



UNIVERSITY OF KERALA

(Re-accredited by NAAC with 'A' Grade)

Preliminary Minutes of the Meeting of the Syndicate held on 06.02.2017

(To initiate appropriate proceedings on the issues connected to with
Kerala Law Academy Law College, subject to the provisions of University Act)

Place of Meeting	:	University Buildings Thiruvananthapuram
Time	:	02.00 PM

Members present:

1. Dr.N.Veeramanikandan
Pro-Vice-Chancellor (*In the Chair*)
2. Dr.M.Jeevanlal
3. Adv.S.Krishnakumar
4. Sri.B.S.Jyothikumar
5. Sri.John Thomas
6. Dr.K.Manickaraj
7. Dr.P.Rajesh Kumar
8. Dr.Shaji.K
9. Sri.M.Sreekumar
10. Prof.R.Mohanakrishnan
11. Sri.M.K.Abdul Rahim
12. Adv.Johnson Abraham
13. Sri.K.S.Gopakumar
14. Adv.A.A.Rahim
15. Adv.K.H.Babujan
16. Sri.K.V.Mohankumar, Director of Public Instruction
17. Sri.Bhooshan, Additional Secretary, GA(IT)
18. Sri.M.G.Renjith Kumar, Joint Secretary, Higher Education
19. Dr.A.N.Padmakumari, Director in charge, DCE
20. Dr.P.M.Radhamany
21. Dr.Latha Devi.R

**Additional Item No.1 Confirmation of the Preliminary Minutes of the Meeting of
the Syndicate held on 28.01.2017 – reg**

The Syndicate considered and approved the Preliminary Minutes of the Meeting of the Syndicate held on 28.01.2017 with the following modifications:

'All the above resolution except resolution No.2 were unanimously approved' be modified as *'Resolution No.1 has been approved unanimously'*.

Last para of the resolution starting with *'Adv.Johnson Abraham, Member Syndicateis appended'* be modified as *'Adv.Johnson Abraham, Member Syndicate proposed a resolution and he voted for it. (Note submitted by the Member is appended)'*.

(Ac.A1)

Additional Item No.2 **Minutes of the Special meeting of the Standing Committee of the Syndicate on Examinations and Students Discipline held on 6.02.2017 – Approval - reg.**

(M & C)

The minutes of the special meeting of the Standing Committee of the Syndicate on Examinations and Students Discipline held on 6.02.2017 is submitted for approval.

Minutes of the Special Meeting of the Standing Committee of the Syndicate on Examinations and Students Discipline

Date & Time : 6.02.2017 at 10.00 am
Venue : Syndicate Room

Members Present

1. Prof.M.Sreekumar	Convener	Sd/-
2. Prof.R.Mohanakrishnan	Member Syndicate	Sd/-
3. Dr.R.Shaji.K	Member Syndicate	Sd/-
4. Dr.P.Rajeshkumar	Member Syndicate	Sd/-
5. Dr.K.Manickaraj	Member Syndicate	Sd/-
6. Shri.Abdul Rahim	Member Syndicate	Sd/-
7. Dr.R.Lathadevi	Member Syndicate	Sd/-
8. Adv.A.A.Rahim	Member Syndicate	Sd/-

The Syndicate at its meeting held on 21.01.2017 vide Item No.24.56.03, resolved to constitute a Sub Committee to enquire into the complaints against Dr.P.Lekshmi Nair, Principal, Kerala Law Academy Law College and the College Management of Kerala Law Academy Law College. The Sub Committee submitted its report to the Syndicate on 28.01.2017. The Syndicate resolved

1. To refer the matter regarding granting of excess internal marks and excess attendance to Smt.Anuradha P Nair (Roll No: 13551010, S6 BA LLB), to the Standing Committee of the Syndicate on Examinations and Students Discipline for detailed examination.
2. To entrust the Standing Committee of the Syndicate on Examinations and Students Discipline to revamp the regulations of Law courses, for placing before the next Academic Council.

Accordingly as per the orders of the Hon'ble Vice Chancellor the matter referred (1) and (2) above was placed before the Standing Committee of the Syndicate on Examinations and Students Discipline for consideration and recommendations.

Recommendations of the Standing Committee

The Committee considered the matter referred (1) above and recommended to hear the candidate, Smt.Anuradha.P.Nair (Roll No: 13551010, S6 BA LLB), the then Principal Dr.P.Lekshmi Nair and all the teachers (Smt.T.Girija, Shri Anilkumar.G,

Smt.Raghendu C K, Shri.SunilKumar S, Smt.Prajitha.P.G) who have signed the CE marks of the the 5th Semester BA LLB degree exam April 2016 and 6th Semester BA LLB degree exam October 2016, on **23rd February 2017 at 11.00 am at Syndicate room.**

The Committee considered the matter (2) above and **recommended to solicit opinions and suggestions, from all stake holders including, Students Organizations and students studying in affiliated Law College of the University and teachers, to amend the existing regulations related to the Internal Assessment system of various degree and PG programs in Law including the allotment of marks of IVth paper of S7,S8,S9 and S10 of the 5 year LLB degree program and Vth paper of S3,S4,S5 and S6 of the 3 year LLB program. The Dean Law and Chairman Board of Studies (Pass) may also be invited to the special meeting, which will be convened for this particular purpose.**

Further recommended that on submission of report by the Standing Committee of the Syndicate on Examinations and Students Committee, a Special Meeting of the Academic Council be convened.

Resolution of the Syndicate

RESOLVED that the above recommendations of the Meeting of the Standing Committee of the Syndicate on Examinations and Students Discipline held on 06.02.2017, be agreed to.

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Additional Item No.3 Minutes of the meeting of the Sub Committee Constituted by the Syndicate held on 6.02.2017 – Approval - reg.

M&C.I

The minutes of the meeting of the Sub Committee constituted by the Syndicate held on 6.02.2017 is submitted for approval.

Minutes of the Meeting of the Sub Committee Constituted by the Syndicate held on 21.01.2017

Date & Time : 06.02.2017, 11.30 am
Venue : Syndicate Room

Members Present

1. Prof.M.Sreekumar	Convener	Sd/-
2. Dr.K.Madhukumar	Controller of Examinations	Sd/-
3. Dr.K.C.Sunny	Dean, Faculty of Law	Sd/-

The Syndicate at its meeting held on 21.01.2017 vide Item No.24.56.03, resolved to constitute a Sub Committee to enquire into the complaints against Dr.P.Lekshmi Nair, Principal, Kerala Law Academy Law College and the College Management of Kerala Law Academy Law College. The Sub Committee submitted its report to the Syndicate on 28.01.2017. The Syndicate resolved to constitute a sub committee consisting of

Convener, Standing Committee of the Syndicate on Examinations and Students Discipline, the Controller of Examinations and the Dean, faculty of Law, for monitoring and making recommendations, granting of internal marks and redressing grievances related to the marks awarded to the IVth paper of S7, S8, S9 and S10 of the 5 year LLB and Vth paper of S3,S4,S5 and S6 of the 3 year LLB.

Accordingly as per the orders of the Hon'ble Vice Chancellor the Sub Committee as referred above was constituted.

Recommendations of the Sub Committee

The Sub Committee verified the internal marks of IVth paper of S7,S8,S9 and S10 of the 5 year LLB degree program and Vth paper of S3,S4,S5 and S6 of the 3 year LLB degree program of Kerala Law Academy Law College and recommended to conduct a sitting on 20.02.2017 to hear the grievances on internal marks of IVth paper of S7,S8,S9 and S10 of the 5 year LLB degree program and Vth paper of S3,S4,S5 and S6 of the 3 year LLB degree program. The authorities, Kerala Law Academy Law College may be directed to submit all the documents of Internal marks of IVth paper of S7,S8,S9 and S10 of the 5 year LLB degree program and Vth paper of S3,S4,S5 and S6 of the 3 year LLB degree program on or before 17.02.2017. A press release in this regard be issued so that the aggrieved candidates can also submit their grievance on or before 17.02.2017.

The Committee **further recommended to give direction to the Kerala Law Academy Law College that in future all internal marks statements shall be published well in advance in the notice board. If any student has any grievance, the matter shall be reported to the Controller of examinations for reporting the same to the Monitoring Committee. Final results of such candidates shall be published only after the endorsement by the Monitoring Committee.**

Sd/-

Controller of Examinations

Resolution of the Syndicate

RESOLVED that the above recommendations of the Meeting of the Sub Committee held on 06.02.2017, be agreed to.

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Item 01: Kerala Law Academy Law College, Tvpm - complaint against the Principal and the Management-Directions from the Government-reg.

(Ac. BI)

The Syndicate at its meeting held on 28.01.2017 considered the Report of the Sub-Committee constituted to enquire into the complaints against the Principal and the Management of Kerala Law Academy Law College, and has made the resolutions as noted below on the matter.

1. to approve the report

2. to forward the report to the State Government and the Management for further course of action.
3. To debar the Principal, Dr. P. Lakshmi Nair from all examination related matters, including conducting of internal examination, valuation of test papers and granting internal sessional marks for next five years.
4. To refer the matter (regarding granting of excess internal marks and excess attendance to Anuradha P Nair (Roll No: 13551010 B.A LLB S6), to the Standing Committee of the Syndicate on Examinations and Students' Discipline, for detailed examination.
5. To direct the Management of Law Academy to rearrange the positioning of the cameras installed in the women's Hostel, which trespasses into the privacy of the inmates. The same be reported to the University within 5 days, which shall be verified by the Sub- Committee.
6. The Management be directed not to evacuate the inmates of the Hostel during University examinations.
7. To entrust the Standing Committee of the Syndicate on Examinations and Students Discipline to revamp the regulations of Law courses, for placing before the next Academic Council.
8. To constitute a Sub- Committee consisting of Convener, Standing Committee of the Syndicate on Examinations and Students Discipline, the Controller of Examinations and the Dean, faculty of Law- for monitoring and making recommendations on granting of internal marks and redressing grievances related to the marks awarded to the IVth paper of 7th, 8th, 9th and 10th semester of 5 year LLB and Vth paper of S3, S4, S5 & S6 of 3 year LLB.

As per the resolution the report was forwarded to the State Government and the Management for further necessary action.

As resolved by the Syndicate the College Management has been directed vide letter dated 31.01.2017 to take immediate necessary action on resolutions (3), (5), & (6) and a reply from the Management on the action taken is awaited.

A U.O debarring the Principal Dr. P Lakshmi Nair from all examination related matters including conducting of internal exams, valuation of test papers and granting internal sessional marks for the next 5 years has been issued.

A U.O constituting the Sub- Committee as per resolution (8) has also been issued.

As per the request of the Convenor, Standing Committee of the Syndicate on Examinations and Students Discipline the meeting of the Standing Committee is to be convened at 10.00am on 06.02.2017 to examine the matters referred to the Committee

vide resolutions (4) and (7) of the Syndicate. The meeting of the Sub- Committee constituted as per resolution (8) above is also to be convened at 11.30am on 06.02.2017.

The details regarding the affiliation status of the College and the appointment of the Principal, as made available by the sections concerned are as given below.

Kerala Law Academy Law College was granted provisional sanction as a '**Private**' Law College during 1968-69 vide UO No.GC2.2081/67 dated 17.08.1968 towards providing instruction for the First Year LLB (Part time) course with an intake of 100 students who are under regular employment. On the basis of the resolution of the Syndicate held on 13th August 1970 provisional sanction was accorded for starting full time LLB course in the Kerala Law Academy Law College.

At present the Kerala Law Academy Law College is offering following courses with intake as noted.

Courses	Sanctioned intake
LLB 3 Year	
Two 'Day Batch'	220
one 'Evening Batch'	110
Integrated BA LLB (5 year)	100
Integrated B.Com LLB (5 years) (On self financing basis)	60
LLM	
Administrative law	15
International law	15
MBL	40

Section 2 (16) of Kerala University Act 1974 defines "Private College" as a college maintained by an Educational Agency other than the Government or the University and affiliated to the University:

At the time of granting affiliation to the college during 1968-69 there were two category of colleges viz. Government college and Private college, as per the provisions in the Kerala University Act. Consequent to the introduction of Direct Payment system in 1972 by the State Government, all Private colleges in the state except the Law Academy Law College entered into agreement with the state Government. Accordingly new category of colleges was formed in the state called 'Private Aided College'. The status of Kerala Law Academy Law College remains as 'Private' College.

In connection with the OP No. 1818/1982 F filed by Sri.Vincent Panikulngara the file regarding affiliation of Law Academy law College was sent to Sri. V.Bhaskaran Nambiar then Advocate General and Standing Counsel of the University. The acknowledgement for receipt of the file has been received from the Standing Counsel on 30.08.1982. (see Appendix 7). The file was reportedly produced by the Counsel before the Hon'ble High Court. Later during 1991 the then Standing Counsel of the University (Sri.P.Gopalakrishnan Nair) was requested on 23.03.1991 to arrange for the receipt of the

file and the Standing Counsel has reported that though enquiries were made it could not be traced out from the court as the O.P was disposed off long back. (see Appendix 8(a) and 8(b)).

The Syndicate at its meeting held on 31.05.1991 while considering the report on the missing file decided to appoint Sri.P.K.Madhavan Nair to conduct further enquiry regarding the missing file and to submit a report.

Accordingly, Prof. Madhavan Nair submitted a report wherein it was mentioned that “even if the attempts in this regard do not succeed, there is no cause for any anxiety or alarm, and it will be possible to rebuild the file from the various decisions taken by the authorities on the subject which are lying scattered in the printed minutes of the meetings of the Senate and Syndicate.” (see Appendix 9). Remaining course of action is not available in the file.

Section 2 (28(A)) of Kerala University Act 1974 defines “un-aided college” as a private college which is not entitled to any financial assistance from the Government or the University.”

The only financial assistance received from the University by the Centre for Advanced Legal studies and Research, Punnen Road, Thiruvananthapuram owned by the Kerala Law Academy, Thiruvananthapuram is in the form of research grant and Journal grant given by the University on inviting applications from approved research institutions of the University through Notifications issued every year and after scrutiny by an Expert Committee in the latter case.

As per the UO No. Ac F IV-1-2404/83 dated 28.04.1984 appointment of seven teachers in the Kerala Law Academy Law College were approved by the University. As per the UO No. Ac FI.3159/94 dated 06.08.1994 appointment of four other teachers of the college including the Principal, Smt.Lekshmi.P as Lecturer was also approved by the University. Also the appointment of Sri B.Dharmarajan and Sri. Somasekharan Nair as Principal were approved by the University vide UO Nos. Ac FI/3159/94 dated 25.01.1995 and 19.04.1999 respectively. Thereafter no proposals regarding the approval of appointment of teachers/Principal in the Kerala Law Academy Law College has been received in this office till date.

In this context, it may be noted that, the appointment of Dr. Lekshmi.P as Principal in the Kerala Law Academy Law College has not been approved by the University as no proposal regarding the same has been forwarded to the University by the Educational Agency.

The Syndicate at its meeting held on 16.04.1993, while considering the question of confirmation of affiliation to colleges under the jurisdiction of this University resolved that colleges that came into being before the Kerala University Act 1974 have confirmation of Affiliation (permanent Affiliation).By virtue of the said decision, the Kerala Law Academy

Law College which was established during 1968 was also granted permanent affiliation and the same was communicated to the secretary, Kerala Law Academy law College vide letter No. Ac B1/2305/93 dated 14.06.1993.

The Higher Education Department, Government of Kerala vide letter dated 01.02.2017 has informed that the report of the Sub- Committee and the resolutions of the Syndicate thereon has been examined in detail. The Higher Education Department, Government of Kerala has directed to urgently convene the meetings of the Sub-Committees constituted to examine the issues regarding the anomalies and deficiencies in the course regulations, irregularities in the conduct of examinations and the criteria adopted for the award of internal marks and other related matters and to take strong action against the concerned. It has also been directed that, since the functioning of the Kerala Law Academy Law College is found not in accordance with the rules/regulations of the University, stringent action needs to be taken in this regard, as per provisions in the Kerala University Act/ Statutes.

In consideration of the above directions from the Higher Education Department and in the light of the introduction of Section 2 (28(A)) to Kerala University Act 1974, vide amendment Act 9 of 1995 with effect from 12.06.1995, which defines an 'Un Aided College' as a 'Private College', which is not entitled to any financial assistance from the Government or the University, the status of Kerala Law Academy Law College is to be urgently reviewed and the category to which the College belongs is to be ascertained. If so whether the College has observed all provisions of the Act/Statutes applicable to such Colleges needs detailed examination.

The matter is placed before the Syndicate to review and ascertain the status of Kerala Law Academy Law College and to examine whether the College has observed the provisions of the Act/Statutes applicable to such Colleges.

Resolution of the Syndicate

RESOLVED to

1. accept the letters dated 06.02.2017 addressed to the Registrar, submitted by the Manager, Kerala Law Academy Law College informing the change of the Principal of the College and the action reported on the directions given by the University.
2. direct the Management of the Kerala Law Academy Law College to appoint a new eligible Principal following the rules and procedures.
3. expedite the procedures and action on the Syndicate Sub-Committee Report.

On the basis of the resolution put forward by Dr.M.Jeevanlal, Member Syndicate, **FURTHER RESOLVED** to refer the matter regarding the allegation against the Degree of Dr.P.Lekshmi to the Standing Committee of the Syndicate on Examinations and Students Discipline.

A resolution on the issues related to Kerala Law Academy Law College, Thiruvananthapuram (Appended) was moved by Adv.Johnson Abraham Member Syndicate which was signed by Sri.John Thomas, Adv.Johnson Abraham, Adv.S.Krishnakumar, Dr.M.Jeevanlal, Sri.B.S.Jyothikumar, Sri.M.K.Abdul Rahim and Sri.K.S.Gopakumar, Members Syndicate.

The following eight (8) Members voted in favour of the resolution

1. Sri.John Thomas,
2. Adv.Johnson Abraham,
3. Adv.S.Krishnakumar,
4. Dr.M.Jeevanlal,
5. Sri.B.S.Jyothikumar,
6. Sri.M.K.Abdul Rahim
7. Sri.K.S.Gopakumar,
8. Dr.R.Latha Devi

And the following twelve (12) members voted against the resolution.

1. Dr.K.Manickaraj
2. Dr.P.Rajesh Kumar
3. Dr.Shaji.K
4. Sri.M.Sreekumar
5. Prof.R.Mohanakrishnan
6. Adv.A.A.Rahim
7. Adv.K.H.Babujan
8. Sri.K.V.Mohankumar, Director of Public Instruction
9. Sri.Bhooshan, Additional Secretary, GA(IT)
10. Sri.M.G.Renjith Kumar, Joint Secretary, Higher Education
11. Dr.A.N.Padmakumari, Director in charge, DCE
12. Dr.P.M.Radhamany

Dr.R.Latha Devi, Member Syndicate also submitted a resolution (Appended) and she did not insist for a voting on it since the nature of the resolution is similar to the one moved by Adv.Johnson Abraham, Member Syndicate.

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Registrar i/c

**Pro-Vice-Chancellor in
charge of Vice-Chancellor**

University Buildings,
Thiruvananthapuram,
06.02.2017

Syndicate held on 10.02.2017

***Item No.25.01.02 Confirmation of the Preliminary Minutes of the Meeting of the
Syndicate held on 06.02-2017 – reg.***

(Ac.A.I)

The Syndicate considered and approved the Preliminary Minutes of the Meeting
of the Syndicate held on 06.02.2017.

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