a fair guess that this trend will continue in the near future and therefore it is imperative that we think of construction of new hostels for such students.

The UGC has been kind enough to sanction grants for such activities in the XIth plan period and we are confident that the university will receive more such in the XIIth plan period as well.

We have been since 2009 petitioning ministers, higher officials and others involved in legal education to provide us with land for our expansion. A plot of land adjacent to the university is currently with the KMDA and this plot is surrounded by educational





## The WB National University of Juridical Sciences

'Dr. Ambedkar Bhawan' 12, LB Block, Sector III, Salt Lake City, Kolkata - 700 098

• Phone : 2335-0534/7379/0765 • Fax : 2335 - 7422 / 0511

• E-mail : [nujs@cal3.vsnl.net.in](mailto:nujs@cal3.vsnl.net.in) • Gram : JURVARSITY

• Website : [www.nujs.edu](http://www.nujs.edu)

institutions on all sides, namely, the second campus of Jadavpur University, the NIFT campus and the Leather Technology campus. Thus the KMDA stackyard therefore, as you would appreciate, is an anomaly in such a planned township as Salt Lake. The constant flow of heavy duty trucks also adds to the environmental pollution and the degradation of the approach road leading to such institutions of academic excellence.

A relook of the issue is of utmost criticality and we urge your good self to facilitate the expansion programme of WB NUJS by providing us with this adjacent piece of land for which the entire community of students and faculty would be ever grateful.

I hope that you will personally intervene in this matter not only as the Minister-in-Charge but also as the member of the Executive Council and General Council of this university and oblige us.

With warm regards,

Yours sincerely,

Prof. P. Ishwara Bhat

**Agenda Item No:12**

**Scrap Disposal.**

The University proposes to dispose of the scrap that has accumulated over the last ten years on its campus. In this regard a proposal is given in annexure 12 A for disposal of the scrap.

The Finance Committee in its meeting dated 11/7/2012 has accepted the proposal with the direction that the University may form a Committee for disposal of the Scrap and referred it to the Executive Council for approval.

Submitted for directions.

**PROPOSAL FOR DISPOSAL OF SCRAP IN WBNUJS**

Method of scarp disposal as followed by the government in West Bengal may be followed at NUJS /or as is done in the Universities of State.

1. The Scrap is advertised by tender against EMD on "where is" 'as is' basis.
2. On physical inspection of the material scarped, the tenderers provide quote in sealed covers.
3. The tender with the highest quote price amongst all should be awarded the right to removal.
4. Unsuccessful tenders EMDs may be returned.

This is the method followed and the market determines the value. Also, this is the quickest way to dispose the clutter on campus.

The scarp materials are kept

- (a) At room no 214 (b) at ground floor basement of staff quarters and (c) at garage.

Following observations are made: -

- (1) Generally list & description of materials are necessary before valuation of the scarp materials. But in this case huge assorted materials have been dumped for which framing of list with description of materials is not possible right now as it is a time consuming matter.
- (2) Visually the total weight of the assorted materials seems to be 5 to 6 ton.
- (3) Reserve price may be fixed as follow.

Total weight of scarp materials is about 5 ton.

5 ton @ Rs. 20,000/- per m/t.

So total reserve price comes to be Rs. 1,00,000/-

For disposal of the scarp materials as is where is basis sealed bid may be invited after wide publication in news paper.

**Agenda Item No:13**

**Enhancement of pay of Research Assistants.**

The University proposes to enhance the consolidated salary of Research Assistants from Rs.10000/- to around Rs.15000/- per month. As on date the University has employed three Research Assistants -

1. Mr.Faisal Fasih
2. Ms.Shubhasree Manna
3. Ms.Jwala Thapa.

The Finance Committee in its meeting dated 11/7/2012 has accepted the proposal for enhancement of pay of the three Research Assistants in the University from Rs.10000 to Rs.15000/- w.e.f 1/7/2012 and referred it to the Executive Council for approval.

Submitted for directions.