

MEMORANDUM OF UNDERSTANDING

BETWEEN



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY,
ASSAM

AND



ENVIRO LEGAL DEFENCE FIRM

MEMORANDUM OF UNDERSTANDING

National Law University and Judicial Academy, Assam (NLUJAA) was established by the National Law University and Judicial Academy, Assam Act, 2009 (Act No. XXV of 2009 as the fourteenth National Law University established in the country and is located in Guwahati, the capital city of Assam. Hon'ble, the Chief Justice of Gauhati High Court is the Chancellor of the University. The objectives of the National Law University and Judicial Academy, Assam are "to impart comprehensive legal education and training at all levels to achieve excellence in legal education; to promote research in all branches of law; to disseminate legal knowledge by organizing lectures, seminars, symposia, workshops and conferences on contemporary issues of law to promote legal awareness in the communities to achieve social and economic justice and to promote cultural, legal and ethical values with a view to promote and foster the rule of law and the objectives enshrined in the Constitution of India; and to liaise with institutions of higher learning and research in India and abroad". National Law University and Judicial Academy, Assam offers B.A. LL.B.(Hons.) Five-Years Integrated Programme, LL.M. One Year Programme and Ph.D. Programme. Various Diploma, Certificate and Degree courses through distance mode and online mode being offered by various Centres established in the University for advanced legal studies and research. The Centres shall also address the socio-legal issues and challenges specifically of the North-East region. Some of the Centres have been conducting seminars, conferences, and training programmes for the identified target groups. The University has affiliation with the UGC under Section 12(B) of the University Grants Commission Act, 1956, the Bar Council of India (BCI) and the Association of Indian Universities (AIU).

The Enviro Legal Defence Firm (ELDF), claimed to be India's first environmental law firm, aims at mainstreaming the discipline of environment and development law, resolving conflicts over natural resources and strengthen environmental jurisprudence. ELDF aims to work by bridging the gap between the field-based conflicts and the courts or other formal adjudicating bodies. Their aim is to provide "a unique institutional framework that would sustain major legal initiatives both within and outside the courts." ELDF is an independent team of erudite legal professionals, which provides services to a range of clients, including Governments,

Non-Government Organizations, Educational Institutions, Individuals, Private and External Agencies engaged in areas of environment and development law. Whereas, ELDF desires to establish academic collaboration with Institutions of excellence in Law in the country and NLUJAA is one among such recognized institutions and seeks to promote the institutional collaborations through this Memorandum of Understanding (MoU).

SCOPE OF AGREEMENT

This Memorandum of Understanding is signed between the National Law University and Judicial Academy, Assam (NLUJAA) as First Party and Enviro Legal Defence Firm (ELDF) as Second Party for the purpose of Academic Collaboration that will encompass exchange of students and resource persons between the two parties and initiate other academic activities, research and publication. In addition to this, active efforts will be made to develop joint training and research programmes that will be pursued in a collaborative spirit. Some of the collaborative areas include the following:

I. TERMS AND CONDITIONS OF COOPERATION

1. NLUJAA and ELDF shall collaborate in mutually agreeable academic events, teaching, training and research, wherever feasible. Such collaboration will be based on mutually agreeable terms and conditions specifically agreed for each of the collaborative efforts;
2. ELDF shall offer part-time and full-time internships and other learning experiences from time to time on mutually agreeable terms and conditions;
3. The Ph.D. candidates and LL.M. students in interdisciplinary areas of research involving law from the NLUJAA may work under the supervision of the senior team of ELDF;
4. Faculty members of NLUJAA shall be invited for important seminars, conferences, workshops, capacity building programmes and for teaching at undergraduate, postgraduate and doctoral levels. The financial implications shall be worked out on a case to case basis;
5. The B.A. LL.B. (Hons.) Students of NLUJAA shall be provided with internship and job opportunities in EDLF after proper assessment, and other mutually agreeable terms and conditions;

6. The students of NLUJAA and employees of ELDF shall be given access to each other's' library and other study materials on mutually agreeable terms and conditions to hone the knowledge on environmental and development law;
7. Research Scholars and Teaching Faculty of NLUJAA and employees of ELDF will explore possibility of taking up collaborative research work and also apply for funding from national and international agencies, government, non-government organizations and other funding agencies; and
8. Any financial implication emerging out of such collaborations (other than the fee of the students etc.) shall be worked out and decisions will be taken with mutual agreement.

II. AREAS OF COOPERATION

This Memorandum expresses a mutual desire by NLUJAA and ELDF to cooperate in building intellectual and research capacity and scholarship. Additional areas of co-operation may be added by written consent of the two parties. Both the parties will act in good faith to ensure that the objectives of this Memorandum are realized.

III. TERMS OF AGREEMENT

Progress in realizing the terms and conditions referred herein will be reviewed periodically as mutually agreed and the memorandum may be amended at any time by mutual consent and in writing. The implementation and / or continuance of programmes or projects established pursuant to this memorandum prior to the effective date of termination shall not be affected by the termination of this Memorandum.

1. This memorandum shall come into force immediately upon its signature by the parties;
2. The validity of this Memorandum of Understanding is initially for a period of five years from the date of its execution and the same can be further extended on mutual agreement; and
3. This Memorandum of Understanding can be terminated by either of the parties by giving advance notice of six months and without jeopardizing the coursework or registration of any of the students or scholar of either institution.

IV. INTELLECTUAL PROPERTY AND CONFIDENTIALITY

1. In respect of each project and programme of co-operation, the parties shall negotiate and mutually agree in writing on their respective rights to intellectual property and

commercial exploitation of the same (including without limitation, trademarks and service marks, copyrights, patents, designs and confidential information pertaining thereto); and

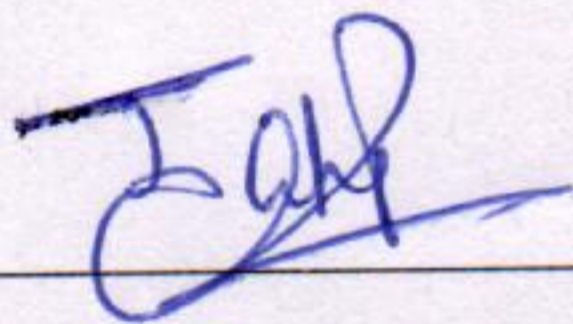
2. Neither party shall, at any time disclose to any third party any confidential information of the other party which is acquired in the course of activities under this Memorandum, a collaborative project or a programme, without the prior consent of the other party in writing.

The confidentiality obligations herein will not apply to information in the public domain; information in the possession of the receiving party prior to the disclosure of the information; information which is independently developed by the receiving party; information required to be released by law; and information which is rightfully received by the receiving party from third parties without any breach of confidentiality obligations.

V. NON BINDING NATURE OF MEMORANDUM

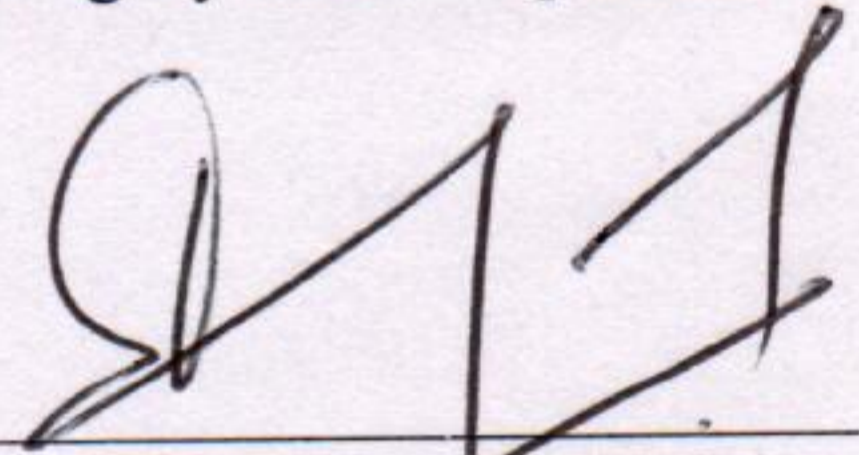
Nothing in this Memorandum shall be construed as creating any contract, partnership, agency or other legal relationship between the parties. This Memorandum is only a non-binding statement of intent to foster genuine and mutually beneficial collaboration.

IN WITNESS WHEREOF, this Memorandum of Understanding is executed by the parties hereto on the date of signing of the Memorandum of Understanding by the two parties.



Prof. (Dr.) J. S. Patil
Vice-Chancellor,
NLUJA, Assam

Date: 10-03-2019



Mr. Sanjay Upadhyay
Founder & Managing Partner,
ELDF

Date:

10/03/2019.

