

Minutes of the Second School Board Meeting held on 6th October, 2006 at 12.30 p.m. in the Committee Room, F Block, Tagore Bhavan, Academic Complex, IGNOU New Delhi-110068

The following Members were present:

1. Prof. B.S. Saraswat, Director (SOL)	Chairman
2. Prof. N.R. Madhava Menon	Member
3. Prof. B.C. Nirmal	Member
4. Prof. Shrikrishna Dev Rao	Member
5. Dr. Zakir Thomas	Member
6. Shri Sanjay Parikh	Member
7. Prof. Pandav Nayak	Member
8. Dr. Shubha Gokhale	Member
9. Ms. Suneet Kashyap	Member
10. Ms. Gurmeet Kaur	Member
11. Mr. Anand Gupta	Member

Dr. Sanjaya Mishra and Shri M.P. Mishra could not attend the meeting.

At the outset, the Chairman extended a warm welcome to the Members of the School Board and elaborated the role and functions of the School Board. The Chairman placed on record the contributions of the outgoing Chairman of the School Board of SOL, Prof. S.C. Garg, Acting Vice-Chancellor and Shri Pawan Kumar Srivastav, Member of the School Board who left the University to join Judicial Services in the U.P. State.

The items on agenda were then taken up and following decisions made:

Item No. 1 To Confirm the Minutes of the First Meeting of the School Board held on April 4, 2006 and note the action taken thereon.

SB 2.1.1 The Board was informed that the Minutes of the First Meeting of the School Board (**Annexure-1**) were circulated on April 19, 2006 and no comments have been received from the Members. Therefore, the Minutes may be deemed to have been confirmed.

SB 2.1.2 The Board confirmed the Minutes.

SB 2.1.3 The Action Taken Report on the Minutes of the First Meeting was discussed and noted (**Annexure-2**).

Item No. 2 To consider and approve the Phase 3 Form for the Post Graduate Certificate Programme in Cyber Laws ✓

SB2.2.1 The Chairman informed the Board that the Phase 1 and 2 Forms of the PGCCCL Programme have been approved by the School Board and the Planning Board, respectively. The structure of the programme has been developed by an Expert Committee appointed

by the Vice-Chancellor and the materials have been developed partially. Formal approval of the School Board is required for the Phase 3 Form of the PGCCCL programme so that the same could be submitted to the Academic Council for approval.

SB 2.2.2 Mr. Sanjay Parikh felt that the syllabus seems to be heavy. The Chairman opined that the observations of the Hon'ble Member will be kept in view while developing the study materials.

SB 2.2.3 The Board considered and approved the Phase 3 Form (Annexure-3) of the PGCCCL programme.

Item No.3 **To consider and approve the Phase 3 Form for the Post Graduate Certificate Programme in Patents** ✓

SB 2.3.1 The Board was informed that the Phase 1 was approved by the Board in its first meeting with a provision of a project course of four credits. However, as per the policy of the University, there should be no Project in a Certificate Programme unless that the objectives of the programme cannot be achieved by any other means. Since this programme is meant to impart skills in the Patent Practices, it is necessary that some practical (hands-on) experience be given to the learners. However, this aim can also be achieved by having an option of a Term Paper or Internship in the office of a Patent Attorney. Therefore, these three options have been incorporated in this course in the Phase 3 Form.

SB 2.3.2 The Board discussed the proposal and decided that the objectives of the programme should be to:

- Familiarize the learner with the structure of Patent Application in India, along with procedural aspects of patent prosecution in India;
- Given idea about patent drafting strategies, with some concrete examples
- Expose the learner to the skills of patent search and data mining;
- Familiarize with the skills of patent defense and opposition of Patents.

The Board approved that to achieve those objectives, the learners would be required to work under the supervision of a Patent Attorney or a mentor. The Board was of the opinion that the three options of this course (Term Paper, Project, Internship) should be introduced according to availability of Student Support facilities that the School can generate. The student intake to this programme should also be decided depending upon the available infrastructure to handle this kind of skill based course. For the pilot launch, the number of intake should be restricted to not more than 150. A list of 200-250 topics for this course work should be identified in the Course Guide. The learners would be required to maintain a dairy/record of activities and should submit a report after completion

of project work/internship/term paper which should be evaluated as per the policy of the University.

SB 2.3.3

One of the Members pointed out that "International Frame-work for Patent Protection" would be more appropriate title for Course 2 of the programme. With these observations, the Phase 3 Form (**Annexure-4**) for the PG Certificate Programme in Patents was approved by the School Board.

Item No. 4

To consider and approve the matter relating to the development of the Post Graduate Diploma in Intellectual Property Regime and Human Rights.

SB 2.4.1

On the request of the Chairman, Prof. Pandav Nayak, Programme Coordinator informed the Board that as per the Curriculum developed by the Expert Committee, the programme envisaged to comprise 8 courses having course 1 of eight credits and the other courses of either two or of four credits each. He proposed that for the convenience of the learners, the course 1 may be recast into two courses of four credits each with the following titles and to renumber the courses 2 to 8 as courses 3 to 9 with the same titles.

Course 1: Human Rights: Concepts and Applications - 4 credits

Course 2: Human Rights Frame-work for IP Protection- 4 credits

Prof. Nayak proposed that the course 1 can be developed by adapting "Road to Freedom" by Rolf Kunnemann who had given permission for the same and the IGNOU "Workbook on Human Rights in Everyday Life" developed by Prof. Nayak himself for the Human Rights Programme. He further submitted that the learning materials for the programme would have to be developed from a human rights perspective of IP Protection which essentially meant reprocessing the existing material from a human rights angle. He proposed that the course writing might be assigned to experts from National Law Schools/ Law Universities who, if so desire, might develop the materials with the assistance of law students whose contribution would be duly acknowledged. The courses would then be edited in usual manner by Prof. Madhava Menon (course 1&2), Prof. B.C. Nirmal and Shri Sanjay Parikh (course 3), Dr. Zakir Thomas (course 4&7), Prof. N.S.Gopalakrishnan (course 5), Justice A.K. Sikri (course 6) and Prof. Shrikrishnadeb' Rao (course 8). He requested that the proposal and the Phase 3 Form of the programme might be approved.

SB 2.4.2

The Board considered the proposal and after a detailed discussion approved the same (**Annexure-5**).

Item No.5 To consider and approve the Phase 1 Form of the Certificate Programme in Legal Literacy

SB 2.5.1 On the request of the Chairman, Shri Anand Gupta apprised the Board that the objectives of the programme would make the masses legally literate. It would provide basic knowledge of those branches of law which deal with the day-to-day life of the citizens as even the educated people in our country don't have the knowledge of their rights. The programme would try to cater to this need. The programme would also contribute towards the Legal Literacy Mission launched by the Hon'ble Prime Minister.

SB 2.5.2 The Board appreciated the proposal and advised that Shri Gupta should develop a framework for the programme and send the same to Prof. Madhava Menon for his perusal and guidance. It was also suggested that a need survey be carried out with the help of professional surveyors in order to decide the relevance of the contents of the programme.

Item No. 6 To consider and approve the Phase 1 Form of the Certificate Programme in ADR.

SB 2.6.1 On the request of the Chairman, Ms. Suneet Kashyap submitted before the Board that Alternate Dispute Resolution (ADR) had greatly expanded over the last several years to include many areas in addition to the traditional commercial dispute in the form of arbitration. Mediation has become an important first step in the dispute resolution process. Arbitrators and Mediators have an important role in resolving disputes. Mediators act as neutrals to reconcile the party's differences before proceeding to arbitration or litigation. Arbitrators act as neutral third parties to hear the evidence and decide the case. Arbitration can be binding or non-binding.

SB 2.6.2 The Board appreciated the idea and approved the Phase 1 Form (Annexure-6) and advised that this programme should be titled as Certificate Programme in Dispute Settlement.

Item No.7 To consider the proposal to develop PG Diploma Programme in Environmental Law with specialization in Forest Conservation or Rights of Tribals and Environment

SB 2.7.1 The Chairman apprised the Board that a proposal for developing one or two PG Diploma Programmes in Environmental Law with specialization in "Forest Conservation" or "Rights of Tribals and

Environment" has been received from Dr. Raka Arya, Assistant Professor, Political Science and Law, National Law Institute University, Bhopal. The proposal has been received through the North East Project of the University. The programme(s) can be developed from the funds allotted for the Project and can benefit the people living not only in the north-eastern states but also those in other tribal dominated areas of the country.

SB 2.7.2

The Board discussed the proposal. It was pointed out that the University had already been offering programmes such as 'Certificate in Environment', Certificate in Participatory Forest Management', 'PG Diploma in Environment and Sustainable Development', 'Awareness Course on Environment', and courses on 'Ecology' and 'Human Environment'. It would be desirable to examine the contents and enrolment in those courses and programmes before developing any new programme in that area.

SB 2.7.3

The Board decided that the School of Law should examine the contents and enrolment in the programmes and courses already on offer in the relevant area and a concrete proposal might be put up before the Board in the next meeting.

On completion of the agenda, the Chairman requested the Board to guide the School in its future activities. Prof. Menon advised that it is a high time to make a move in the direction of developing the L.L.B. programme. The School should develop a concrete proposal highlighting the strengths and capabilities of the University in imparting professional education through distance mode and pursue the matter vigorously with the Bar Council of India. When the Bar Council has permitted the University of London to offer L.L.B. Programme as an External degree in the country, there should be no reservation in allowing the National University to offer the same. The Board welcomed the proposal and advised that the School should pursue the matter without any further loss of time.

The Chairman thanked the members for attending the meeting and for their valuable contributions.

(B.S. Saraswat)
Chairperson