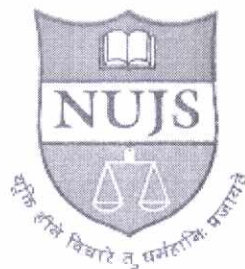


Minutes of the 65<sup>th</sup> Meeting of the Executive Council held on 16/03/2019



The West Bengal National University of Juridical Sciences

MINUTES OF THE 65<sup>th</sup> MEETING OF THE

EXECUTIVE COUNCIL

Held on 16<sup>th</sup> March 2019 AT 11.30 a.m.

**W. B. NATIONAL UNIVERSITY OF JURIDICAL SCIENCES**  
**Dr. Ambedkar Bhavan**  
**Salt lake, Kolkata**  
**Minutes of the Sixty-Fifth Meeting of the Executive Council of**  
**W.B. National University of Juridical Sciences**  
**Held on 16<sup>th</sup> March 2019 at 11.30 a.m.**  
**At Dr. Ambedkar Bhavan, Salt lake, Kolkata.**

The Sixty-fifth Meeting of the Executive Council was held on 16<sup>th</sup> March 2019 at Dr. Ambedkar Bhavan, Salt Lake City, Kolkata. Following Members were present :-

1. Mr. Justice Amit Talukdar  
Vice Chancellor (Acting) and Chairman, Executive Council  
NUJS, Kolkata.
2. Hon'ble Mr. Justice Arun Mishra,  
Judge, Supreme Court of India
3. Hon'ble Justice Biswanath Somadder  
Chief Justice, Calcutta High Court
4. Hon'ble Mr. Moloy Ghatak,  
Minister in Charge, Law and Judicial Department,  
Govt. of West Bengal
5. Mr. Kishore Datta,  
Advocate General, West Bengal
6. Dr. Anupa Guha Majumdar  
Professor
7. Mr. Sandip Kumar Ray Chaudhuri  
Secretary to the Government of West Bengal,  
Judicial Department,
8. Dr. Anirban Mazumder,  
Professor, Law, WBNUJS, Member
9. Dr. Bikramjit De,  
Associate Professor (Social Sciences), WBNUJS

Hon'ble Justice Ashim Kumar Roy, Former Judge, Calcutta High Court, Member, Mr. Jishnu Saha, Treasurer, WBNUJS & Advocate, Calcutta High Court, Prof. Venkata Rao, Vice Chancellor, NLSIU, Bangalore, Prof. Virginius Xaxa, Professor, School of Social Sciences, Tezpur University, Member Principal Secretary to the Govt. of West Bengal, Finance Department, Member, Prof. Anju Seth, Director, IIM, Kolkata, Member and Dr. R. S. Shukla, Additional Chief Secretary to Government of West Bengal, Higher Education Dept., Kolkata could not attend the meeting.

Smt. Sikha Sen, Registrar (Acting) was present in the meeting as an Ex-Officio Secretary to the Executive Council.

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**The West Bengal National University of Juridical Sciences**

**Minutes of the 65<sup>th</sup> Meeting of the Executive Council of WBNUJS held on 16<sup>th</sup> March 2019.**

Sl. No.	Agenda Item	Resolution	Remarks
1.	Confirmation of the Minutes of the 65 <sup>th</sup> Meeting of the Executive Council held on 16 <sup>th</sup> March 2019	<p>The Minutes of the 64<sup>th</sup> Meeting of the Executive Council held on 3<sup>rd</sup> February 2019 for confirmation.</p> <p><b><u>Resolution</u></b></p> <p>The Minutes of the 64<sup>th</sup> Meeting of the Executive Council held on 3<sup>rd</sup> February 2019 were confirmed.</p>	
2.	Ratification of the 109 <sup>th</sup> Meeting of the Finance Committee	<p>The Minutes of the 109<sup>th</sup> Meeting of the Finance Committee held on 14/02/2019 is placed for kind perusal and ratification.</p> <p><b><u>Resolution</u></b></p> <p>The Minutes of the 109<sup>th</sup> Meeting of the Finance Committee held on 14/02/2019 were ratified and confirmed.</p>	
3.	Letter of Dr. Kavita Singh, Associate Professor, WBNUJS regarding ICC & all matters connected thereto	<p>The Vice Chancellor was in receipt of a letter dated 28/06/2018 from the Student Juridical Association (SJA), WBNUJS stating for a reconstitution of the Internal Complaints Committee (ICC).</p> <p>Subsequently the matter with referred quote therein has been forwarded to Dr. Kavita Singh, Associate Professor, WBNUJS by the Vice Chancellor about the reconstitution of the new committee for ICC. The Office Order regarding the same was issued on 19/07/2018. The earlier committee in this regard was also put up for information which was noted and approved by the 57<sup>th</sup> Meeting of the Executive Council in its meeting held on 11<sup>th</sup> November 2017 and further confirmed on 58<sup>th</sup> Meeting of the Executive Council held on 10<sup>th</sup> December 2017.</p>	

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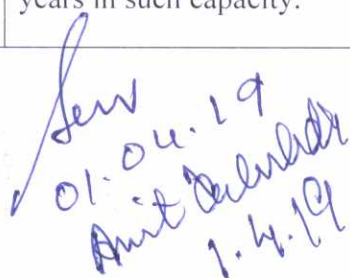
Minutes of the 65<sup>th</sup> Meeting of the Executive Council held on 16/03/2019

		<p>On receipt of the letter from the Hon'ble Vice Chancellor (Acting), Dr. Singh wrote an email to the Vice Chancellor on 09/10/2018 after having a meeting with the Vice Chancellor on 05/10/2018 wherein she has requested the authority to allow her speak before the Hon'ble members of the Executive Council when the matter will be discussed in the Executive Council.</p> <p>She also submitted a letter in this regard to the Chancellor of the University i.e. the Chief Justice of India regarding safeguarding of her rights in her job against premeditated allegations made to jeopardize her career. The same was forwarded by the Deputy Registrar, Supreme Court of India for necessary action.</p> <p>The matter was also placed before the 63<sup>rd</sup> Meeting of the Executive Council held on 22/12/2018 where the same was deferred.</p> <p>The matter was submitted for directions.</p> <p><b><u>Resolution</u></b></p> <p>The matter was discussed. No action required.</p>	
4.	Application of three Professors regarding furnishing clarity of their appointment as Associate Professor of Law in 2007 in WBNUJS	<p>As per directions of the Hon'ble Mr. Justice Arun Mishra, Judge Supreme Court of India in the 63<sup>rd</sup> Meeting of the Executive Council held on 22/12/2018, a brief fact about the appointment as Associate Professor was directed to be placed with supporting documents in the next meeting of the Executive Council. Accordingly, the three Professors have submitted their facts which were placed.</p> <p>The matter was submitted for perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>Since all the incumbents are presently holding the posts of Professor and considering the entire gamut of the situation, it is resolved that no recovery be made from their salaries and allowances. It is made clear that the incumbents will not have</p>	

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		any further claim in this regard.	
5	Nomination of Membership regarding – Prof. (Dr.) Arup Kumar Poddar, Professor of Law, Prof. (Dr.) TVGNS Sudhakar, Professor of Law, Prof. (Dr.) Sreenivasulu, Professor of Law and Dr. Anupama Ghosal, Assistant Professor (Social Sciences)	<p>Prof. (Dr.) Arup Kumar Poddar, Professor of Law, Prof. (Dr.) TVGNS Sudhakar, Professor of Law, Prof. (Dr.) Sreenivasulu, Professor of Law have submitted a prayer before the Vice Chancellor on 07/02/2019 as per the direction of the 61<sup>st</sup> Meeting of the Executive Council held on 29/09/2018 where the Executive Council directed that the Vice Chancellor (Acting) being the appropriate authority in this regard will nominate the members from amongst the Professors / Associate Professors strictly as provided in the Regulations.</p> <p>The matter regarding the Nomination of Membership of the Assistant Professor (Social Sciences) was earlier placed in the 61<sup>st</sup> Meeting, 62<sup>nd</sup> Meeting and 63<sup>rd</sup> Meeting of the Executive Council held on 12<sup>th</sup> May 2018, 29<sup>th</sup> September 2018 and 22<sup>nd</sup> December 2018 where all the three meetings deferred the same.</p> <p>Dr. Ghosal, Assistant Professor (Social Sciences) have submitted an application regarding membership in the meeting of the Executive Council under Clause 7(1) (j) of the Schedule of the WBNUJS Act, 1999.</p> <p>The matter was submitted for kind perusal and directions pls.</p> <p><b><u>Resolution</u></b></p> <p>The Council nominates Dr. Anupama Ghoshal (Joining date – 07/01/2005) and Dr. Lovely Dasgupta (Joining date – 30/07/2006), Assistant Professors as members of the Executive Council under Clause 7 (1) (j) of the Schedule to the Act of 1999 with immediate effect for a period of two years in their capacity as Assistant Professors.</p> <p>Prof. (Dr.) Arup Kr. Poddar (Joining Date – 26/06/2013) and Dr. T.V.G.N.S. Sudhakar (Joining Date – 05/07/2013), being the senior Professors are nominated as members of the Executive Council under Clause 7 (1) (i) of the Schedule to the Act of 1999, as Professor representatives for a period of two years in such capacity.</p>	

  
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6	Reporting of the Selection Committee for the application received for the post of Registrar & Accounts Officer	<p>As per direction of the Executive Council, advertisement for the post of Registrar &amp; Accounts Officer was published in the University website and the popular news dailies with all India circulation like "The Anandabazar Patrika" and "The Times of India".</p> <p>The Selection Committee constituted by the Executive Council in its meeting held on 22/12/2018 (Agenda item No. 14) for the said posts met on 22<sup>nd</sup> February 2019 and accordingly they have submitted their report. The report will be placed on the table by the Vice Chancellor (Acting).</p> <p>The matter was submitted for kind perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>Let fresh advertisement be issued for the post of Registrar and Accounts Officer as per the UGC norms and the applicable regulations of NUJS. The applicants who have already applied as per the previous advertisement need not apply afresh.</p>	
7	Review of Mr. Siddhartha Guha as demanded by NUJS Students	<p>The matter arises out of the 46<sup>th</sup> Meeting of the Executive Council held on 05/04/2014. Review of Mr. S. Guha, Assistant Registrar (Administration) under suspension on charges of Sexual Harassment w.e.f. 10/08/2013 needs to be ascertained.</p> <p>The 46<sup>th</sup> Meeting of the Executive Council meeting dated 05/04/2014 resolution states that "<i>The report of the Internal Complaints Committee (both majority and dissent) was placed before the Executive Council. The Executive Council noted that the matter is sub-judice and that it can only take decision after the matter is resolved by the Court. Therefore, this agenda is deferred sine die. The employee is presently undergoing suspension which shall continue until the matter is resolved by the court. During the period of suspension he shall be entitled to subsistence allowance as per norms</i>".</p> <p>In reference to the direction, Mr. Guha was paid subsistence allowance @ 50% for initial 4 months w.e.f. 10/08/2013. The increase in the allowance was made on recommendation of three member internal committee comprising of Prof. (Dr.) P. Ishwara Bhat, Dr. R. Parameswaran, Mr. N. Konar from 50% to 75% vide Office Order No. 494/Reg/14 dated 11/09/2014 and subsequently to 100% vide Office Order No. 549/Reg/15 dated 24/02/2015 which was placed before the 48<sup>th</sup> Meeting of</p>	

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the Executive Council for information, approval and further direction if any. The Executive Council entrusted the task of taking decision about such matters on the Vice Chancellor. The subsistence allowance of 100% was approved in the 49<sup>th</sup> Meeting of the Executive Council held on 17/10/2015.

The prayer of Mr. Siddhartha Guha along with the Committee report for annual increment was placed in the 50<sup>th</sup> Executive Council meeting dated 17/10/2015.

The above facts are placed as Annexure.

The matter regarding the pay of Mr. Guha was enclosed with the following queries and reply of the same from the Accounts Department is enclosed was annexure.

1. Whether, Mr. Guha is submitting a periodical declaration for **non engagement certificate** for release of his subsistence allowance.
2. Whether Mr. Guha is paid subsistence allowance under 7<sup>th</sup> CPC.
3. Total pay drawn by Mr. Guha from his date of Suspension.
4. Copy of his latest pay slip.
5. Whether Mr. Guha was paid any annual increment from 2014.

The matter was placed before the 110<sup>th</sup> Meeting of the Finance Committee held on 12/03/2019 who directed the same to be placed before the 65<sup>th</sup> Meeting of the Executive Council for direction.


Submitted for kind perusal and further directions in this regard.

**Resolution**

It is resolved that considering the gravity of the charges against Mr. Siddhartha Guha, disciplinary proceedings be initiated against him at the earliest preferably within two weeks in terms of the relevant rules. Mr. Guha be directed to submit his non engagement certificate immediately with retrospective effect from the date of his suspension by two weeks failing which his


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		subsistence allowance be stopped. Registrar (Acting) to take steps immediately.	
8	<p>Refund and Fixing of Responsibility – ONLINE COURSES</p> <p>a) Lawyer's Notice by Ms. Monica Jaiswal – Refund with 18% Interest</p> <p>b) Vacating &amp; Dismissal of Case (Order)</p> <p>c) Payment of fees to for Online Courses</p> <p>d) Fixing of Responsibility</p>	<p>a) Ms. Monica Jaiswal a student of the Distance Education Course has filed a Court case against the University for refund of Rs. 30000/- (Rupees thirty thousand only) with 18% Interest due to the closure of the said course as per the direction of the Executive Council. Mr. Prabir Kumar Das, Advocate, Calcutta High Court has forwarded a letter of Notice to the University for refund of such.</p> <p>b) The Court Cases pertaining to Abhishek Panda &amp; others [WP22095 (W) of 2018 + CAN 9932 of 2018] and Ruchira Mitra &amp; Others [WP 25595 (W) of 2018] Vs. WBNUJS regarding the Online Courses were dismissed.</p> <p>c) While dealing with the Court Case of Mr. Pratham Sharma paid to WBNUJS A/c. Rs. 30000/-. The details of the same are annexed as annexure.</p> <p>d) The various Course Coordinators who have signed the different MOUs of the Courses are enclosed as Annexure 8D. As per direction of the 62<sup>nd</sup> Meeting of the Executive Council held on 29/09/2018 the online courses has been suspended. Ipleader has sent a notice on 10/01/2019 to the Registrar over e-mail regarding arbitration proceedings on three different agreement / memorandum of understanding claiming the amount of dues to be paid to by NUJS to iPleader. Now the matter has been perused by Prof. (Dr.) Arup Kumar Poddar, Professor of Law, WBNUJS where he have suggested to confirm the amount dues by the University authorities while taking assistance from the director of SDME. Moreover he has also suggested for a policy decision should be taken by the honorable Executive Council that whether the amount of dues is to be paid to iPleader.</p> <p>Different cases are now being filed in Delhi High Court demanding for refund of fees praying that if the online distance courses are not running, then refund of fees including interest to be paid to the student.</p> <p>He have also suggested to taking policy decision for refund</p>	

  
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		<p>will only be extended to candidates who have paid the course fees but have not been able to complete the course or for those who have completed their courses but are yet to receive their certificates</p> <p>The matter was submitted for kind perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>Since the litigation is pending no decision is taken in the matter for the present except to the extent that the University to inform the Hon'ble Court through its Counsel that the University's liability to refund, if any, is to the extent of 30%/40% (as applicable) of the course fees which the University is ready and willing to refund in case the Court feels it necessary and in so far as the balance 70% is concerned direction may be sought for taking appropriate action for recovery of the same from the persons who received it under the MOUs.</p>	
9	<p>Reply of Dr. Anirban Mazumder, Coordinator SDME &amp; Professor of Law, WBNUJS</p>	<p>Based on the decision of the meeting of the Executive Council held on 29/09/2018, the Registrar of the University on her letter dated 01/10/2018 issued a letter to <b><u>Dr. Anirban Mazumder, Coordinator SDME &amp; Professor of Law, WBNUJS</u></b>, directing to stop all online courses.</p> <p>Dr. Mazumder subsequently have put in a letter 03/10/2018 stating that he will be unable to undertake this responsibility due to personal limitation.</p> <p>The matter was also put up in the 63<sup>rd</sup> Meeting of the Executive Council who deferred the same to the next meeting.</p> <p>The matter was submitted for directions.</p> <p><b><u>Resolution</u></b></p> <p>The matter was discussed in the last meeting.</p>	

  
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Minutes of the 65<sup>th</sup> Meeting of the Executive Council held on 16/03/2019

10	Student Petition – Matter regarding –	<p>1. The Students have prayed before the executive council regarding various issues of the University which still needs to be addressed replacing the earlier one according to them. The Vice Chancellor (Acting) has considered the same and placed it before the Executive Council for information and directions.</p> <p>2. A letter dated 7/02/2019 from Senior Personal Assistant, S.G. Secretariat has been forwarded to the Secretary to the Vice Chancellor (Acting), WBNUJS where two students namely Mr. Arindum Nayak and Mr. Gatha G. Namboothiri, President &amp; Vice President, SJA, WBNUJS have written a letter to the Chancellor, WBNUJS and Chief Justice of India stating the various academic and administrative issues where the University will loose its independent nature of working according to them.</p> <p>The matter was submitted for kind perusal and information and directions.</p> <p><b><u>Resolution</u></b></p> <p>The students have been heard and grievances noted.</p>	
11	Ford Chair - Renewal of Research Assistant	<p>The matter arises out of the 63<sup>rd</sup> Meeting of the Executive Council held on 22/12/2018 where the Honorarium / Remuneration of the Chair Professor Ford Chair on Human Rights and Research Assistant associated with that Chair where the same was deferred to the next meeting.</p> <p>In the meantime Mr. Suman Saha, Research Assistant associated with the Chair submitted a prayer with the appointment letter issued by the University under the Ford Chair where it was stated that he has been appointed for one year and as per the 31<sup>st</sup> Meeting of the Executive Council held on 20/02/2010, the salary of the Research Assistants shall be directly paid from the University (Annexure 11C). Accordingly the Finance Committee in its meeting held on 14/02/2019, approved the payment of the Research Assistant till his existing tenure i.e. 6<sup>th</sup> February 2019.</p> <p>Now as the tenure of Mr. Suman Saha has come to end, the matter was put up before the Executive Council for his</p>	

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Minutes of the 65<sup>th</sup> Meeting of the Executive Council held on 16/03/2019

		<p>renewal.</p> <p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
12	<p>An appeal for Arrear Claim of Dr. Anupama Ghosal for the period 07/01/2005 to 30/08/2008</p>	<p>The matter arises out of the 62<sup>nd</sup> &amp; 63<sup>rd</sup> Meeting of the Executive Council held on 29/09/2018 and 22/12/2018 where the same was deferred to the next meeting.</p> <p>Dr. Anupama Ghosal, Assistant Professor, Social Sciences has claimed for his release of arrear payments in regard to his pay.</p> <p>The matter was submitted for directions.</p> <p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
13	<p>NAAC Issue &amp; Minutes of the Faculty Meeting</p>	<p>A Faculty Meeting dated 12/12/2018 at 3.00 p.m. where a Committee has been constituted to coordinate the NAAC activities. Prof. (Dr.) Anirban Mazumdar has been appointed as the Chairperson of the Committee and Ms. Vaneeta Patnaik as a member of the Committee. Ms. Patnaik has been authorized to nominate other team members of the said Committee. It has also been decided that the report needs to be prepared within 20 days and to be submitted before the authority.</p> <p>A few observations on getting Accreditation from National Assessment and Accreditation Council (NAAC) was forwarded to the Vice Chancellor by Dr. Arup Kumar Poddar, Professor of Law, WBNUJS on 18/12/2018 and another note dated 18/12/2018 of Dr. Lovely Dasgupta, Assistant Professor where she raised certain questions on the decision of the Faculty Meeting held on 12/12/2018.</p> <p>The Vice Chancellor perused the above direction of the Faculty meeting where he suggested as per the inputs of the above faculty members the same needs to be considered in its proper light. In such situation, of the opinion that this issue requires to be deliberated upon in the Executive Council keeping in view the persuasive grounds set up in the notes submitted by the</p>	

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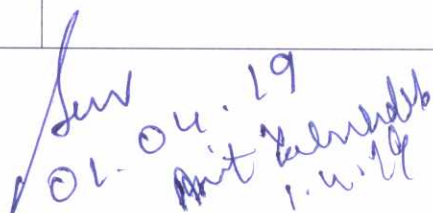
		<p>concerned faculty members.</p> <p>Registrar (Acting) also pointed on her said note on 04/01/2019 where she stated “I like to draw attention of the Hon’ble Vice Chancellor relating a wrong statement of Dr. Lovely Dasgupta that the name of Ms. Patnaik is proposed by her i.e. Registrar (Acting). It is clearly disclosed in the meeting that Ms. Patnaik herself empowered her desire to conduct activities for NAAC accreditation. With other two options her desire also was deliberated in meeting and when other members present in that meeting kept mum, she was entrusted in open meeting without any objection from any one”.</p> <p>Now the matter was placed before the Executive Council for directions.</p> <p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
14	University Review Commission – Matter regarding	<p>The members of the Executive Council discussed in the last meeting held on 22<sup>nd</sup> December 2018 regarding discussion on the various matter of the Report of the University Review Commission (URC) and it was concluded that a separate meeting needs to be arranged for such discussion.</p> <p>In this regard, a date and time particularly for this meeting may kindly be fixed for discussion.</p> <p>The matter was submitted for directions.</p> <p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	

  
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15	Renewal of Faculty Members	<p>The tenure of the following contractual faculty members have come to an end or will come an end very soon.</p> <table border="1" data-bbox="379 394 1166 1066"> <thead> <tr> <th>Sr. No.</th><th>Name of the Faculty Member</th><th>Position held</th><th>Completion of the Tenure of the Member</th></tr> </thead> <tbody> <tr> <td>1</td><td>Mr. Niharendu Konar</td><td>Co-ordinator, SLPD</td><td>31/03/2019</td></tr> <tr> <td>2</td><td>Ms. Anuradha Roy Chowdhury</td><td>Guest Faculty</td><td>30/04/2019</td></tr> <tr> <td>3</td><td>Ms. Paramita Dasgupta</td><td>Guest Faculty</td><td>21/07/2019</td></tr> <tr> <td>4</td><td>Ms. Ankita Mookerjee</td><td>Guest Faculty (English)</td><td>30/06/2019</td></tr> </tbody> </table> <p>The matter was submitted for kind perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>The tenure of the contractual faculty members is extended for a period of one year on existing terms and conditions.</p> <p>The Executive Council requests the Academic Council and the Finance Committee to have a joint session to revisit the honorarium currently being paid to the contractual faculty members and submit their views before the next Executive Council Meeting.</p>	Sr. No.	Name of the Faculty Member	Position held	Completion of the Tenure of the Member	1	Mr. Niharendu Konar	Co-ordinator, SLPD	31/03/2019	2	Ms. Anuradha Roy Chowdhury	Guest Faculty	30/04/2019	3	Ms. Paramita Dasgupta	Guest Faculty	21/07/2019	4	Ms. Ankita Mookerjee	Guest Faculty (English)	30/06/2019	
Sr. No.	Name of the Faculty Member	Position held	Completion of the Tenure of the Member																				
1	Mr. Niharendu Konar	Co-ordinator, SLPD	31/03/2019																				
2	Ms. Anuradha Roy Chowdhury	Guest Faculty	30/04/2019																				
3	Ms. Paramita Dasgupta	Guest Faculty	21/07/2019																				
4	Ms. Ankita Mookerjee	Guest Faculty (English)	30/06/2019																				
16	Hiring of University conference hall and auditorium	<p>The matter arises out of the 107<sup>th</sup> Meeting of the Finance Committee held on 08/12/2018 and proposal received from the West Bengal Human Rights Commission towards reservation of one (1) conference room and four (4) big rooms for public hearing on problem &amp; grievances of SC &amp; ST for West Bengal during its Camp Sitting/ Open Hearing by the National Human Rights Commission.</p>																					

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	<p>In this regard, the University may fix the following rates for outside agencies for the time being until revised :</p> <p>1) University Conference / other such rooms – Full day – Rs. 20000/- Half day (4 hours) – Rs. 12000/-</p> <p>2) University Smart Class Room – Full day – Rs. 15000/- - Half day (4 hours) – Rs. 8500/-</p> <p>3) University Auditorium – Full day – Rs. 60000/- - Half day (4 hours) – Rs. 30000/-</p> <p>4) Miscellaneous charges – Rs. 60000/- (Staff deployment, telephone usage, Internet usage, other miscellaneous services to conduct the programme)</p> <p>It is also proposed that The University authorities may also under extreme emergencies / exigencies and unavoidable circumstances may relax the rates if the situation demands thereto.</p> <p>The Finance Committee in its meeting held on 08/12/2018 directed / recommended that “The matter requires to be approved by the Executive Council and once the Executive Council approves, this agenda item may be placed before the Finance Committee”.</p> <p>The matter was also placed before the <b>63<sup>rd</sup> Meeting of the Executive Council held on 22/12/2018</b> who directed that “the agenda item is deferred till the next meeting. In the meantime Advocate General will give his suggestion in the matter”.</p> <p>Accordingly, the matter was placed before the Executive Council for direction.</p>	
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Minutes of the 65<sup>th</sup> Meeting of the Executive Council held on 16/03/2019

		<p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
17	Enquiry Status of the Committees framed by the University	<p>The outcome of the various Committees formed by the Executive Council are as follows :</p> <ol style="list-style-type: none"> <li>1) Status of the Enquiry Committee formed relating to the Centres, Online Courses and Projects.</li> <li>2) Status of the Enquiry Committee formed against former Vice Chancellor of WBNUJS, Prof. P. Ishwara Bhat.</li> <li>3) Status of Fact finding Committee formed based on the grievances of the Student Juridical Association, SJA.</li> </ol> <p>The matter was submitted for directions.</p> <p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
18	Reporting of the Committee about anomalies 2017 Recruitment	<p>The matter arises out of the 62<sup>nd</sup> Meeting of the Executive Council held on 29/09/2018 where the University has received a letter addressed to the Vice Chancellor, WBNUJS regarding alleged irregularities in the appointment of Assistant Professors (Law) under the Advertisement for Academic Position dated June 12, 2017 of WBNUJS from Late Ms. Neha Choudhury and Mr. Shuvro Prasun Sarker.</p> <p>The Executive Council directed that the concerned committee already constituted shall look into the complaint dated 6/07/2018 and place the report in the next meeting.</p> <p>The matter was placed before the 63<sup>rd</sup> Meeting of the Executive Council held on 22/12/2018 and accordingly the Executive Council directed that the Committee members are requested to look into the allegations objectively and place its observations in this regard in the next meeting.</p> <p>The matter was submitted for directions.</p>	

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		<p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
19	Application for Lien and Extension for Lien	<p>The matter arises out of the 60<sup>th</sup> Meeting, 61<sup>st</sup> Meeting, 62<sup>nd</sup> Meeting and 63<sup>rd</sup> Meeting of the Executive Council held on 7<sup>th</sup> April 2018, 12<sup>th</sup> May 2018 and 22<sup>nd</sup> December 2018. The copy of the resolution made thereon has been forwarded to the concerned faculty member for her information. The matter was deferred in the 63<sup>rd</sup> Meeting of the Executive Council to be placed in the next meeting.</p> <p>Now, Ms. Mercy K. Khaute, Assistant Professor in Law under ST Category have forwarded an e-mail to the Vice Chancellor which is self explanatory.</p> <p>The matter arises out of the 44<sup>th</sup> Meeting of the Executive council held on 14/09/2013 (Agenda Item No. 7) in regard to the Lien of Professor Manoj Kumar Sinha, Professor of Law, WBNUJS and thereby joining as Director, ILI, New Delhi from 01/08/2013. The same was granted by the Executive Council.</p> <p>The Vice Chancellor (Acting) was in receipt of a letter from Professor Manoj Kumar Sinha bearing no. ILI/Admn/2018/2554 dated 14/08/2018 in request for extension of Lien / Deputation for serving as Director for another term of five years at ILI, New Delhi and thereby also communicated to the Professor over e-mail stating the same will be placed before the Executive Council Meeting.</p> <p>Professor Sinha also informed that a request letter has been sent by the Registrar, ILI bearing no. ILI/Admn/2018/2455 dated 26<sup>th</sup> July 2018 in this regard and thereafter he have accepted the offer for the position of Director, ILI w.e.f. 01/08/2018 to 31/08/2023.</p> <p>The Executive Council may kindly be appraised of the fact that while taking a decision on the matter of Lien for Ms. Mercy Khaute, the then Assistant Professor, WBNUJS in its 60<sup>th</sup> Meeting of the Executive Council held on 07/04/2018, the Executive Council directed to frame a Policy to put in place for</p>	


  
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		<p>allowing Professors and other academic Staff to be released on lien to other teaching institutions. Accordingly, the Judicial Secretary was requested to frame such a Policy and to put up a draft for consideration before the Executive Council in its next meeting. Thereafter the then Registrar (Acting) has forwarded a letter to the Judicial Department bearing no. NUJS/REG/120/2018 dated 22/06/2018 for forwarding the draft policy in this regard.</p> <p>The matter was submitted for kind perusal and direction.</p> <p><b><u>Resolution</u></b></p> <p>The lien of Ms. Mercy K. Khaute be extended for a period of two years on the existing terms and conditions.</p> <p>Since Prof. Manoj Kumar Sinha has already enjoyed lien period for five years, his prayer for further extension of lien is not considered appropriate. A letter be issued to Prof. Manoj Kumar Sinha within fourteen days requesting him to join in the University within a month failing which steps be taken for filling up the post on permanent basis.</p>	
20	Prayer of Mr. Premananda Mukherjee, Library Assistant	<p>The matter arises out of the 62<sup>nd</sup> Meeting of the Executive Council held on 29/09/2018 where the same was deferred to the next meeting.</p> <p>Mr. Premananda Mukherjee has prayed for the post of Assistant Librarian as one of the two sanctioned post is lying vacant.</p> <p>This is to inform in this regard that the University does not have any promotional schemes till date. It will therefore be prudent if some promotional schemes be framed for the administrative staff and once approved by the Executive Council the same could be executed.</p> <p>The matter was submitted for directions.</p>	

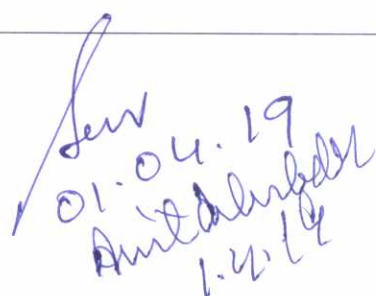
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		<p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
21	Extension of Lien for two years – Mr. Anirban Chakraborty	<p>Dr. Anirban Chakraborty, Assistant Professor, WBNUJS has been allowed Lien to join in the post of Associate Professor in the Maharashtra National Law University (MNLU) and passed by the 54<sup>th</sup> Meeting of the Executive Council held on 11/02/2017 where Mr. Chakraborty has been directed to grant lien for two years as per norms with condition that no further extension shall be granted in future and his regular post in the University as Assistant Professor shall be terminated in case of not joining in his existing post <b>without further notice</b>.</p> <p>Now Dr. Chakraborty have served a notice for further extension of two years of lien. The same has been forwarded by the Vice Chancellor, MNLU as he has to serve many incomplete academic responsibilities in MNLU, Nagpur.</p> <p>The matter was submitted for kind perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>In view of the Executive Council Resolution dated 11/02/2017, the prayer of Dr. Anirban Chakraborty for further extension of lien is not considered appropriate. A letter be issued to Dr. Anirban Chakraborty within fourteen days requesting him to join in the University within a month failing which steps be taken for filling up the post on permanent basis.</p>	
22	Consideration of Lien of Dr. Sarfaraz Ahmed Khan, Assistant Professor, Symbiosis Law School, Hyderabad.	<p>Dr. Sarfaraz Ahmed Khan, Assistant Professor, WBNUJS has joined MNLU (Maharashtra National Law University, Mumbai) as Associate Professor, Law w.e.f. 11/08/2018 pending decision of the Executive Council for lien and he has been relieved from duty w.e.f. 10/08/2018.</p> <p>Now Dr. Khan received an offer to the post of Director &amp; Professor, Symbiosis Law School, Hyderabad. He has prayed before the authority to transfer the remaining period of his lien, so that he can join the said post from 22<sup>nd</sup> April 2019 subject to serving one month notice to MNLU, Mumbai.</p>	

  
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		<p>The details of his proposal along with the prayer was annexed as Annexure.</p> <p><b><u>Resolution</u></b></p> <p>No objection be issued to Dr. Sarfaraz Ahmed Khan as prayed for.</p>	
23	<p>Seniority issue raised by Ms. Vaneeta Patnaik, Assistant Professor (Law), WBNUJS</p>	<p>The matter arises out of the 33<sup>rd</sup> Meeting of the Academic Council held on 30/11/2018 where the Academic Council has directed the matter to be placed before the Executive Council for decision.</p> <p>Ms. Vaneeta Patnaik, Assistant Professor, WBNUJS has submitted an application to the academic council dated 25/07/2018 to the Vice Chancellor (Acting) seeking clarification on the seniority of Professor.</p> <p>The matter was placed before the 63<sup>rd</sup> meeting of the Executive Council held on 22/12/2018 who deferred it till the next meeting.</p> <p>The matter was submitted for directions.</p> <p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
24	<p>The Transgender Policy of WBNUJS and CCTV Policy</p>	<p>The University has forwarded the <b><u>Transgender Policy of WBNUJS</u></b> to all concerned, subject to post facto approval of the Executive Council.</p> <p>The same was placed as annexure.</p> <p>2. The University has forwarded the <b><u>CCTV Policy of WBNUJS</u></b> to all concerned, subject to post facto approval of the Executive Council.</p> <p>The same was placed as annexure.</p>	

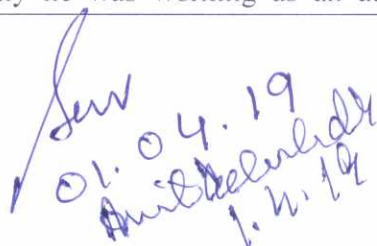

  
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		<p><b><u>Resolution</u></b></p> <p>The Transgender Policy of WBNUJS and CCTV Policy was approved.</p>	
25	Policy regarding enhancement of pay of the contractual staff, ad-hoc staff and casual staff	<p>The matter arises out of the 107<sup>th</sup> Meeting of the Finance Committee held on 8/12/2018 where the Finance Committee while discussing the matter regarding the prayer of the gardeners for their enhancement of pay or regularization of their posts who are right now on consolidated pay have directed that :-</p> <p>“It appears that there is no laid down policy in regard to the enhancement of pay of the contractual staff, ad-hoc staff and casual staff. It is found that they claim enhancement of salary very frequently in the absence of any policy. It is resolved that the matter be placed before the Executive Council for a consideration in this regard. Till then the present agenda item be deferred”.</p> <p>The matter was again placed before the 63<sup>rd</sup> meeting of the Executive Council held on 22/12/2018 and accordingly the same was deferred for the next meeting with a direction upon the Accounts Officer to provide a chart disclosing the names of the contractual, ad-hoc and casual staff/their posts and the nature of the post, the amount of pay and the duration of their contractual service and the minimum pay scale for the respective posts for the regular employees.</p> <p>Accordingly, The Accounts Officer, WBNUJS has placed a detailed report of the same.</p> <p>The matter was submitted for perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>The Executive Council requests the Finance Committee to revisit the pay structure of contractual staff/ad hoc staff/casual staff currently being paid to them. While considering the same, the Finance Committee shall take into consideration the existing State Government policy in this regard and submit</p>	

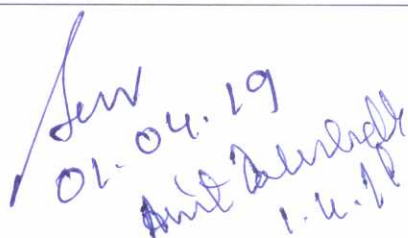
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		their views before the next Executive Council Meeting.	
26	Engagement of one additional Library Attendant through agency	<p>The University received a letter from Indian Ex-Service League, the agency who provides staff / attendants for working in the library. Now in their letter bearing no. IESL/SS/NUJS/25 dated 11/02/2019 they made a request that for consideration of converting Library Attendants from Un-skilled to Skilled Category worker as they are performing both the jobs of Technical and Non Technical skills in the University Library. The same has also been certified by the University Librarian that the claims are justified and all the three library attendants can be considered for the skilled category.</p> <p>The matter was now put up to the executive council for directions.</p> <p><b><u>Resolution</u></b></p> <p>The matter was approved. Necessary steps may be taken as per applicable Government rules.</p>	
AA 1	<p><b><u>Additional Agenda Items</u></b></p> <p>Renewal of Shri Mritunjay Mondal, Attendant, SDME</p>	<p>The matter arises out of the 108<sup>th</sup> Meeting of the Finance Committee held on 18/01/2019 where the Finance Committee directed the following:</p> <p>“Mr. Mritunjay Mondal, Attendant, SDME received his salary upto the month of September, 2018 and thereafter his salary has not been released for want of extension of his contractual service. Pending extension of his contractual service, his salary for the months of October, 2018 to January, 2019 be released since he has discharged his duties uninterruptedly. The issue of extension of his contractual service be placed in the next Executive Council meeting.”</p> <p>Now it is to mention that Mr. Mritunjay Mondal, Attendant, SDME has been working in the working in the University for the last fifteen years in different contractual positions. Presently he was working as an attendant in the School of</p>	

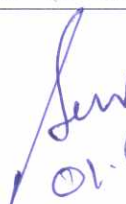

  
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		<p>Distance Education (SDME) on adhoc and temporary basis w.e.f. 01/05/2017 on a consolidated sum of Rs. 11000/- from May 2017 for a period of one year. The same was approved by the 87<sup>th</sup> Meeting of the Finance Committee held on 28/04/2017 and further ratified by the 55<sup>th</sup> Meeting of the Executive Council held on 15/07/2017.</p> <p>Now he is not receiving any salary from SDME as his contractual period has ended on April 2018. Later the University authorities considered the recommendation of the Coordinator, SDME and released the salary of Mr. Mondal for five months (i.e. May 2018 to September 2018) from Post Graduate Diploma in IPR Law Fund .</p> <p>The incumbent is still working in the SDME without any salary.</p> <p>At this juncture, kind directions is sought on the following :</p> <p>i) the payment of contractual salary be ratified till January 2019.</p> <p>ii) whether the tenure of Mr. Mondal be further renewed for a further period of one year from 01/10/2018.</p> <p>The matter was submitted for perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>The contractual employment of Mr. Mritunjay Mondal, Attendant, SDME be extended for a period of one year from the time of expiry of his last contractual period on the existing terms and conditions.</p>	
AA 2	Renewal of Mr. Kumarjit Ray, Assistant Professor of Law (Adhoc)	<p>Mr. Kumarjit Ray has been appointed on adhoc basis from 27<sup>th</sup> May 2014 in the post of Assistant Professor (Law) and thereafter his services has been renewed on yearly basis from time to time.</p> <p>Presently his tenure will come to an end on 30/06/2019. He is presently drawing 67,784/- under 6<sup>th</sup> CPC.</p> <p>A detailed note regarding the various matters has been</p>	


  
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		<p>submitted as Annexure.</p> <p>The matter was submitted for kind perusal and directions regarding his renewal of services.</p> <p><b><u>Resolution</u></b></p> <p>This agenda item is deferred till the next meeting.</p>	
AA 3	<p>Prayer from the Administrative Staff of WBNUJS</p>	<p>The Administrative Staff of the University jointly submitted a prayer to the University on 26/02/2019 regarding continuation of the services of the present Registrar (Acting) and the Accounts Officer till some matters related to the University Grants Commission and some other completed and the Executive Council may consider to retain Mr. Shiharan Kumar Basu, Accounts Officer creating a supernumerary post along with the newly recruited Accounts Officer, or as deemed appropriate.</p> <p>The matter was submitted for kind perusal and directions.</p> <p><b><u>Resolution</u></b></p> <p>The matter has been perused.</p>	
AA 4	<p><b><u>Any other matter with the permission of the Chair</u></b></p> <p>Subsistence Allowance</p>	<p>Subsistence Allowance</p> <p><b><u>Resolution</u></b></p> <p>It is hereby resolved that since that University does not have any rules regulating the subsistence allowance, in future cases, employees (teaching and non teaching) placed under</p>	

  
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		suspension shall be paid subsistence allowance at the rate of 50% of their salary for the first three months and thereafter at the rate of 75% of their salary till conclusion of the proceedings or revocation of suspension, whichever is earlier.	
AA 5	Recruitment of Faculty members	<p>Recruitment of Faculty Members</p> <p><b><u>Resolution</u></b></p> <p>A committee consisting of the Vice Chancellor, the Registrar and Prof. Arup Kumar Poddar (being the senior most Professor) is constituted to look into the requirement of the additional faculty members at various levels/discipline as per the UGC Guidelines/Review Committee Report vis a vis the student's strength and the staff pattern required to be modified and place a report in the next Executive Council Meeting.</p>	
AA 6	Hostel Facility	<p>Hostel Facility</p> <p><b><u>Resolution</u></b></p> <p>The hostel facility requires to be augmented. Considering the intake of Under Graduate and Post Graduate students, the Hon'ble Minister In Charge, Department of Law and Judicial, Govt. of West Bengal has informed that a land adjacent to the University premises has been allotted for construction of hostel which would take a couple of years for construction. In the meantime, the Government would make arrangements for rental accommodation(s) near the University.</p>	

  
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