



The West Bengal National University of Juridical Sciences

MINUTES OF THE 71st MEETING OF THE

EXECUTIVE COUNCIL

HELD ON 22ND AUGUST 2020

THROUGH ONLINE MODE / VIDEO CONFERENCING

The West Bengal National University of Juridical Sciences

**Minutes of the 71st Meeting of the Executive Council held on 22nd August 2020
through Online Mode / Video Conferencing**

Sl. No	Agenda Item	Resolution	Remarks
1.	Minutes of the 70 th Meeting of the Executive Council meeting held on 21 st December 2019 and Minutes sent through Circulation is placed for confirmation.	<p>Minutes of the 70th Meeting of the Executive Council meeting held on 21st December 2019 is placed before the Executive Council for kind perusal and confirmation as in Annexure-1A and the Minutes of the Agenda Notes sent through circulation to the Members of the Executive Council are also placed before the Executive Council for kind perusal and confirmation as in Annexure-B</p> <p><u>Resolution</u></p> <p>The minutes of the 70th Meeting of the Executive Council held on 21st December 2019 as circulated are being confirmed.</p> <p>It is noted that as per Item no. 22 of the 70th meeting of the Executive Council it was resolved that Justice Amit Talukdar be paid honorarium @ Rs. 1,25,000 per month. However, Justice Talukdar returned the cheque of the university</p>	

		<p>being accompanied by a refusal letter.</p> <p>As regards two Agenda Items sent through circulation, namely, (1) seat allocation for Admission through CLAT and (2) renewal of temporary staff and Guest Lecturers are also approved</p>	
2.	<p>Ratification of the Minutes of the 113th and 114th Meeting of the Finance Committee</p>	<p>The Minutes of the 113th Meeting of the Finance Committee which was commented upon by the Hon'ble members by 27th March 2020 through Circulation was placed for ratification.</p> <p>The Minutes of the 114th Meeting of the Finance Committee held on 29th July 2020 through video conferencing / online mode was placed for ratification.</p> <p>The matter was submitted for kind perusal and ratification.</p> <p><u>Resolution</u></p> <p>The minutes of the 113th meeting and 114th meeting of the Finance Committee held on 27th March 2020 and 29th July</p>	

2020 respectively are being ratified.

However, in respect of Agenda Item No.25 of the 113th Meeting of the Finance Committee, it is proposed that an enquiry to be made regarding ceasing of University Account for delay in submission of I.T. Return for the financial year 2014-15 by the University and consequent withdrawal of Rs. 4,61,31,338.38/- being made by the Income Tax Department. The Financial Advisor of the Law & Judicial Department is proposed to act as the Enquiry Officer. Further resolve that the matter be referred to the Enquiry Committee constituted in respect of activities of former Vice-Chancellor Prof. Dr. Ishwara Bhat.

3.	Ratification of the Minutes of 37 th and 38 th Meeting of the Academic Council.	<p>The Minutes of the 37th Meeting of the Academic Council held on 15th February 2020 was placed for ratification.</p> <p>The Minutes of the 38th Meeting of the Academic Council held on 21st July 2020 through video conferencing / online mode were also placed as annexure.</p> <p>The matter was submitted for kind perusal and ratification.</p> <p><u>Resolution</u></p> <p>The minutes of the 37th Meeting and the 38th Meeting of the Academic Council held on 15th February 2020 and 21st July 2020 respectively was confirmed.</p> <p>However, it was proposed that regarding Agenda Item no. 10 of the 38th Meeting of the Academic Council, an opinion from the Advocate General, Government of West Bengal be obtained and the Agenda with the Report will be placed in the next Executive Council Meeting.</p>	
----	---	---	--

4	<p>Creation of New Faculty Post and rejoining of Faculty members on Lien – Matter regarding</p>	<p>The matter arises out of the 69th Meeting of the Executive Council held on 26th September 2019.</p> <p>While discussing The University Review Committee Report the members of the Executive Council on the above-mentioned meeting resolved for no.7 & 8 that as per NAAC, recommendation teacher student ration shall be 1:15. The total number of students in LL.B and LL.M. courses in the University is cumulatively is 677 approximately. Following NAAC recommendations, the faculty strength should be 45. Presently, 34 permanent faculty members are appointed (of which 4 are on lien). There are 6 guest faculty members and 6 guest faculty members is considered to be equal to 2 permanent faculty members. Therefore, there is a shortage of 9 faculty members. Vice Chancellor may take appropriate steps to fill up the posts of</p>	

9 permanent faculty members and further take steps to fill up the lien and other vacancies.

It is noticed that faculty members go on lien to other institutions which adversely affects the students of the University. It is resolved that henceforth no faculty members would be allowed lien for more than one year. No faculty member can either apply for a second lien or for extension. Henceforth at any given point of time University will not release more than two faculty members to enjoy lien simultaneously. The Vice Chancellor is authorized to inform all the faculty members presently enjoying lien that their lien period would not be extended any further and they be also requested to return to this University even before completion of their lien period in the interest of the institution. For any faculty member whose period of lien has already expired, the intimation should be given to rejoin the institution within such time as the Vice Chancellor may allow. Such faculty should also be informed that in the

event of not rejoining the institution within such time, his services with the institution would be terminated to allow appointment of permanent faculty in his place.

In view of the resolution taking into consideration, the new post created and vacant posts, advertisement have been issued in the month of July for recruitment of 16 new faculties in different subjects including 7 reserve posts (S.C. 4, S.T. 1& OBC 2).

As regards the faculty members who are on lien to other institutions, the two faculty members replied – Dr. Sarfaraz Ahmed Khan submitted representation which is in annexure- . Similarly, another representation has been submitted by Dr. Anirban Chakraborty where he prayed for time due to the pandemic Covid 19 Annexure- .

In this connection it may also be noted that no response has been received from Ms. Mercy Khaute in regard to the letter issued by the Registrar. The annexure is

stated accordingly : -

Sl. No.	Name of the faculty member on lien with particulars
1	Letter issued to Dr. Sarfaraz Ahmed Khan and his response in this regard.
2	Letter has been issued to Dr. Anirban Chakraborty and his response in this regard.
3	Letter has been issued to Ms. Mercy Khaute by the Registrar, but no response has been issued in this regard.

The matter was submitted for perusal and necessary directions.

Resolution

Resolved that the services of the following faculty members whose lien period have been expired are hereby terminated w.e.f. 22nd August 2020.

- 1) Dr. Sarfaraz Ahmed Khan.

		<p>2) Dr. Anirban Chakraborty.</p> <p>3) Ms. Mercy Khaute.</p>	
5	<p>Recruitment of Faculty and Officers Posts – Matter regarding</p>	<p>The Executive Council in its 69th Meeting (Item No. 17) “resolved that henceforth for recruitment for the above-mentioned posts (Professors, Associate Professors and Assistant Professors) advertisements should be published subject specific, selection committee shall also be constituted subject specific wherein the experts should also be of the same subject”.</p> <p>Accordingly, requirement of subjects was decided in the Academic Council Meeting held on 15/02/2020 and advertisement has been published on July 06, 2020. Last date of submission of application is August 31, 2020. It may also be noted that</p>	

Reservations against posts has been adopted as per Government of West Bengal Notification on Roaster Basis. The Notification has been made as per recommendations of NUJS Roaster Committee and the aforesaid Government Notification no. 50-Emp/IM-25/98 dated 1st March 2011, Kolkata. The advertisement was placed in Annexure for kind perusal.

In the present COVID – 19 situations the recruitment process may be allowed both offline as well as online method.

The matter was submitted for information and approval.

Resolution

The Advertisement as in Annexure-5A is approved. Further resolved that the Vice-Chancellor, WBNUJS is requested to take legal opinion from the Advocate General, West Bengal regarding propriety of reservations of posts as advertised in the newspaper. After taking into consideration the views of the Advocate General, a corrigendum may be issued, if

		<p>required.</p> <p>Further resolved that the recruitment process may be made both offline as well as online or combination of both.</p>	
6	<p>Constitution of Student Council – Matter regarding</p>	<p>In the item No. 24 of the 69th Meeting of the Executive Council Meeting it was resolved that “Registrar shall constitute the Student Council for Academic excellence by inviting the first five meritorious students of each of 1st, 2nd, 3rd and 4th year as per the annual merit list within two weeks from the publication of winter semester results”. The Winter Semester results have been published in July 2020 and Registrar constituted the Student Council for Academic Excellence on the basis of aforesaid result.</p> <p>The matter was submitted for information and approval.</p> <p><u>Resolution</u></p> <p>Resolved that the constitution of the Student Council by the Registrar as</p>	

		<p>proposed is approved.</p>	
7	<p>Collaborative Activities with Ministry of Justice – Matter regarding</p>	<p>In the 69th Meeting of the Executive Council Meeting it was resolved that “more collaborative activities will be undertaken” in agenda item no. 32. Accordingly, in pursuance of BPR&D under the Ministry of Home Affairs, Government of India, a training programme for Prison Officers of Eastern Zone was conducted by WBNUJS during December 8 to December 10, 2019. Similarly, on the request of the Secretary, Ministry of Justice, Government of India we proposed to conduct a three months online certificate course for Advocates of Commercial Courts and others from September 2020.</p> <p>The matter was submitted for information</p>	

		<p>and directions.</p> <p><u>Resolution</u></p> <p>Resolved that the three months online certificate course for Advocates of Commercial Courts and others on the advice of Ministry of Law and Justice and as proposed by the university is approved.</p>	
8	<p>Formation of Working Group on Social Service – Matter regarding</p>	<p>To inculcate a spirit of Social Service among the students and the faculty the Executive Council in its 69th Meeting (Agenda Item No. 33) resolved to form a Working Group to make it more effective. Accordingly, WBNUJS decided to adopt five villages nearer to the University to work in collaboration with the respective District Magistrate, B.D.O., Local Panchayat for social growth and</p>	

development of the villages with special focus on Legal awareness and Legal Aid Programme. For this purpose, the following Working Group has been constituted :

1. Faculty in Charge of Legal Aid (Co-Ordinator).
2. Mr. Agnidipta Tarafder
3. Ms. Darshana Mitra
4. Student representatives of Legal Aid Society, WBNUJS
5. Student representatives of IDIA, WBNUJS

The matter was submitted for information and approval.

Resolution

The formation of the working group as proposed to extend social services to five villages to be adopted by the University is approved.

9	<p>Ratification of the 112th Meeting of the Finance Committee held on 25th November 2019.</p>	<p>It was resolved in reference to item no. AA3 of the 112th Meeting of the Finance Committee that Registrar shall put up the items no. AA3 in the next meeting of the Executive Council with a concrete proposal for consideration by a Committee for fixation and revision of pay scales and emoluments of the Faculty and other employees of the University.</p> <p>In view of the above, it is proposed that the Committee with following members constituted by the Finance Committee at its 114th Meeting be entrusted also to decide the issues of fixation and revision of pay scale and emoluments of the Faculty and other employees of the University. The members of the Committee are :</p> <ol style="list-style-type: none"> 1. Justice Asim Roy, Lokayukta, West Bengal (In Chair) 2. Sri Kishore Dutta, Advocate General, West Bengal, Member 3. Sri Jishnu Saha, Member 	

		<p>4. Sri Pradip Ghosh, Finance Officer, (Retd.), NBU, Member</p> <p>5. Md. Iqbal, Financial Advisor, Law & Judicial Dept., Government of West Bengal. Member</p> <p>The matter was submitted for consideration and directions.</p> <p><u>Resolution</u></p> <p>Resolved that the committee as constituted in the 114th Meeting of the Finance Committee is approved to decide the issues of fixation and revision of pay scale and emoluments of the Faculty and other employees of the University.</p>	
10	Selection for the post of Registrar	<p>The 70th Meeting of the Executive Council resolved that the University shall re-advertise for the post of Registrar. A Selection Committee is constituted with the Vice Chancellor of the University, Hon'ble Justice Dipankar Dutta, Judge of</p>	

the Hon'ble High Court at Calcutta and Prof. Suranjan Das, Vice Chancellor, Jadavpur University. The Registrar shall publish advertisement within seven days in at least three newspapers of National Circulation.

Accordingly, an advertisement had been issued in Times of India, The Telegraph, Ananda bazarPatrika and Sanmarg. Applications had been received in response to that Advertisement. However, before interview date has been fixed an order of the Division Bench of the Calcutta High Court was received by the Office of the Registrar of the University in matters of the case (no. FMA 4654 of 2016) filed by Sri Surajit Mukhopadhyay. In the said order, the Hon'ble Court asked the Executive Council to give a fresh hearing to Sri Mukhopadhyay. Hence the recruitment process of the post of Registrar is being held up till dispose up of the case. (A separate item has also been placed in agenda item no. 14).

The matter was submitted for kind perusal

		<p>and directions.</p> <p><u>Resolution</u></p> <p>The action taken by the Vice Chancellor is approved. The recruitment process for the regular post of Registrar be kept in abeyance till further direction of the Executive Committee.</p>	
11	<p>Promotion of Faculty Members under Career Advancement Scheme of UGC</p>	<p>The matter arises from the 70th Meeting of the Executive Council (Agenda Item No. 5). Ms. Vaneeta Patnaik has been recommended for promotion from Assistant Professor to Associate Professor, after her selection, a complaint has been received against her which was required to be looked into. Mr. Abhratosh Majumder, Learned Additional Advocate General for the State of West Bengal is appointed as a one man Committee to conduct a preliminary enquiry on the allegation made against Ms. Vaneeta Patnaik and to submit a report within a</p>	

		<p>month from the date of the meeting and the recommendation of Ms. Vaneeta Patnaik is kept in a sealed cover till then. Accordingly, Mr. Abhratosh Majumder has submitted his Report of this preliminary enquiry. The Report was placed before the hon'ble members for consideration and directions.</p> <p><u>Resolution</u></p> <p>Considering the Preliminary Enquiry Report submitted by Mr. Abhrotosh Majumder it is resolved that the matter needs further Enquiry. The Vice Chancellor is authorized to select the Enquiry Officer in this matter and report to the next meeting of the Executive Council.</p>	
12	Refund of unutilized grant under 11 th Plan from	The Executive Council at its 70 th Meeting (Agenda Item No. 9) resolved that the unutilized money of 11 th Plan be returned to the UGC along with interests received	

UGC	<p>from bank by the University.</p> <p>Accordingly an amount of Rs. 2,28,24,120/- had been returned to UGC with interest and utilization certificate of 11th Plan period ending 2012 under the General Development Scheme.</p> <p>ii) An amount of Rs. 2,08,72,090/- had been returned to UGC with interest and utilization certificate of 11th Plan period under the Merged Scheme.</p> <p>The Utilization Certificate has been duly submitted to UGC.</p> <p>The matter was submitted for information and directions, if any.</p> <p><u>Resolution</u></p> <p>The action taken by the Vice Chancellor regarding returning of Rs.2,08,72,090/- only to UGC under 11th Plan period is approved. It is further resolve that the matter be referred to the Enquiry Committee constituted in respect of activities of former Vice-Chancellor Prof. Dr. Iswara Bhat.</p>	
-----	--	--

13	Approval of Affiliation of the University by Bar Council of India (BCI)	<p>In last 70th Meeting of the Executive Council (agenda item no. 16) it was resolved that the Vice Chancellor of the University will take steps for approval of affiliation from Bar Council of India. Accordingly, a sum of Rs.11,00,000/=(Rupees eleven lakh) only was sent to BCI for renewal of approval of affiliation of the B.A. / LL.B. Hons Course / Programme from 2013 till date. The decision of the BCI is awaited.</p> <p>The matter was submitted for kind information and directions if any.</p> <p><u>Resolution</u></p> <p>Resolved that the Bar Council be moved for approval affiliation at an early date.</p>	

	NEW AGENDA ITEMS		
14	<p>To discuss on the actions to be taken regarding Order of the Hon'ble High Court at Calcutta in the Case of Surajit Mukhopadhyay Vs. WBNUJS (case no. FMA 4654 of 2016) dt.</p>	<p>The Division Bench of the Hon'ble High Court at Calcutta issued an Order dated 06.02.2020 in the Case of Dr. Surajit Chandra Mukhopadhyay Vs. The West Bengal National University of Juridical Sciences &Ors. In the said case the Hon'ble High Court directed that “the present executive council is requested to consider the enquiry report de novo, to hear Dr. Surajit Chandra Mukhopadhyay in person or through his learned advocate, the University authorities and to make a decision, according to the earliest convenience of the Council”.</p> <p>The matter was submitted for kind perusal and directions.</p> <p><u>Resolution</u></p> <p>Resolved that arrangement should be made for in person hearing of the case as per convenience of both the parties.</p>	

	06.02.2020		
15	<p>Measures to be taken regarding delay in discharging Examination Related Duties</p>	<p>It is reported to the Vice Chancellor by the Assistant Registrar (Academics) that there are few Faculty members who are regularly delayed in submission of Question Papers, Evaluation of Answer Scripts and it has been found that even three reminders required to be issued to get the Question Papers or evaluated answer scripts. For those few Faculty Members publication of results is being delayed in every examination.</p> <p>It is proposed that for such negligence of the Faculty Members the annual increment of the respective faculty members may be stopped till the time the respective Faculty Members improved his or her attitude to examination related duties, and or other measures as the members of the Executive Council thinks fit.</p> <p>Submitted for information and necessary directions.</p>	

		<p><u>Resolution</u></p> <p>Resolved that each individual case of delay/negligence of the Faculty members in discharging their Examination related duties, an enquiry be made by the Vice Chancellor in such cases and the report of such enquiry to be placed before the Executive Council.</p>	
16	<p>Panel of Experts for Selection Committee for recruitment of Faculty Positions</p>	<p>A list of names of Experts for constituting subject specific Selection Committee for recruitment of Faculty Positions as per recommendation of the 69th Meeting of the Executive Council (Item No. 7 & 8) are enclosed in for consideration and necessary approval.</p> <p><u>Resolution</u></p> <p>Resolved that the members of the Executive Council unanimously confirmed the list of Experts for constituting subject specific Selection Committee for recruitment of Faculty positions including the name in the</p>	

		<p>corrigendum.</p>	
<p>17</p>	<p>Reduction of Student Fees in the Monsoon Semester 2020</p>	<p>A representation had been received from the Students Juridical Association (SJA) WBNUJS for reduction of fees in certain items in the Fees payable in the Monsoon Semester. The representation was placed before the 114th Meeting of the Finance Committee and the Members agreed in principle that in COVID – 19 situation and considering the fact that the students are not staying in the Hostel, there is a need to reduce a percentage of fees, specially the Hostel related fees. The Finance Committee requested the Vice Chancellor to collect information in this regard what other National Law Universities are doing and to propose a fee reduction structure.</p> <p>Accordingly, a proposed reduction of Fee structure for the Monsoon Semester as Circulated to the Members of the Finance</p>	

		<p>Committee was placed. This fee structure will be applicable from 2nd year to 5th year uniformly for Monsoon Semester only.</p> <p>The matter was submitted for consideration and directions.</p> <p><u>Resolution</u></p> <p>Resolved that the reduction in the student fees is approved only for the Monsoon semester 2020 uniformly to all students including NRI students.</p>	
18	<p>Protection of Pay and counting of Past Services of the new Faculties and Administrative</p>	<p>In pursuance of the UGC, prescribed qualifications for the post of Professors, Associate Professors minimum 10 years and 7 years experience respectively have been prescribed in the recent advertisement published in the website. In the past also after joining in our University all such Faculty Members had been extended these facilities. In the forthcoming recruitment the Selection Committee be authorized to recommend specifically in which cases past service be</p>	

	<p>Officers to be recruited</p>	<p>counted and pay protection be provided to the selected candidates for all the posts advertised in July 2020 and thereafter. This will avoid future dispute between the employees and the University.</p> <p>The matter was submitted for necessary directions.</p> <p><u>Resolution</u></p> <p>Resolved that the past services to be counted and protection of pay be allowed only for the purpose of the recruitment as advertised in July 2020. The Selection Committee is authorized to recommend in this regard.</p>	
<p>19</p>	<p>Proposal for Re-designation of the</p>	<p>We have at present 8 (eight) Guest Faculty members who are taking four classes per week on an average and they are paid @ Rs. 35000/- only p.m. (Rupees</p>	

<p>Guest Faculties</p>	<p>Thirty five thousand) only per month. But we are not able to show them as our Faculty though we are paying them as whole-time teacher. Thus, either in our NIRF ranking statement or during NAAC evaluation they will not be counted in Teacher student ratio.</p> <p>Accordingly, it is proposed that we may re-designate the posts of Guest Faculties as Faculty Associate on monthly remuneration @ Rs. 50000/- only after going through another screening process and those who are eligible to be teacher as per UGC norms and whose service is needed for the University from the next Semester i.e. Academic Year 2020 – 2022 on contract basis. Those who will not be eligible for the said post may continue as Guest Faculty.</p> <p>The matter was submitted for necessary approval and directions.</p> <p><u>Resolution</u></p> <p>Resolved that the Vice-Chancellor, WBNUJS, is directed to submit a detailed policy paper in this regard to the</p>	
----------------------------	---	--

		Executive Council.	
20	Proposal for changing Designation of Assistant Registrar (Academics) as Deputy Controller of Examinations	<p>As per NAAC guidelines the examinations of the University are to be administered by the Controller of Examinations / Deputy Controller of Examinations. Our all examinations are administered by one Shri Tapas Bhattacharya, Assistant Registrar (Academics) who is working under this designation for last 11 (eleven) years.</p> <p>Accordingly, it is proposed that his designation may be changed as Deputy Controller of Examinations and suitable pay and allowances will be fixed as per UGC Guidelines by suitably revision of his pay and allowances. This re-designation and pay etc. will be strictly personal to Mr. Bhattacharya.</p> <p>The matter was submitted for kind approval and directions.</p>	

		<p><u>Resolution</u></p> <p>Resolved that instead of the proposed re-designation of Assistant Registrar (Academics) as Deputy Controller Examinations, his post may be redesignated as Assistant Registrar (Academic) cum Deputy Controller of Examinations. An additional Special allowance of Rs. 5000/- (Five Thousand only) per month be paid to Shri Bhattacharya. This arrangement is exclusively personal to Shri Bhattacharya.</p>	
21	<p>Appointment of Sir Ashutosh Chair Professor</p>	<p>The Vice Chancellor issued notification on 6th July 2020 for the post of Sir Ashutosh Chair Professor inviting nominations in our website. Against the said advertisement three nominations were received. The name of Justice Jyotirmoy Bhattacharya, Former Chief Justice Calcutta High Court has been recommended for appointment in the aforementioned post. The advertisement and short curriculum vitae of Justice</p>	

		<p>Bhattacharya were enclosed as Annexure.</p> <p>The matter was submitted for kind consideration and approval.</p> <p><u>Resolution</u></p> <p>Resolved that the proposed recommendation of Justice Shri Jyotirmoy Bhattacharya, Former Chief Justice, Calcutta High Court for appointment in the post of Sir Ashutosh Chair Professor is approved.</p> <p>The Vice Chancellor is requested to issue appointment letter.</p>	
<p><u>Additional Agenda Items</u></p>			
<p>A A1</p>	<p>Constitution of Search Committee for Selection of Chair Professor</p>	<p>The Executive Council at its 70th Meeting had approved a revised proposal for working Ford Foundation Centre for Study of Human Rights and Citizenship Studies. A Search Committee is to be constituted to appoint one Chair Professor (Honorary) for the aforesaid Centre.</p> <p>The matter was submitted for information</p>	

<p>(Honorary), Ford Foundation Centre for Study of Human Rights and Citizenship Studies, WBNUJS – Matter regarding</p>	<p>and direction.</p> <p><u>Resolution</u></p> <p>Resolved that a three member Search Committee is constituted with the following persons :</p> <p>(1) Justice Shri Asim Kumar Roy, Lokayukta, W.B. Chairman</p> <p>(2) Shri Sandip Roychowdhury, Law Secretary, Government of West Bengal. Member</p> <p>(3) Vice-Chancellor, WB National University of Juridical Sciences. Convenor</p>	

Registrar(Acting)

Vice Chancellor