

# हिमाचल प्रदेश केन्द्रीय विश्वविद्यालय

[केन्द्रीय विश्वविद्यालय अधिनियम 2009 के अधीन स्थापित]

## Central University of Himachal Pradesh

[Established under Central Universities Act, 2009]



### MINUTES

OF

### 22<sup>ND</sup> MEETING OF THE EXECUTIVE COUNCIL

HELD ON **15<sup>TH</sup> JANUARY, 2016** AT **02:30 PM**

**VENUE:** Central University of Himachal Pradesh, Temporary Academic Block,  
Shahpur, District – Kangra, Himachal Pradesh – 176 206

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# Central University of Himachal Pradesh

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## 22<sup>ND</sup> MEETING OF THE EXECUTIVE COUNCIL

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Shahpur, District – Kangra, Himachal Pradesh – 176 206

## MINUTES

1. The **22<sup>nd</sup> Executive Council Meeting** of the Central University of Himachal Pradesh, Dharamshala was held on **15<sup>th</sup> January, 2016** at **02:30 PM** at Central University of Himachal Pradesh, Temporary Academic Block, Shahpur, District – Kangra, Himachal Pradesh – 176 206. The following members were present:

1.	<b>Prof. (Dr.) Kuldip Chand Agnihotri</b> Vice-Chancellor, Central University of Himachal Pradesh, Dharamshala, H.P	<b>CHAIRMAN</b>
2.	<b>Prof. Yoginder S. Verma</b> Pro-Vice-Chancellor, Central University of Himachal Pradesh, Dharamshala, H.P	<b>MEMBER</b>
3.	<b>Shri D.R.K. Rao</b> (Representative of Secretary, Higher Education, MHRD, Govt. of India) Deputy Secretary, MHRD, New Delhi	<b>MEMBER</b>
4.	<b>Dr. (Ms.) Kamal Singh</b> Former Vice-Chancellor, Sant Gadge Baba Amravati University	<b>MEMBER</b>
5.	<b>Dr. D. S. Rathore</b> Former Vice-Chancellor, Himachal Pradesh Krishi Vishwavidyalaya	<b>MEMBER</b>
6.	<b>Dr. Sudhir S. Bloeria</b> Former Vice-Chancellor, Central University of Jammu, Jammu & Kashmir	<b>MEMBER</b>
7.	<b>Prof. Manmohan Gupta</b> Professor, Department of Physics, Panjab University, Chandigarh	<b>MEMBER</b>
8.	<b>Prof. Arvind Agrawal</b> Dean, School of Fine Arts & Art Education, CUHP, TAB, Shahpur, District – Kangra, H.P	<b>MEMBER</b>
9.	<b>Prof. H.R. Sharma</b> Dean Students' Welfare, CUHP, TAB, Shahpur, District – Kangra, H.P	<b>MEMBER</b>

10.	<b>Dr. O.S.K.S. Sastri</b> Dean, School of Physical & Material Sciences, CUHP, TAB, Shahpur, H.P	<b>MEMBER</b>
11.	<b>Dr. Manoj Kumar Saxena</b> Dean, School of Education, CUHP, TAB, Shahpur, H.P	<b>MEMBER</b>
12.	<b>Dr. Asutosh Pradhan</b> Head, Department of Social Work, CUHP, H.P	<b>MEMBER</b>
13.	<b>Shri Keshav Singh Rawat</b> Assistant Professor, Department of Computer Science & Informatics, CUHP	<b>MEMBER</b>
14.	<b>Brig. Jagdish Chand Rangra, YSM (Retd.)</b> Registrar, Central University of Himachal Pradesh, Dharamshala, H.P	<b>EX OFFICIO SECRETARY</b>

2. The following members could not attend the meeting due to their prior commitments and unavoidable reasons and were granted leave of absence.

1.	<b>Secretary (Higher Education)</b> , Government of Himachal Pradesh, Himachal Pradesh	<b>MEMBER</b>
2.	<b>Prof. Ved Prakash</b> Chairman, University Grants Commission, Bahadur Shah Zafar Marg (I.T.O), New Delhi	<b>MEMBER</b>
3.	<b>Sh. Syed Shahid Mahdi</b> Former Vice-Chancellor, Jamia Millia Islamia, Vasant Vihar, New Delhi	<b>MEMBER</b>
4.	<b>Prof. A.M. Pathan</b> Former Vice-Chancellor, CU of Karnataka, 75/4, Ranoji Rao Road, Bengaluru	<b>MEMBER</b>
5.	<b>Prof. Sunaina Singh</b> Vice-Chancellor, English & Foreign Languages University, Hyderabad	<b>MEMBER</b>
6.	<b>Prof. Peter Ronald deSouza</b> Former Director, IAS, Shimla	<b>MEMBER</b>
7.	<b>Prof. Veena Chowdhury</b> Professor Director, Department of Radio-diagnosis, Maulana Azad Medical College	<b>MEMBER</b>
8.	<b>Shri Ramesh Sharma</b> National / International Film Maker, EG - 2/7, Garden Estate, M.G. Road, Gurgaon	<b>MEMBER</b>
9.	<b>Prof. Ambrish Kumar Mahajan</b> Dean, School of Earth & Environmental Sciences, CUHP, TAB, Shahpur, H.P	<b>MEMBER</b>

3. The Vice-Chancellor welcomed all the members and thanked them for being available for attending this meeting. He extended special welcome to Shri D.R.K. Rao, Deputy Secretary, MHRD, Government of India (*Representative of Secretary, Department of Higher Education, MHRD, New Delhi*) who was attending the meeting for the first time and Dr. O.S.K.S. Sastri who cancelled his Lectures at Inter-University Accelerator Centre, New Delhi for this meeting.
4. The Vice-Chancellor apprised the Executive Council of the following:
- i. That the Third Convocation of the University is scheduled to be held on 1<sup>st</sup> February, 2016 wherein Smt. Smriti Zubin Irani, Hon'ble Minister of Human Resource

Development, Government of India has kindly consented to be the Chief Guest on the occasion and also requested the members to kindly make it convenient to attend & grace the said occasion.

- ii. That the University Grants Commission has approved establishment of DDU KAUSHAL KENDRA at Central University of Himachal Pradesh.
  - iii. That the Ministry of Human Resource Development, New Delhi have been informed and requested to take necessary action with respect to anomalies observed in the recruitment of various Teaching and Non-Teaching positions in the University.
5. The Vice-Chancellor further informed the members about the Foreign Visit of Two Professors of the University during the year 2015:
- i. Prof. Yoginder S. Verma the then officiating Vice-Chancellor had visited Gaeddu College of Business Studies, Gaeddu, Royal University of Bhutan, Chuka, Bhutan to attend 4<sup>th</sup> International Conference on "Human Values in Higher Education" from 27<sup>th</sup> March, 2015 to 29<sup>th</sup> March, 2015 on invitation from the said College of Royal University of Bhutan.
  - ii. Prof. Arvind Agrawal visited Frankfurt University of Applied Sciences, Germany escorting four students of Master of Social Work (MSW) of Department of Social Work and as Visiting Professor from 19<sup>th</sup> July, 2015 to 4<sup>th</sup> August, 2015. It is pertinent to mention that the Central University of Himachal Pradesh has entered into an MoU with Fachhochschule Frankfurt Am Main - University of Applied Sciences, Frankfurt, Germany.

In this context, Dr. D.S. Rathore was of the opinion that the Universities are entering into MoU with various other Universities / Institutions / Agencies with specific goals. What is important, he suggested, is to ensure that there is periodic audit of such goals and endeavours made continuously to achieve such goals in specified period.

5. Thereafter, the Vice-Chancellor invited Brig. Jagdish Chand Rangra, YSM (Retd.), Registrar-cum-Secretary to take up the agenda items and the following Agenda was taken up for discussion:

**THEREAFTER, THE AGENDA WAS TAKEN UP AS UNDER:**

**ITEM NO: 22.1(i) Confirmation of the Minutes of the 19<sup>th</sup> Meeting of the Executive Council held on 16<sup>th</sup> June, 2015.**

**The Minutes of 16<sup>th</sup> Meeting of the Executive Council held on 16<sup>th</sup> June, 2015 were confirmed.**

ITEM NO: 22.1(ii) Confirmation of the Minutes of the 20<sup>th</sup> Meeting of the Executive Council (By Circulation) dated 12<sup>th</sup> October, 2015.

The Minutes of 20<sup>th</sup> Meeting of the Executive Council (By Circulation) dated 12<sup>th</sup> October, 2015 were confirmed.

ITEM NO: 22.1(iii) Confirmation of the Minutes of the 21<sup>st</sup> Meeting of the Executive Council (By Circulation) dated 25<sup>th</sup> November, 2015.

The Minutes of 21<sup>st</sup> Meeting of the Executive Council (By Circulation) dated 25<sup>th</sup> November, 2015 were confirmed.

ITEM NO: 22.2(i) To place before the Executive Council the Report about the Action Taken on the decisions of its 19<sup>th</sup> Meeting held on 16<sup>th</sup> June, 2015.

The Executive Council noted the Action Taken Report (ATR) on the decisions taken in its 19<sup>th</sup> Meeting held on 16<sup>th</sup> June, 2015.

ITEM NO: 22.2(ii) To place before the Executive Council the Report about the Action Taken on the decision of its 20<sup>th</sup> Meeting (By Circulation) dated 12<sup>th</sup> October, 2015.

The Executive Council noted the Action Taken Report (ATR) on the decisions taken in its 20<sup>th</sup> Meeting (By Circulation) dated 12<sup>th</sup> October, 2015.

ITEM NO: 22.2(iii) To place before the Executive Council the Report about the Action Taken on the decision of its 21<sup>st</sup> Meeting (By Circulation) dated 25<sup>th</sup> November, 2015.

The Executive Council noted the Action Taken Report (ATR) on the decisions taken in its 21<sup>st</sup> Meeting (By Circulation) dated 25<sup>th</sup> November, 2015.

#### ITEMS FOR REPORTING AND RATIFICATION:

ITEM NO: 22.3 To report the action taken by the Vice-Chancellor for appointment of Shri Kanti Swaroop, Junior Assistant, Himachal Pradesh University on Deputation basis in Central University of Himachal Pradesh.

The Vice-Chancellor has approved the appointment of Sh. Kanti Swaroop, Junior Assistant, Himachal Pradesh University on Deputation basis in Central

University of Himachal Pradesh initially for a period of one year from his date of joining i.e. 20<sup>th</sup> August, 2015.

Sh. Kanti Swaroop vide his application dated 1<sup>st</sup> June, 2015 requested HP University that he belongs to Palampur of Distt. Kangra and his parents are old and not in good health. Due to his posting at Himachal Pradesh University Shimla he is not able to look after his parents. He came to know that there is requirement of staff on deputation basis at Central University of Himachal Pradesh on some posts and he wants to apply for the same. The very request of the Sh. Kanti Swaroop was duly forwarded by the Registrar Himachal Pradesh University vide his letter No. 3-6/2008-HPU(Estt.)-4748 dated 25.6.2015.

The University did not advertise any post for recruitment on deputation basis. The Ordinance No. 24 of the University contains Cadre Recruitment Rules, which provide provision for appointment on deputation basis only for the post of Internal Audit Officer. The Ordinance No. 24 being incomplete, the revised CRRs of the University are in progress of adoption / approval.

Keeping in view the fact that the University is facing critical deficiency in manpower, a qualified and trained hand willing to join the university on deputation will share the work-load and might be beneficial to the University, the Vice-Chancellor appointed Sh. Kanti Swaroop to the post of LDC on deputation basis initially for a period of one year, in relaxation of rules.

**The Executive Council noted and ratified the decision taken by the Vice-Chancellor.**

## ITEMS FOR CONSIDERATION AND DECISION:

### ITEM NO: 22.4

**To place before the Executive Council the draft Ordinance No. 50 dealing with Rules for forwarding of Applications of University Employees when seeking Employment Outside and Grant of Lien in the event of their selection, for consideration and approval.**

Consequent upon appointment on regular basis, various employees have joined the University. During course of time the employees started requesting to forward their applications through proper channel for outside employment.

It is pertinent to mention here that as per rules four applications can be forwarded for outside employment other than those for UPSC in respect of regular government employees. In the event of selection, their lien may be retained in the parent department / office for a period of two years, if their application for that post is forwarded through proper channel. They should either revert to the parent department / office within that period or resign from the parent department / office at the end of that period. Rules also

provide that the final decision whether a particular application should be forwarded must rest with the authority through whom the application has to be forwarded. In taking the decision the authority has to balance the interest of the state against the necessity of avoiding hardship to the individual.

Selections are long drawn & cumbersome process and it would be further difficult to recruit incumbent(s) against leave vacancy arising on account of 'lien'. The University is in its formative stage and running its academic and administrative affairs with minimum available human resources.

Keeping in view of above positions, the Vice-Chancellor had constituted a Committee comprising of following to draw out policy on the subject:

- i. Prof. Yoginder S. Verma, Pro-Vice-Chancellor
- ii. Prof. Arvind Agrawal, Dean, School of Fine Arts & Art Education and
- iii. Registrar

The draft Ordinance No. 50 prepared by the Committee is placed at **ANNEXURE – 22.4.**

**The Executive Council considered and approved the Ordinance No. 50 dealing with Rules for forwarding of Applications of University Employees when seeking Employment Outside and Grant of Lien in the event of their selection.**

**ITEM NO. 22.5**

**To place before the Executive Council the proposal for amendment / substitution of existing Ordinance No. 24 dealing with Cadre Recruitment Rules including Manner of Appointment and Emoluments of Employees other than Teachers and other Academic Staff.**

The existing Ordinance No. 24 dealing with "Cadre Recruitment Rules including Manner of Appointment and Emoluments of Employees other than Teachers and other Academic Staff" came into existence with the approval of the Executive Council (Item No. 2.11; 2<sup>nd</sup> Meeting; 13<sup>th</sup> February, 2011) and further notified vide Notification No. 3-3/CUHP/GA/2010/2424-30 dated 10<sup>th</sup> March, 2011.

The said Ordinance has been amended three times as per following details:

- i. The Executive Council (Item No. 4.31(2); 4<sup>th</sup> Meeting; 10<sup>th</sup> December, 2011) on the recommendation of the Academic Council (Item No. 3.22; 3<sup>rd</sup> Meeting; 19<sup>th</sup> November, 2011) approved following amendments in the Ordinance No. 24:
  - a. Wherever, the Ordinance mentions Second Division, the same should be replaced by a minimum of 50% marks or an equivalent grade.
  - b. In case of the Deputy Registrar, Assistant Registrar, Assistant Finance Officer, Deputy Librarian and Deputy Controller of

- Examinations or equivalent positions, the minimum qualification be made strictly in accordance with the UGC regulations. Further, a minimum of two years' experience be prescribed as desirable for these positions.
- c. The Age bar prescribed in the Ordinance be removed for all positions, except in case of such positions where the UGC regulations specifically prescribe age bar.
  - ii. The Executive Council (Item No. 7.11; 7<sup>th</sup> Meeting; 9<sup>th</sup> June, 2012) on the recommendation of the Academic Council (Item No. 5.3; 5<sup>th</sup> Meeting; 26<sup>th</sup> May, 2012) approved the amendments suggested by the University Grants Commission conveyed by MHRD vide letter No. 54-2/2011-Desk (U) dated 2<sup>nd</sup> May, 2012.
  - iii. The Executive Council (Item No. 12.8; 12<sup>th</sup> Meeting; 15<sup>th</sup> November, 2013) on the recommendation of the Academic Council (Item No. 12.2(T); 12<sup>th</sup> Meeting; 15<sup>th</sup> November, 2013) approved the amendment in Second Portion of Schedule I of the Ordinance No. 24: "Composition of Selection Committee for appointment by direct recruitment for Group C posts". With regard to amendment in Schedule – III, the Executive Council authorised the Vice-Chancellor to constitute a Committee to see that these are in accordance with the UGC / MHRD / GOI norms.

The University received letter No. 63-1/2010 (CU) dated 24<sup>th</sup> December, 2013 **ANNEXURE – 22.5A** from UGC wherein they requested that before filling up any non-teaching positions, University may frame the Cadre Recruitment Rules for each category of non-teaching posts in the prescribed format of Govt. of India.

The existing Cadre Recruitment Rules for each category are not as per the Guidelines issued by DOPT, Ministry of Personnel & Training, Government of India from time to time as referred to by UGC vide their letter dated 24<sup>th</sup> December, 2013 as stated in above para.

The existing Ordinance No. 24 gives only details about the Constitution of Committees, Methods of Recruitment and Qualifications & Experience required for the direct recruitment.

As per the guidelines issued by DOPT / MHRD / UGC, the following details have not been provided for in the existing Ordinance:

- i. The other service conditions;
- ii. Classification of Cadres;
- iii. Procedure of Appointments i.e. Deputation, Promotion, Adhoc, Re-employment, Compassionate Ground;
- iv. Percentage of posts to be filled by Direct Recruitment and Promotion;
- v. Mode of Promotion, Zone of Consideration, Benchmark;
- vi. Functions of the Departmental Promotion Committee (DPC);



- vii. Whether post is to be filled by Selection or Non-Selection method;
- viii. Educational qualifications for the posts to be filled by deputation; and
- ix. Age Limit for Direct Recruitment / Promotion / Contract Appointment

In pursuance to decision of the Executive Council as stated at Para 2 (iii) above and in order to meet out the above discrepancies in the existing Ordinance No. 24, a Committee was constituted vide Notification No. 3-3/CUHP/GA/2010/281-84 dated 15<sup>th</sup> January, 2014. However, no meeting of the Committee was held due to non-availability of members. Therefore, a new Committee (*consisting of Registrar of one well established Central University i.e. JNU, New Delhi; Joint Secretary of UGC, New Delhi; Registrar of one State / Private University i.e., Sri Sai University, Palampur; One Representative of MHRD, New Delhi and Registrar of CUHP*) was constituted vide Notification No. 3-3/CUHP/GA/2010/9733-38 dated 29<sup>th</sup> December, 2014 (**ANNEXURE – 22.5B**) for considering the Cadre Recruitment Rules of the Employees of the University other than Teachers and other Academic Staff.

The said Committee met thrice and recommended that the existing Ordinance No. 24 dealing with *“Cadre Recruitment Rules including Manner of Appointment and Emoluments of Employees other than Teachers and other Academic Staff”* may be substituted by the draft Ordinance No. 24 prepared by the Committee dealing with *“Cadre Recruitment Rules including Manner of Appointment, other Service Conditions and Emoluments of Employees other than Teachers and other Academic Staff”* after the due approval of the Executive Council of the University.

In the meantime, the Department of Personnel & Training (DoPT), New Delhi vide their Office Memorandum No. 39020/01/2013-Estt.(B)-Part dated 29<sup>th</sup> December, 2015 has discontinued Interview at Junior Level Posts in the Government of India.

The draft Ordinance No. 24 prepared by the Committee after incorporating the instructions issued by DOPT vide their OM dated 29<sup>th</sup> December, 2015 is placed at **ANNEXURE – 22.5C**.

**The Executive Council considered and approved the proposal.**

**ITEM NO:22.6**

**To place before the Executive Council the matter regarding grant of additional / advance Increments to four professors (Prof. Yoginder S. Verma, Prof. I.V. Malhan, Prof. Arvind Agrawal and Prof. H.R. Sharma) by the Executive Council.**

The said matter was earlier placed before the Executive Council vide Item No. 19.10 in its 19<sup>th</sup> Meeting held on 16<sup>th</sup> June, 2015. The matter was discussed in detail at that time and it was unanimously decided that the matter will be brought up in the next meeting of the Executive Council. Accordingly, the Item No. 19.10 is reproduced below:

**Item No. 19.10 of 19<sup>th</sup> Executive Council Meeting held on 16<sup>th</sup> June, 2015:**

Consequent upon coming to existence of Central University of Himachal Pradesh in January, 2010 and to kick start various academic and administrative activities the services of following four Professors were initially taken on deputation basis:

- i. Prof. Yoginder S. Verma
- ii. Prof. Arvind Agrawal
- iii. Prof. Inder Vir Malhan
- iv. Prof. Hans Raj Sharma

During the course of time the University advertised its regular teaching positions of Professors, Associate Professors and Assistant Professors in the year 2010 & 2011. All of the above four Professors applied through proper channel afresh and got selected after being interviewed by duly constituted election Committees [different Selection Committees(s) held on different dates]. The Selection Committees in their recommendation had recommended two advance increments to Prof. Yoginder S. Verma and three advance increments to Prof. I.V. Malhan.

A proposal to the effect that each one of the four professors should be given three advance increments in recognition of their contribution in the building up of new University and further encouraging them to take up the challenge of nurturing the University to achieve academic excellence, was placed before the Executive Council vide Item No. 6.3 in its 6<sup>th</sup> Meeting held on 10<sup>th</sup> April, 2012 **(ANNEXURE – 22.6A)** quoting provisions of Para 2(a)(xvii) of Appendix – I (Page No. 79) of UGC Regulations on Minimum Qualifications for appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the maintenance of standards in Higher Education 2010 as authority, the Para is reproduced as under:

*“Discretionary award of advance increments for those who enter the profession as Associate Professors or Professors with higher merit, high number of research publications and experience at the appropriate level, shall be within the competence of the appropriate authority of the concerned University or recruiting institution while negotiating with individual candidates in the context of the merits of each case, taking into account the pay structure of other teachers in the faculty and other specific factors.”*

The Executive Council appreciated the concerns but felt that the Vice-Chancellor may constitute a Committee of two eminent persons to consider the proposal and make recommendations to the Executive Council.

In pursuance to aforesaid decision of the Executive Council taken vide Item No. 6.3 in its 6<sup>th</sup> Meeting held on 10<sup>th</sup> April, 2012, a Committee consisting of three eminent people was constituted vide Notification No. 1-1/CUHP/Estt./2010/1969-71 dated 4<sup>th</sup> June, 2012 **(ANNEXURE – 22.6B)**.

The said Committee met on 20<sup>th</sup> July, 2012 at IIC, New Delhi (copy of the recommendations of the Committee is placed at ANNEXURE – 22.6C). The Committee had recommended as under:

*“The Committee also perused the research publications and API scores of all these persons. The Committee upheld the principles of parity among all these four persons because they have joined the University at the very initial stage and have worked very hard to develop the University.*

*The Committee therefore recommends that all the above four teachers may be granted three advance increments from the date of the joining the University on regular basis after the Selection Committee.*

*Further it is observed that different Selection Committees have awarded different advance increments to selected candidates. The committee recommends that they should be brought at par.”*

The aforesaid recommendations of the committee were placed before the Executive Council vide Item No. 8.9 in its 8<sup>th</sup> Meeting of Executive Council held on 17<sup>th</sup> October, 2012 (ANNEXURE – 22.6D). The decision of the Executive Council on the matter under reference is reproduced as under:

*“The Executive Council approved the recommendation of the committee that all the above four teachers may be granted three advance increments from the date of their joining the university on regular basis after the selection committee.*

*The committee has further observed that different selection committees have awarded different advance increments to the selected candidates and recommended that they should be brought at par, which was agreed to by the Executive Council”.*

The decision of the Executive Council taken vide Item No. 8.9 in its 8<sup>th</sup> Meeting held on 17<sup>th</sup> October, 2012 was further communicated to the Finance Officer by the Registrar vide letter No. 1-1/CUHP/Estt./2010/6466-70 dated 4<sup>th</sup> December, 2012 (copy of the same placed at ANNEXURE – 22.6E).

The correct provision to grant advance increment to teachers is contained under Para 6.4.11 (Page No. 44) of UGC Regulations on Minimum Qualifications for appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the maintenance of standards in Higher Education 2010, which is reproduced as under:

*“Discretionary award of advance increments for those who enter the profession as Associate Professors or Professors with higher merit, high number of research publications and experience at the appropriate level, shall be within the competence of the appropriate authority of the concerned University or recruiting institution based on the recommendations of selection committee(s) while negotiating with individual candidates in the context of the merits of each case, taking into account the pay structure of other teachers in the faculty and other merit- specific factors. Discretionary award of advance increments is not applicable to those entering the*

*profession as Assistant Professor/Assistant Librarian/Assistant Director of Physical Education and Sports and to those who are entitled for grant of advance increments for having acquired Ph. D., M. Phil., M.Tech., etc. However, those entering service as Assistant Professor/Assistant Librarian/Assistant Director of Physical Education and Sports with post-doctoral teaching/research experience after Ph.D. and proven credentials may be eligible for discretionary award of advanced increments to be decided and recorded by the selection committee in its minutes."*

In addition to the UGC Regulations 2010 as referred above, the provision to grant advance increment is also contained under FR-27 which strictly restrains to give advance increments as reward for meritorious work [FR - 27(5)(i)].

The provision of granting advance increments to teachers is contained under Para 6.4.11 of UGC Regulations 2010, whereas the University had made Para 2(a)(xvii) of Appendix - I of UGC Regulations 2010 a key feature while placing agenda before the Executive Council to grant three advance / additional increments to four Professors. Therefore, the University vide its letter No. 1-6/CUHP/GA/2010/Vol. II/8577-8580 dated 1<sup>st</sup> November, 2014 (**ANNEXURE - 22.6F**) sought clarification from UGC on the issue as to whether while granting advance increment to the teachers Para 6.4.11 is to be adhered to or Para 2(a)(xvii) of Appendix - I of UGC Regulations 2010 is to be adhered to. The UGC vide their letter No.2-1/2007(PS)Misc dated 27<sup>th</sup> February, 2015 (**ANNEXURE - 22.6G**) clarified that the Clause 6.4.11 of UGC Regulations 2010 is also reframed on the basis of Notification as placed at Appendix - I of UGC Regulations 2010 and as such these Regulations are mandatory in nature and cannot be overlooked at any stage.

To conclude, it is submitted that the agenda item placed before the Executive Council in its 6<sup>th</sup> Meeting held on 10<sup>th</sup> April, 2012 was based on Para 2(a)(xvii) of Appendix 1 (Page No. 79) of UGC Regulations, 2010 which is not correct authority. Hence, the decision of the Executive Council was **based on wrong inputs** placed before the Executive Council. The Executive Council is competent to grant advance increments only to the Associate Professors and Professors on their selection if such increments are decided and recorded by the selection committee in its minutes/recommendations as per provision of para 6.4.11 (Page No. 44) of UGC Regulations 2010.

**The Executive Council deferred the Item.**

**ITEM NO: 22.7**

**To place before the Executive Council the Recommendations of the Selection Committee held on 13<sup>th</sup> December, 2015 for the position of Controller of Examinations.**

The University advertised **One Post of Controller of Examinations** vide Employment Notice No. 002/2015 dated 19<sup>th</sup> May, 2015 to be filled for a term of 05 (five) years. In response, a total **23 (Twenty Three only)** applications

were received and were scrutinised for eligibility and short-listed by a duly constituted Screening Committee. The Screening Committee recommended that all eligible applicants [**15 (Fifteen only)** in numbers] who meet the minimum qualification prescribed by the University be called to appear before the Selection Committee for Interview. Simultaneously, the complete list of all short-listed and not short-listed, indicating reason thereof against each applicant was uploaded on the University Website on 31<sup>st</sup> August, 2015 with the advice to the applicants that in case of any discrepancy, the applicants must bring the same to the notice of the University for necessary correction(s) by email latest by 15<sup>th</sup> September, 2015. In response, no requests were received for necessary corrections in personal information. **Thus, a total of 15 (Fifteen only) applicants, who met the minimum eligibility requirements were called to appear before the Selection Committee for Interview held on 13<sup>th</sup> December, 2015.**

**The Recommendations of the Selection Committee held on 13<sup>th</sup> December, 2015 for the position of Controller of Examinations were opened before the Executive Council on the spot.**

**The recommendations of the Selection Committee for the position of Controller of Examinations were approved as under:**

**Select List:** Shri Sanjiv Sharma S/o Shri Sita Ram Sharma

**Wait List:** 1. Dr. Ajay Lakhanpal S/o Shri Kishan Chand  
2. Smt. Shashi Kanta D/o Shri Davinder Parshad Gupta

**ITEM NO: 22.8**

**To place before the Executive Council the proposal to repeal / replace / amend Statute 10(5) of First Statute set out in Second Schedule of Central Universities Act 2009.**

The First Court of the Central University of Himachal Pradesh was constituted by the Department of Higher Education, Ministry of Human Resource Development under the transitory provision given in Section 44(c) of the Central Universities Act 2009 as communicated vide letter No. 54-6/2012-Desk (U) dated 26<sup>th</sup> September, 2012. The term of the Court was for three years with immediate effect. As per provision of Section 20(1) of the Central Universities Act 2009, the constitution of the Court and the term of office of its members shall be prescribed by the Statutes: Provided that such number of members, as may be prescribed by the Statutes, shall be elected from amongst the teachers, employees and students of the University. However, the Statute 10(5) of the First Statutes set out in Second Schedule of the Central Universities Act 2009 provides only for the quorum for meeting of the Court. There is no complete provision in the Statutes for the constitution and the term of the office of its

members. Hence, the proposal to repeal / replace / amend the existing Statute 10(5), providing complete provision is placed before the Executive Council as under for consideration and approval:

<b>Statute 10(5)</b>	<b>(a)</b>	<ol style="list-style-type: none"> <li>1. Chancellor ..... Chairman</li> <li>2. Vice-Chancellor ..... Ex-officio Member</li> <li>3. Pro-Vice-Chancellor</li> <li>4. Dean Students' Welfare</li> <li>5. Finance Officer</li> <li>6. Controller of Examinations</li> <li>7. Librarian</li> <li>8. Provost</li> <li>9. Proctor</li> <li>10. Two Visitors' Nominees (to be nominated by MHRD from among persons who are men of standing in public life or have special knowledge or practical experience in education or have rendered eminent services in the cause of education).</li> <li>11. Chancellor's Nominees - Three from among persons who are Vice-Chancellors of neighbouring Universities / Directors of Institutions of National Importance in Himachal Pradesh / Principals of Medical Colleges / Engineering Colleges of repute in Himachal Pradesh.</li> <li>12.. Representative of Teachers - One (Elected by the regular teachers of the University / affiliated Colleges)</li> <li>13. Representative of Non-Teaching Staff - One (Elected by regular employees of the University / affiliated Colleges)</li> <li>14. Two representatives of Civil Society (NGO/ Industry/ Media/ Eminent Citizen(s)) -to be nominated by the Executive Council.</li> <li>15. Representative of Alumni - One (Elected by the Alumni Association)</li> <li>16. Representative of Students -Two (One male and One female elected by the members of Students' Council from among themselves)</li> <li>17. Registrar ..... Ex-officio Member Secretary</li> </ol>
	<b>(b)</b>	All members of the Court, other than ex-officio members shall hold office for a term of three years.
	<b>(c)</b>	One half of the members including at least two external members shall form quorum for a meeting of the Court.

**The Executive Council considered and approved the proposal as under:**

<b>Statute 10(5)</b>	<b>(a)</b>	1. Chancellor ..... Chairman
		2. Vice-Chancellor ..... Ex-officio Member
		3. Pro-Vice-Chancellor
		4. Dean Students' Welfare
		5. Finance Officer
		6. Controller of Examinations
		7. Librarian
		8. Provost
		9. Proctor
		10. Two Visitors' Nominees (to be nominated by MHRD from among persons who are men of standing in public life or have special knowledge or practical experience in education or have rendered eminent services in the cause of education).
		11. Chancellor's Nominees - Three from among persons who are Vice-Chancellors of neighbouring Universities / Directors of Institutions of National Importance in Himachal Pradesh / Principals of Medical Colleges / Engineering Colleges of repute in Himachal Pradesh.
		12. Three members from amongst the Deans of Schools of Studies, by rotation according to seniority, to be appointed by the Vice-Chancellor.
		13. Three members from amongst the Heads / Directors of Departments / Centres, by rotation according to seniority, to be appointed by the Vice-Chancellor.
		14. One Professor who is not Dean or Proctor or Head of Department or Director of Centre, by rotation according to seniority to be appointed by the Vice-Chancellor.
		15. One Associate Professor who is not Dean or Proctor or Head of Department or Director of Centre, by rotation according to seniority to be appointed by the Vice-Chancellor.
		16. Representative of Teachers - One (by Seniority)
		17. Representative of Non-Teaching Staff - One (Elected by regular employees of the University / affiliated Colleges)
		18. Two representatives of Civil Society (NGO/ Industry/ Media/ Eminent Citizen(s)) - to be nominated by the Executive Council.
		19. Representative of Alumni - One (Elected by the Alumni Association)
		20. Representative of Students -Two (One male and One female elected by the members of Students' Council from among themselves)

		21. Registrar ..... Ex-officio Member Secretary
	(b)	All members of the Court, other than ex-officio members shall hold office for a term of three years.
	(c)	One third of the members including at least two external members shall form quorum for a meeting of the Court.

**ITEM NO: 22.9**

**To place before the Executive Council the matter regarding De-confirmation of Dr. Mohinder Singh, Assistant Professor, Department of Accounting and Finance.**

The services of Dr. Mohinder Singh, Assistant Professor, Department of Accounting and Finance have been confirmed in Central University of Himachal Pradesh w.e.f 31<sup>st</sup> December, 2012 without obtaining his consent for confirmation vide Office Order No. 6-54/ CUHP/Estt./2012/1004-13 dated 29<sup>th</sup> January, 2014 with the due approval of the Executive Council vide Item No. 12.1(T) in its 12<sup>th</sup> Meeting held on 15<sup>th</sup> November, 2013.

The Govt. of India's Orders(1) below FR-14A provide the procedure to be followed when a Government servant is permanently absorbed by the Foreign Employer which is reproduced as under:

*"Obtaining of consent of the Government Servant to the termination of lien is necessary in certain circumstances where the Government Servant is to be confirmed in another post under Government."*

In all cases where a Government Servant is to be absorbed permanently by the foreign employer under his organization, it would be incumbent on him to consult the parent employer before issuing orders absorbing the Government Servant permanently in his service. The orders of permanent absorption should be issued only after the resignation of Government Servant has been accepted by the Government and with effect from the date of such acceptance.

In the instant case, the parent department of Dr. Mohinder Singh has not been consulted before issuing the order of his confirmation in CUHP and he has also not resigned from his parent department.

The incumbent along with others have already approached the Hon'ble High Court of Himachal Pradesh vide CWP No. 9311/2013 for implementation of Portability of Pension. The Hon'ble High Court of Himachal Pradesh has passed an interim order to the effect, which is reproduced as under:

*"Without prejudice to the respective rights and contentions of the parties, it is ordered that question of absorption of these petitioners shall be considered at the time of decision of the present petition. Also, in the event of Court arriving at the conclusion that petitioner absorption is not in accordance with law, their lien shall remain protected."*



Keeping in view the positions explained above, the Executive Council may consider to approve the de-confirmation of Dr. Mohinder Singh, Assistant Professor, Department of Accounting and Finance w.e.f. 31<sup>st</sup> December, 2012 till the pendency of CWP No. 9311/2013 or receipt of acceptance of Dr. Mohinder Singh to confirm him in Central University of Himachal Pradesh or termination of his lien by his parent department.

**The Item was withdrawn keeping in view the Judgement of the Hon'ble High Court of Himachal Pradesh with respect to CWP No. 9311/2013.**

**ITEM NO: 22.10**

**To place before the Executive Council the recommendations of the 15<sup>th</sup> Academic Council Meeting held on 14<sup>th</sup> December, 2015 at 02:30 PM at Central University of Himachal Pradesh, Temporary Academic Block, Shahpur, District - Kangra, Himachal Pradesh - 176 206.**

The 15<sup>th</sup> Meeting of the Academic Council was held on 14<sup>th</sup> December, 2015 at 02:30 PM at Central University of Himachal Pradesh, Temporary Academic Block, Shahpur, District - Kangra, Himachal Pradesh -176206. The recommendations made by the Academic Council are placed at **ANNEXURE - 22.10** for approval of the Executive Council. The following issues were placed before the Academic Council:

**Items for Reporting and Ratification:**

1. To report to the Academic Council about the action taken by the Vice-Chancellor under sub-section (3) of Section 11 of the Central Universities Act 2009 with regard to approval of University Prospectus 2015-16 for admission to Research Degree Programmes.
2. To report to the Academic Council about the approval received from University Grants Commission for establishment of DDU Kaushal Kendra at Central University of Himachal Pradesh.
3. To report to the Academic Council about the notification issued by the Controller of Examinations on successful completion of all stages, external viva-voce by following RD students for award of Ph.D. degree.
  - i. Mr. Sachin Kumar (CUHP11RDMGMT08) - SoBMS
  - ii. Ms. Jatinder Kaur (CUHP11RDMGMT04) - SoBMS
4. To report to the Academic Council about the nomination of 20 students to Students Council on the basis of merit of Studies, Sports and extra-Curricular Activities as per Clause 16 of Ordinance No. 45 dealing with "CUHP Rules for the Formation of Students Council".
5. To report to the Academic Council about the appointment of Research Supervisors of Research Scholars of Department of Teacher Education, School of Education, Central University of Himachal Pradesh.

6. To report to the Academic Council about the permission accorded by the Vice-Chancellor to Dr. Roshan Lal Sharma, Associate Professor, Department of English & European Languages for attending International Conference at Seoul, South Korea.

**Items for Consideration and Decision:**

7. To place before the Academic Council the proposal for amendment in Clause 8(a)(ii) of Ordinance No. 45 dealing with "CUHP Rules for the Formation of Students Council".
8. To place before the Academic Council the proposal for amendment in Clauses 28, 29, 30, 31 and 32 of Ordinance No. 14 dealing with "Terms and Conditions of Service and Code of Conduct for Teachers and Other Academic Staff".
9. To place before the Academic Council the Panel of Experts for the Selection of faculty in various programmes of studies of the University [*Since the Panel of Experts was not ready therefore, the Item was withdrawn*].
10. To place before the Academic Council proposal seeking nomination of experts on the School Boards of different Schools of the University.
11. To place before the Academic Council the proposal for permitting the University to hold Selection Committee for the positions of Deputy Librarian and Assistant Librarian as per UGC Regulations 2010.
12. To make panel of names for nomination of members / experts on the Selection Committees for the post of Librarian, Deputy Librarian and Assistant Librarian in accordance with Clause 5.1.7 of UGC Regulations 2010.
13. To place before the Academic Council Proposal to seek authorisation of the Academic Council for appointment of working / Retired senior academics / Scientists / Professionals / Industry experts / Artists as Adjunct Professors / Adjunct Faculty / Visiting Faculty [*The Item withdrawn due to administrative reasons*].
14. To place before the Academic Council the draft Ordinance No. 48 regarding Terms and Conditions for seeking Financial Assistance by the Teachers / Officers of University for attending National / International Seminar / Symposia / Conferences within India and Abroad.
15. To place before the Academic Council the proposal for setting up of Centre for S R Ranganathan Library & Information Science Studies.
16. To place before the Academic Council the proposal for amendment in Clauses 21.2 of Ordinance No. 42 dealing with "Medium of Instruction, Examination, Evaluation and Grading System for the Award of Doctor of Philosophy".
17. To place before the Academic Council, the proposal for in-principle approval for establishment of PRAKASHAN KENDRA in the University.

18. To place before the Academic Council the proposal for Establishment of Chair for Tribal Studies.
19. To place before the Academic Council the proposal for modification in the Criteria and Weightages to be used by the Screening Committee / Selection Committee for the direct recruitment to the post of Assistant Professor.

**The Executive Council considered and approved the recommendations of the Academic Council made in its 15<sup>th</sup> Meeting held on 14<sup>th</sup> December, 2015. Further, the Executive Council authorised the Vice-Chancellor to approve Item No. 15.16 of 15<sup>th</sup> Academic Council Meeting.**

**THE MEETING ENDED WITH THE VOTE OF THANKS TO THE CHAIR.**

*S/d*

**Brig. Jagdish Chand Rangra, YSM (Retd.)**  
Ex-Officio-Secretary & Registrar, CUHP

**Confirmed**

*S/d*

**Prof. (Dr.) Kuldip Chand Agnihotri**  
Chairman & Vice-Chancellor, CUHP