

**Minutes of the 35th meeting of the Executive Council held on 11th Sept 2020
at 11:00 am in Conference Hall Barad Sadan, Academic Block**

Minutes of the 35th meeting of the Executive Council was held on 11th Sept 2020 at 11:00 am in Conference Hall Barad Sadan. Following were present:

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| 1. Prof. Avinash Khare
Vice-Chancellor | - | Chairperson |
| 2. Sh. G.P. Upadhyaya
Additional Chief Secretary, Education Department
Govt. of Sikkim | - | Member |
| 3. Shri Tashi Densapa
Director, Namgyal Institute of Tibetology, Gangtok | - | Member |
| 4. Prof. Mahendra Singh Seveda
Central Agricultural University, Ranipool, East Sikkim | - | Member |
| 5. Prof. Abhijit Dutta
Dean, School of Professional Studies | - | Member |
| 6. Prof. N. Sathyanarayana
Dean, School of Life Sciences | - | Member |
| 7. Dr. K.R. Rama Mohan,
Dean, School of Human Sciences | - | Member |
| 8. Dr. Kabita Lama
Dean, School of Languages & Literature | - | Member |
| 9. Dr. Laxuman Sharma
Dean Students' Welfare | - | Member |
| 10. Prof. S.S. Mahapatra
Professor, Department of Commerce | - | Member |
| 11. Dr. Sohel Firdos
Associate Professor, Department of Geography | - | Member |
| 12. Prof. Jyoti Prakash Tamang
Head, Microbiology Department | - | Special Invitee |
| 13. Shri Debasish Pal
Finance Officer | - | Special Invitee |
| 14. Shri T.K.Kaul
Registrar | - | Secretary |

Following members attended the meeting online through video conferencing:

1. Prof. Gurmeet Singh, Vice-Chancellor, Pondicherry University
2. Prof. Ganga Prasad Prasain, Vice-Chancellor, Tripura University

3. Prof. Inder Mohan Kapahy, Professor & Advisor, School of Basic & Applied Sciences, Maharaja Agrasen University, Solan, Himachal Pradesh
4. Prof. Krishna Kumar, Head, Department of Physics, IIT Kharagpur
5. Prof. Ramesh Kumar Yadava, Chairman, Haryana Kisan & Agricultural Costs and Prices Commission, Haryana

Prof. Bidyut Chakrabarty, Prof. Kailash Chandra Sharma, Prof. Adya Prasad Pandey could not attend the meeting due to their pre-occupation.

Mrs. Kalpana Rana, Section Officer (Estt.) and Shri Satyam Rana, Assistant were present to assist the Council. Shri Anil Khati, Senior Technical Assistant was present to provide technical support during the meeting.

At the outset Vice-Chancellor welcomed all members of the Council to its 35th meeting. He specially welcomed Prof. S.S. Mahapatra, Professor, Deptt. of Commerce and Dr. Sohel Firdos, Associate Professor, Deptt. of Geography who were attending meeting for the first time.

Thereafter, agenda items were taken up as under:

SECTION-1 CONFIRMATION OF THE MINUTES AND ACTION TAKEN REPORT

EC 35.1.1: *Confirmation of the minutes of the 34th meeting of the Executive Council held on 9th December 2019*

The minutes of the 34th meeting of the Executive Council held on 9th Dec. 2019 were circulated to all members on 31st Dec 2019. No comments have been received from any of the members of the Council.

The minutes of the 34th meeting of the Executive Council held on 9th Dec 2019 as circulated to all members on 31st Dec 2019 were confirmed.

EC 35.1.2: *Action taken report on the minutes of the 34th meeting of the Executive Council held on 9th December 2019*

The Secretary presented the action taken report on the minutes of the 34th meeting of the Council. The Council noted the action taken by the University.

SECTION - 2 REPORTING ITEMS

EC 32.2.1: *Superannuation of Prof. Jeta Sankrityayana, Professor, Department of Economics*

The Council noted the retirement of Prof. Jeta Sankrityayana, Department of Economics on 31st Jan 2020 (A/N) on attaining the age of superannuation.

SECTION-3
RATIFICATION MATTERS

EC 35.3.1: Extension of Contract of Teaching Staff

The Council noted that the contract of the following faculty members expired on the dates shown against each.

Sl. No.	Name	Designation	Department	Contract upto
1.	Prof. Imtiaz Gulam Ahmed	Professor	Law	31.08.2020
2.	Prof. Sanjoy Bandopadhyay	Professor	Music	13.04.2020
3.	Prof. Vinod Chandra Tewari	Professor	Geology	31.07.2020
4.	Shri Bhaichung Tsh. Bhutia	Associate Professor	Bhutia	31.07.2020
5.	Dr. Hissay Wangchuk Bhutia	Assistant Professor		31.07.2020
6.	Shri Bal Bahadur Subba	Associate Professor	Limbu	31.07.2020
7.	Shri Norbu Tshering Lepcha	Associate Professor	Lepcha	31.07.2020
8.	Ms. Dukmit Lepcha	Assistant Professor		31.07.2020
9.	Dr. R.S.S. Nehru	Assistant Professor	Education	30.06.2020

Due to country wide lockdown on account of COVID-19 pandemic, their cases could not be processed for approval by the Executive Council for extension. Vice-Chancellor extended their contractual appointment for a further period up to 31st Dec 2020 in all above cases.

The Executive Council ratified the action of the Vice-Chancellor in extending the contractual appointment of above mentioned faculty members up to 31st Dec 2020.

EC 35.3.2: Relieving of Dr. S. Manivannan, Associate Professor

The Council noted that Dr. S. Manivannan, Associate Professor, Department of Horticulture was granted lien for a period of 3 months from 27.12.2019 (A/N) to join as Professor in Central University of Tamil Nadu. After expiry of Lien Dr. S. Manivannan was permanently relieved from Sikkim University with effect from 26.03.2020 (A/N) and his post is marked vacant.

The Executive Council ratified the action of the Vice-Chancellor in grant of Lien for a period of 3 months from 27.12.2019(A/N) and permanently relieving after expiry of Lien from 26.03.2020 (A/N).

EC 35.3.3: Resignation of Mrs. Tenzing Chuni Bhutia

The Executive Council ratified the action of the Vice-Chancellor in accepting resignation and releasing Mrs. Tenzing Chuni Bhutia, UDC with effect from 14.01.2020 (A/N).

EC 35.3.4: Promotion of Non-Teaching Staff

The Council noted that after fulfilling the prescribed eligibility criteria for promotion as per Recruitment and Promotion Rules (Non-Teaching) 2019 and on the recommendations of the Departmental Promotion Committee promoted the following non-teaching staff:

Sl. No.	Name	Promotion		Date of Promotion
		From	To	
1	Smt. Christina Rai	UDC	to Assistant	14.01.2020(F/N)
2	Smt. Dakshata Lawer	UDC	to Assistant	02.03.2020 (F/N)
3	Shri Basant Baraily	LDC	to UDC	26.02.2020 (F/N)
4	Shri Sudeep Gurung	LDC	to UDC	06.03.2020 (F/N)
5	Smt. Doma Tamang	LDC	to UDC	26.06. 2020 (F/N)
6	Shri Bikram Thapa	Laboratory Attendant	to Laboratory Assistant	13.01.2020 (F/N)
7	Shri Keshav Kumar Bisnukey Sarki	Laboratory Attendant	to Laboratory Assistant	23.01.2020 (F/N)

The Council further noted that the following non-teaching staff were promoted through Limited Departmental Promotion Examination after fulfilling prescribed eligibility criteria and qualifying promotion test and on the recommendation of the Departmental Promotional Committee.

Sl. No.	Name	Promotion		Date of Joining
		From	To	
1	Smt. Reshu Pradhan	UDC	to Assistant	24.06.2020 (A/N)
2	Smt. Ragina Rai	Laboratory Attendant	to LDC	26.06.2020 (F/N)

The Council ratified the action of the Vice-Chancellor in promoting the above mentioned non-teaching staff from the date(s) shown against each.

EC 35.3.5: Superannuation of Prof. Imtiaz Gulam Ahmed and engagement on Contract as Professor in the department of Law

The Council noted that Prof. Imtiaz Gulam Ahmed, Deptt. of Law superannuated on 29th Feb 2020. The Council further noted that Prof. Imtiaz Gulam Ahmed was offered the contractual appointment as Professor in Deptt. of Law on a monthly consolidated salary of Rs. 1,25,000 (Rupees One Lakh Twenty-Five Thousand) which he accepted and was accordingly appointed as Professor on contract with effect from 1st March 2020 (F/N).

The Executive Council ratified the action of the Vice-Chancellor in appointing Prof. Imtiaz Gulam Ahmed as Professor on contract in the Deptt. of Law for a period of 6 months 01.03.2020 on consolidated salary of Rs. 1,25,000.

EC 35.3.6: Relieving of faculty members on Lien

The Executive Council noted that the Vice-Chancellor granted Lien for a period of three (3) months to the following faculty members:

- A. Dr. Kshetrimayum Birla Singh, Deptt. of Zoology to join as Associate Professor in Manipur University with effect from 06.03.2020.
- B. Dr. Thoudam Roshan Singh, Assistant Professor, Deptt. of Mathematics to join as Assistant Professor in Manipur University with effect from 06.03.2020.
- C. Dr. Namrata, Assistant Professor, Deptt. of Psychology to join as Assistant Professor in Maulana Azad National Institute of Technology, Bhopal with effect from 06.03.2020.

The Executive Council ratified the action of the Vice-Chancellor in grant of Lien for a period of 3 months to the above mentioned faculty members from 06.03.2020 to join Institution mentioned against each.

EC 35.3.7: Relieving of Shri Vijoy V., Assistant Professor

The Council noted that Shri Vijoy V, Assistant Professor, Deptt. of Law was relieved on Lien for a period of one (1) year with effect from 23.02.2018 with the approval of the Executive Council in its 30th meeting held on 16.04.2018 to join as Assistant Professor in Faculty of Law, Delhi University. Lien of Shri Vijoy V was further extended for a period of 6 months upto to 23.08.2019 with the approval of the Executive Council in its meeting held on 28.06.2019. On expiry of his Lien Shri Vijoy V was permanently relieved from Sikkim University with effect from 23.08.2019 (A/N) and his post marked as vacant.

The Council ratified the action of the Vice-Chancellor in permanently relieving Shri Vijoy V from Sikkim University on expiry of his Lien with effect from 23.08.2019 (A/N).

EC 35.3.8: Extension of Study Leave of Mrs. Saswati Saha

The Council noted that in its 29th meeting held on 01.12.2017 Mrs. Saswati Saha was granted Study Leave for two years from 01.02.2018 to 31.01.2020. Mrs. Saswati Saha submitted an application requesting for extension of Study Leave for a period of five months from 01.02.2020 to 30.06.2020 which was extended by the Vice-Chancellor. She again submitted an application requesting for extension up to 03.09.2020 stating that due to lockdown across the country, the pre-submission seminar and submission of thesis could not be completed. Her request was accepted by the Vice-Chancellor and she was granted extension of Study Leave upto 03.09.2020.

The Executive Council ratified the action of the Vice-Chancellor in grant of extension in study leave to Mrs. Saswati Saha from 01.02.2020 to 03.09.2020.

EC 35.3.9: Nomination of a member of Executive Council to the Finance Committee

The Council noted that Statute 17(1) (iv) of the University provides that three members are to be nominated to the Finance Committee by the Executive Council, of which atleast one shall be member of the Executive Council. The Council also noted that Prof. Nawal Kishor Paswan was nominated to the Finance Committee as member of the Executive Council. Prof. Paswan completed the membership of the Executive Council on 22.02.2020 and therefore, ceased to be the member of the Finance Committee. Meeting of the Finance Committee was scheduled to be held on 08.09.2020. Vice-Chancellor, therefore, nominated Prof. S.S. Mahapatra, a member of the Executive Council to the Finance Committee in place of Prof. Nawal Kishor Paswan.

The Council ratified the action of the Vice-Chancellor in nominating Prof. S.S. Mahapatra, a member of the Executive Council to the Finance Committee under Statute 17(1)(iv).

EC 35.3.10: Report of the Fee Structure Committee for admission session 2019-20

The Council noted that under the Chairmanship of Prof. Abhijit Dutta a committee was constituted in its 32nd meeting held on 9th Feb 2019 to look into the fee structure as provided in the University Ordinance OC-3 and streamlining fee structure of various programmes on offer in terms of Lab-based and non-Lab-based, Professional and Non-Professional courses. Since the admission of various programmes started on 12th April 2019, the University implemented the recommendations of the committee and incorporated the proposed fee structure in the Prospectus 2019-20. However, SUSA represented citing heavy increase of fee in some courses and requested the University to review the new fee structure. The Vice-Chancellor thereafter constituted a committee under the Chairmanship of Prof. Jyoti Prakash Tamang to look into the matter as a whole for rationalizing increase of fee over a period of a few years after consulting all stakeholders.

The Committee of Prof. Tamang observed that the departments falling under the category of Professional courses are the most affected departments due to the fee hike. It was observed that the courses have been categorized as Professional courses and some of those departments were again categorized as Lab-based which resulted their fee to further increase. The Committee observed that it would not be appropriate to further categorize Professional courses as Lab-based courses for increase in the fee. Based on this principle, the committee recommended the revision of fee for the PG courses offered by such departments as Computer Applications, Education (M.Ed), Horticulture, Law, Management and Tourism are given below:

Sl. No.	Fee Head	Existing fee	Proposed fee
1	Admission	1120	560
2	Marksheet	224	224
3	Certificate	336	336
4	Examination	2240	1120
5	Library	560	560
6	Medical Ins	336	336
7	Students' Council	224	224
8	ID Card	112	112
9	Alumni	100	100
10	Tuition Fee per sem	8960	6720
	Total Fees	14436	10516

The Vice-Chancellor approved the recommendations of the committee of Prof. Tamang for PG Courses offered by the above stated departments and was implemented from even semester 2020. Excess of fee charged during odd semester July-December 2019 was refunded.

The Executive Council ratified the action of the Vice-Chancellor in rationalising fee structure of PG courses of above mentioned departments.

EC 35.3.11: Tri-partite MoU among Ministry of Human Resource Development (MHRD), University Grants Commission (UGC) and Sikkim University for the Financial Year 2020-21

In terms of GFR 229 (xi) Sikkim University entered into the MoU with the UGC and MHRD for release of funds for the financial year 2020-21. Performance evaluation against MoU parameters shall be carried out every six months. The Performance evaluation carried out shall be sent to the UGC.

The Council ratified the action of the Vice-Chancellor in signing of tri-partite MoU among the MHRD, the UGC and the University for the year 2020-21.

EC 35.3.12: Governing Bodies of four Private Colleges affiliated to Sikkim University

Statute 31 (1) (i) of the University provided that every institute admitted to the privileges of the University is required to have a regularly constituted Governing Body consisting of not more than 15 members approved by the Executive Council which may include two teachers of the University to be nominated by the Executive Council and three representatives of the teaching staff of whom the

Principal of the college or Institution shall be one. The Council was informed that there are four private colleges affiliated to the University and all the four colleges have got Governing Body in place which was presented to the Council.

The Executive Council noted the information and approved the Governing Bodies of Private Colleges for a period of three years.

EC 35.3.13: Exemption of Hostel Seat Rent for Even Semester 2020 (January to June 2020)

The Council was informed that Sikkim University Students' Association (SUSA) requested for exemption of Hostel Seat Rent for the students inmates for both Even and Odd Semester 2020. Request was made only for some students who stayed back at hostels during COVID-19 pandemic and subsequent lockdown. The Vice-Chancellor in consideration of the request as a onetime measure exempted Hostel Seat Rent for UG & PG students for even semester 2020 (January to June 2020). Decision for odd semester 2020 was deferred.

The Executive Council ratified by the action of the Vice-Chancellor in exempting Hostel Seat Rent for UG & PG students for even semester 2020 (January to June 2020).

EC 35.3.14: Charges framed against Shri Sunil Kumar Prasad, Laboratory Attendant, Department of Chemistry

The Council was informed that Shri Sunil Kumar Prasad, Laboratory Attendant, Department of Chemistry after completion of his probation period in the University have not been doing his job assigned to him in the department. He was assigned the job of getting regularly refilling of Liquid Nitrogen in NMR machine and also helping instructor during practical classes. He did not perform his duty and he missed refilling deadlines, posing the NMR machine for possible permanent damage. He was advised to improve his performance. Even after suggestions, reprimands and warnings his performance did not improve. He was issued memorandum on 2nd Aug 2019. The explanation given by him was not satisfactory and he did not show any improvement in his work. He was placed under suspension on 4th March 2020 with his headquarters at Gangtok. During his suspension he left the headquarters without seeking permission to Ben Thalabari Ravangla, South Sikkim.

Shri Sunil Kumar Prasad was issued chargesheet under Rule 14 of CCS (CCA) 1965, as adopted by the University for its employees vide memorandum dated 28th April 2020.

The Council was also informed that the suspension of Shri Sunil Kumar Prasad was reviewed by a Review Committee which in its meeting held on 19th May 2020 recommended the suspension to continue and subsistence allowance to be reduced by 25%. The Council was also informed that Shri Sunil Kumar Prasad submitted his written statement of defence to the chargesheet denying the charges. Inquiry was ordered to inquire into the charges.

The Council ratified the action of the Vice-Chancellor in issue of chargesheet to Shri Sunil Kumar Prasad, Laboratory Attendant.

EC 35.3.15: Resignation of Shri Chandan Talukdar

Shri Chandan Talukdar was holding lien to the post of Joint Registrar for joining as Deputy Treasurer in Gauhati University. With the submission of resignation and its acceptance by the Vice-Chancellor, Shri Chandan Talukdar was relieved from the services of the University with effect from 7th Jan 2020 (A/N).

The Council ratified the action of the Vice-Chancellor in accepting resignation of Shri Chandan Talukdar, Joint Registrar and relieving him from the service of the University with effect from 7th Jan 2020 (A/N).

SECTION – 4
MATTER FOR CONSIDERATION AND APPROVAL

EC 35.4.1: Selection Committee/Screening cum Evaluation Committee proceedings for placement in next stage under CAS

The Council approved the recommendations of Screening-cum-Evaluation Committees in placement of Assistant Professors from Stage-I to Stage-II under CAS from the date(s) shown against each:

Sl. No.	Name	Department	Date of Placement in Stage - II
1.	Dr. Sudarsan Tamang	Chemistry	20.09.2018
2.	Dr. S. Jeevanandan	History	30.11.2019
3.	Dr. Nidhi Saxena	Law	28.01.2017
4.	Dr. N. Bijayalaxmi Devi	Botany	28.01.2019
5.	Dr. Arun Chettri	Botany	23.04.2018
6.	Dr. Sudeep Ghatani	Zoology	26.11.2019

Meeting of Screening-cum-Evaluation Committee in respect of Dr. Biswajit Gopal Roy was held on 6th March 2020 where Dr. Biswajit Gopal Roy verbally submitted to the committee about his post doctoral experience to be counted and a benefit of a year to be extended to him while counting the date of eligibility for his promotion under CAS from Assistant Professor (Academic Level 10) to Assistant Professor (Academic Level 11). The Committee discussed the matter and decided to keep this matter in abeyance under the submission made by him till all relevant documentary evidence is verified.

EC 35.4.2: Appointment of Teaching Positions

The Council noted that the University had advertised 72 no. of teaching positions on 2nd July 2019. Against the advertisement applications were received and shortlisted. Interviews were held from the month of February, 2020 onwards.

Interviews for all the departments could not be completed due to outbreak of Novel Coronavirus (COVID-19) pandemic. For the remaining departments the interview will be held after normalization of the situation.

The Council approved the Selection Committee recommendations in respect of the selection in the Departments as given for the posts shown against each:

Sl. No.	Department	Position	Name
1	Anthropology	Associate Professor	Nitish Mondal <i>Selected</i>
2	Bhutia	Assistant Professor	Yeshey Namgyal Bhutia <i>Selected</i> Neydup Bhutia <i>Waitlist 1</i> Kunzang Namgyal <i>Waitlist 2</i>
3	Chemistry	Professor	Sanjay Dahal <i>Selected</i>
		Associate Professor (UR)	On hold due to Court Order
		Associate Professor (SC)	None found suitable
4	Geography	Associate Professor	None found suitable
		Assistant Professor	Rajesh Kumar <i>Selected</i> Selim Jahangir <i>Waitlist 1</i> Ankita Medhi <i>Waitlist 2</i>
5	International Relations	Associate Professor	Candidate did not present himself
		Assistant Prof.	Divya Rani <i>Selected</i> Ningthoujam Koiremba Singh <i>Waitlist 1</i> Binay Prasad <i>Waitlist 2</i>
6	Lepcha	Assistant Professor	Mingma Ongdup Lepcha <i>Selected</i> Rinchen Ongmoo Lepcha <i>Selected</i> Dikit Lhamu Lepcha <i>Waitlist 1</i> Nimkit Lepcha <i>Waitlist 2</i>
7	Limbu	Assistant Professor	Ash Bahadur Subba <i>Selected</i> Bhim Bahadur Limboo <i>Waitlist 1</i> Birkha Man Subba Limboo <i>Waitlist 2</i>
8	Mathematics	Associate Professor (UR)	Amit Chakraborty <i>Selected</i> Pradip Kumar Parida <i>Waitlist 1</i>
		Associate Professor (SC)	Kunwer Singh Mathur <i>Selected</i>

9	Psychology	Assistant Professor	Sumnima Rai Kushal Rai Sunaina K	<i>Selected</i> <i>Waitlist 1</i> <i>Waitlist 2</i>
10	Zoology	Professor	None found suitable	
		Associate Professor	Bhoj Kumar Acharya Namrata Thapa Tamang Arundhati Bag	<i>Selected</i> <i>Waitlist 1</i> <i>Waitlist 2</i>

EC 35.4.3: Appointment of Librarian

The Council noted that the University had given advertisement for the post of Librarian on 15th Dec 2018. Against advertisement 18 applications were received out of which 13 candidates were shortlisted. Three (3) candidates attended the interview on 11th Feb 2020.

The Council noted that the Selection Committee found none of the candidates suitable for the post of Librarian. The Council advised the University to re-advertise the post of Librarian.

EC 35.4.4: Appointment of Deputy Librarian

The Council noted that the University had given advertisement for the post of Deputy Librarian on 15th Dec 2018. Against advertisement 8 applications were received and shortlisted. Two (2) candidates attended the interview on 10th Feb 2020.

The Council noted that the Selection Committee found none of the candidates suitable for the post of Deputy Librarian. The Council advised the University to re-advertise the post of Deputy Librarian.

EC 35.4.5: Extension of contractual period of Librarian

The Council was informed that in its 27th meeting held on 9th June 2017 contractual appointment of Prof. A.S. Chandel as Librarian was extended till such time new incumbent joins. In the recent recruitment none of the candidates was found suitable for the post of Librarian.

The Executive Council approved extension of the contractual appointment of Prof. A.S. Chandel for a period of six months on existing terms.

EC 35.4.6: Proposed delegation of powers as Appointing Authority, Disciplinary Authority (Minor and Major Penalty) and Appellate Authority

The Council was informed that at present Appointing Authority and Disciplinary Authority for all employees in Sikkim University from MTS to the Professor level is the Executive Council. Accordingly, all matters like appointment, probation lifting, confirmation and disciplinary cases for all employees come to the Executive Council. With increase in activities of the University over the last 12 years, it has become necessary to delegate powers for appointment, disciplinary cases and also to create Appellate Authorities.

The Council was also informed that over the years, the methods and procedure for appointment and the process for disciplinary cases have been prescribed through UGC guidelines for appointment of teachers, Statutory Officers; Recruitment and Promotion Rules in respect of non-teaching staff and adoption of CCS (Conduct) Rules 1964, CCS (CCA) 1965 Rules etc.

The Council after deliberations approved the authorities for Appointments, Disciplinary Action and Appeals for the University employees (Teaching & Non-Teaching) as given under:

Sl. No.	Classification of Posts	Appointing Authority	Disciplinary Authority		Appellate Authority
			Minor Penalty	Major Penalty	
1.	Group – C (Non-Teaching)	Registrar	Registrar	Registrar	Vice-Chancellor
2.	Group – B (Non-Teaching)	Vice-Chancellor	Registrar	Vice-Chancellor	Minor penalty: Vice-Chancellor Major penalty: Executive Council
3.	Group – A (Non-Teaching)	Executive Council	Executive Council	Executive Council	Executive Council on recommendations of Committee of Appeals
4.	Group – A (Teaching)	Executive Council	Executive Council	Executive Council	Executive Council on recommendations of Committee of Appeals

Classification of posts:

1. Group – C (Non-Teaching): From Pay Level 1 to 5
2. Group – B (Non-Teaching): From Pay Level 6 to 9
3. Group – A (Non-Teaching): From Pay Level 10 and above
4. Group – A (Teaching): From Academic Pay Level 10 and above

Committee of Appeals:

- The Executive Council may appoint a Committee of Appeals to which all appeals against the orders of the Executive Council as Disciplinary Authority lie for recommendation.
- The Committee of appeals will consist of three members other than the members of the Executive Council and should have expertise in handling such cases of misconduct.

- The Vice-Chancellor may constitute the Committee of Appeals on behalf of the Executive Council for expeditious disposal of appeals, to be ratified by the Executive Council.
- Recommendations of the Committee of Appeal to be placed before the Executive Council in its ensuing meeting for final decision on appeal.
- No appeal preferred under the above mentioned delegation of powers shall be entertained if it is not preferred within a period of 45 days from the date of issue of orders of the penalty.

EC 35.4.7: Consideration of the case of Dr. V. Krishna Ananth, Associate Professor under CAS from stage IV to stage V

The Council was informed that based on the order of the High Court, Selection Committee was constituted to consider the case of Dr. V. Krishna Ananth from stage IV to stage V under CAS. The Executive Council had confirmed through circulation on 18.02.2020 that the recommendations of the Selection Committee for promotion under CAS from Associate Professor to Professor i.e. stage IV to stage V in his case to remain in sealed cover till completion of disciplinary proceedings against him. The Council had also recommended that the sealed cover be opened only after Dr. V. Krishna Ananth is exonerated of all the charges in the disciplinary proceedings. The decision of the Executive Council was reported to the Hon'ble High Court of Sikkim on 27.02.2020 with reference to Writ Appeal No.02. of 2018 (Writ Appeal against the judgment and order dated 06.03.2018 passed by the single judge) in W.P (c) No. 47 of 2017 filed by Dr. V. Krishna Ananth against Sikkim University. Judgment of Hon'ble High Court has been received and is stated as under:

“ At the relevant time, there was no disciplinary proceeding pending against the writ petitioner and therefore, we are of the opinion that it is not a case where result should be kept in sealed cover.

In view of the above discussions, we find no merit in the appeal and accordingly, the same is dismissed.”

In mean while we have also sought Legal advice of Senior Advocate Mr. Karma Thinley Namgyal and the gist of the advice is as under:

“(i) As of today, the petitioner’s result of the petitioner can’t be kept in sealed cover and the University is to take action in terms of the direction contained in the single judge judgment dated 06.03.2018. In case the petitioner is successful, same does not absolve him for facing disciplinary proceeding. If the charges are proved once the enquiry ends then it is for the Executive Council to decide what penalty to impose upon him according to the Rules.

(ii) Filing a Special Leave Petition before the Apex Court.”

While considering the judgment of the Hon'ble High Court and legal opinion of Senior Advocate, the Council decided to open the sealed envelope containing the recommendations of the Selection Committee for CAS Promotion from stage IV to stage V in respect of Dr. V. Krishna Ananth.

The Executive Council, without prejudice, approved the recommendations of the Selection Committee recommending promotion of Dr. V. Krishna Ananth, Department of History from stage IV to stage V (Professor) with effect from 1.07.2016.

EC 35.4.8: Advisory Committee of Government Colleges and University nominee to it

Section 31 (1) (i) refers to the Advisory Committee for the colleges maintained by the Government and admitted to the privileges of the university with not more than 15 members approved by the Executive Council which include two members of the University to be nominated by the Executive Council and three teachers including the Principal of the colleges or Institution.

The Council noted that the first Advisory Committee was constituted in 2016 for period of 3 years. New Advisory Committees for each college maintained by the Government have been proposed and also two members from the University have also been proposed separately.

The Council approved the members of the Advisory Committee and also nominees of the University for each of these colleges maintained by the Government.

EC 35.4.9: Annual Report 2019-20

The Council was informed that Annual Report 2019-20 has been prepared for which an Editorial Committee under the Chairmanship of Prof. Jyoti Prakash Tamang was constituted. Draft Annual Report 2019-20 highlighting the overall achievements of the University and its various academic departments during the year under report has been prepared and was presented to the Council by the Chairman of the Editorial Committee.

The Council approved the draft Annual Report 2019-20 of the University.

EC 35.4.10: Grant of Lien to the employees of Sikkim University

The Council was informed that in its 32nd meeting held on 8th Feb 2019, guidelines for grant of lien to the employees of Sikkim University were approved and there after notified. However, it has been observed that quite a number of faculty members got selected in other Universities and sought lien to the permanent position in Sikkim University. The Council was informed that during the period of Lien the post cannot be filled up on regular basis. The vacancy created by the employees proceeding on lien thus remain unfilled for a long time. In some departments like International Relations the number of faculty got depleted to such a level that it became quite unmanageable to run the department. Also in department like Zoology, a senior faculty member at the level

of Associate Professor desired to seek lien on his selection in other University leaving the department being now run by a junior faculty member as In-charge.

The Council was further informed that at present there are 229 positions of faculty sanctioned, out of which about 150 are in position to run 32 academic departments. Similarly, in Non-teaching staff, sanctioned strength is about 134 which is less than the UGC norms of having 1:1.1 as ratio for teaching and non-teaching.

The Council after detailed discussion decided to keep the operation of guidelines for grant of lien as approved by the Council in its 32nd meeting held on 6th March 2019 and notified by the University on 6th March 2019 on hold for time being and review the situation after 1 year. Till that time University may provide Lien for a period of three months only.

TABLE ITEM

EC 35.4.11: Disciplinary Action against Shri Pranab Kumar Sarkar, Controller of Examinations (under suspension)

The Council noted that Shri Pranab Kumar Sarkar was appointed as Controller of Examinations on the recommendations of the Selection Committee and with the approval of the Executive Council. He joined Sikkim University 20th Aug 2019. The Council also noted that subsequently University found that Shri Pranab Kumar Sarkar had submitted fake 'No Objection Certificate' from Bhattadeva University at the time of interview for the post of Controller of Examinations on 5th June 2019 and also fake relieving order from Bhattadeva University at the time of his joining Sikkim University. The Council also noted that Shri Pranab Kumar Sarkar had furnished wrong information in his application form as well as in the Attestation Form that he had worked in National Law University and Judicial Academy (NLUJA) Assam as Deputy Registrar from 29th June 2016 to 19th Dec 2018 ie. the date of submission of online application, whereas he was released from NLUJA, Assam on 13th Sept 2019. He also furnished false information regarding his appointment in Nagaland University as Deputy Registrar from 9th March 2019 to 3rd Dec 2012 and had given 'Children Education' as the reason for leaving service in Nagaland University, whereas he was terminated in Nagaland University w.e.f. 21st Aug 2012.

The Council also noted that Shri Pranab Kumar Sarkar while working as Deputy Registrar in National Law University and Judicial Academy (NLUJA) Assam had a sexual harassment case pending against him in that University and it was reported by NLUJA that he had forged signatures of senior officers of the University and the University seal in order to fabricate fake 'No Objection Certificate' and 'Vigilance Certificate' in his favour for submission to Allahabad University, NID and NIT, Arunachal Pradesh for which NLUJA has filed three FIRs against him at North Guwahati Police Station.

The Council also noted that the Vice-Chancellor sought explanation from Shri Pranab Kumar Sarkar vide memorandum dated 23rd June 2020 about his furnishing fake documents and false information. Shri Sarkar instead of

furnishing explanation submitted resignation letter dated 23rd June 2020 which was delivered in Vice-Chancellor's office on 24th June 2020 intimating due to severe health related issues he is tendering resignation and leaving for his home town Guwahati on 24th June 2020 at 5:00 am. Resignation submitted by him was not accepted and this was communicated to him on his home address of Guwahati and also by e-mail on coe@cus.ac.in; p.ksarkar@rediffmail.com. Shri Sarkar was placed under suspension vide Office Order dated 26th June 2020 under Rule 10 of CCS (CCA) Rules, as adopted by the University for its employees.

The Council also noted that the University filed FIR against Shri Pranab Kumar Sarkar on 9th July 2020 for registration case under relevant sections of IPC. A chargesheet under Rule 14 of CCS (CCA) Rules 1965, as adopted by the University for its employees was also issued against him on 29th July 2020 for the following charges.

- i) for furnishing false information in the application form and submitted fake and fabricated 'No Objection Certificate' of Bhattadeva University at the time of interview and also submitted fake relieving order and salary certificate from Bhattadeva University at the time of joining Sikkim University;
- ii) for furnishing wrong and incomplete information in the Attestation Form submitted to the University after joining on 20th Aug 2019;
- iii) for having left the duty station without permission on submission of resignation letter (which was not accepted) and without handing over the charge of the office;

The Council noted that Shri Pranab Kumar Sarkar did not furnish any response to the chargesheet within the stipulated time. He was again given chance to submit written statement of defence to the charges vide memorandum dated 10th Aug 2020 which also stated that in case he does not submit his defence to the charges it will be presumed that he has accepted the charges and the Disciplinary Authority will then be free to proceed against him.

The Executive Council after detailed deliberations concluded that it would be harmful to retain Shri Pranab Kumar Sarkar in the University and also in any other organization. It, therefore, decided to impose the penalty of dismissal from service of Sikkim University with immediate effect with disqualification for future employment under the Government (State or Central) including autonomous/statutory bodies of the Government.

SECTION -5
MINUTES OF AUTHORITIES/COMMITTEES

EC 35.5.1: Minutes of the 25th meeting of the Finance Committee held on 28th Feb 2020

The Council approved the Minutes of the 25th meeting of the Finance Committee held on 28th Feb 2020. It also ratified the action of the Vice-Chancellor in approving the following which had recommendations of the Finance Committee.

- i) Annual Accounts and Separate Audit Report (SAR) for the year 2018-19 which has been submitted to MHRD on 28.02.2020.
- ii) Detailed budget of the University for financial year 2020-21.
- iii) Revised EFC/PIB memo of ₹986.47 crores against earlier approved amount of ₹978.63 crores.
- iv) DPR for funds under EWS scheme to the tune of ₹21.70 crores submitted to MHRD for construction of two hostels (One Girls and One Boys) at Yangang under EWS Scheme.

EC 35.5.2: Minutes of the 27th meeting of the Academic Council held on 28th Aug 2020

The Council gave the approval of the following items:

- i) Revised Regulations for conduct of M.Phil. and Ph.D. programme
- ii) Guidelines for conduct of Ph.D. programme in the Departments of Bhutia, Lepcha and Limbu
- iii) Proforma – XII for inspection of Permanently Affiliated Colleges/subject/course
- iv) Renewal of temporary affiliation of four colleges, viz, 1) Namgyal Institute of Tibetology, Gangtok, 2) Damber Singh College, Tadong, 3) Sikkim Govt. College, Burtuk and 4) Sikkim Govt. College of Nursing, Sochakgang for the academic session 2020-21, subject to compliance of the observations of the Inspection Team(s)

EC 35.5.3: Minutes of the 26th meeting of the Finance Committee held on 8th Sept 2020

The Council approved the minutes of the 26th meeting of the Finance Committee held on 8th Sept 2020 and also approved the Annual Accounts 2019-20 as recommended by the Finance Committee.

SECTION – 6
ITEM FORM THE CHAIR

Nil

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

(T.K.Kaul)
Registrar & Secretary
Executive Council

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

