

DOCTOR HARISINGH GOUR VISHWAVIDYALAYA (M.P.)

(A Central University)

Minutes of Emergent Meeting of the Executive Council

- **Date:** 13.01.2016
- **Time:** 2.00 pm
- **Venue:** Conference Hall, Academic Building, IISER, Bhopal (M.P.)

MEMBERS PRESENT:

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| 1. Prof. Raghavendra P. Tiwari, Vice Chancellor | -Chairman |
| 2. Prof. S.K. Pandey, Vice Chancellor, Pt. Ravishankar Shukla University, Raipur
(Nominee of Chairman, UGC, New Delhi) | -Member |
| 3. Prof. Vinod Kumar Singh, Director, IISER, Bhopal | -Member |
| 4. Dr. Rajesh Kumar Pathak, CoE, MCRPESVV, Bhopal | -Member |
| 5. Shri D. Ramakrishna Rao, Deputy Secretary, Dept. of Higher Education,
MHRD (Representative of Secretary, MHRD, New Delhi) | -Member |
| 6. Dr. C.D. Athaya, Add. Director, Dept. of Higher Ed., Govt. of M.P., Sagar Division
(Representative of Chief Secretary, Govt. of M.P., Bhopal) | -Member |
| 7. Prof. G.L. Puntambekar, Dean | -Member |
| 8. Prof. R.A. Singh, Dean | -Member |
| 9. Prof. R.K. Trivedi, Professor | -Member |
| 10. Dr. Purshottam Soni, Associate Professor | -Member |
| 11. Dr. (Mrs.) Neha Niranjani, Assistant Professor | -Member |
| 12. Prof. (Ms.) J.D. Ahi, Registrar | -Secretary |

At the outset, the Vice Chancellor informed the Council about the expiry of the term of five internal members, namely Dr. U. S. Gupta, Professor; Prof. P. P. Singh, Dean of School; Prof. R. A. Singh, Dean of School; Dr. Purshottam Soni, Associate Professor and Dr. Keshav Tekam, Assistant Professor. The Vice-Chancellor further informed that he, in exercise of the powers conferred upon him under amended statute 11(I) clause (vi) (vii) (viii) & (ix), appointed Prof. G. L. Puntambekar, Dean of School, Dr. R. K. Trivedi, Professor and Dr. Neha Niranjani, Assistant Professor as members on the Executive Council. Further, Prof. R. A. Singh, Dean of School and Dr. Purshottam Soni, Associate Professor are re-appointed as members on the Executive Council as their previous appointments were for residual period in terms of section 38 of the Central Universities Act, 2009. Thereafter, the Vice Chancellor extended warm welcome to all the members particularly new members, who attended the meeting for the first time, and also to nominee(s) of the Court, MHRD, UGC and Govt. of Madhya Pradesh. The Vice-Chancellor extended thanks to the outgoing members for their valuable contribution made during their tenure as members of the Executive Council for all-round development of the University.

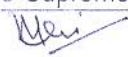
The MHRD representative Shri D. Ramakrishna Rao, Deputy Secretary, Dept. of Higher Education, MHRD, New Delhi, stated that, "the University must strictly follow the rules and regulation of Govt. of India and amendments/modifications issued thereon from time to time especially the General Financial Rules, 2005, the provisions of the University's Act/Statutes/Regulations and amendments thereto."

Thereafter, the following agenda items were taken up for discussion and its decision thereon:

ITEM NO.	DESCRIPTION AND ITS RESOLUTION
EC-ITEM-(I)	<u>ITEM FOR CONSIDERATION</u>
EC-ITEM NO.-(I) (i)	Setting up "Centre for Climate Change Adaption and Mitigation (C-CCAM)" in the University (<i>Item No. AC: 11:5 (6) of 11th Academic Council meeting</i>) During the 11th Academic Council meeting held on 16.11.2015, the Council has approved the setting up of "Centre for Climate Change Adaption and Mitigation (C-CCAM)" in collaboration with Indian Institute of Tropical Meteorology (IITM), Pune & CSIR-4th Paradigm

	Institute Bangalore. The site for the Centre is to be provided by the University in its campus. Subsequently, during the process, Indian Institute of Sciences, Bangalore also showed its interest to be part of this collaboration. The Instruments for the Centre shall be provided by IITM and IISc. free of costs. The Centre will provide an opportunity for students, research scholars and faculty to have access to the data generated in this centre for their academic pursuits. The matter is placed for consideration of the Executive Council. Resolution: The Chairperson briefed the Executive Council about the details on "Centre for Climate Change Adaption and Mitigation (C-CCAM)" to be setup in the Vishwavidyalaya in collaboration with Indian Institute of Tropical Meteorology (IITM), Pune, CSIR-4th Paradigm Institute, Bangalore and Indian Institute of Sciences, Bangalore. The Executive Council approved the proposal and stated that the proposed centre should be set-up through MoU wherein role of each participating institute should be defined along with their liabilities. The University may provide a suitable piece of land for setting up the centre and site preparation may also be done by the University.
EC-ITEM NO.-(I) (ii)	Convocation of the University 11th Academic Council in its meeting held on 16.11.2015, decided to hold Convocation in 2016. The Council authorized the Vice Chancellor to fix the date for the Convocation as per convenience of the Chief Guest of the Convocation. The Committee has further approved a panel of six distinguished personalities of the Country, in the order mentioned below, to be invited as a Chief Guest for the Convocation and also for delivering Convocation Address: 1. <i>Hon'ble President of India</i> 2. <i>Hon'ble Prime Minister of India</i> 3. <i>Hon'ble Union Minister for Human Resource Development</i> 4. <i>Hon'ble Vice President of India</i> 5. <i>Prof. Goverdhan Mehta, Renowned Academician and,</i> 6. <i>Prof. CNR Rao, Renowned Scientist</i> The matter is placed before the Executive Council for consideration. Resolution: The Executive Council approved the resolution of the Academic Council for holding University Convocation in early 2016. The Council also approved to invite any of the dignitaries from the panel of 06 distinguished personalities as resolved by the Academic Council for the Chief Guest and also for delivering the Convocation Address. The Council also authorized the Vice-Chancellor to fix the date of Convocation depending upon the availability and convenience of the Chief Guest.
EC-ITEM NO.-(I) (iii)	Issue of the affiliation of the Colleges which were affiliated to this University as on 15.01.2009 i.e. the date on which it became a Central University. The Government of M.P. issued notification dated 25.07.2015 to this effect that all the Colleges falling under the jurisdiction of 5 districts namely, Sagar, Damoh, Chhatarpur, Panna and Tikamgarh shall apply for affiliation of 1st year of all UG and PG programmes to the Maharaja Chhatrasal Vishwavidyalaya, Chhatarpur and Colleges located in the district of Chhindwara to Rani Durgawati Vishwavidyalaya, Jabalpur, from academic session 2015-16. Some of the Colleges challenged the aforesaid notification before the Hon'ble High Court of Madhya Pradesh at Jabalpur. Hon'ble High Court vide its order dated 07.10.2015 quashed the aforesaid notification and granted relief to the petitioner Colleges that they are deemed to be affiliated with Dr. Harisingh Gour Vishwavidyalaya, Sagar by virtue of section 4(f) of the

	Central Universities Act, 2009. After receipt of the aforesaid judgment, the University sought direction from MHRD, New Delhi vide its letter no. VC/2015/175 dated 9.10.2015. In response thereof, the Govt. of India, MHRD, Department of Higher Education, New Delhi, vide its letter F.No. 56-4/2015-Desk (U) dated 31.12.2015 communicated that it appears from the above judgment of the Hon'ble Court that the State Authorities have been directed to re-examine the matter. Therefore, it would be desirable that the Central University may await decision about the further course of action by the State Government in the matter. A reference has been made to the State Government in this regard. The matter may be pursued with them. For the interim period, the University Authorities may take appropriate action as per the Act and Statutes & Ordinances framed there under. It is further to state that the matter was also placed before the 11th meeting of the Academic Council dated 16.11.2015 and the Council after due deliberations authorized the Vice-Chancellor to take action in the matter as per directives to be received from UGC/MHRD. Since the directive of the MHRD has been received, the matter is placed before the Executive Council for consideration. Resolution: The Executive Council deliberated upon the matter and unanimously resolved that as an <i>interim</i> measure, the University may conduct examination of First Year for all programmes offered by the colleges which were affiliated to this University as on 15.01.2009 and have not been affiliated with Maharaja Chhatrasal Vishwavidyalaya, Chhatarpur and with Rani Durgawati Vishwavidyalaya, Jabalpur, subject to completion of all other formalities like payment of continuation fees, etc. However, the final decision on this issue shall be taken after the receipt of further advisory from the Ministry of Human Resource Development, Govt. of India, New Delhi.
EC-ITEM NO.-(I) (iv)	To examine the eligibility of appointment of Shri Satya Prakash Upadhyay to the post of Controller of Examinations, as per directives given by the Hon'ble High Court of MP, Jabalpur and also in terms of UGC letter Shri Satya Prakash Upadhyay, Deputy Registrar was appointed as Controller of Examinations on 18.09.2013. Subsequently, he was dismissed vide order no.: VC Sectt./2014/24 dated 5.5.2014 from the post of Controller of Examinations of the University by the then acting Vice Chancellor on the ground that he did not meet the minimum eligibility criteria as stipulated in the advertisement of the University and also as per MHRD directives dated 31-12-2008. He was given show cause notice. After considering his reply dated 07.04.2014, his services from the post of Controller of Examinations were dismissed/terminated vide letter no. VC Sectt./2014/24 dated 5.5.2014 and he was allowed to join the post of Deputy Registrar against which he was retaining lien. Thereafter, Shri Upadhyaya challenged the said dismissal/termination in the Hon'ble High Court of M.P. at Jabalpur. Hon'ble High Court vide its order dated 03.12.2014 passed in W.P. 7468/2014 & order dated 20.03.2015 passed in R.P. No. 820/2014 quashed the aforesaid dismissal/termination order citing that the dismissal/termination order was passed by the incompetent authority i.e. acting Vice Chancellor. However, the Hon'ble High Court has granted liberty that it will be open for the Vice Chancellor to refer the matter to the Executive Council for taking appropriate decision in accordance with the law. This was also communicated by the UGC, New Delhi, vide its letter no.: F.No. 67-6/2012 (CU) dated 03.06.2014 that the appointing authority of Controller of Examinations in Central Universities is the Executive Council and as such the matter may be placed before the Executive Council for decision. The University filed a Writ Appeal against the said orders before the Hon'ble Division Bench of the High Court of M.P. and, the appeal was dismissed vide order dated 01.07.2015. Thereafter, the University challenged the aforesaid order before the Hon'ble Supreme Court



	of India, New Delhi by way of SLP No. 30823/2015, which was also dismissed vide order dated 27.11.2015. The Legal Counselor of the University advised to take up this matter in the Executive Council for taking a fresh decision on this issue. The matter was earlier placed in the 17th meeting of the Executive Council dated 25.08.2015 for consideration and it was resolved to authorize the Vice Chancellor to constitute a Committee to determine the eligibility of Shri Satya Prakash Upadhyay for the post of Controller of Examinations and place the report of the Committee in the next sitting of the Council. This resolution was taken on the basis of authorization to the Vice Chancellor by the Council to take appropriate decisions on some agenda items and the agenda under reference belonged to this category. Since, some of the Internal Members expressed their reservation on the above resolution, the agenda item was withdrawn. The matter is placed for consideration of the Executive Council. Resolution: The Executive Council deliberated upon the issue and resolved to authorize the Vice-Chancellor to constitute a 03 member committee including Registrar of the University as member secretary to determine the eligibility of Shri Satyaprakash Upadhyay for the post of Controller of Examinations, <i>vis-a-vis</i> the eligibility criteria prescribed by the UGC/MHRD, New Delhi as also in the University Advertisement.
EC-ITEM NO.-(I) (v)	Proposal for engagement of Prof. (Retd.) P.O. Alexander as Honorary Professor. The Head, Department of Applied Geology and the Dean, School of Engineering and Technology have proposed to appoint Prof. P.O. Alexander as Honorary Professor as his association with the Department would facilitate teaching/research work. It is worthwhile to mention here that Prof. P.O. Alexander is a distinguished Scholar in the field of Applied Geology. His Bio-data is annexed herewith in terms of the provisions contained in Ordinance 54 of the University a distinguished scholar who is either in active service or on superannuation may be considered for appointment as Honorary Professor by the Executive Council on the recommendation of the Dean of the School or Vice-Chancellor. The duration of the appointment shall be three years. It is proposed to engage Prof. (Retd.) P.O. Alexander as Honorary Professor for two years on consolidated remuneration of Rs.12,000/- per month to cover expenses towards local hospitality and travel. The matter is placed for consideration and decision of the Executive Council Resolution: The Executive Council deliberated upon the issue and resolved to appoint Prof. (Retd.) P.O. Alexander as Honorary Professor for a term of 02 years. It was further resolved that local travel expenses and other expenses for engaging classes to be incurred by Prof. Alexander may be reimbursed. In light of this resolution, the issue of payment of consolidated amount of Rs. 12,000/- per month to Prof. (Retd.) Uday Jain, engaged as a Honorary Professor to cover expenses towards local hospitality and travel, may be reviewed.
EC-ITEM NO.-(I) (vi)	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 matter was placed before the Executive Council in its last Emergent Meeting dated 10.12.2015 for consideration.

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.

In this regard, it is to submit that advice of the Solicitor General of India in respect of sanction of prosecution of faculty members in CBI RC No. RC0092014A0006 has been received.

The legal opinions from the University Panel Advocates viz. Smt. Shobha Menon, Senior Advocate, High Court of M.P. and Shri Amitesh Kumar, Advocate, Supreme Court of India, New Delhi, have also been received in respect of sanction of prosecution of faculty members in CBI RC No. RC0092014A0004.

The advice of the Solicitor General of India, New Delhi and the legal opinion rendered by the University Panel Advocates shall be placed before the Executive Council during the meeting.

The matter is placed for consideration of the Executive Council.

Resolution:

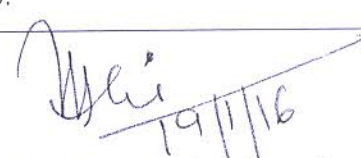
The Chairman read out the advice of Solicitor General of India which states that '*Keeping in view the recent decision of the Hon'ble Supreme Court of India in the matter of C.B.I. Vs. Ashok Kumar Agrawal, the Dept. of Personnel and Training, Govt. of India vide its letter dated 26/03/2015 has laid down guidelines to be followed by the competent authorities while considering grant of sanction. The said conscious scrutiny of the whole record so provided by the prosecution independently applying its own mind and taking into consideration all the relevant facts before grant of sanction while discharging its duty to give or withhold the sanction.*'

The Chairman further informed the Executive Council that two legal opinions in respect of C.B.I. RC No. RC0092014A0004 pertaining to Dept. of Fine Arts and Performing Arts have also been received and both of the opinions are in favour of grant of sanction for prosecution as sought by C.B.I., Jabalpur. In view of these facts, the onus of decision making on this issue lies with the Executive Council. The Executive Council started deliberation on the issue in respect of allegations leveled by the investigating agency and material evidence provided by them in substantiating the allegations. Since, the quantum of allegations and evidences produced by the investigating agency are voluminous.

The Executive Council could not deliberate upon all the points and unanimously resolved "*that the entire matter shall be discussed in the next meeting of the Executive Council to be convened on 8th February 2016 to decide the further course of action in this regard. The Executive Council also resolved that a legal counsel may also be invited from University Panel Advocates, as a special invitee for seeking clarification on the legal issue concerning the aforesaid two cases viz. CBI RC No. RC0092014A0006 pertaining to Department of*

	<i>Criminology & Forensic Science and CBI RC No. RC0092014A0004 pertaining to Department of Fine Arts & Performing Arts".</i>
EC-ITEM NO.-(II)	<u>ITEM FOR ADOPTION</u>
EC-ITEM NO.-(II) (i)	Adoption of UGC Circular No. F. 3-2/2015(Admn.I/A&B) dated 05.01.2016 enclosing therewith Office Memorandum No. M.11018/15/2015-CDN dated 31.12.2015 received from Govt. of India, Ministry of Human Resource Development, New Delhi The UGC vide its aforesaid circular has instructed not to pay any sitting fee allowance to the officials of the Ministry or attached institutions who are nominated as Government representatives in the Governance structure of Higher Educational Institutions such as board of management, board of Governors, Syndicate, Executive Council, Finance Committee, etc. The matter is placed before the Executive Council for its adoption. Resolution: The Executive Council resolved to adopt the UGC circular No. F. 3-2/2015(Admn.I/A&B) dated 05.01.2016 issued in this regard. However, it was clarified by the Executive Council that the said circular would be applicable only for Government nominees.
EC-ITEM NO.-(III)	<u>ANY OTHER MATTER WITH THE PERMISSION OF THE CHAIR</u>
EC-ITEM NO.-(III) (i):	It was requested by the Chairperson to refer to last second line of para 2 of the agenda note of item no. I of the last Emergent Meeting of the Executive Council dated 10.12.2015. In the said line, it was inadvertently mentioned that the recommendations of the selection committees were placed before the Executive Council in its meeting dated 24.05.2013, whereas it ought to have been mentioned that the recommendations of the selection committee in respect of selection of Assistant Professors in the Department of Criminology & Forensic Science were placed before the Executive Council in its meeting dated 24.05.2013 and recommendations of the Selection Committee in respect of Selection of Assistant Professors in the Department of Fine Arts & Performing Arts were placed before the Executive Council in its meeting dated 16.09.2015. Further, in midst of para 2 under the same agenda note, it was mentioned that a two member committee comprising Prof. P.K. Kathal as Chairman and Prof. J.K. Jain as member was constituted. Prof. Kathal has made a request for omission of the names of the Committee Members from the agenda item. Since omission of names of the Committee Members does not involve any material change either in agenda note or in the resolutions, the request of Prof. Kathal may be accepted in respect of omission of name of the Committee Members. If the Executive Council agrees, the aforesaid changes in the agenda note of last Emergent Meeting of Executive Council dated 10.12.2015 may be incorporated. Resolution: The Executive Council unanimously resolved to incorporate the aforesaid changes in the Agenda note of last Emergent meeting held on 10.12.2015.

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


 Registrar and Secretary, Executive Council
 Dr. Harisingh Gour Vishwavidyalaya

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

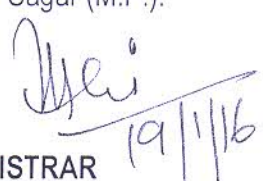
Ref. No.: R/Emer./EC/2016/1385

Administrative Office

Dated: 19 January 2016

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. Commissioner, Dept. of Higher Education, Govt. of M.P., Satpuda Bhavan, Bhopal.
7. Dr. C.D. Athaya, Additional Director, Dept. of Higher Education, Govt. of M.P., Sagar Division, Sagar (M.P.).
8. Chairman, University Grants Commission, New Delhi.
9. Prof. S.K. Pandey, Vice Chancellor, Pt. Ravishankar Shukla University, Raipur (Chhatisgarh)
10. Joint Secretary (CU), University Grants Commission, New Delhi.
11. Prof. Vinod Kumar Singh, Director, IISER, Bhopal.
12. Dr. Rajesh Kumar Pathak, CoE, MCRPESVV, Bhopal.
13. Prof. G.L. Puntambekar, Dean, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
14. Prof. R.A. Singh, Dean, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
15. Prof. R.K. Trivedi, Professor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
16. Dr. Purushottam Soni, Associate Professor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
17. Dr. (Smt.) Neha Niranjana, Assistant Professor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
18. All members of Court/Finance Committee/Academic Council/B&WC of Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
19. All Deans, Directors, HoDs, CoE, Finance Officer, Librarian and Officers of Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
- ✓ 20. In-charge, Website Cell, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)-with a request to upload the Minutes on the Vishwavidyalaya Website.
21. Assistant Registrar to the Office of the Registrar, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
22. Secretary to the Vice Chancellor, Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.).
23. Guard File.


19/1/16
REGISTRAR

Dr. Harisingh Gour Vishwavidyalaya (M.P.)