

डॉक्टर हरीसिंह गौर विश्वविद्यालय, सागर (म.प्र.)

(केन्द्रीय विश्वविद्यालय)

DOCTOR HARISINGH GOUR VISHWAVIDYALAY, SAGAR

(M.P.)

(A CENTRAL UNIVERSITY)



कार्यवृत्त

MINUTES

of the

वित्त समिति की दसवीं बैठक

10th MEETING OF THE FINANCE COMMITTEE

27 जून , 2016

27TH JUNE 2016

समय: 4.00 बजे सायं

TIME : 4.00 PM

बैठक स्थान : ए.आई.यू., नई दिल्ली

Venue : A.I.U., New Delhi

**DOCTOR HARISINGH GOUR VISHWAVIDYALAYA, SAGAR (M.P.)
(A CENTRAL UNIVERSITY)**



MINUTES OF THE 10th FINANCE COMMITTEE MEETING

Date: 27th June, 2016

Venue: AIU, New Delhi

Time: 4.00 PM

The meeting of the 10th Finance Committee was held on 27th June, 2016 in AIU, New Delhi at 4.00 P.M. Following members attended the meeting:

1. Prof R. P. Tiwari, Vice – Chancellor & Chairman.
2. Shri. D. Ramakrishna Rao, Dy. Secretary (CU), MHRD, New Delhi- Representative of JS (CU), MHRD.
3. Shri Fazal Mehmood Dy.Secretary (Finance),MHRD,New Delhi- Representative of JS & FA, MHRD.
4. Shri V. Talreja, Nominee of Joint Secretary, (CU), UGC, New Delhi- Representative of Joint Secretary (CU), UGC.
5. Shri A. Jena- Finance Officer, Indra GANDHI National Tribal University, Amarkantak.
6. Shri Rama Shankar Singh, Finance Officer, BBA University, Lucknow (UP).
7. Prof. R.K. Trivedi, Department of Applied Geology, Dr. H.S.Gour VV, Sagar.
8. Prof. J.D. Ahi, Registrar, Dr. H.S.Gour VV, Sagar-Special Invitee.
9. Prof. G.L.Puntambekar, In-charge Finance Officer, Dr. H.S.Gour VV, Sagar and Secretary.

Member regretted:

1. Shri A.K.Mishra, Sr. Deputy Registrar, (F&A) IIT, Kanpur (UP)

The meeting of the 10th Finance Committee commenced with the welcome by the Chairman, Prof. R.P. Tiwari, the Vice- Chancellor of the University. Prof. Tiwari also introduced and welcomed Shri Rama Shankar Singh, Finance Officer, Babasaheb Bhimrao Ambedkar University, Lucknow, a new member of the Finance Committee. He also informed the committee that the other new member Shri A.K.Mishra, Sr. Deputy Registrar (F&A), IIT Kanpur regretted to attend the meeting due to Convocation ceremony in his institute. Chairman also expressed his heartiest thankfulness to all the members to spare their valuable time to attend the meeting in spite of their busy schedule.

The item-wise resolutions of the meeting are as under.

Agenda Item:

FC:10:16:1: Confirmation of the Minutes of the 9th Meeting of the Finance Committee held on 05-03-2016.

Minutes of the 9th Meeting of the Finance Committee were circulated to all members of the Finance Committee vide letter No. Fin & AC/9th FC/2016/06, dated 07-04-2016. The comments/observations on some of the resolutions of the aforesaid minutes were received from the members of MHRD and UGC. The Vishwavidyalaya, in response, submitted justification with relevant documents to the members. These comments/observations were discussed threadbare again in this meeting and followings resolutions were unanimously arrived at:

FC:9:16:4(i): Honorarium to teachers/officers holding additional administrative responsibilities and reimbursement of Phone/Mobile bills of teachers and administrative officers.

Comment of MHRD:

Letter received of Shri Sanjay Kumar, Under Secretary, MHRD referring to the DOPT OM No. 17011/3/97- Estt 9 (All.) Dated 17-07-1998.

Resolution at the time of confirmation of the minutes:

It was unanimously resolved that the University may constitute a committee to make recommendations taking into account the prevailing practice in some of the Central Universities on the issue of remuneration to the teachers and officers holding additional administrative responsibilities. The recommendation of the Committee may be placed in the next meeting of the FC for its consideration.

FC:9:16:4 (ii): Draft Purchase Manual prepared for the University

Comment of MHRD:

Purchase manual should be as per GFR/DFPRS and as per other instruction of Govt. of India; and Fund should not be placed with the departments and all procurement should be done by the Purchase Division/Finance Division.

Resolution at the time of confirmation of the minutes:

It was unanimously resolved that the Purchase Manual is in accordance with the GFR/DFPRS and it will be amended from time to time to accommodate instructions to be issued by the Govt. of India. GFR will be followed in letter and spirit while making procurement by the University.

FC:9:16:4(iii): Request of the Employees regarding one increment after implementation of 6th Pay Commission due to uniform date of increment in July.

Comment of MHRD:

Not supported and the matter may be referred to the UGC.

Resolution at the time of confirmation of the minutes:

The committee unanimously resolved to approve as the proposal as it is in accordance with the Govt. of India Office Memorandum No. F. No. 1/12008-IC dated 22.5.2012 and also UGC notification No.

FC:9:16:4 (iv): Medical Allowance to the Pensioners retired after 15.1.2009

Comment of MHRD:

Not supported and matter may be referred to UGC

Resolution at the time of confirmation of the minutes:

The committee unanimously resolved to approve the proposal as it is in accordance with the UGC notification no. F.25-4/2007(CU) dated 7.1.2016.

FC:9:16:4 (v): Request of Pensioners retired prior to conversion into Central University.

Comment of MHRD:

Not supported and matter may be referred to UGC

Resolution at the time of confirmation of the minutes:

The committee unanimously resolved to regret these three proposals pertaining to pensioners who retired prior to conversion into a central university as UGC has already clarified on these matters vide letter no. F.20-2/2008 (CU) dated March 2014.

FC:9:16:4(viii): EPF deduction of temporary staff.

Comment of MHRD:

Not supported and matter may be referred to UGC

Resolution at the time of confirmation of the minutes:

The FC unanimously resolved that a committee be constituted with one member from the Labour Department to study the case and making appropriate recommendations to be considered by the FC in its next sitting.

FC:9:16:4 (xii): Payment of arrears to the pensioners with regard to the Special Increment i.e Golden Jubilee Year of the University.

Comment of MHRD/UGC:

Not supported and matter may be referred to UGC

Resolution at the time of confirmation of the minutes:

The committee unanimously resolved to regret this proposal pertaining to pensioners who retired prior to conversion into a central university as UGC has already clarified on these matters vide letter no. F.20-2/2008 (CU) dated March 2014.

FC: 9:16:SA:1: Transfer of pensionary benefits of teachers/Vice Chancellor to the parent/other Universities who are on lien or joined other Universities after resigning from this University.

Observation: Not supported.

Resolution at the time of confirmation of the minutes:

The matter may be regulated as per the extant instructions issued by the Government of India / Department of Pension and PW on the subject. In case, any further clarification is required, the matter may be referred to UGC / MHRD for advice.

FC:9:16:SA:2: Estimate of Rs. 3.77 Crore for the construction of remaining work of P.R.C. Building as well as proposed construction of Department of Education.

Comment of MHRD:

Not supported.

Resolution at the time of confirmation of the minutes:

The proposal has already been approved by the BWC. However, in view of urgency of the building for the Department of Education, resolution on this item is ratified. Further, the FC resolved that the remaining minutes of the BWC should be brought before the next FC, in the format prescribed by UGC, for consideration for ratification.

The committee further resolved to approve the minutes of all other agenda items of the 9th Finance Committee meeting.

Resolutions as regard to Agenda Item of 10th FC meeting:

FC:10:16:2 (i): Non-Plan Grant received as per the Budget Estimate for the FY 2015-16 and Utilization Certificate thereon:

Following table shows Non–Plan Grant received as per the Budget Estimate and Utilization thereon:

			(In Lakhs)
Head		Amount (Rs.)	
1. Opening Balance as on 1.4.2015		2147.51	
2. (i)	(+) Advance grant received during the year 2014-15 for the year 2015-16	788.43	
(ii)	(+) Grant received during the year 2015-16 (including advance grant)	8023.53	
	Sub – Total :-	8811.96	
3. Internal Receipts (2015-16) up to 31-03-2016		2617.62	
Grand Total - (1+2+3)		13577.09	
Less Expenditure incurred during (2015-16) up to 31-03-2016		11179.91	
	Allocation (In lakhs)	Expenditure (In lakhs)	
Salary (Teaching)		3600.00	2679.18
Salary (Non-Teaching)		4645.74	3413.17
Regular Pension + RB + NPS		1278.73	1902.76
Other components		835.00	568.12
Non-Salary (against UGC allocation)		600.00	2616.68
One Time Special Grant		0.00	0.00
Internal Receipt (2015-16) of the University under Non-Salary		0.00	0.00
Total :-		10959.47	11179.91
Balance available as on 01.04.2016.			2397.18

Resolution: The committee noted the information with minor correction under the head of Internal Receipt.

FC:10:16:2 (ii): Financial Status of Grant-in-Aid received under Plan:

Financial Status of XII Plan Grant

(Rs. in Lakhs)						
S. No.	Budget Head	Plan Allocation	Grant Received up to 31 May 2016	Expenditure Incurred up to 31 May 2016	Balance Grant Available	Requirement of fund for FY 2016-17
1.	Recurring (Grants-in-aid- General-31)					
	i. Recurring expenses	1000.00	402.39	236.21	166.18	567.61
	ii. Provision for Community college Scheme (for remaining two years of XII Plan.	75.00	30.00	2.30	27.70	45.00
	iii. Provision for B.Voc.	75.00	0.0	0.0	0.0	75.00
	iv. Programme (for remaining two years of XII Plan.	1000.00	400.00	484.03	-84.03	600.00
	v. Expenditure on Non-Net Fellowship					
	Total (a)	2150.00	832.39	722.54	109.85	1287.61
2.	Recurring (Grants-in-aid-salary-36)					
	Staff Salary					
	i. Teaching	Nil	Nil	Nil	Nil	Nil
	ii. Non –Teaching	200.00	93.10	106.15	-13.05	106.90
	Total (b)	200.00	93.10	106.15	- 13.05	106.90
3.	Non- recurring (Grants for creation of Capital Assets-35)					
	A. Building	6350.00	6150.00	5842.71	307.29	200.00
	B. Building Additional Grant	1941.44	1941.44	1865.10	76.34	0.0
	C. Books & Journals	500.00	500.00	233.70	266.30	00.00
	D. Equipment (Excluding furniture and Computers)	2850.00	2850.00	2828.46	21.54	0.0
	i. Campus development (for construction of Roads, providing electricity water laying plantation and development of the land etc.	800.00	151.90	72.08	79.82	648.10
	E. Community college Scheme (for remaining two years of XII Plan	25.00	13.00	0.0	13.00	12.00
	F. Provision for B.Voc. Programme (for remaining two of XII	75.00	0.0	0.0	0.0	75.00

	Plan) G. Development Other infrastructure which are not included (i) to (iv) (please specify)	—	—	—	—	—
	Total (c)	12541.44	11606.34	10842.05	764.29	935.10
	Grant Total (a+b+c)	14891.44	12531.83	11670.74	861.09	2359.61
	Interest earned 2013-14 to 2015-16				708.23	
		Balance with interest			1569.32	

Resolution: The committee noted the information

FC:10:16:2(iii): Additional Grant Received from UGC under XII Plan

The UGC has released additional grant of Rs.1941.44 lakh under XII Plan for completion of ongoing building projects of XI Plan. The amount in question was refunded to the UGC as an unspent balance as on 31.3.2015 i.e. the deadline for utilization of 11th Plan allocation under building component.

Resolution: The committee noted the information

FC:10:16:2(iv): Financial Assistance received under different schemes:

The University has received financial assistance of US\$ 32000 under GIAN scheme of MHRD and Rs. 800.00 lakh for upgradation of Education Department under its PMMMNTT scheme.

Resolution: The committee noted the information and appreciated the efforts of the University.

FC:10:16:2 (v): Proposal for additional grant under XII Plan:

The University has submitted a proposal for additional grant under XII Plan in the interface meeting with experts at UGC on 27.05-2016: Following is the details of the proposal for additional grant:

(Rs. in Lakhs)		
Sl. No.	Items	Additional Fund Proposed
1.	Construction of Boundary Wall in 10km area	1000.00
2.	SMART Class-rooms	300.00
3.	Teaching and Research Equipments & Softwares	250.00
4.	33/11 KVA Sub-station (Rs. 2576.00 lakhs)	1000.00
5.	Bio-Metric Attendance Terminals and Devices	25.00
6.	School of Education Building	380.00
7.	Additional amount to be paid to HSCL	1048.36
Total		4003.36

Resolution: The committee noted the information and appreciated the efforts of the University.

FC:10:16:2(vi): Nomination of Finance Committee members:

The term of two members of the Finance Committee has expired and the University has nominated two members i.e. Shri A.K. Mishra, Senior Dy. Registrar, IIT, Kanpur and Shri Rama Shankar Singh, Finance Officer, Babasaheb Bhimrao Ambedkar University, Lucknow for a term of three years with immediate effect.

Resolution: The committee noted the information.

FC:10:16:3 : ITEMS FOR RATIFICATION

FC:10:16:3(i): Minutes of 12th BWC of the Vishwavidyalaya

12th meeting of the BWC of the Vishwavidyalaya was held on 12.5.2016. Minutes of the BWC is placed for ratification by the FC.

Resolution: The committee noted the information and suggested that a brief of the ongoing building projects with a separate agenda item as per the direction/proforma of the UGC and MHRD should be placed in next meeting of the FC.

FC:10:16:4: ITEMS FOR CONSIDERATION

FC:10:16:4(i): Annual Accounts for FY-2015-16

Annual Accounts for FY-2015-16 has been prepared by the empanelled Chartered Accountant of the University. Following are the key features of the financial accounts of the year:

1. The accounts is prepared in the new format prescribed by the MHRD/UGC.
2. Total corpus of the University is Rs. 332.90 crore as against Rs. 309.89 crore of previous year.
3. Capital Work-in- progress of the year is Rs. 111.33 crore as against Rs.94.40 crore of previous year. All the construction works of XII Plan and XI Plan will be completed in this financial year.
4. Academic receipts of the year is Rs. 24.68 crore as against Rs.16.27 crore in previous year.

5. The University has received Rs. 23.57 Crore as Plan Grant in the year.
6. The University received Rs.96.45 lakh as sponsored fellowship/ scholarship and disbursed Rs.196.29 lakh. The difference is receivable from UGC and other agencies.
7. During the current financial year, the University received Rs.12.13 crore from project and Start-up grant and utilized Rs. 4.29 crore during the year.

Resolution: The committee discussed on the facts and figures presented in the Annual accounts and appreciated the structure and presentation of the Annual Accounts for FY-2015-16. Following observations / suggestions were made regarding Annual Accounts of FY-2015-16:

The language of the notes no. 8 & 9 of schedule 24 of annual accounts may be reviewed and more clarity is required.

Apart from the above comments, the Committee was informed that the Annual Accounts for FY-2015-16 have been prepared in accordance with the instructions issued by the MHRD vide its letter dated 17th April, 2015 and therefore the FC approved the annual accounts and recommended to place for approval of EC and thereafter to submit it to the CAG for audit.

The Committee further observed that physical progress of individual construction work should be separately presented with the Annual Accounts.

FC:10:16:4(ii): Pensionary benefits to Prof. Pradeep Mishra

Dr. Pradeep Mishra was a permanent Professor in the Department of Pharmaceutical Science of the University. He was granted lien for two years w.e.f. 21-05-2006 by the Executive Council enabling him to join his new assignment as Director, G.L.A. Institute of Pharmacy and Management run by the Sh. Jagannatha Prasas Ganesh Lal Bajaj Charitable Trust Samiti, Brindawan, Mathura. He applied for extension of lien for a further period of two years w.e.f. 21-05-2008, which was not accepted by the administration and he was asked to resume his duty within a period of 15 days, but he failed to do so. As a consequence thereof his lien was terminated.

Thereafter, Prof. Mihsra submitted a representation that he was not in a position to resume his duties and prayed for pre –mature retirement from the date on which his lien ends i.e. 20-05-2008. The University sought legal opinion from the Advocate General Govt. of M.P. State University Services Rules,1983. The legal advisor of the University, however, did not agree with the aforesaid opinion on the ground that the above rules are not applicable on the teachers of the University. Hence, his request for premature retirement was not accepted by the University. The issue was also referred to the State Govt. and their response is still awaited. Meanwhile, he filed a writ petition before Hon'ble High Court of MP at Jabalpur prying therein to grant him retirement benefits and dues. The reply has been filed by the University in the said case and the case is still pending. The aforesaid representation dated 17.06.2015 is enclosed.

This matter was placed in the 17th Executive Council held at Bhopal dated 25th August, 2015 and it was argued that the teachers and employees of the University prior to 15-01-2009 were governed by the MP Civil Service (Pension) Rules 1976 and by virtue of Rule 42 of the said rule; Voluntary retirement is permissible on completion of 20 years of qualifying service. Prof. Mishra has served this University for nearly 30 years and as such, his request for voluntary retirement may be considered w.e.f. the date he was relieved from the service of the University i.e.21.05.2006. Since Prof. Mishra has not contributed towards leave salary and pension during the lien period, retirement benefits cannot be extended to him w.e.f. 20.05.2008. i.e. date of completion of his two years lien.

The Executive Council resolved to extend the pensioner benefits to Prof. Mishra from 21.05.2006 but the matter was not placed before FC as it has financial implications.

Resolution: The Committee resolved to approve that all the pensionary benefits be granted to Prof. Pradeep Mishra as per State Government rules and from the date he availed the lien i. e. 21.6.2006 as the leave salary and pension contribution was not received by the University from his borrowing institution.

FC:10:16:4(iii): Salary Issue of teachers appointed in the erstwhile Self Finance Departments including excess appointments.

The University on 08.04.2016 received a letter F.No.35-27/2012(CU) dated 10.03.2016 from the University Grants Commission, New Delhi, enclosing therewith a complaint dated 20.02.2016 alleging therein illegal appointment in erstwhile Self Finance Departments as also in other departments. The UGC vide the aforesaid letter asked the University to take appropriate action as per rules.

In this respect, it is to submit that a Rolling Advertisement No. R-03/T/P/RA/2010 dated 30.10.2010 was published. Thereafter, a Corrigendum dated 20.11.2010 was issued detailing therein Department wise Available Posts, Professor 44, Associate Professor 53 and Assistant Professor 82, a total thereof 179. Whereas, on the basis of the recommendations of the Selection Committees, selection was made for 157 Assistant Professors, 06 Associate Professors and 08 Professors for various departments of the University including erstwhile Self Finance Departments converted into regular departments. Of them, 150 Assistant Professors joined and as such 68 excess Assistant Professors joined against 82 advertised positions. Further, two Lecturers working in the Department of Education were given fresh appointment and one in the Department of Pharmaceutical Sciences. Furthermore, two Assistant Professors already working in the University were given appointment in Assistant Professor Stage-3. In this way, the actual excess joining in the cadre of Assistant Professor was 63 in various departments of the University including erstwhile Self Finance departments converted into regular departments. Even as on date, 20 excess Assistant Professors are working in various departments of the University including erstwhile Self Finance departments converted into regular departments. From the perusal of the aforesaid Rolling Advertisement, it reveals that the posts were also advertised for the Self Finance Courses, namely Pharmaceutical Sciences, Biotechnology, Microbiology, Chemistry, Computer Science & Applications, Commerce, Business Management and Law.

As per available records, the interview call letters were issued for the post of Assistant Professor in the aforesaid departments without mentioning that the posts were for the

erstwhile Self Finance Courses converted into regular courses.

Further, a perusal of Minutes of the Selection Committees reveals that applications were received for the post of Assistant Professors in the School of Biological Sciences (Biotechnology), School of Commerce & Management, School of Chemical Science & Technology (Chemistry) and School of Engineering & Technology (Pharmaceutical Sciences).

The Minutes of Selection Committees for the appointment of Assistant Professors in the School of Biological Sciences and for appointment of Assistant Professors in the Department of Computer Science & Applications under the School of Mathematical & Physical Sciences indicate that applications were received for posts of Assistant Professors (Self Finance).

All the recommendations indicate that the posts of Assistant Professors were offered in the school. The appointment orders issued to the selected candidates reveal that appointments were made on regular mode as there is no mention in the appointment orders that the appointments are made for Self Finance departments. It appears from a note dated 12.11.2012 of the then Dean, Faculty Affairs approved by the Vice-chancellor that looking the requirement of large number of teaching faculties in different departments the then Vice-chancellor took decision to make appointment in the cadre Assistant Professors in different schools against the vacant positions of Associate Professor and Professor.

It is worthwhile to mention here that the Government of Madhya Pradesh vide its Order No. 1738/1312/VV/08/06 dated 04.05.2007 sanctioned 2 posts of Professor, 04 posts of Reader and 23 posts of Lecturer, a total thereof 29 for Self Finance Courses. After up-gradation of this University as a Central University, the University submitted a proposal vide its letter No. VC/2010/1033 dated 03.12.2010 with a request to sanction total 15 posts of Professor, 27 posts of Associate Professor and 57 posts of Assistant Professor including 10 posts of Professor, 16 posts of Associate Professor and 27 posts of Assistant Professor for erstwhile Self Finance departments converted into regular departments. Further, as per the instructions of the UGC

letter no. F.No.37-1/09(CU) dated 8th January 2010 the Academic Council approved the proposal for conversion of the Self Finance departments into regular departments. The approval of the Academic Council was duly ratified by the Executive Council. And, vide University letter no. DOAA/1971 dated 30.06.2012 the UGC was again requested to sanction the regular posts for these departments. Thereafter, reminders were sent to the UGC for expediting the process of sanction of the teaching posts for erstwhile Self Finance departments converted into regular departments. Recently, vide University letter no. DOFA/2016/1929 dated 26.05.2016 a composite proposal was sent to the UGC for sanction of additional teaching posts for various departments of the University including erstwhile Self Finance departments converted into regular departments, taking into account the UGC prescribed ratio of at least 01 Professor, 02 Associate Professor and 03 Assistant Professors for each department of University. The Commission is now processing our proposal and a meeting in this respect was convened on 08.06.2016 and final outcome is awaited.

Till date salary of these teachers are booked from Non-Plan Grant received from UGC with due intimation to the Commission.

Since the matter relates to financial implications, hence it is put up for consideration of the Finance Committee.

Resolution:

The FC noted the fact that salary of excess 63 (13 have since resigned at different times) teachers appointed in 2013 including those appointed against self financing posts is being paid w.e.f. their date of joining in the year 2013 from the Non-Plan salary grant received from the UGC. The Committee was of the opinion that *prima-facie*, the excess appointment is not in order. The Committee was also informed that although there are excess appointments in the cadre of Assistant Professor, there were 81 vacancies in the cadre of Professor (36) and Associate Professor (45) and as per available records, excess appointments in the cadre of Assistant Professor were made by the then administration against these vacant posts of Professors and Associate Professors. Therefore, the salary is being paid since 2013 from the non-plan grant received against the vacant positions available in the university. The Committee was

further informed that presently excess teachers in the cadre of Assistant Professor are 20 owing to the retirement and resignation of teachers.

In the light of above, FC unanimously resolved that the matter be referred to the UGC with all relevant facts for examining and resolving the matter pending which, the salary of these teachers be paid in the earlier manner.

FC:10:16:SA : Supplementary Agenda

FC:10:16:SA(i): Case of Shri Santosh Kumar, the First Finance Officer of the Vishwavidyalaya.

Shri Santosh Kumar was appointed to the post of First Finance Officer in this University vide order dated 20/06/2012 in the pay band of 37,400- 67,000/- in the Grade pay of Rs. 10,000/- for a period of 03 years. **(Annexure-1)** In response to the aforesaid appointment letter Shri Santosh Kumar replied vide e-mail dated 27/06/2012 regarding basic pay and other matters. **(Annexure-2)** Thereafter, vide communication dated 03/07/2012, he informed the University that since he was employed with the Central University of Rajasthan at the post of First Finance Officer, he would first resign from the said post and then join this University. **(Annexure-3)**. Then, vide letter dated 29/09/2012 University informed Shri Santosh Kumar to bring LPC and relieving order from the present employer. **(Annexure-4)**. Accordingly, Shri Santosh Kumar, submitted his resignation to the Central University of Rajasthan vide letter dated 28/09/2012 and was relieved on 16/10/2012 so as to enable him to join Sagar University on 17/10/2012 **(Annexure-5)**. Thereafter, vide e-mail communication dated 08/10/2012 he requested the University to extend the date of joining to 17/10/2012 due to *Pitra paksh*, which has been accepted by this University vide e-mail dated 11/10/2012 **(Annexure-6&7)**. Shri Santosh Kumar given his joining to the said post on 17.10.2012. However, he was not allowed to join and vide letter dated 22.09.2013 he asked under RTI regarding the reasons for disallowing him to join **(Annexure-8)** Vide letter dated 13/11/2013 he was given information as required by him saying that his visit on 17/10/2012 was personal visit **(Annexure-9)**. Vide letter no. F.42-15/2009-Desk (U), New Delhi dated 25/03/2013 MHRD directed this University referring its letter no. VC/2013/353 dated 02/02/2013 appointed Shri Rakesh Mishra, recommended by the Selection Committee vide meeting dated 27/03/2012, as the First Finance Officer Of Dr. Harisingh Gour Vishwavidyalaya, Sagar for a term of 03 years by cancelling the offer of appointment given to Shri Santosh Kumar, as he failed to join his duty till date **(Annexure-10)**. In response thereof, University issued an order no. R/2013/Conf./04 Sagar

dated 06/04/2013 appointing Shri Rakesh Mishra as the First Finance Officer. **(Annexure-11)**. Then vide letter no. R/2014/185 dated 22/03/2014 University requested the MHRD to look into the matter of First Finance Officer, as Shri Santosh Kumar, did not turn up to join and then Shri Rakesh Mishra, also did not join as the First Finance Officer of Dr. Harisingh Gour Vishwavidyalaya, Sagar. **(Annexure-12)**. However, Shri Santosh Kumar was engaged as a *Financial Advisor* of this University vide letter no.R/FA/2014/208 dated 05/05/2014 for a period of One Year which was extended further. **(Annexure-13)**

Shri Santosh Kumar, filed a Writ Petition no 4865/2014 before the Hon'ble High Court of MP at Jabalpur being aggrieved due to not allowing him to join as the First Finance Officer of this University. The said writ petition has been allowed by the Hon'ble High Court vide its order dated 16/06/2016. **(Annexure-14)**. The Court has set aside the cancellation of appointment order dated. 25/03/2013 of the petitioner. The crux of the Hon'ble High court's order dated 16/06/2016 is as under:-

"17. As analysed above, the action of the respondents in not permitting the petitioner to join on the post of First Finance Officer is illegal. Consequently, the cancellation of appointment order dated 25/03/2013 is set aside. The respondents shall pay the amount of compensation equal to the salary of the post of First Finance Officer to the petitioner for the period between 17/10/2012 to 20/06/2015. The aforesaid amount be paid to the petitioner within two months from the date of communication of this order. Since, the action of the respondents is arbitrary in nature and they compelled the petitioner to file this avoidable litigation, I deem it apposite to inflict Rs. 10,000/- as a cost which shall be paid to the petitioner within aforesaid time.

18. The petition is allowed to the extent indicated above."

Smt. Shobha Menon, Panel Advocate has rendered her expert legal opinion along with the copy of order dated 16/06/2016. She is of the considered view that said order is unsustainable in law and failed to cater the substantial pleas canvassed by the University, in its return, as such, it is advisable to prefer a Review Petition. A copy of the legal opinion is enclosed herewith for the consideration of the Committee **(Annexure-15)**.

Resolution:

Since the issue needs detailed examination, a detailed proposal with all relevant documents / details should be forwarded to MHRD for consideration / advice.

FC:10:16:SA(ii): Budget Allotment for FY -2016-17 from Non Plan–Non Salary and Plan Grant to various Departments

Budget for FY-2016-17 have been allocated from Non Plan – Non Salary and Plan Grant have been allocated as per **Annexure-16**

Resolution: The committee resolved to approve the budget allotment to different departments with the condition that it is as per the available funds with the University.

The members of the FC also express the view that the progress on the observation of the CAG for better financial management be invariably placed in the every FC in tabular form.

The chairman assured the members that the suggestion will be implemented from next FC meeting.



**I/c Finance Officer & Secretary
Finance Committee**