

MEMORANDUM OF UNDERSTANDING

BETWEEN



MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI

AND



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

MEMORANDUM OF UNDERSTANDING

MAHARASHTRA NATIONAL LAW UNIVERSITY MUMBAI (MNLU Mumbai) established under the Maharashtra Act VI of 2014, Section 3(1) Schedule Item 1 with headquarters of the University at Mumbai, for the development and advancement of legal education and for the purposes of imparting specialized and systematic instruction, training and research in systems of law and for the matters connected there with or incidental thereto.

Maharashtra State Human Rights Commission (MSHRC) established under the Protection of Human Rights Act, 1993.

Whereas, MNLU Mumbai is committed to contribute to the cause of human rights and criminal justice administration.

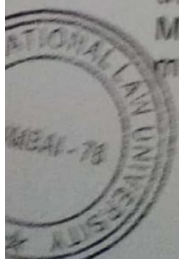
Whereas, MSHRC is a statutory autonomous body constituted to perform functions as per Section 12 of the Protection of Human Rights Act, 1993. It is also mandated to undertake and promote research in the field of Human Right issues including among these various functions the Commission is to undertake and promote research in the field of Human Rights including any Jail or other Institutions under the control of the State Government to study and make recommendations about the living conditions of the inmates.

SCOPE OF AGREEMENT

This Memorandum of Understanding is signed between the Maharashtra National Law University Mumbai (MNLU Mumbai) as First Party and Maharashtra State Human Rights Commission as Second Party for the purpose of Academic & Research Collaboration. In addition, active effort will be made to develop joint training and research programmes that will be pursued in a collaborative spirit. Such collaboration will be based on mutually agreeable terms and conditions specifically agreed for each of the collaborative efforts;

I. TERMS AND CONDITIONS OF COOPERATION

1. MNLU Mumbai and MSHRC shall work collaboratively on mutually agreeable human rights issues, teaching, training and research, wherever feasible.
2. The joint research program shall be developed by MNLU Mumbai and MSHRC to solve the problem of criminal justice administration system in the State of Maharashtra;
3. MNLU Mumbai would assist the MSHRC in carrying the research in prisons & police administration in Maharashtra. Such research would be carried out by the teachers, students, research scholars and fellows affiliated to MNLU Mumbai and provide research support in matter of Human Rights issues on mutually agreed terms;



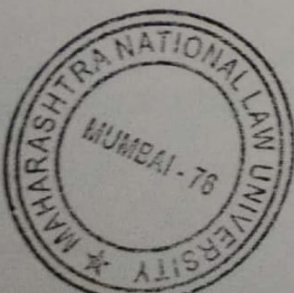
4. MNLU Mumbai in order to make such research sustainable and effective may collaborate with AzimjiPremji Philanthropic Initiative and such other organisations as mutually decided;
5. MSHRC in collaboration with MNLU Mumbai will conduct action research studies in prisons and police department.
6. The research tools will include but not limited to accessing the prison records, interview of prisoners and prison officials; similarly, police records etcetera.
7. The training and allied activities /programs to support the research program may be organized collaboratively.
8. This memorandum shall come into force immediately upon its signature by the parties.
9. 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.
10. 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 of either institution.

II. AREAS OF COOPERATION:

This Memorandum expresses the common intention of MNLU Mumbai and MSHRC to collaborate in furtherance of such of the above common intentions defined towards catering to a mutual academic and human rights issues pertaining to criminal justice administration and enhance the research capacity and scholarship. Additional areas of co-operation may be appended by written consent of both the parties. Both parties will act in good faith to ensure that the objectives in this Memorandum are realized.

III. TERMS OF AGREEMENT

Progress in realizing the terms and conditions referred to herein will be reviewed periodically as mutually agreed and the memorandum may be amended at any time by mutual consent and in writing. Both parties reserve the right to terminate this memorandum by giving six months' written notice to the other. 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.



IV. CONFIDENTIALITY

1. In respect of each project and programme of co-operation, the parties shall negotiate confidentiality 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).
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.

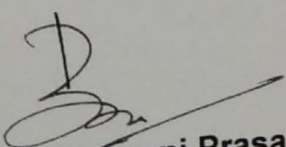
The confidentiality obligations herein will not apply to information in the public domain; information in the possession of the receiving party prior to the disclosure of the information; information which is independently developed by the receiving party; information required to be released by law; 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.


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.

This instrument: Memorandum of Understanding contains 1-4 pages in total.


Prof. (Dr.) Bhavani Prasad Panda
Vice-Chancellor
Maharashtra National Law University
Mumbai

Date: 22-11-17




Justice S R Bannurmath
Chairperson
Maharashtra State Human Rights
Commission

Date: 22/11/2017

