

# National Law University, Odisha

Office of the Registrar  
Date:-13/02/2012

## Minutes of

the Annual meeting of the General Council held in the Conference Hall of the University on 13<sup>th</sup> February, 2012. Following were present:

- 1) Hon'ble Mr. Justice V. Gopala Gowda, Chancellor & Chief Justice of Orissa High Court (in the Chair)
- 2) Hon'ble Mr. Justice P. K. Mohanty, Former Judge, Orissa High Court
- 3) Padamshree Prof. N. R. Madhava Menon, Founder Director, NLSIU, Bangalore & NUJS, Kolkata
- 4) Prof. N. L. Mitra, Former Vice-Chancellor NLSIU, Bangalore & NLU, Jodhpur
- 5) Sri Asok Mohanty, Advocate General, Orissa
- 6) Prof. Sudhakar Panda, Former Chairman, Orissa Finance Commission
- 7) Mr. Jagannath Patnaik, Sr. Advocate, High Court of Orissa & Former Chairman, Bar Council of India
- 8) Prof. Rita Ray
- 9) Prof. Krishan Mahajan
- 10) Prof. B. Hydervali
- 11) Prof. Faizan Mustafa, Vice-Chancellor

Hon'ble Chief Justice as the Chairman of the General Council congratulated Prof. N.L. Mitra on his well deserved appointment as the Chancellor of KIIT University and observed that Prof. Mitra has done a great job in several institutions of Higher Education. Mr. Jagannath Patnaik also congratulated Prof. Mitra and expressed the hope that he would continue his good work in Odisha.

### Agenda Item No:-1

Confirmation of minutes of the General Council held on 9<sup>th</sup> May, 2011

The General Council confirmed the minutes of the meeting dated 9<sup>th</sup> May, 2011.

### Agenda Item No:-2

Action taken Report

The General Council noted the Action Taken Report of the University and expressed its satisfaction on the joining of CLAT and initiation of Budget process in January. As to the amendments desired by the General Council regarding addition of Secretary (Law), Commissioner-cum-Secretary, Higher

Education & Principal Secretary (Finance) as members of the Council, the Council desired that it would be in the interest of the University that such high officials become the members of the General Council without any further delay and therefore the Council desired that the Executive Council should take up the matter of amendments in the Statutes on priority.

General Council noted the changes made in the Annual Report suggested by it in the last meeting and approved the same. The Vice-Chancellor informed that the Agenda of General Council was sent after the Academic Council meeting where decisions for establishment of Agriculture Law Centre and Chinese Law Centre were made but the Executive Council while approving the offering of Credit Courses in these two areas has deferred the establishment of the centers. Prof. N.R. Madhava Menon expressed the view that the decision of the Academic Council should be shown highest respect in the academic matters and normally such recommendations should not be rejected. Prof. N.R. Madhava Menon also expressed the view that the National Law University, Orissa is expected to promote creation of knowledge and as a new Law School it has to emerge as a model in terms of new areas of research and teaching. Prof. N.R. Madhava Menon expressed the view that the Agriculture Law Centre is an important centre and the University should not hesitate in starting research and offering of courses in this area. Hon'ble Chief Justice and the Advocate General also favored creation of Agriculture Law Centre. As to Chinese Law Centre, Prof. N.R. Madhava Menon expressed the view that while China is India's largest trading partner yet we do not have any knowledge of Chinese legal system and Chinese Laws and therefore it is good that NLUO is proposing to have a Chinese Law Centre which will make NLUO a leader in this area. Prof. N.R. Madhava Menon suggested that initially small course be offered in Chinese Law by an expert from abroad and subsequently some researches may be conducted preferably by students and teachers and a detailed vision plan of Chinese Law Centre should be placed before the Executive Council. Prof. Rita Ray observed that some basic course should be initially offered in Chinese Law in view of its contemporary relevance. Prof. N.L. Mitra expressed the view that the creation of centers does not require approval of Executive Council and General Council and the University may start offering of courses and doing research. There is no bar on this count. However, creation of positions is to be approved by the Executive Council. He expressed the view that more centers in frontier areas be conceived and informally set up by the University.

### **Agenda Item No:-3**

To report the progress of construction and the reasons of delay thereof

The General Council saw the detailed power point presentation made by the M/s Rath Architectonic, NLUO's PMC-Architect as to the various phases of construction and endorsed the campus project plan as approved by the Executive Council in its meeting dated 17<sup>th</sup> December, 2011. Prof. N.R. Madhava Menon informed the Council that he visited the site today and the speed with which work is progressing is pathetic and unless some immediate remedial measures are taken by the contractor, PMC & NLUO, it would be impossible to shift to students. Even the security of students would be a problem. The Vice-Chancellor informed the Council that no alternative accommodation is available in Cuttack. Prof. N.R. Madhava Menon also expressed the view that if due to the slow progress, the project gets delayed, it would add to the cost which will be additional burden on the public exchequer and therefore all the three agencies must make concerted efforts to speed up the construction. The Hon'ble Chief Justice informed the Council that the Hon'ble Chief Minister had visited the site on 21<sup>st</sup> January, 2012 and had ordered that Hostels be air-conditioned

and international level Guest House be constructed and the swimming pool size should be enlarged. The Hon'ble Chief Justice also informed the Council that there is some substance in the reasons given for delay by the M/s HPL Ltd. & M/s NCC Ltd. such as change in pile foundation, West Bengal Elections & festivals. Hon'ble Chief Justice also expressed his displeasure and surprise that in spite of Executive Council's clear direction to M/s HPL, M/s NCC, Project Director and NLUO officials, not a single R.A Bill has been finally cleared. As to the reasons of delay in payments cited by M/s HPL and M/s NCC Ltd. Prof. Rita Ray expressed the view that NLUO as a University should be efficient in clearing Bills and should not give any excuse to M/s NCC-M/s HPL Ltd. as students are getting frustrated due to delay in construction and are living in bad conditions in spite of paying high fees.

The Council called the Finance Officer of the University who explained to the Council that there is no delay in the Finance Office and not a single R.A Bill is pending with him and he is making adhoc payments of 85% to 90% as per the decision made in May, 2011. The Advocate General observed that since NLUO has been making adhoc payments of 85% or so, M/s HPL-M/s NCC Ltd can't hide behind delay in payment as the cause of slow progress of work.

The Council after detailed deliberations reiterated the decision of the Executive Council that M/s HPL, M/s NCC Ltd. & Finance Officer should sit together and all the deficiencies in the Bills should be rectified and the Bills should be cleared in terms of work executed, certificates required and terms of contract and taxation rules.

**Agenda Item No:-4**

To consider the recommendations of the Finance Committee and the Executive Council on the External Audit report for the financial year 2009-10

The General Council considered and approved the External Audit Report of the University for the financial year 2009-10.

**Agenda Item No:-5**

To consider the recommendations of the Finance committee and the Executive Council on the External Audit report for the financial year 2010-11

The General Council considered and approved the External Audit Report of the University for the financial year 2010-11.

**Agenda Item No:-6**

To consider the recommendation of Finance Committee & the Executive Council on revised estimates for the financial year 2011-12 and budget for the year 2012-13

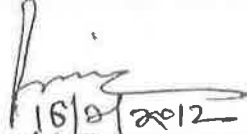
The General Council considered and approved the revised estimates for the financial year 2011-12 and the Budget for the year 2012-13. Prof. N.R. Madhava Menon, observed that all the National Law Universities should think of giving training to Prosecutors, SC,ST and OBC lawyers, Government Officials and Judicial Officers to justify their existence and heavy investments. He also said that

NLUO should take a lead in setting up such centre with such activities in the Eastern India. Prof. Sudhakar Panda and Advocate General appreciated the University for making substantive savings for the Corpus Fund. The Advocate General informed the Council that the intention of the University is to create a Corpus Fund of Rs. 50/- crores so that the University gets adequate money out of interests.

**Agenda Item No:-7**

Any other item with the permission of the Chair

- 1) Prof. Sudhakar Panda raised the issue that the University in order to have efficiency in administration should immediately fill all statutory positions as per UGC norms. The Council approved his suggestion and the Hon'ble Chief Justice directed the Vice-Chancellor to initiate the process of filling all statutory positions in terms of the Statutes of the University and avoid contract appointments in the University. Mr. Jagannath Patnaik also agreed with Hon'ble Chief Justice.
- 2) Prof. N.R. Madhava Menon expressed the view that the Executive Council should consider amending the Statutes for deleting the position of Controller of Examinations as the University is a small one and such a position would create additional financial burden and confusion in the administration. Prof. N.L. Mitra expressed the view that even if amendment is not done this position should not be filled and the Council resolved that a teacher may be asked to perform the functions of Controller of Examinations as Chairman of Examination Committee so that no financial burden or administrative confusion is there in the University.
- 3) The Hon'ble Chief Justice raised the issue that since the University has a good Corpus and surplus in the current Budget, the University should not defer the establishment of Agriculture & Food Law & Chinese Law Centres and start their activities and use of this year's surplus money and the interests of the Corpus Fund for this purpose.

  
16/01/2012  
Registrar