

Minutes of the 33rd meeting of the Executive Council held on 28th June 2019 at 11:00 am in meeting room of Barad Sadan, Academic Block, Sikkim University

33rd meeting of the Executive Council was held on 28th June 2019 at 11:00 am in meeting room of Barad Sadan. Following were present:

1. Prof. Avinash Khare - Chairperson
Vice-Chancellor
2. Prof. Adya Prasad Pandey - Member
Vice-Chancellor, Manipur University
3. Dr. Ramesh Kumar Yadava - Member
Chairman
Haryana Kisan & Agricultural Costs and Prices Commission
4. Prof. Krishna Kumar - Member
Head, Department of Physics, IIT Kharagpur
West Bengal
5. Prof Mahendra Singh Seveda - Member
Head, Department of Renewable Energy Engineering
College of Agricultural Engineering and Post- Harvest Technology
Central Agricultural University, Ranipool, East Sikkim
6. Dr. Abhijit Dutta - Member
Dean, School of Professional Studies
7. Prof. Nawal K Paswan - Member
Dean, School of Social Science
8. Dr. K.R. Rama Mohan - Member
Dean, School of Human Science
9. Dr. Kabita Lama - Member
Dean, School of Languages & Literature
10. Dr. Laxuman Sharma - Member
Dean, Students' Welfare
11. Prof. N Sathyanarayana - Member
Professor, Department of Botany
12. Dr. Subir Mukhopadhyay - Member
Associate Professor, Department of Physics
13. Shri Debasish Pal - Special Invitee
Finance Officer
14. Shri T.K.Kaul - Secretary
Registrar

Prof. Kailash Chandra Sharma and Prof. Ganga Prasad Prasain could not attend the meeting due to their pre-occupation and sought leave of absence.

Shri Satyam Rana, Assistant was present to assist the Council.

At the outset Vice-Chancellor welcomed all members of the Council to the 33rd meeting. He specially welcomed Dr. Ramesh Kumar Yadava, Prof. Krishna Kumar, Prof Mahendra Singh Seveda and Dr. Laxuman Sharma who were attending the meeting for the first time. Thereafter, agenda items were taken up as under:

SECTION-1 CONFIRMATION OF THE MINUTES AND ACTION TAKEN REPORT

EC 33.1.1: *Confirmation of the minutes of the 32nd meeting of the Executive Council held on 8th Feb 2019*

The minutes of the 32nd meeting of the Executive Council held on 8th Feb 2019 were circulated to all members on 26th Feb 2019. No comments have been received from any of the members of the Council.

The minutes of the 32nd meeting of the Executive Council held on 8th Feb 2019 as circulated to all members on 26th Feb 2019 were confirmed.

EC 33.1.2: *Action taken report on the minutes of the 32nd meeting of the Executive Council held on 8th Feb 2019*

The Secretary presented the action taken report on the minutes of the 32nd meeting of the Council. The Council noted the action taken by the University.

SECTION - 2 REPORTING ITEMS

EC 33.2.1: *Appointment of Chancellor of the University*

The Council noted that as per Statute 1(1) of the University, the Chancellor shall be appointed by the Visitor from a panel of not less than three persons recommended by the Executive Council. The Council also noted that if the Visitor does not approve of any of the persons so recommended, he may call for fresh recommendations from the Executive Council.

The Council further noted that matter regarding appointment of Chancellor of the University was taken up in the 27th meeting of the Executive Council held on 9th June 2017 and three names as recommended by the Executive Council were forwarded to MHRD on 5th July 2017. However, a fresh panel of names were sought from the University by MHRD. Accordingly, a new panel of the following names were circulated for consideration by the members of the Executive Council for taking up the matter with the President of India for appointment of Chancellor of the University:

1. Rear Admiral Rahul Kumar Shrawat (Rted.)
2. Lt. Gen Dr. Dattatray B Shekatkar (Rted.)
3. Shri Himmat Singh, IPS (Rted.)

The agenda item was approved by the members of the Council by circulation and the recommendations were forwarded to the MHRD on 26th Feb 2019. MHRD vide letter dated 7th March 2019 communicated appointment of Lt. Gen Dr. Dattatray B Shekatkar (Retd.) as Chancellor of the University by the Visitor which was notified by the University on 14th March 2019.

The Council noted the appointment of Lt. Gen Dr. Dattatray B Shekatkar (Retd.) as Chancellor of the University.

EC 33.2.2: Extra Ordinary Leave of Dr. Charisma Karthak Lepcha, Assistant Professor, Department of Anthropology

The Council in its 30th meeting held on 16th April 2018 approved grant of Extra Ordinary Leave to Dr. Charisma Karthak Lepcha, Assistant Professor, Department of Anthropology for a period of two years w.e.f. 01.04.2018 for availing fellowship offered by IAS, Shimla. However, she resumed her duty on 01.04.2019 (F/N) after availing Extra Ordinary Leave for only one year w.e.f. 01.04.2018 to 31.03.2019.

The Council noted availing of Extra Ordinary Leave of only one year by Dr. Charisma Karthak Lepcha.

EC 33.2.3: Cancellation of Study Leave of Dr. Nagendra Thakur, Assistant Professor, Department of Microbiology

The Council had granted leave for a period of one year to Dr. Nagendra Thakur, Assistant Professor, Department of Microbiology to pursue Post-Doctoral fellowship under Overseas Associateship of DBT for Scientist of North Eastern Region offered by Department of Biotechnology, Government of India w.e.f. 01.09.2018 to 31.08.2019. Dr. Nagendra Thakur has completed two of the three objectives of Research proposal. He was unable to complete third objective due to technical issues. Hence he discontinued Overseas Associateship. No objection for discontinuation of his Associateship was given by the University to the DBT. Dr. Nagendra Thakur, therefore, discontinued his study leave and has joined the University back on 6th June 2019.

SECTION-3
RATIFICATION MATTERS

EC 33.3.1: Nomination of experts to the Selection Committee for the post of Controller of Examinations

The Council noted that the post of Controller of Examinations was advertised by the University on 15th December 2018 and an interview of short-listed candidates was held on 7th June 2019. The Council also noted that the Selection Committee for the post of Controller of Examination was decided by the Executive Council in its 2nd meeting held on 28th March 2008 as under:

- | | | |
|--|---|-------------|
| a. Vice-Chancellor | - | Chairperson |
| b. One member of the Executive Council nominated by it | - | Member |
| c. Two persons not in the service of the University who have special knowledge of the subject or of administration, nominated by Executive Council | - | Member |

To expedite the process of filling up the post of Controller of Examinations, the following experts were nominated by the Vice-Chancellor for the Selection Committee:

1.	One Member of the Executive Council	Prof. Abhijit Dutta
2.	Two persons not in the service of the University who have special knowledge of the subject or of administration	1. Prof. Annapurna Nautiyal 2. Prof. S. A. Hashmi

The Council ratified action of the Vice-Chancellor in nominating members to the Selection Committee for selection for the post of Controller of Examinations.

EC 33.3.2: Resignation of Smt. Sabina Sharma from the post of Laboratory Attendant

The Executive Council in its 30th meeting held on 16th April 2018 granted lien to Smt. Sabina Sharma for a period of one year from 7.3.2018 to join as Graduate Teacher in HRDD, Govt. of Sikkim. On completion of the lien period Smt. Sabina Sharma asked for termination of lien and resignation from the post. Vice-Chancellor, therefore, accepted her resignation with effect from 6.3.2019 (A/N).

The Council ratified the action of the Vice-Chancellor in accepting resignation of Smt. Sabina Sharma w.e.f 6.3.2019 (A/N)

EC 33.3.3: Expiry of Lien of Shri Shailesh Shukla from the post of Hindi Officer

The Council noted that in its 29th meeting held on 1st December 2017 it approved the request of Shri Shailesh Shukla to be relieved on lien for a period of one year from 29th January 2018 to join as Junior Manager (Rajbhasa), NMCD Limited, Hyderabad. Shri Sailesh Shukla has requested for extension of

lien for one more year with effect from 29th January 2019. The Council noted that as per the new guidelines of lien approved by the Executive Council in its 32nd meeting held on 8th February 2019, Shri Sailesh Shukla is not entitled for extension of lien and hence his request for extension of lien was not considered. He was appraised about it and was asked to rejoin his duty within one month failing which it will be treated as having resigned. He neither responded to the letter nor rejoined his duty.

The Council after deliberation, decided to give him one more chance by sending a letter falling which he will be treated as having resigned and struck off the rolls of the University.

EC 33.3.4: Study Leave of Mrs. Sarbada Pradhan, Assistant Librarian

Mrs. Sarbada Pradhan, Assistant Librarian requested vide letter dated 31st January 2019 for grant of Study Leave of six months w.e.f 1st March 2019 to 27th August 2019 to work on her PhD for which she is registered in Jadavpur University. The Council further noted that Mrs. Sarbada Pradhan had joined the University on 7th December 2015 and has completed three years of continuous service on regular post. Leave Ordinance of the University provides for grant of Study Leave to entry-level appointees including Assistant Librarians after minimum of three years of continuous services. Request of Mrs. Sarbada Pradhan was accepted by the Vice-Chancellor and she was granted Study Leave w.e.f 1st March 2019 for a period of six months.

The Council ratified the action of the Vice-Chancellor in grant of Study Leave to Mrs. Sarbada Pradhan from 1st March 2019 to 27th August 2019 to work on her PhD.

EC 33.3.5: Report of Fee Structure Committee for admission session 2019-20

The Council noted that in its 32nd meeting held on 8th February 2019, it constituted a new committee under the Chairmanship of Prof Abhijit Dutta to look into the fee structure as provided in the University Ordinance OC-3 for streamlining fee structure of various programmes on offer in Sikkim University in terms of lab-based and non lab-based, Professional and Non-Professional courses. The Committee submitted its report. Since, admissions of various programmes for the current session started on 12th April 2019, the University implemented the recommendations of the Committee on fee structure and incorporated the fee structure in the Prospectus 2019-20.

The Council ratified the action of the Vice-Chancellor in accepting the recommendations of the Committee and implementing the revised fee structure.

SECTION-4
MATTER FOR CONSIDERATION AND APPROVAL

EC 33.4.1: Appointment of Controller of Examinations

The Executive Council approved the proceedings of the Selection Committee for the post of Controller of Examinations to give offer of appointment of Controller of Examination to Shri Pranab Kumar Sarkar. The Council further approved the waitlist for the post as under:

1. Shri Shrikar B.
2. Shri Sanjaya Kumar Das

EC 33.4.2: Extension of Lien

The Council noted that the under mentioned faculty members were granted lien for a period of one year on the date(s) mentioned in the list. The Council further noted that the University have received their requests for extension of lien for a further period of one year. It was also noted that Dr. Manish has submitted resignation from 31st October 2017 for which a separate agenda item has been placed in the meeting.

Sl. No.	Name	Department	Released on	To join
1.	Prof. Nutankumar S. Thingujam	Psychology	21.12.2017	Tripura University
2.	Dr. Manish	IR	31.10.2017	Central University of Gujarat
3.	Dr. Vimal Kishor	Education	31.01.2018	Central University of Jharkhand
4.	Shri Vijoy V.	Law	23.02.2018	Delhi University

The Council deliberated on the item in detail. The Council was of the opinion that the University at present is not having sufficient faculty members to allow lien for more than a year. It also noted that faculty strength in International Relations department has depleted considerably and there is no faculty member now eligible to guide PhD scholars.

The Council after deliberations decided to grant extension of lien for a period of six months only to the following faculty Members:

1. Prof. Nutankumar S. Thingujam
2. Dr. Vimal Kishor
3. Shri Vijoy V.

EC 33.4.3: Screening cum Evaluation Committee proceedings for promotion under CAS of Assistant Professor from Stage I to Stage II

The Council noted that Dr. Ram Bhawan Yadav, Assistant Professor, Deptt of English has fulfilled the criteria for placement in Stage II of Assistant Professor. He was accordingly called to present himself before the Screening cum Evaluation Committee on 23rd April 2019. The Council approved the proceedings of Screening cum Evaluation Committee for placement of Dr. Ram Bhawan Yadav, Assistant Professor, Deptt of English for promotion to Stage II w.e.f 20th April 2018.

EC 33.4.4: Study Leave of Shri Shankar Narayan Bagh, Assistant Professor

The Council noted that Shri Shankar Narayan Bagh, Assistant Professor in the Department of Sociology requested for grant of Study Leave for a period of three years from 8th July 2019 to 7th July 2022. He has completed three years of continuous service as on 7th December 2018 and is a registered scholar in JNU since 22.07.2013.

The Council approved the Study Leave of Shri Shankar Narayan Bagh for a period of three years from 8th July 2019 to 7th July 2022 as per the leave Ordinance.

EC 33.4.5: Relieving of Dr. Subash Mishra, Assistant Professor

The Council noted that in its 30th meeting held on 16th April 2018, request of Dr. Subash Mishra, Deptt of Education was accepted for relieving him on lien w.e.f 12.12.2017 to join as Assistant Profesor in Babasaheb Bimrao Ambedkar University, Lucknow. The University has received a letter from Registrar of Babasaheb Bimrao Ambedkar University, Lucknow stating that the services of Dr. Subash Mishra has been confirmed in their University.

In view of confirmation of Dr. Subash Mishra in Babasaheb Bimrao Ambedkar University, Lucknow, he stands permanently relieved on 12.12.2017 from Sikkim University and his post rendered vacant.

EC 33.4.6: Honorary Faculty/ Visiting Fellow - Regarding

The Council noted that a Committee on Honorary Faculty/ Visiting Fellow was constituted by the University under Prof Jyoti Prakash Tamang, which has recommended guidelines for deciding the criteria and procedure for inviting Honorary Faculty/ Visiting Fellow to the University.

The Council deliberated on the details in depth and were of the opinion that instead of giving Economy Class Air fare within India, that the Honorary faculty/ Visiting Fellow may be paid International travel from the place of his/ her work. Also for deciding for the honorarium, the Council was of the opinion that a Committee may be formed to look into the matter. Vice-Chancellor was authorized to constitute a Committee to look into the issue of Honorarium of the

Visiting Fellow under this scheme. Others details of the report were accepted by the Council.

EC 33.4.7: Addition to the Guidelines for grant of lien to the employees of Sikkim University

The Council noted that in its 32nd meeting held on 8th February 2019 it approved the guidelines of grant of lien to the employees of Sikkim University. Some members observed that there is no mention of Intergovernmental Organisation and International Institutions in the guidelines. Accordingly, a Committee was constituted under the Chairmanship of Prof Nawal Kishore Paswan with Prof Shanti S Sharma and Dr. Suresh K Gurung as members. The Committee has recommended that under Clause (i) (a) of the guidelines, following may be added

“This also included Institutions or organizations located in India jointly funded by Government of India and Governments of other countries”.

The Council after deliberation, approved inclusion of above sentence to allow lien. Institutions and Organizations located in India jointly funded by Government of India and Government of other countries under clause (i) (a) of the guidelines for grant of lien.

EC 33.4.8: Completion of probation period of teachers

The Council noted that the following teachers have completed probation on the date(s) shown against each:

Sl. No.	Name	Designation	Date of Joining	Date of completion of probation
1	Dr. Anil Kumar Mishra	Associate Professor	29.11.2017	28.11.2018
2	Dr. Anil Kumar Verma	Assistant Professor	23.01.2018	22.01.2019

The Council also noted that their performance has been reviewed by the concerned reviewing authority and in view of the satisfactory report, the Council decided to lift the probation of both these teachers and confirm them in the service of the University with effect from the date following the date of completion of probation.

EC 33.4.9: Resignation of Dr. Manish from the post of Associate Professor in the Department of International Relations

The Council noted that in its 29th meeting held on 1st December 2017 it approved relieving on lien of Dr. Manish, Associate Professor, Deptt of International Relations for a period of one-year w.e.f 31st October 2017 to join as Professor in Central University of Gujarat. After completion of one-year lien, Dr.

Manish had sought extension of lien for one more year. The Council has also noted that the Central University of Gujarat has confirmed Dr. Manish. And accordingly he has submitted his request for termination of his lien by submitting resignation from 31st October 2017.

The Council also noted that there are three research scholars working under him and the strength of faculty of the Deptt of International Relations has depleted considerably that there is no faculty available to act as supervisor for PhD Scholars.

The Council approved resignation of Dr. Manish w.e.f 31st October 2017 in Sikkim University on his confirmation in the Central University of Gujarat.

EC 33.4.10:Affiliation of Sikkim Government Colleges to Sikkim State University

The Council noted that as per the Section 6 of the Sikkim University Act, all Colleges in the State of Sikkim have to be affiliated to the Sikkim University. Further, Central Government by a notification may exempt any educational institution specified in the order from the provision of the Sub-Section.

The Council also noted that on the basis of request from HRDD, Govt. of Sikkim in June 2017, MHRD sought our comments regarding affiliation of Govt. Colleges to the proposed State University. The University has given 'No Objection' to the affiliation of the Govt. Colleges to the proposed Sikkim State University. MHRD was further informed that there are following Private Universities in Sikkim

1. Vinayaka Missions Sikkim University
2. ICFAI Sikkim University
3. EIILM Sikkim University
4. SRM University Sikkim
5. Sikkim Manipal University

The names of these Universities create a lot of confusion among the common people in Sikkim and outside. It was suggested to MHRD to change name of Sikkim University to 'Central University of Sikkim' or 'Sikkim Central University' so that names of other Universities in Sikkim do not get mixed up with Sikkim University.

The Council has further noted that MHRD vide letter dated 6th March 2019 has stated that comments sent by the University perhaps does not have the approval of the Executive Council and has referred the matter again to the University for comments. The matter was deliberated at length. The Council noted that Sikkim State University has come into existence and the Vice-Chancellor and a few staff members have been posted. However, it lacks infrastructure in so far as the faculty and the staff is concerned. The Council also noted that the State Government has issued instruction to the Government

Colleges to continue affiliation with Sikkim University for the Academic Session 2019-20.

The Council after deliberation, decided that the University may give 'NOC' to MHRD in principle for de-affiliation of Government Colleges from Sikkim University. However, the transfer may take place in a systematic manner so that the student admitted by the colleges under Sikkim University may continue remain with Sikkim University until they phase out and the colleges may start de-affiliation process gradually by taking admission of student under Sikkim State University from Academic Session 2020-21.

The Council also approved that in view of confusion in the name of Sikkim University with that of various Private Universities in the State, the name of Sikkim University may be changed to either 'Central University of Sikkim' or 'Sikkim Central University'. MHRD may take necessary action in this matter.

SECTION – 5 MINUTES OF AUTHORITIES/COMMITTEES

EC 33.5.1: Minutes of the 23rd meeting of the Finance Committee held on 24th May 2019

Noted

EC 33.5.2: Minutes of the 11th meeting of the Building Committee held on 4th February 2019

Noted

EC 33.5.3: Minutes of the 12th meeting of the Building Committee held on 20th May 2019

Noted

EC 33.5.4: Minutes of the 25th meeting of the Academic Council held on 25th June 2019

The Council noted the Minutes of 25th meeting of the Academic Council held on 25th June 2019. The Council has given specific approval to following items:

- i) Adoption of UGC Regulations on minimum standard and procedures for award of MPhil/PhD degrees 2016 and the amendments thereto.
- ii) Adoption of UGC Regulations on Promotion of Academic Integrity and Prevention of Plagiarism in Higher Educational Institutions, 2018 and also the report of the committee to consider other aspects while adoption of the Regulations.

- iii) Distribution of the overhead charges of the project fund as under:
 - a) 20% for PIs for catering to the unforeseen expenditure like repairs which are not catered in the Project Budget. This amount will not be paid in cash to PIs but may be spent as per the University procedures.
 - b) 20% for engaging contractual staff for administrative/ finance departments to look after the project related work. The contractual staff will not be kept exclusively at the disposal of the project but have to attend to other departmental/ administrative work.
 - c) 60% to be retained by the University for awarding Research projects and Publication award.
- iv) Recognition of National Academy of Agricultural Sciences (NAAS) rated journal for publication by UGC for Academic appraisal
- v) Proposal to rename the Department of Computer Applications to Department of Computer Science and Engineering
- vi) Renewal of extension of PG centres at erstwhile Sikkim Government College, Tadong (now Nar Bahadur Bhandari Degree College, Tadong).

SECTION 6 ITEMS FROM THE CHAIR

EC 33.6.1: Report of Internal Complaint Committee (ICC) on a complaint of sexual harassment

A complaint was received by the Presiding Officer of Internal Complaints Committee (ICC) from a girl student doing MA course in Department of Mass Communication on 12th May 2019 against Prof Silajit Guha, Head, Deptt of Mass Communication alleging misbehavior by touching her inappropriately without her consent on 5th May 2019 at a wedding reception at Hotel Terrace Hill. The Presiding Officer convened the meeting of the ICC on 13th May 2019 to consider the complaint where the committee was of the view that it was a sexual harassment case and the complaint was, therefore, admitted for a formal inquiry. On the recommendation of the ICC, Prof Silajit Guha, Head, Deptt of Mass Communication was divested from the headship vide Office Order 162/2019 dated: 13.05.2019. In his place Dr. Manoj Kumar Das, Assistant Professor was made In-charge of Mass Communication department. Prof Silajit Guha, Head, Deptt of Mass Communication was also divested of all the responsibility of supervision, evaluation, paper setting and other responsibilities as a member of the faculty till inquiry is completed by the ICC. He was also debarred from entering the Department of Mass Communication.

Internal Complaints Committee (ICC) has completed inquiry and submitted report on 10th June 2019. The report stated that the charge of sexual harassment against Prof Silajit Guha stand proved have and recommended for imposition of penalty of removal from service.

Based on the report of Internal Complaints Committee (ICC) and the recommendation of removal from service, Prof Silajit Guha was issued show cause notice on 10th June 2019 (received by the authorized representative of the Prof Silajit Guha on 11th June 2019) under clause 8 (6) of UGC (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations 2015 answerable within 10 days. Prof Silajit Guha submitted his reply to the show cause notice on 21st June 2019.

Report of Internal Complaints Committee and the response of Prof Silajit Guha to the show cause notice was placed on the table of the House for consideration.

Chairman invited the Presiding Officer of Internal Complaints Committee to present the report. After the case was presented by the Presiding Officer of ICC, some clarifications were sought by the members. Thereafter, she left the meeting venue.

In response to show cause notice, Prof Silajit had denied the allegations, questioned that the incident had not occurred within the vicinity of the “Work Place”, conflict of clause 8 of UGC Regulations with the provision of section 11 of the Act, infringement of his right to appeal against the finding of the ICC, legal opinion sought by ICC from Justice (Retd) A P Subba without any authority etc.

The matter came up for detailed deliberation. One of the members produced a copy of the e-mail dated 13th May 2019 from Miss Sonam Sultana Shah an MPhil research scholar to Dr. Manoj Kumar Das, In-charge, Department of Mass Communication stating that she had felt an indirect pressure by her supervisor Dr. Pooja Basnett in giving a testimony against Prof Silajit Guha in ICC. She has further stated that her phone calls have been recorded without her knowledge and indirectly tried to threaten by providing that recording to ICC as an evidence.

The matter was deliberated in depth considering various options and possibilities. After detailed discussion the Council unanimously decided to accept the recommendations of the Internal Complaints Committee and remove Prof Silajit Guha from service of the University by terminating him immediately.

The meeting ended with a vote of thanks to the chair.

Sd/-
(T.K.Kaul)
Registrar & Secretary
Executive Council

Sd/-
(Prof. Avinash Khare)
Vice-Chancellor & Chairman
Executive Council