



Doon University, Dehradun

Office of the Registrar

Minutes of the 32nd Meeting of the Executive Council

32nd Meeting of the Executive Council (EC) of Doon University was held on 14th February 2020 in the Office of the Vice Chancellor. The Vice Chancellor, Prof. A.K. Karnatak presided over the meeting. Following members were present in the meeting:

1. Mrs. Alka Sirohi, Former Secretary, Deptt. of Personnel & Training, Government of India and Ex-Chairman, UPSC.
2. Prof. Mridula Bhadauria, Professor and Head Department of Education, C.S.J.M. University, Kanpur.
3. Mr Vinod Prasad Raturi, Secretary, Higher Education, Representative of Principal Secretary, Higher Education, Govt. of Uttarakhand.
4. Mr. P. C. Khare, Additional Secretary, Dept. of Finance, Representative of Principal Secretary Dept. of Finance, Govt. of Uttarakhand.
5. Mr. D. C. Lohani, Finance Controller, Doon University.
6. Dr. M. S. Mandrawal, Registrar and Secretary, Executive Council.

Dr. (Mrs.) Suman Bansal, and Dr. Naresh Mishra, Members Executive Council conveyed their inability to attend the meeting due to their prior engagements.

At the outset, Prof. A. K. Karnatak, Vice Chancellor and Chairperson extended a warm welcome to the members of the Executive Council. The Registrar and Secretary, Executive Council placed the agenda before the Hon'ble members for consideration.

Item 2020:32:02 Confirmation of the Minutes of the 31st Meeting of the Executive Council held on 8th November 2019.

As no comments and observations were received from Hon'ble members, the Executive Council confirmed the minutes of 31st meeting of E.C.

Item 2020:32:03 Review of action taken on the resolutions of 31st Meeting of the Executive Council.

Mrs. Alka Sirohi, member Executive Council suggested the following modifications in the agenda to be placed before the E.C. today:

1. The first sub item under Item 2020:32:03, which is "Review of action taken on resolutions of 31st meeting of E.C." should be read as "Confirmation of minutes of 30th meeting of E.C. held on 16th January 2019".

It may kindly be read as “Confirmation of minutes of 30th meeting of E.C. held on 16th January 2019”.

2. While confirming the minutes of 30th E.C. meeting, the EC in its 31st meeting held on 16th Nov 2019 made certain alterations in the minutes circulated earlier, which were significant. Action taken on these decisions were also required to be taken up and placed before E.C.

In this regard, it was informed that in its 30th meeting, EC had decided that in the case of Dr. Gajendra Singh, before arriving at any conclusion on the report of the enquiry committee, a copy of the Report may be given to Dr. Singh for his comments. As regards the case of Dr. S. S. Suthar, since the honorable High Court had not given any directions on the merits of the case and the eligibility of Dr. Suthar for appointment as Associate Professor, the matter maybe re-examined as per law. and other similar cases.

EC was now informed that in the meantime, Dr. Gajendra Singh went to the High Court and the high court vide its order dated 26 July 2019, which order was received in the university in the month of August 2019, had mentioned that.

“Based on a complaint made by an individual, against whom the petitioner had earlier made a complaint, the respondent-University appears to have constituted a Committee which, after enquiry from the other University, had come to the conclusion that the petitioner was short of the minimum required teaching experience of eight years. The said enquiry report appears to have been placed before the Executive Council of the University in its meeting held on 12.01.2019; and the Executive Council appears to have resolved to accept the enquiry report, to call upon the petitioner to show cause there-against, and for the Vice Chancellor to give a personal hearing, and if he considered necessary to put up the matter to the Executive Council.

Mr. Rakesh Thapliyal, learned Senior Counsel appearing on behalf of the petitioner, would submit that the Executive Council had already pre-judged the issue; the very fact that they had accepted the enquiry report would show that they had already made up their mind; no useful purpose would be served in the petitioner submitting a reply thereto; the disciplinary action, sought to be taken against the petitioner, required a charge-sheet to be issued, an enquiry to be conducted wherein evidence is adduced on behalf of the University, and the petitioner is given an opportunity to cross-examine the witnesses, besides adducing evidence in his defence; the Executive Council, which is required to take a decision, has erred in calling upon the petitioner to appear for an oral hearing before the Vice Chancellor; an oral hearing should be given by the authority which would impose the punishment, and not by the another; and, in any event, since a duly constituted Selection Committee has found the petitioner eligible for appointment, the Executive Council cannot sit in judgment over the decision of such a Selection Committee.

On the other hand, Mr. Shubhang Dobhal, learned counsel for the respondent-University would submit that the writ petition as filed is premature; all that the Executive Council has done is to forward a copy of the enquiry report to enable the

petitioner to submit his objections thereto; the petitioner's interests are adequately safeguarded by an oral hearing being given to him by the Vice-Chancellor; and it is only after an order is passed, can the petitioner then invoke the jurisdiction of this Court, if he aggrieved thereby. 5. As is evident from the impugned proceedings itself, the Executive Council has merely accepted the enquiry report, and has forwarded a copy thereof to the petitioner, to enable him to file his objections thereto. When an enquiry report is placed before the competent authority, it is always open to it to either accept or reject the findings recorded in said report and, if it were to reject the enquiry report, then no further action is required to be taken. If, on the other hand, it accepts the enquiry report it is then required to give the delinquent employee an opportunity of being heard and to consider the objections raised by him before taking a final decision in the matter. Acceptance of the inquiry report by the disciplinary authority is merely tentative and not final, for it is always open to the disciplinary authority, after considering the objections raised thereto by the petitioner, to take a different view; and decide not to proceed with the matter in case it is satisfied that the objections raised by the petitioner are legal and valid.

We are in agreement with the submission of Mr. Rakesh Thapliyal, learned Senior Counsel, that any disciplinary action must be preceded by a charge sheet, and in the case of major penalty proceedings, for a departmental enquiry to be conducted, for evidence to be adduced in the presence of the delinquent employee. These are all issues which the petitioner can always raise in his objections to the enquiry report. While we also find force in the submission of the learned Senior Counsel, that it is only the authority, which has the power to impose the punishment, which is required to give an oral hearing to the delinquent employee and not another, this again is something which the petitioner can bring to the notice of the Executive Council of the University in his objections to the enquiry report.

While objections have already been filed in reply to the enquiry report, Mr. Rakesh Thapliyal, learned Senior Counsel, would request two more weeks' time for additional objections to be filed to the said enquiry report. Suffice it, in such circumstances, to dispose of the writ petition permitting the petitioner to file additional objections, to the enquiry report, within two weeks from today. In case any such objections are filed, the Executive Council shall consider both the original reply, and the subsequent objections, filed by the petitioner, deal with all the contention raised by him therein, pass a reasoned order in accordance with law, and communicate the same to the petitioner.

Mr. Shubhang Dobhal, learned counsel for the respondent is present in Court and undertakes to inform the Executive Council of the respondent-University of the order passed by this Court.

The writ petition stands disposed of accordingly. No costs.

Let a certified copy of this order be issued to the learned counsel for the parties, on payment of the prescribed charges, by 27.07.2019."

E C observed that:



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|----|-----------------------|------------------|---------------------|
| 14 | Shri Sachin Negi | Japanese | Per lecture basis |
| 15 | Ms. Prachi Jain | Japanese | Per lecture basis |
| 16 | Abhivyakti Chandra | Japanese | Per lecture basis |
| 17 | Ms. Shubhra Kukreti | French | Assistant Professor |
| 18 | Dr. Isani Ghoshal | English | Per lecture basis |
| 19 | Manveer Joshi | Computer Science | Per lecture basis |
| 20 | Afsar Jahan | Computer Science | Per lecture basis |
| 21 | Shailja Pant | Computer Science | Per lecture basis |
| 22 | Sh. Bhim Sen Kala | Mathematic | Per lecture basis |
| 23 | Ms. Apurva Rawat | Mathematic | Per lecture basis |
| 24 | Dr. Pushpendra Semwal | Mathematic | Per lecture basis |
| 25 | Dr. Kapil Tomar | Chemistry | Per lecture basis |
| 26 | Dr. Shiva Aggarwal | Chemistry | Per lecture basis |
| 27 | Dr. Vinod Kumar | Physics | Per lecture basis |
| 28 | Mr. Bal Krishan | Physics | Assistant Professor |
| 29 | Dr. Archana Mishra | Physics | Assistant Professor |
| 30 | Ms. Dhriti Dhaundiyal | SOD | Assistant Professor |
| 31 | Dr. Richa Pant | SOD | Assistant Professor |
| 32 | Mr. Rahul Bahuguna | SOD | Assistant Professor |
| 33 | Mr. Atul Shah | SOD | Assistant Professor |
| 34 | Dr. Madhu Bisht | Economics | Assistant Professor |
| 35 | Ms. Ramanpreet Kaur | Economics | Assistant Professor |
| 36 | Mrs Vartika Singh | Economics | Assistant Professor |
| 37 | Ms. H. Kukreja | Economics | Assistant Professor |
| 38 | Dr. Rahul Saxena | SOSS | Per lecture basis |
| 39 | Ms. Jagriti Jaiswal | SOSS | Per lecture basis |
| 40 | Dr. Hiranmoy Roy | SOSS | Per lecture basis |
| 41 | Dr. Sandhya Joshi | SOM | Assistant Professor |
| 42 | Dr. Indu Gautam | SOM | Per lecture basis |
| 43 | Ms. Piyashi Himani | SOMCS | Per lecture basis |
| 44 | Ms. Abhilasha Pant | SOMCS | Per lecture basis |

Item 2020:32:06

To consider the report of inquiry committee constituted by the Government of Uttarakhand in the matter of objections raised in Doon University audit examination for the year 2014-16 by the Uttarakhand Audit Department.

The sealed envelope containing report of inquiry committee received from the Department of Higher Education, Government of Uttarakhand was opened before the Hon'ble members. The Executive Council perused the inquiry report and resolved that in the interest of natural justice, a copy of report of the inquiry committee may be given to all three concerned faculty members, namely, Prof. Kusum Arunachalam, Dr. Archana Sharma and Dr. Vijay Sridhar for their comments. They may also be asked to intimate whether they wished to be heard in person. The matter may be placed before the EC in its next meeting.

- a) there has been delay in placing the minutes of 30th EC meeting for confirmation only on 8 November 2019, i.e. after a lapse of nearly 10 months, which caused avoidable delays.
- b) even though the High Court's orders in respect of Dr. Gajendra Singh had been received in the university. The Order was not placed before the EC when it did finally meet on 8 November 2019. This was a lapse and not desirable. EC advised the VC to look into the matter.

While reviewing the action taken report, on item nos. 2019:31:04, 2019:31:05 & 2019:31:13 in relation to inquiry committees, EC unanimously agreed that in the interest of equity, similar cases must be treated similarly. It therefor decided that in all the three cases, viz, Dr. S. S. Suthar, Dr. Rajesh Kumar and Dr. Gajendra Singh, where the respective inquiry committees have already submitted their reports, an expert on personnel matters may be requested to first examine all the three reports and other relevant documents, including replies of the officer concerned and give his advice, which advice may be placed before the EC. In this context the name of Mr. P.C. Khare, Additional Secretary and representative of Secretary, Dept. of Finance was agreed upon. Mr. Khare was requested to submit his findings to the Vice Chancellor which will be presented in the next meeting of the Executive Council for consideration.

Item 2020:32:04 To report the joining of Dr. A.K. Karnatak as Vice Chancellor Doon University.

The Executive Council took note of the joining of Dr. A.K. Karnataka as Vice Chancellor of the University and welcomed him. The EC wished him a successful tenure as the Vice Chancellor.

Item 2020:32:05 To report and approve extension/engagement of guest/visiting faculty in various schools for the year 2019-20.

The Executive Council having considered the agenda approved extension/engagement of following guest/visiting faculty in various Schools of the university for the year 2019-20:

| S. N. | Name of the faculty | Dept. | Designation |
|-------|-----------------------|---------|---------------------|
| 1 | Ms. Jaskiran Chopra | English | Assistant Professor |
| 2 | Ms. Annea Saily | French | Guest Faculty |
| 3 | Dr. Varun Dev Sharma | French | Assistant Professor |
| 4 | Ms. Prashali Khanduri | German | Assistant Professor |
| 5 | Ms. Yogita Arya | German | Guest Faculty |
| 6 | Ms. Tanya Narang | Spanish | Guest Faculty |
| 7 | Ms. Pei-Lin. Lee | Chinese | Guest Faculty |
| 8 | Shubham Karmakar | Chinese | Assistant Professor |
| 9 | Akansha Barthwal | English | Per lecture basis |
| 10 | Shekhar Maithani | Spanish | Per lecture basis |
| 11 | Java Singh | Spanish | Per lecture basis |
| 12 | Ana Cristina Rived | Spanish | Per lecture basis |
| 13 | Anukriti | Chinese | Per lecture basis |

Item 2020:32:07

To consider the report of inquiry committee constituted in response to communication received from Joint Secretary to the Governor & Chancellor with regard to the Ph.D. degree and academic experience etc. of Dr. Rajesh Kumar, Associate Professor, School of Media and Communication Studies in relation to complaints made by Mr. Shanti Prasad Bhatt.

Report of a three member external expert inquiry committee in relation to complaints made by Mr. Shanti Prasad Bhatt in respect of Dr. Rajesh Kumar, which was submitted to the Vice Chancellor in a sealed cover by the committee, was opened and presented before the EC. Having considered the report, the Executive Council resolved to get the report examined as decided under Item no. 2020:32:03.

Item 2020:32:08

To apprise the Executive Council about the verdict of Hon'ble High Court with regard to the appointment of Dr. Gajendra Singh and to seek necessary directions in this regard.

As resolved under Item no. 2020:32:03, i.e., "review of action taken report", the matter will be put up in the next meeting of EC.

Item 2020:32:09

To consider and approve eligibility criteria for the posts of Accountant and Head Assistant for appointment on deputation basis.

The Executive Council considered and approved the proposal. However, the Executive Council suggested that pay scale/level of Accountant and Head Assistant should be as per Government order and deputation period of these posts should be three years extendable up to another two years. The Executive Council also suggested that the University should fix job experience for these posts in accordance with the criteria determined by Department of Personnel, Govt. of Uttarakhand.

Item 2020:32:10

To approve updated Citizen Charter of Doon University.

The Executive Council perused the updated Citizen Charter. The EC was informed that the changes are verbal and have been made only for update. In view of this, the EC advised that the Citizen Charter may be uploaded on university's website for general information.

Item 2020:32:11

To consider and approve the proposal of appointment of Group D staff on outsourced basis as per the requirement of various Sections and Departments of the University.

The Executive Council having discussed the agenda and resolved that the University should first go through the latest Government orders regarding sanction/creation of various posts including Group-D positions and after that, the matter should be put up in the Finance Committee meeting for necessary recommendations.

Item 2020:32:12 To consider the communication received from Dept. of Higher Education, Govt. of Uttarakhand.

The Executive Council considered the agenda and resolved to allot the office space for establishment of the office of the Admission & Fee Regulatory Committee and Appellate Authority, Dept. of Higher Education, Govt. of Uttarakhand (प्रवेश एवं शुल्क नियामक समिति तथा अपीलीय प्राधिकरण) in the Doon University Campus in the same office space provided earlier to Sri Dev Suman Uttarakhand University in the Faculty Office Building. The office space will be allotted after it is vacated by Sri Dev Suman Uttarakhand University.

Item 2020:32:13 To consider the matter of No Objection Certificate issued to Prof. Kusum Arunachalam, Professor and Dr. Archana Sharma, Assistant Professor, SENR.

The Executive Council considered the agenda and granted ex post facto approval to the grant of No Objection Certificates, earlier issued to Prof. Kusum Arunachalam, Professor and Dr. Archana Sharma, Assistant Professor for appearing at interview for the post of Professor in other Institution/University.

Item 2020:32:14 Any other item with the permission of the Chair.

The Executive Council directed that this may be placed along with details of the proposal in the next meeting of the EC.

The meeting ended with the vote of thanks.


**Vice-Chancellor & Chairman
Executive Council**

No. 144/13/R-DU/2020 Dated 25th February 2020


(Dr. M. S. Mandrawal)
Registrar & Secretary
Executive Council