

To:

The Hon'ble Chancellor,
NLU Jodhpur

**Re: Protest Petition against Termination of Leading Academic from NLU
Jodhpur MHRD IP Chair Position**

Dear Sir:

As a group of law teachers, lawyers, law students, legal professionals and members of the public, we write to express our deep concern and anguish at the unexpected removal of Prof Yogesh Pai as the Co-ordinator of the Ministry of Human Resource Development Chair on IPR at National Law University (NLU) Jodhpur.

It was reported in Livelaw, a leading law blog as below (article attached):

“National Law University, Jodhpur removed the MHRD Chair Coordinator, Yogesh A Pai from the post without assigning any reason. Pai in his letter to the Ministry of HRD says, “The reason I am clarifying these facts is only to convey that I have not voluntarily resigned from the position of the Chair Coordinator or as an Assistant Professor of Law from NLU, Jodhpur. I have not voluntarily requested the University for relieving me of my services to the Ministry of HRD IPR Chair at NLU, Jodhpur.”

Prof Pai's termination appears arbitrary and whimsical, given that the letter/orders so terminating cite no reason for the dismissal, such as a failure to perform. As you know, the MHRD IP Chair was established to further IP research, policy and advanced IP teaching in India. Given this mandate, Prof Pai has performed well on all counts and through his tireless work, NLU Jodhpur's IP reputation has risen.

He has published in leading law journals, spoken at conferences, local and global, and done visiting stints abroad. He advises the government regulatory and IP policy issues and is part of committees appointed by the Ministry of Health and Ministry of Commerce, Government of India. He has conducted a series of IP workshops and conferences at NLU Jodhpur. A latest version of his CV, if called for, would bear testimony to all of this.

His removal has also triggered strong reactions from the Ministry of HRD (which funds the IP Chair) and a senior official at the MHRD is quoted in the attached Livelaw article as saying:

“They have removed Yogesh A Pai (who was the MHRD Chair Coordinator) without informing us. They are not supposed to do like this. We will take up the issue with the Universities directly; we are writing a strong letter to them. Either they will have to reinstate these people or we will remove the Chairs. We don’t want to give Chairs to those Universities who behave in such arbitrary manner.”

It would be a shame if the state of Rajasthan and a reputed University such as NLU Jodhpur were to lose out on the MHRD Chair owing to an arbitrary transgression by the university administration.

While we no doubt appreciate the fact that the Vice Chancellor has discretion in matters such as this, we fear that this dismissal is an abuse of discretion. The termination order cites no reason for such termination. As you know, the Constitution of India mandates that discretion by government agencies (including public funded Universities) be exercised in a fair manner and not arbitrarily or whimsically.

We would therefore urge you to please investigate this matter, as it sends out a very unhealthy signal that extremely committed academics who have contributed immensely to the growth of a University can be dismissed at the drop of a hat without rhyme or reason.

Thanking you, we remain,

Most sincerely yours:

Signatories

List of legal academics

List of students

List of lawyers

List of other members of the public

Cc:

GC Members, National Law University, Jodhpur

EC members, National Law University, Jodhpur

Hon’ble Minister of Education, State of Rajasthan

Secretary, Ministry of Education, State of Rajasthan

Hon’ble Chief Justice,

Hon’ble Minister of HRD, New Delhi

Hon’ble Secretary, MHRD, New Delhi

Hon’ble Vice Chancellor, NLU, Jodhpur

All members of the Academic Council, NLU, Jodhpur