

हिमाचल प्रदेश केंद्रीय विश्वविद्यालय  
CENTRAL UNIVERSITY OF HIMACHAL PRADESH



**MINUTES**

**50<sup>TH</sup> MEETING OF THE EXECUTIVE COUNCIL  
HELD ON 13<sup>th</sup>Aug, 2021  
At 11:00 A.M.**

कुलपति सचिवालय, नजदीक एच.पी.सी.ए. क्रिकेट स्टेडियम, धर्मशाला, जिला काँगड़ा, हि.प्र.- 176215  
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# हिमाचल प्रदेश केंद्रीय विश्वविद्यालय

## CENTRAL UNIVERSITY OF HIMACHAL PRADESH

कैप ऑफिस, नजदीक एच.पी.सी.ए. क्रिकेट स्टेडियम, धर्मशाला, जिला काँगड़ा, हि.प्र.-176215  
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### 50<sup>TH</sup> MEETING OF THE EXECUTIVE COUNCIL HELD ON

13<sup>th</sup> Aug, 2021 at 11.00 A.M.

Venue: Vice-Chancellor Secretariat

Dharamshala, District Kangra, H.P. - 176215

### MINUTES

The 50<sup>th</sup> Executive Council Meeting of the Central University of Himachal Pradesh, Dharamshala was held on 13<sup>th</sup> Aug, 2021 at 11.00 AM in the Office of the Vice-Chancellor, Central University of Himachal Pradesh, Vice Chancellor Secretariat at Dharamshala, District Kangra, H.P. -176215.

The Meeting was held Offline and Online through Google meet Link (<https://meet.google.com/mqk-mnkd-uhu>) by keeping in view the convenience of the EC members vis-a-vis prevailing Covid-19 related situations across the country.

The following members were present through offline & Online mode:

Sr. No.	NAME AND ADDRESS OF THE MEMBERS	
1.	<b>Prof. S.P. Bansal</b> Vice Chancellor, CUHP	<b>Chairman</b>
2.	<b>Prof. Rajnish Kumar Shukla,</b> Vice-Chancellor, Mahatma Gandhi Antarrashtriya Hindi Vishavvidyalaya, Wardha, Maharashtra.	<b>Member</b>
3.	<b>Prof. Sanjiv Kumar Sharma,</b> Vice-Chancellor, Mahatma Gandhi Central University, Camp Office, Raghunathpur, Near O.P. Thana, Motihari, District East Champaran, Bihar	<b>Member</b>
4.	<b>Prof. K.R.S. Sambhashiva Rao,</b> Vice-Chancellor, Mizoram University, Anihal, Aizawl, Mijoram-769004.	<b>Member</b>
5.	<b>Secretary (Education),</b> Department of Higher Education, Govt. of HP	<b>Member</b>

6.	<b>Prof. Sudesh Garg</b> Flat No 50, G.H-29 MDC Sector 5, <b>Punchkula</b>	<b>Member</b>
7.	<b>Prof. Sushil Tomar</b> Department of Mathematics Punjab University, Chandigarh	<b>Member</b>
8.	<b>Prof. Naresh Kumar Mahajan,</b> Former Principal, Rajkiya Kanya Mahavidyalaya, Shimla, Himachal Pradesh	<b>Member</b>
9.	<b>Prof. Ruchi Badola,</b> Scientist-G/Senior Professor, Bhartiya Vanyajeev Sansthan, Dehradun	<b>Member</b>
10.	<b>Prof. O.S.K.S. Sastri</b> Professor, Department of Physics & Astronomical Science	<b>Member</b>
11.	<b>Prof. Narayan Singh Rao</b> Dean, School of Social Sciences	<b>Member</b>
12.	<b>Prof. Vishal Sood,</b> Dean, School of Education	<b>Member</b>
13.	<b>Prof. Pardeep Kumar</b> DSW, CUHP	<b>Member</b>
14.	<b>Dr. Brihaspati Mishra</b> Dean, School of Languages	<b>Member</b>
15.	<b>Dr. Suman Sharma</b> Dean, School of Tourism, Travel and Hospitality Management	<b>Member</b>
16.	<b>Dr. Dimple Patel</b> Head, Deptt. of Library and Information Science, CUHP	<b>Member</b>
17.	<b>Dr. Khem Raj Sharma</b> Assistant Professor, Department of English	<b>Member</b>
18.	<b>Prof. Vishal Sood, Registrar (Addl. Charge)</b> Central University of Himachal Pradesh	<b>Member Secretary</b>

The following members could not attend the meeting due to their prior commitments and were granted leave of absence:

1	<b>Prof. C. L. Chandan</b> Vice Chancellor, Sardar Vallabh Bhai Patel Cluster Univ., Mandi.	<b>Member</b>
2	<b>Secretary</b> Deptt. of Higher Education, Ministry of Education, Govt of India	<b>Member</b>
3	<b>Prof. Avinash C. Pandey</b> Former Vice Chancellor, BundelKhand University, Jhansi	<b>Member</b>
4	<b>Prof. Rama Maikhuri</b> Education Department Hemwati Nandan Bahuguna Garhwal University, Srinagar Uttarakhand	<b>Member</b>
5	<b>Sh. Hem Raj</b> Deputy Registrar, CUHP	<b>Member</b>



At the very outset, Prof. Vishal Sood, Registrar (Addl. Charge), being Member Secretary of the Council Introduced & Welcomed Prof. S. P. Bansal, Hon'ble Vice Chancellor, CUHP. All the Hon'ble members of Executive Council were also introduced to the house and welcomed by the Member Secretary.

The Vice-Chancellor, CUHP (Chairman) extended a warm welcome and thanked all the members for sparing their valuable time to make it possible to attend this meeting. The Vice-Chancellor apprised about the 'Vision Plan of University-2025' which mainly includes the focus on implementation of recommendations of NEP 2020 in academic pursuits of the university. The HVC detailed about his plans and strategies to make Central University of Himachal Pradesh, an institution of Excellence and bringing it on an International Platform in terms of its Academics and Research Outputs.

In his welcome note, the Hon'ble Vice Chancellor appreciated and placed on record the contributions and efforts made by the former Vice Chancellor of CUHP Prof. Kuldeep Chand Agnihotri towards academic upliftment of the university and leading it towards excellence in academics, research and extension.

Thereafter, the Vice-Chancellor invited Prof. Vishal Sood, Registrar (Addl. Charge)-cum-Ex-Officio-Secretary to take up the agenda items.

**Item No. 50.1: Confirmation of the Minutes of 49<sup>th</sup> Meeting of the Executive Council held on 24<sup>th</sup> of November, 2020.**

The Minutes of 49<sup>th</sup> Executive Council Meeting held on 24<sup>th</sup> November, 2020 are attached as per ANNEXURE-50.1[A] for confirmation.

**The Minutes of 49<sup>th</sup> Executive Council Meeting held on 24<sup>th</sup> Nov 2020 were confirmed.**

**Item No. 50.2 To place before the Executive Council the Report about the Action Taken on the decisions of its 49<sup>th</sup> Meeting held on 24th November, 2020**

The report about the Action Taken on the decisions of 49<sup>th</sup> Meeting of the Executive Council held on 24th November, 2020 is placed as per ANNEXURE-50.2[A] for kind perusal of the Executive Council.

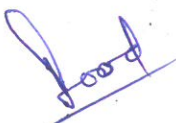
**The Executive Council noted the Action Taken Report on the decisions of its 49<sup>th</sup> Meeting. However, with regard to the Action Taken Report on decision of Item No 49.1(S), the Executive Council**

deliberated on the matter and it was pointed out that as per UGC Regulations 2018, there is no mention about the verification of Character & Antecedents and Testimonials for the confirmation of the newly appointed Teachers in the University. As per these UGC Regulations, the confirmation of teachers is to be made within 45 days of completion of probation period after getting their work and conduct report during this period from the concerned Head of the Deptt. / Controlling Officer, unless the probation period of one year is not extended by one more year (to the maximum extent) by the competent authority. The verification of character & antecedents and testimonials is a continuous process and has no bearing with the confirmation of teachers. The same has also been reported by the Establishment Section of CUHP in the file concerning Teachers' Matters related to Confirmation of their Services in the University. Hence, the Executive Council decided to withdraw the Action Taken Report on decision of Item No. 49.1(S). However, it is reiterated that verification of character & antecedents and testimonials will remain a continuous process that will not create, in any case, any sort of delay in timely confirmation of teachers. In case, any of the testimonials of the appointed teacher is found false during the process of verification in future, the entire responsibility for the same shall lie with him/her. Hence, in the light of these facts, the Executive Council decided to confirm the services of teachers whose satisfactory work and conduct report has been received from their respective heads/controlling officers. In addition to this, the Executive Council approved / ratified ATR on decisions of remaining items of 49<sup>th</sup> EC meeting of the Executive Council.

**ITEM(S) FOR RATIFICATION:**

Item No. 50.3 : To place before the Executive Council the matter regarding appointment of Vice-Chancellor, Central University of Himachal Pradesh.

The Ministry of Education, Government of India vide letter F.No. 54-7/2019-CU.III dated 22nd July, 2021 [ANNEXURE-50.3(A)] has conveyed the approval of the President of India in his capacity as Visitor of the Central University for appointment of Prof. Sat Prakash Bansal as Vice-Chancellor of the Central University of Himachal Pradesh as per Statute 2 of Central Universities Act, 2009 for a term of five years from the date on which he enters upon his office, or until he attains the age of seventy years, whichever is earlier.



In pursuance to the orders of the Visitor of the Central University of Himachal Pradesh, Prof. Sat Prakash Bansal joined the University as such on 28th July, 2021(F/N).

Therefore, the matter is placed before the Executive Council for information please.

The Executive Council noted the same.

Item No. 50.4 : To place before the Executive Council the matter regarding conferment of additional charge of the post of Registrar and Chairman, Anti-Ragging Squad.

The Vice-Chancellor has conferred the additional charge of the Registrar to Prof. Vishal Sood, Dean, School of Education in supersession to earlier administrative arrangements [ANNEXURE-50.4(A)]. Accordingly, Prof. Vishal Sood, assumed the additional charge of Registrar on 30.07.2021(F/N).

The Vice-Chancellor has conferred the additional charge of the Chairman, Anti-Ragging Squad of the University to Prof. Vishal Sood vide Office Order No. 1-1/CUHP/Estt./2010/Vol.II/996-1008 dated 2nd March, 2021[ANNEXURE-50.4(B)].

Therefore, the matter is placed before the Executive Council for ratification of the decision taken by the Vice-Chancellor.

The Executive Council noted the same and ratified/approved the decision taken by the Vice-Chancellor.

Item No. 50.5: Welcome of new Vice-Chancellor by the Registrar and welcome note by the Vice-Chancellor.

Before taking up the Agenda matters, the Registrar will extend warm welcome to Prof. Sat Prakash Bansal on behalf of University fraternity on assumption of the charge of the Vice-Chancellor of Central University of Himachal Pradesh.

The member secretary of Executive Council welcomed the Hon'ble vice chancellor and all EC members. The Hon'ble Vice Chancellor also welcomed all the members of Executive Council. The Executive Council expressed its gratitude and best wishes to the Hon'ble Vice Chancellor for his new and prospective successful assignment.

**ITEM(S) FOR CONSIDERATION AND DECISION:**

**Item No. 50.6:** To place before the Executive Council the matter regarding appointment of Dean Students' Welfare.

The Vice-Chancellor under powers vested in him vide Statute 42(5) has appointed Prof. Pradeep Kumar, Dean, School of Life Sciences as Dean Students' Welfare vide Notification No. 1-1/ CUHP/ Estt./ 2010/Vol.II/970-82 dated 2<sup>nd</sup> March, 2021[ANNEXURE 50.6(A)] subject to the approval of the Executive Council.

Therefore, the matter is placed before the Executive Council for approval and ratification of the decision taken by the Vice-Chancellor.

*The Executive Council noted the same & ratified/approved the decision taken by the Vice-Chancellor.*

**Item No. 50.7:** To place before the Executive Council the matter regarding appointment of Proctor.

The Vice-Chancellor under powers vested in him vide Ordinance 18 (13) has appointed Dr. Sunil Kumar, Associate Professor, Department of Animal Sciences as Proctor vide Notification No. 1-1/CUHP/Estt./2010/Vol.II/983-82 dated 2<sup>nd</sup> March, 2021 [ANNEXURE 50.7(A)] subject to the approval of the Executive Council.

Therefore, the matter is placed before the Executive Council for approval and ratification of the decision taken by the Vice-Chancellor.

*The Executive Council noted the same & ratified/approved the decision taken by the Vice-Chancellor.*

**Item No. 50.8:** To place before the Executive Council the matter regarding appointment of Provost which is equivalent to Chief Warden.

The Vice-Chancellor under power vested in him vide Ordinance 17 (7) has appointed Prof. Manoj Kumar Saxena, Department of Education as Proctor vide Notification No. 2-4/CUHP/GA/

2010/Vol.III/3196-3210 dated 28<sup>th</sup> June, 2021 as per ANNEXURE 50.8(A).

Therefore, the matter is placed before the Executive Council for approval and ratification of the decision taken by the Vice-Chancellor

The Executive Council noted the same & ratified/approved the decision taken by the Vice-Chancellor.

Item No. 50.9:

To place before the Executive Council the matter regarding relieving and subsequent re-instatement of the Finance Officer of the University.

The university advertised the post of Finance Officer to be filled by Direct Recruitment/Deputation basis for a terms of 5 years of attaining the age of 62 years, whichever is earlier vide Employment Notice No. 001/2017 dated 27.05.2017. Sh. Narinder Thakur was appointed in the University vide appointment letter No. 1-2/CUHP/Rectt./2013/Vol.II/17-22 dated 02 January 2020 [ANNEXURE-50.9(A)], and joined as such on 05.02.2020 vide Office Order No. 3-18/ Estt./2020/1209-14 dated 14.02.2020 consequent upon his relieving by his parent department i.e. Government of Himachal Pradesh, Finance Department, Treasuries Accounts and Lotteries vide relieving order No. Fin(TR)B(4)-4/88 dated 04.02.2020. The university vide letter No. 3-18/CUHP/Estt./2020/145-47 dated 11.01.2021 sought clarification from the parent department of Sh. Narinder Thakur that under which rule he was treated deemed retired by them and which kind of pension has been authorized to him. In response to the said letter of the university the parent department of Sh. Narinder Thakur vide their letter No. (TR)B(6)-2/80-V-9209 dated 17.02.2021[ANNEXURE-50.9(B)], informed that the incumbent had applied through proper channel for the of Finance Officer advertised by Central University of Himachal Pradesh vide Employment Notice No. 001/2017 dated 25.07.2017 and he was appointed as Finance Officer vide CUHP letter No. 1-2/ CUHP/Rectt./ 2013/Vol.II/17-22 dated 02.01.2020. There was no section/word (खण्ड/ अथवा शब्द) like deputation in the said appointment letter of the university and accordingly he was relieved on 04.02.2020 (A/N) vide relieving order No. Fin(TR)B (4)-4/88 dated 04.02.2020 with the rider that necessary intimation with regard to joining as Finance Officer in CUHP be intimated to them immediately so that further action with



regard to process/release of his retiral benefits could be initiated accordingly. The parent department of Sh. Narinder Thakur vide said letter dated 17.02.2021 also apprised that the saying of the university that Sh. Narinder Thakur was appointed on deputation is not true to the facts.

Sh. Narinder Thakur was relieved from the University services on 23.06.2021 vide Office Order No. 3-18/CUHP/Estt./2020/3105-15 dated 23.06.2021 by treating his services on Deputation basis. Feeling aggrieved of the relieving order dated 23.06.2021, Sh. Narinder Thakur approached to the Ministry of Education, vide his application dated 29.06.2021 addressed to the Secretary, Department of Higher Education, Ministry of Education, Govt. of India. The Ministry of Education forwarded the said application of Sh. Narinder Thakur to the University for its comments. The University vide letter F.No. 3-18/CUHP/Estt./2020/3331-32 dated 2nd July, 2021 apprised the Ministry about the facts. After examining the facts, the Ministry of Education vide letter F.No. 54-5/2019-CU.III dated 22.07.2021[ANNEXURE-50.9(C)]. directed the University that, "The matter may be placed before the new regular Vice-Chancellor, who is expected to take over the charge shortly, for his consideration to enable him to take a final decision in the matter as per the Rules. Before a decision is taken, Shri Thakur may also be called to submit his view points in the matter."

Consequent upon the assumption of charge of the University by the regular Vice-Chancellor, the matter was recalled in pursuance to the Ministry of Education letter dated 22.07.2021 and the Hon'ble Vice-Chancellor constituted a Committee vide Notification No. 3-18/CUHP/Estt./2020/4440-41 dated 29.07.2021. After examining the entire case, the committee explained that the Special Secretary (Finance)-cum-Director (T&A Govt. of HP) conveyed his clarification vide letter No. Fin(TR)B(6)-2/80-V-9209, dated 17.02.2021 and denied the fact with regard to deputation of Sh. Narinder Thakur. Any correspondence held between CUHP and parent organization of Sh. Narinder Thakur stands infructuous and irrelevant consequent upon the said clarification. The committee unanimously recommended that the Office Order No. 3-18/CUHP/Estt./2020/3105-15 dated 23.06.2021 is illegal and arbitrary in view of the very facts that the Vice-Chancellor holding the additional charge was not authorized to make any appointment and too the removal of any university employee. Therefore, the said office order dated 23.06.2021 should be withdrawn with immediate effect without imposition of any condition and status quo existing as on 22.06.2021 should be

retained. Based on the recommendations of the said Committee Shri Narinder Thakur was reinstated vide office order No. 3-18/CUHP/Estt/2020/4512-23 dated 30.07.2021 [ANNEXURE-50.9(D)].

Therefore, the matter is placed before the Executive Council for approval and ratification of the decision taken by the Vice-Chancellor

The matter was deliberated upon by the Hon'ble Members at length and the EC members unanimously ratified the decision taken by the Hon'ble Vice Chancellor by reinstating the Finance Officer. The EC members also accorded its approval to release the salary of Sh. Narinder Thakur, Finance Officer which was withheld/not released by the University for the relieving period (23<sup>rd</sup> of June 2021 to 29 July 2021). In this regard, the Executive Council Members were of the opinion that the appointment of Finance Officer was for a period of five years or attaining 62 years of age, whichever is earlier and the finance officer was relieved by the university on arbitrary grounds and it was not willful absence from the duties by the incumbent during the said relieving period. Therefore, it was decided to release the salary of Sh. Narinder Thakur, Finance Officer for the relieving period.

In addition, the members of the council expressed their strong resentment over this issue, whereby a regular appointed Statutory Officer of the university was relieved by the then officiating VC and officiating Registrar without taking the matter to the Executive Council (the appointing authority in all such matters).

All the members were of the firm opinion that this decision was a single-sided decision and is a fit example of Administrative Anarchy. It was also expressed by the Hon'ble members that there may be certain vested interests and motives.

The members expressed dissatisfaction and pointed out that such decisions have no sanctity and hence, the members unanimously decided to initiate an inquiry by constituting a high power committee.

Therefore, the external members of the Executive Council suggested to constitute a committee on the spot to initiate inquiry in this matter and submit its recommendations. The Committee as

proposed by EC members shall comprise of the following members:

<b>1</b>	<b>Prof. Rajnish Kumar Shukla,</b> <b>Vice Chancellor,</b> Mahatma Gandhi Antarrashtriya Hindi Vishavvidyalaya, Wardha, Maharashtra	<b>Chairman</b>
<b>2</b>	<b>Prof. Sanjiv Kumar Sharma,</b> <b>Vice Chancellor,</b> Mahatma Gandhi Central University, Motihari	<b>Member</b>
<b>3</b>	<b>Prof. Sudesh Garg</b> Flat No 50, G.H-29 MDC Sector 5, Punchkula	<b>Member</b>
<b>4</b>	<b>Prof. Naresh Kumar Mahajan,</b> Former Principal, Rajkiya Kanya Mahavidyalaya, Shimla	<b>Member</b>
<b>5</b>	<b>Prof. O.S.K.S. Sastri,</b> Deptt. of Physics and Astronomical Sciences, CUHP	<b>Member</b>
<b>6</b>	<b>Prof. Pardeep Kumar</b> Dean Students Welfare	<b>Member</b>
<b>7</b>	<b>Registrar</b> Central University of Himachal Pradesh	<b>Member Secretary</b>

**Item No. 50.10:** To place before the Executive Council the matter regarding nomination of three experts on the Planning & Monitoring Board of the University.

As per provision of Statutes 41(2)(c), the Planning and Monitoring Board of the University was constituted with three experts, known for their expertise/special interests in Planning & Development of Higher Education, nominated by the Executive Council vide Item No. 25.5 of its 25<sup>th</sup> meeting held on 14<sup>th</sup> November, 2016. In pursuance to the above decision, the Planning & Monitoring Board of the University was notified vide Notification F.No. 3-7/ CUHP/GA/2011/46670 dated 13<sup>th</sup> February, 2017. The term of experts has expired on 12<sup>th</sup> February, 2020.

Therefore, the matter is placed before the Executive Council for nomination of three experts on the Planning & Monitoring Board of the University known for their expertise/special interests in Planning & Development of Higher Education.

The Executive Council authorized Hon'ble Vice Chancellor to nominate three experts for the Planning and Monitoring Board of the University.

**Item No. 50.11:** To place before the Executive council, the proposal for nomination of one member on Executive Council in terms of Statute 11(1)(vii).

The Statute 11(1)(vii) of Central Universities Act 2009, provides as under: -

*"Statute 11(1)(vii) : Three serving or retired Vice-Chancellors of Central Universities / Directors of other Central Educational Institutions from other States to be nominated by the Executive Council on the recommendation of the Vice-Chancellor."*

Prof. K.R.S. Sambhashiva Rao, Vice-Chancellor, Mizoram University, Anihal, Aizawl, Mizoram was nominated by the Executive Council on the recommendation of the Vice-Chancellor vide Item No.34<sup>th</sup> in its 34<sup>th</sup> Meeting held on 17<sup>th</sup> August, 2018. The term of Prof. K.R.S. Sambhashiva Rao as member of Executive Council is going to be seized on 03<sup>rd</sup> September, 2021.

Therefore, the Executive Council is requested to nominate one member who shall be serving or retired Vice-Chancellors of Central Universities / Directors of other Central Educational Institutions in place of Prof. K.R.S. Sambhashiva Rao

The Executive Council Members authorized Hon'ble Vice Chancellor to nominate a member for Executive Council as per Statute 11(1)(vii).

**Item No. 50.12:** To place before the Executive Council the matter to seek 'In-Principle' approval for holding of Sixth Convocation of the University.

The Clause 1 of University Ordinance No. 43 provides as under:

*"Convocation for the purpose of conferring Degrees, Diplomas and other distinctions of the university shall ordinarily be held every year on such date and place as may be fixed by the Executive Council"*

The Fifth Convocation of the University was held on 27<sup>th</sup> September, 2019. Now for the proposed Sixth Convocation for the academic session(s) 2017-19 and 2018-2020, the following Ph.D., Post Graduate & Under Graduate Degree(s), Diploma/Advance Diploma are due for conferment:

Academic Year	PG	UG	Diploma/Advance Diploma
2017-2019	525	49	03
2018-2020	460	40	01

Ph.D. - 47

Tentative Gold Medals - 60

The degrees to the candidates will be awarded by keeping in view the seating capacity of the convocation venue and the prevailing COVID-19 situation.

Therefore, the Executive Council is requested to give 'in-principle' approval to hold the Sixth Convocation of the University.

**The Executive Council accorded 'in-principle' approval to hold the Sixth Convocation of the University as proposed under Agenda Item No. 50.12 in near future depending upon Covid-19 related situations.**

**Item No.50.13:**

To place before the Executive Council, the matter regarding Order of Hon'ble High Court of H.P. dated 03.08.2010 in respect of appointment made by the university for the post of Assistant Professor in Department of Sociology and Social Anthropology on 22.09.2019 vide Employment Notice No.001/2019 dated 09.05.2019.

1. The University started its initial recruitment of teachers through direct recruitment basis during 2011-12. A total of 80 teachers during first recruitment drive joined the University. The then prevailing provisions of reservation during first phase of recruitment in 2011-12 for persons with disability was 3% as per following details:-

- i. Post No. 01 in roster point 1-33
- ii. Post No. 02 in roster point 34-66
- iii. Post No. 03 in roster point 67-100

Accordingly, the University filled three teaching posts by persons with disability as per following details:

- i. Dr. Md. Atif, Assistant Professor - VH
- ii. Dr. Sayema Bano, Assistant Professor - VH
- iii. Dr. Prakriti Bhargawa - VH

2. The Ministry of Social Justice and Empowerment, Department of Persons with Disabilities (Divyaangjan), Govt. of India has notified list of posts identified for Persons with Disabilities vide notification

No. 16-15/2010-DD-III, dated 29th July 2013. The copy of notification dated 29.07.2013 is annexed as [Annexure-50.13(A)]. The Annexure-C of said notification dated 29.7.2013 provides that the teaching positions in the University cadre are identified for VH and OH category only. However, during the first phase of recruitment, the posts of PWDs had already been filled by the University in the following manner:-

Post No.	Earmarked for Category as per Rules	Category Actually filled
1	OH	VH
2	VH	VH
3	OH	VH

From the above table, it is clear that during the first phase of recruitment process, the University had exhausted the quota of two OH category with the VH category.

3. The university during year 2019 again advertised 128 teaching posts for direct recruitment. As per the then prevailing provision of 4% reservation for Persons with Disability, the University accordingly earmarked 5 posts for PWDs. The allotment of the instant 5 posts reserved for PWDs comes as follows:-

Post No.	Earmarked for Category as per Rules
1	OH
2	VH
3	OH
4	VH
5	OH

Out of above five posts, the two posts come for VH category and three posts come for OH category. Since during the first phase of recruitment, the University had already exhausted the quota of two OH category posts with VH category persons, hence over & above post filled up in VH category persons during the first phase of recruitment has been adjusted by the University with the OH category in the Employment Notice No.001/2019 dated 09.05.2019 . Therefore, all the (05) posts were earmarked for OH category only in the said Employment Notice dated 09.05.2019.

4. It is pertinent to mention here that the University advertised all the teaching positions by considering the University as one unit in pursuance to the Central Educational Institutions (Reservations in the Teachers' Cadre) Ordinance, 2019 as clarified by the University Grants Commission vide their letter No. 1-5/ 2006(SCT), dated 7th

March, 2019. However, these posts reserved for PwD were not specifically earmarked for a particular department/discipline by the university.

5. It is also informed that one candidate namely Sh. Vishv Mohan who had applied for the post of Assistant Professor in Department of Sociology and Social Anthropology, filed the grievance in the court of Hon'ble State Commissioner for Persons with Disabilities/Chief Secretary, Himachal Pradesh, Shimla through National Platform for Disabilities Rights & Others (Through National Secretary and In-Charge of States), Chandigarh on 16.05.2019 which was listed before the court of State Commissioner for Persons with Disabilities/Chief Secretary, Himachal Pradesh on 29.05.2019 & 03.06.2019. The university placed the entire record/Registers before the commission on that hearing. The said court of Persons with Disabilities vide its judgment dated 03.06.2019 **[ANNEXURE-50.13(B)]** directed the university to give one post to Visual Impaired (VI) out of 05 posts of PwD and to issue suitable corrigendum in this regard. In compliance to the said orders of the Court of the Chief Commissioner for Persons with Disabilities /Chief Secretary, Himachal Pradesh, the university issued corrigendum No. 1-3/CUHP/Rect./2010/Vol.VI/3601 dated 07.06.2019 to its employment notice No. 001/2019 dated 09.05.2019 **[ANNEXURE-50.13(C)]** to incorporate the said directions. Out of total 101 (One Hundred One Only) filled Teaching Posts right from its inception, the university has recruited the following 05 (Five Only) Persons with Disability in various teaching disciplines:

Sl. No.	Name	Designation	Type of Disability
1.	Dr. Ranjeet Kumar	Assistant Professor, Department of Animal Science (Zoology)	OH(OL)
2.	Dr. Sunita Bodh	Assistant Professor, Centre for Deen Dayal Upadhyay Studies	OH(BL)
3.	Dr. Sayema Bano	Assistant Professor, Department of Hindi	VI
4.	Dr. Mohammed Atif	Assistant Professor, Department of HPKV Business Scholl	VI
5.	Dr. Prakrati Bhargava	Assistant Professor, Department of Education	VI

The selection process for 60 (Sixty only) vacant posts as on that date was held up due to completion of regular tenure of previous Vice-Chancellor on 19.04.2020. It is pertinent to mention here that out of these 60 vacant teaching positions, three posts stand vacant and are reserved for PWDs in the denomination of OH-02 posts and VH-01 post.

6. The petitioner (Sh. Vishv Mohan) was applicant for the post of Assistant Professor in Department of Sociology and Social Anthropology, his name was shortlisted for interview held on 22.09.2019 under PwD category. The petitioner appeared before the selection committee on 22.09.2019. The selection committee did not select him for the post of Assistant Professor, Department of Sociology and Social Anthropology.

7. After declaration of result Sh. Vishav Mohan filed a Writ Petition vide CWP No. 4160/2019 before the Hon'ble High Court of Himachal Pradesh. The university filed its detailed reply on affidavit before the Hon'ble High Court along with the decision of the State Commission and Court for PwDs. The High Court of Himachal Pradesh consisting of double bench including Chief Justice of High Court of Himachal Pradesh passed the judgement dated 12.03.2020 in favour of the university. At the time of judgement, the operating part of the said decision is placed below:

*In view of the above discussion, at this stage, we see no illegality and infirmity in the selection process challenged by the petitioner. Accordingly, the present writ petition is dismissed being premature. However, we hope and trust that the respondent-University shall proceed in the selection process Notification in question No.001/2019, pursuant dated to 09.05.2019, Employment strictly in accordance with the guidelines contained under Clauses 2 and 7 of the Office Memorandum dated 15.01.2018, issued by Department of Personnel & Training (DOPT), Government of India, in accordance with Section 33 of the Act of 1995 (now amended in year 2016) and under Articles 14 & 16 of the Constitution of India. Pending miscellaneous application(s), if any, shall also stand disposed of.*

8. The petitioner aggrieved of the above judgement filed Review Petition before the Hon'ble High Court of Himachal Pradesh. The university again filled short reply on the affidavit before the Hon'ble High Court of Himachal Pradesh. The last hearing of the case was on 03.08.2021 and the court had categorically ordered the Registrar to appear before the Hon'ble Court on that date i.e. 03.08.2021 **[ANNEXURE-50.13(D)]**. The Registrar himself was present before the Hon'ble Court on that date. The Hon'ble Court was much serious in this matter and expressed its annoyance over the issue. After hearing the matter, the court ordered the following vide its court order dated 03.08.2021:



*"Pursuant to order dated 23.7.2021, Registrar, Central University, has come present today in the Court. He states that since Vice Chancellor of Central University, has joined on 28.07.2021, he may be given some time to discuss the matter with him, so that, efforts are made to accommodate the petitioner in the Department concerned. Consequently, in view of the above, list on 16.08.2021, on which date, Registrar, Central University, shall remain present in the Court."*

9. Now the situation is that the selection process for remaining vacant teaching post is yet to be initiated which was held up due to completion of regular tenure of previous Vice-Chancellor on 19.04.2020. Out of these vacant teaching positions, three posts stand reserved for PWDs in the denomination of OH-02 posts and VH-01 post. However, there is only one (1) vacant post of Assistant Professor in the Department of Sociology and Social Anthropology which is earmarked to be filled from the person belonging to **Economically Weaker Section (EWS)** Category and, as such, cannot be de-reserved to accommodate the petitioner who belong to PwD (Unreserved) Category (VH) and there is no post of Assistant Professor in VH category in this department. Whereas, the Hon'ble High Court of Himachal Pradesh has ordered to make efforts to accommodate the Petitioner. It is pertinent to mention here that the University advertised all the teaching positions by considering the University as one unit in pursuance to the Central Educational Institutions (Reservations in the Teachers' Cadre) Ordinance, 2019 as clarified by the University Grants Commission vide their letter No. 1-5/2006(SCT), dated 7th March, 2019. Although, these posts reserved for PwD were not specifically earmarked for a particular department/discipline by this university.

10. In the meanwhile, the university vide letter dated 09.08.2021 has also approached the Ministry of Education, Government of India and University Grants Commission, New Delhi to advice the university on this matter to proceed further so as to avoid any adverse court orders.

**Therefore, keeping in view the seriousness of the matter and the court orders dated 03.08.2021, the same is placed before the Executive Council (being Appointing Authority in case of Teachers) for:**

1. **Necessary action to be taken and to take on-spot on the spot decision in this matter so that the decision of the executive council may be communicated to the Hon'ble High Court of**

H.P. on next date of hearing i.e. 16.08.2021 in compliance to its order dated 03.08.2021.

2. Constituting a committee to examine the Reservation Roster of the University and earmark the respective posts for different reserved categories so as to avoid any future complications in such matters.

The Executive Council deliberated on the matter in detail and it was decided unanimously to shift/ transfer one post of Assistant Professor (Unreserved) from B.Ed./M.Ed. department to the Deptt. of Sociology and Social Anthropology so as to comply with the Order of Hon'ble High Court of Himachal Pradesh dated 03/08/2021.

It was also decided that the university shall submit a request to the UGC /Ministry of Education, GOI for sanction of an additional post of Assistant Professor (Unreserved) in the Department of Sociology and Social Anthropology and after getting the sanction from the UGC/ Ministry of Education, GOI, this post of Assistant professor (Unreserved) shall be reverted back to the B.Ed./M.Ed. Department.

Further, in order to avoid such complications in future, the EC members unanimously agreed to constitute a University level committee to examine the reservation roster of the university and earmark the respective post(s) for different reserved categories in different disciplines. For the constitution of this committee, the Executive Council authorized the Hon'ble Vice Chancellor to proceed further in this matter.

#### SPOT AGENDA

- Item No. 50.1(S): To place before the Executive Council the matter regarding payment of GST for rented buildings.

The University is conducting its activities from the following hired buildings for academic and administrative purposes w.e.f. 2011 to till date:

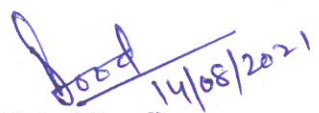
Sr. No.	Particular
1.	Boys Hostel, Kangra
2.	Girls Hostel, Dharamshala
3.	Two buildings at Dehra
4.	Administrative Block at Dharamshala
5.	Vice-Chancellor Secretariat, Dharamshala

The University has entered into the agreement with two buildings stated at Sr. No. 1 & 2 in 2011 & 2015 with a Clause that, "All existing and future rates, taxes including property taxes, assessment charges by the CPWD and other out-goings whatsoever of description in respect of the said premises payable by the owner thereof, shall continue to be paid by the landlord". The Government of India has imposed GST in 2017. The University vide letter F.No. 2-4/ CUHP/GA/2010/Vol.II/2316-17 dated 17.08.20217 sought clarification for payment of GST from the Ministry of Education and UGC. The UGC vide letter F.29-2/2017(CU) dated 27<sup>th</sup> October, 2017 clarified that, ".....to pay the GST as per actual assessment within the rules.....". **ANNEXURE-50.1(S)[A]**. The predecessor Vice-Chancellor has ordered to pay the GST for both the buildings in consonance with the clarification given by the UGC. The GST to all other buildings has been paid by the University as per agreement.


Therefore, the matter is placed before the Executive Council for consideration and further approval to pay the GST for all the building hired or to be hired by the University in future as per agreement and execution of a fresh agreement after amendment of aforesaid clause in both the agreements.

The matter was discussed in detail and on the basis of earlier approval accorded by the former Vice Chancellor to pay GST along with rents of two hired / rented buildings (Boys hostel and girls hostel) by the University and in the light of UGC clarification, the Executive Council accorded its approval to pay the GST by the university for all the hired buildings as well as the buildings to be hired by the University in near future as per the new agreement and/or execution of a fresh agreement after amendment of aforesaid clause in the respective existing agreements.

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

  
(Prof. Vishal Sood)  
Registrar (Addl. Charge),  
CUHP, Dharamshala

Confirmed

  
(Prof. S. P. Bansal )

Chairman &  
Vice-Chancellor, CUHP, Dharamshala.