

DOCTOR HARISINGH GOUR VISHWAVIDYALAYA (M.P.)
(A Central University)

Minutes of Emergent Meeting of the Executive Council

- **Date:** 10.12.2015
- **Time:** 2.00 pm
- **Venue:** Conference Hall, Academic Building, IISER, Bhopal (M.P.)

MEMBERS PRESENT:

- | | |
|--|--------------|
| 1. Prof. Raghavendra P. Tiwari, Vice Chancellor | -Chairperson |
| 2. Prof. Vinod Kumar Singh, Director, IISER, Bhopal | -Member |
| 3. Dr. Rajesh Kumar Pathak, CoE, MCRPESVV, Bhopal | -Member |
| 4. Prof. S.K. Pandey, Vice Chancellor, Pt. Ravishankar Shukla University, Raipur | -Member |
| 5. Shri D. Ramakrishna Rao, Deputy Secretary, Dept. of Higher Education, MHRD | -Member |
| 6. Prof. R.A. Singh, Dean | -Member |
| 7. Dr. Purshottam Soni, Associate Professor | -Member |
| 8. Dr. Keshav Tekam, Assistant Professor | -Member |
| 9. Prof. (Ms.) J.D. Ahi, Registrar | -Secretary |

MEMBERS ON LEAVE OF ABSENCE / REGRETTED:

- | | |
|---|---------|
| 1. Chief Secretary, Govt. of M.P., Bhopal | -Member |
| 2. Prof. P.P. Singh, Dean, School of Law | -Member |

Prof. U.S. Gupta, an esteemed member, was requested to refrain from attending the meeting as the agenda item was concerning with him.

At the outset, the Vice Chancellor welcomed all the members and expressed his gratitude for them to make it convenient to attend the meeting on a very short notice. The Vice-Chancellor also apprised the Council of the expiry of the term of the external members namely Prof. Pradeep Mathur, Prof. Kedarnath Singh, Shri Arunodaya Choubey and Dr. Iqbal Javed as they were appointed for a term of 03 years vide MHRD letter No. F.56-9/2012-Desk (U) dated 16th Nov., 2012. The Council appreciated the valuable contribution made by these outgoing members for development of the University and resolved to place it on record.

The MHRD representative Shri D. Ramakrishna Rao, Deputy Secretary (CU), Dept. of Higher Education, MHRD, New Delhi, stated the following:

The University must strictly follow the Act, Statutes, Ordinances and Regulations as also rules and regulations of Govt. of India and amendments/modifications issued thereon from time to time.

Thereafter, the agenda item was taken up for discussion.

ITEM NO.	DESCRIPTION AND ITS RESOLUTION
EC-ITEM-(I)	<u>ITEM FOR CONSIDERATION</u>
EC-ITEM NO.-(I)	To consider the request of CBI (Anti-Corruption Bureau) Jabalpur, for grant of sanction for prosecution of faculty members alleged to have committed offence in the appointment of Assistant Professors in the Department of Criminology & Forensic Science and Department of Fine Arts & Performing Arts The Superintendent of Police, CBI (Anti-Corruption Bureau), Jabalpur, has made a request for grant of sanction for prosecution of faculty members alleged to have committed offence in the appointment of Assistant Professors in the aforesaid Departments. They have furnished a detailed report along with relevant documents on the basis of which they have made out a criminal case. The same will be placed before the council in course of meeting.

In this regard, it is to submit that the University published Rolling Advertisement No. R-03/T/P/ RA/2010 on 30/10/2010, fixing last date of submission of applications 15/12/2010 for that cycle of recruitment. However, it was mentioned in advertisement that the applications may also be received by the University under rolling mechanism throughout the year notwithstanding the last date mentioned in the advertisement. It was further mentioned that the reservation roster will be followed as per the UGC reservation policy (OBC-27%, SC-15%, ST-7.5%, PH as per UGC rules). It was further mentioned in the advertisement that based on the qualification of the candidate and the need of the school concerned application received will be processed through duly constituted selection committee on regular intervals of time. Minimum qualifications may be relaxed in case of exceptionally outstanding candidates. A Corrigendum dated 20/11/2010 was published extending the last date of submission of applications as 21/12/2010, detailing therein department wise available posts, Professor-44, Associate Professor-53 and Assistant Professor-82 a total thereof 179. It was mentioned therein that the no. of post in each department may vary. The candidates may also apply for the post of Associate Professor/ Assistant Professor in the departments where the posts are not shown, but may fall vacant as resultant vacancy. Further, a notice with the signature of Liaison Officer was displayed on the University website on 02/11/2012, indicating the number of posts reserved for SC/ST/OBC/ PWD. Further, a two member committee comprising Prof. P.K. Kathal as a Chairman and Prof. J.K. Jain as Member was constituted vide order No. DFA/2010/43 dated 13/10/2010 to frame guidelines for short-listing the applications to be called for the interview for teaching positions in the University. On 21/10/2010 the committee finalized the suggestive guidelines which was approved by the then Vice-Chancellor. Furthermore, the scrutiny was conducted taking in view of the resolution passed by the 3rd Academic Programme Committee (APC) of the University in its meeting dated 30.09.2011. The basis of this resolution was the resolution of the University Grants Commission passed in its 472th meeting held on 22.09.2010 vide item no. 2.08. Subsequently, the University Grants Commission vide its letter no.F.9-3/2010(PS)/Misc. dated 20.11.2012 clarified that the aforesaid resolution was merely the part of process of deliberation by the commission on the issue of minimum qualification for appointment and not a final decision required to be implemented. Although this letter was issued before the conduct of the scrutiny and the interview for the post of Assistant Professors yet it was never circulated to the members of the scrutiny committee and it was for the first time placed before the Executive Council in its meeting dated 14.05.2015. The interview for the post of Assistant Professors in the Department of Criminology & Forensic Science was held on 15.04.2013 and the interview for the post of Assistant Professors in the Department of Fine Arts and Performing Arts was held in 16 & 17.07.2013. The recommendations of the selection committees were placed before the Executive Council in its meeting dated 24.05.2013. The Council approved the recommendations and accordingly appointment orders were issued to the selected candidates.

After nearly one year, CBI, Jabalpur, registered regular cases in the appointments made in the aforesaid departments. After investigations, they have submitted reports and sought sanction for prosecution.

It is worthwhile to mention here that legal opinion was sought in the matter pertaining to the Department of Criminology & Forensic Science from the panel Advocates of the University viz. Smt. Shobha Menon, Senior Advocate, High Court of M.P. and Shri Amitesh, Advocate, Supreme Court of India, New Delhi. The legal opinion rendered by them will be placed before the Council in course of meeting. However, the legal opinion in the matter pertaining to Department of Fine Arts & Performing Arts could not be obtained as the matter pertaining to the said department was received a day before yesterday.

The aforesaid request of the CBI, Jabalpur, is placed for consideration of the Executive Council.

Resolution with Descriptive Note:

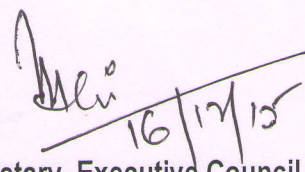
The Chairperson informed the Council that the Superintendent of Police, CBI (Anti-Corruption Bureau), Jabalpur, has sought sanction for prosecution of two faculty members, in the Department of Criminology & Forensic Science and other two faculty members, in connection with the case of the Department of Fine Arts & Performing Arts, pertaining to recruitment of teachers particularly in respect to scrutiny and selection process conducted against the Rolling Advertisement No. R-03/T/P/RA/2010 dated 30/10/2010. The CBI has made a number of allegations against the aforesaid teachers and based on these allegations they have furnished draft sanction orders to be signed by the University. The Chairperson further informed that he received first report pertaining to Department of Criminology & Forensic Science from CBI, Jabalpur, on 30.11.2015. Immediately on receipt of the report the University scheduled an emergent meeting of the Executive Council on 10th of December, 2015. Simultaneously, the University also sought legal opinion from the Panel Advocate of the University practising in Hon'ble High Court of Madhya Pradesh at Jabalpur and also from Panel Advocate practising in Hon'ble Supreme Court of India in respect of the case pertaining to Department of Criminology & Forensic Science. The Chairperson further informed that he received another report pertaining to Department of Fine Arts & Performing Arts, on 08.12.2015. In respect to the case pertaining to Department of Fine Arts & Performing Arts, the legal opinion could not be obtained because the documents pertaining to the case were received from CBI in the noon of 8th of December, 2015. Thereafter, the Chairperson read out the letters and reports received from CBI before the Council and also summarized the allegations levelled against the aforesaid 04 faculty members. The Chairperson also apprised the Council of the legal opinion in respect of the case pertaining to Department of Criminology & Forensic Science. The variance was found in the legal opinion of the both the learned Counsels. One of our learned Counsels opined for not according sanction for prosecution, whereas, another opined that the facts as brought out in CBI reports in context of the allegations made therein may *prima facie* constitute the offence.

The Council discussed the matter in all respect and unanimously resolved as follows:

1. The opinion / advice of Attorney General of India / Solicitor General of India / Additional Solicitor General of India, who so ever available, may be obtained in respect of sanction of prosecution of two faculty members, in CBI RC No. RC0092014A0006 (*Case pertaining to appointment of Assistant Professors in the Department of Criminology & Forensic Science*).
2. The legal opinion may be obtained from University Panel Advocates in respect of sanction of prosecution of two faculty members, in CBI RC No. RC0092014A0004 (*Case pertaining to appointment of Assistant Professors in the Department of Fine Arts & Performing Arts*).

After receipt of the opinion on 1 & 2 above, the Executive Council will decide further course of action in this regard.

The meeting ended with the vote of thanks from and to the Chair.


16/12/15

Registrar and Secretary, Executive Council
Dr. Harisingh Gour Vishwavidyalaya (M.P.)

DOCTOR HARISINGH GOUR VISHWAVIDYALAYA (M.P.)
(A Central University)

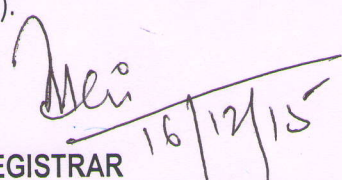
Ref. No.: R/Emer./EC/2015/1248

Administrative Office

Dated: 16 December 2015

Copy to:

1. Shri D. Ramakrishna Rao, Deputy Secretary (CU), Dept. of Higher Education, MHRD, GOI, Shastri Bhavan, New Delhi - *with a request to forward a copy of the Minutes to H.E. the President of India and the Visitor of Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).*
2. Prof. Raghavendra P. Tiwari, Vice Chancellor and Chairperson, Executive Council, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
3. Secretary, Dept. of Higher Education, MHRD, Govt. of India, Shastri Bhavan, New Delhi.
4. Joint Secretary (CU), Dept. of Higher Education, MHRD, Govt. of India, Shastri Bhavan, New Delhi.
5. Chief Secretary, Govt. of M.P., Vallabh Bhavan, Bhopal.
6. Chairman, University Grants Commission, New Delhi.
7. Prof. S.K. Pandey, Vice Chancellor, Pt. Ravishankar Shukla University, Raipur (Chhatisgarh)
8. Joint Secretary (CU), University Grants Commission, New Delhi.
9. Prof. Vinod Kumar Singh, Director, IISER, Bhopal.
10. Dr. Rajesh Kumar Pathak, CoE, MCRPESVV, Bhopal.
11. Prof. P. P Singh, Dean, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
12. Prof. R.A. Singh, Dean, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
13. Prof. U.S. Gupta, Professor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
14. Dr. Purushottam Soni, Associate Professor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
15. Dr. Keshav Tekam, Assistant Professor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
16. All members of Court/Finance Committee/Academic Council/B&WC of Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
17. All Deans, Directors, HoDs, CoE, Finance Officer, Librarian and Officers of Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
18. In-charge, Website Cell, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.) - *with a request to upload the Minutes on the Vishwavidyalaya Website.*
19. Assistant Registrar to the Office of the Registrar, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
20. Secretary to the Vice Chancellor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
21. Guard File.


16/12/15
REGISTRAR

Dr. Harisingh Gour Vishwavidyalaya (M.P.)

DOCTOR HARISINGH GOUR VISHWAVIDYALAYA (M.P.)

(A Central University)

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4/2/16

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4/12/16

The aforesaid request of the CBI, Jabalpur, is placed for consideration of the Executive Council.

Note: *This agenda note has been amended as per decision taken in the Emergent Meeting of Executive Council held on 13.01.2016 vide agenda item no.: EC-ITEM NO.-(III) (i)*

Resolution with Descriptive Note:

The Chairperson informed the Council that the Superintendent of Police, CBI (Anti-Corruption Bureau), Jabalpur, has sought sanction for prosecution of two faculty members, in the Department of Criminology & Forensic Science and other two faculty members, in connection with the case of the Department of Fine Arts & Performing Arts, pertaining to recruitment of teachers particularly in respect to scrutiny and selection process conducted against the Rolling Advertisement No. R-03/T/P/RA/2010 dated 30/10/2010. The CBI has made a number of allegations against the aforesaid teachers and based on these allegations they have furnished draft sanction orders to be signed by the University. The Chairperson further informed that he received first report pertaining to Department of Criminology & Forensic Science from CBI, Jabalpur, on 30.11.2015. Immediately on receipt of the report the University scheduled an emergent meeting of the Executive Council on 10th of December, 2015. Simultaneously, the University also sought legal opinion from the Panel Advocate of the University practicing in Hon'ble High Court of Madhya Pradesh at Jabalpur and also from Panel Advocate practicing in Hon'ble Supreme Court of India in respect of the case pertaining to Department of Criminology & Forensic Science. The Chairperson further informed that he received another report pertaining to Department of Fine Arts & Performing Arts, on 08.12.2015. In respect to the case pertaining to Department of Fine Arts & Performing Arts, the legal opinion could not be obtained because the documents pertaining to the case were received from CBI in the noon of 8th of December, 2015. Thereafter, the Chairperson read out the letters and reports received from CBI before the Council and also summarized the allegations levelled

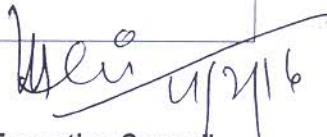
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The Council discussed the matter in all respect and unanimously resolved as follows:

1. The opinion / advice of Attorney General of India / Solicitor General of India / Additional Solicitor General of India, who so ever available, may be obtained in respect of sanction of prosecution of two faculty members, in CBI RC No. RC0092014A0006 (*Case pertaining to appointment of Assistant Professors in the Department of Criminology & Forensic Science*).
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The meeting ended with the vote of thanks from and to the Chair.


Registrar and Secretary, Executive Council
Dr. Harisingh Gour Vishwavidyalaya (M.P.)

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Ref. No.: R/Emer./EC/Revised/2016/1460

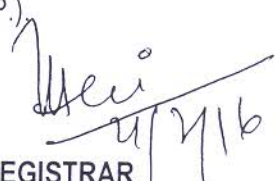
Administrative Office

Dated: 4/2/2016

11/2/2016

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REGISTRAR

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