

Minutes of the 39th meeting of the Executive Council held on 23rd December 2021 at 11 AM in Conference Hall Barad Sadan, Academic Block

39th meeting of the Executive Council was held on 23rd December 2021 at 11 AM in Conference Hall, Barad Sadan. Following were present:

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| 1. Prof. Avinash Khare
Vice-Chancellor | - | Chairperson |
| 2. Prof. Manesh Choubey
Dean, School of Social Sciences | - | Member |
| 3. Prof. Sanjay Dahal
Dean, School of Physical Sciences | - | Member |
| 4. Prof. S.S. Mahapatra
Dean, School of Professional Studies | - | Member |
| 5. Prof. Laxuman Sharma
Dean Students' Welfare | - | Member |
| 6. Shri K.V.S. Kameswara Rao
Registrar | - | Secretary |

Following members attended the meeting online through video conferencing:

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| 7. Prof. Gurmeet Singh
Vice-Chancellor
Pondicherry University | - | Member |
| 8. Prof. Bidyut Chakrabarty
Vice-Chancellor
Visva-Bharati | - | Member |
| 9. Prof. Ramesh Kumar Yadava
Vice-Chancellor
Baba Mastnath University | - | Member |
| 10. Shri G.P. Upadhyaya
Additional Chief Secretary
Education Department
Government of Sikkim | - | Member |
| 11. Prof. H.C.S. Rathore
Former Vice-Chancellor
Central University of South Bihar | - | Member |
| 12. Prof. Krishna Kumar
Head, Department of Physics
IIT Kharagpur | - | Member |
| 13. Prof. Mahendra Singh Seveda
Professor & Head
Department of Renewable Energy Engineering
Central Agricultural University, Ranipool | - | Member |

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| 14. Prof. N. Sathyanarayana
Dean, School of Life Sciences | - | Member |
| 15. Prof. S.S. Sharma
Senior Professor, Department of Botany | - | Member |
| 16. Dr. A.N. Shankar
Associate Professor, Department of Commerce | - | Member |

Prof. Inder Mohan Kapahy could not attend the meeting due to his pre-occupation.

Mrs. Grace D. Chankapa, Deputy Registrar and Shri Satyam Rana, Assistant were present to assist the Council.

The Council observed a two-minute silence to pay homage and tribute to Late Shri Tashi Densapa, Former Director, Namgyal Institute of Tibetology and Member, Executive Council and acknowledged his contribution as a Member of the Council.

At the outset Vice-Chancellor welcomed all members of the Council to its 39th meeting. Vice-Chancellor specifically welcomed Prof. H.C.S. Rathore, Former Vice-Chancellor, Central University of South Bihar and Prof. S.S. Mahapatra, Dean, School of Professional Studies who were attending the meeting for the first time. Vice-Chancellor also placed on record contributions and thanked Prof. Kabita Lama, Dean, School of Languages & Literature for her contribution in the meetings of the Executive Council.

Thereafter, agenda items were taken up as under:

SECTION-1

CONFIRMATION OF THE MINUTES AND ACTION TAKEN REPORT

EC 39.1.1: Confirmation of the minutes of the 37th meeting of the Executive Council held on 26th July 2021

The minutes of the 37th meeting of the Executive Council held on 26th July 2021 were circulated to all the members on 09.08.2021. The Council noted the suggestion of Prof. Gurmeet Singh, Vice-Chancellor, Pondicherry University under item No. EC 37.4.4 that a proper record shall be kept with the University for the certificates issued to the one who completes any kind of course under MoU with "Black Cat Division".

Thereafter, the minutes of the 37th meeting of the Executive Council held on 26th July 2021 were confirmed.

EC 39.1.2: Confirmation of the minutes of the 38th (Special and Emergency) meeting of the Executive Council held on 28th October 2021

The minutes of the 38th (Special and Emergency) meeting of the Executive Council held on 28th October 2021 were circulated to all the members on 01.11.2021. The Council noted the comments of

Prof. Bidyut Chakrabarty, Vice-Chancellor, Visva-Bharati under item No. EC 38.1.1 and the same was appropriately incorporated in the Minutes. Also, the comments of Dr. A.N. Shankar, Associate Professor, Department of Commerce that a young member of faculty may be given due counselling for adherence to the official technicalities was noted by the Council.

Thereafter, the minutes of the 38th (Special and Emergency) meeting of the Executive Council held on 28th October 2021 were confirmed.

EC 39.1.3: Action taken report on the minutes of the 37th meeting of the Executive Council held on 26th July 2021

The Secretary presented the action taken report on the minutes of the 37th meeting of the Council. The Council noted the action taken report by the University.

EC 39.1.4: Action taken report on the minutes of the 38th (Special and Emergency) meeting of the Executive Council held on 28th October 2021

The Secretary presented the action taken report on the minutes of the 38th (Special and Emergency) meeting of the Council. The Council noted the action taken report by the University.

**SECTION-2
REPORTING ITEMS**

EC 39.2.1: Update on the matter related to Dr. Silajit Guha

The Council was informed that Dr. Silajit Guha filed a contempt petition against the Executive Council members vide Cont. Case (C): No 4 of 2021 in the Hon'ble High Court of Sikkim on 16.12.2021. While hearing the petition, the Hon'ble Court put a stay in the Order dated 30.10.2021 passed by the Appellate Authority. The Council noted the same.

EC 39.2.2: Appointment of Registrar

Based on approval obtained from the Executive Council vide e-mail circulated on 23rd April, 2021, the offer of appointment to the post of Registrar was offered to Shri K.V.S. Kameswara Rao and accordingly, he joined the University on 19.07.2021.

The Council noted the appointment of Sh. K.V.S. Kameswara Rao as the Registrar of the University.

EC 39.2.2: Appointment of Finance Officer

Based on approval of the Executive Council in its 37th meeting held on 26th July 2021, the offer of appointment to the post of Finance Officer

was offered to Shri Pratap Keshari Dash and accordingly, he joined the University on 02.09.2021.

The Council noted the appointment of Sh. Pratap Keshari Dash as the Finance Officer of the University.

SECTION-3 RATIFICATION MATTERS

EC 39.3.1: Selection Committee proceedings for placement from Professor (Academic Level 14) to Senior Professor (Academic Level 15) under CAS Scheme

Before taking up this item, Prof. Shanti S. Sharma took permission from the Chair to recuse himself from the online meeting since it involved his matter. He later joined the meeting after this item.

The Council noted the eligibility criteria for placement from Professor (Academic Level 14) to Senior Professor (Academic Level 15) under CAS Scheme. The Council also noted that Prof. Shanti S. Sharma, Department of Botany fulfilled the criteria for his placement from Professor to Senior Professor as mentioned below:

1. Prof. Shanti Swarup Sharma, Department of Botany joined the University on 19.09.2017. Prior to this he was working in the Department of Bio. Science at Himachal Pradesh University, Shimla as Professor w.e.f. 27.07.2006 till his joining at Sikkim University. Therefore, his minimum requirement of ten years of experience as Professor is fulfilled.
2. The best 10 publications during the last 10 years have been reviewed by 3 experts not lower than a rank of Senior Professor or a Professor having at least 10 years of service. All have provided favourable reviews.
3. He has fulfilled the criteria of successfully guiding 2 PhD candidates during his assessment period.

The online meeting of the duly constituted Selection Committee met on 04.10.2021 with the following members as experts not below the rank of a Senior Professor/Professor with a minimum of ten years of experience in the concerned subject:

1. Prof. Mohammad Anis - UGC BSR Fellow, Former head of Department of Botany, Aligarh Muslim University
2. Prof. S.B. Babbar - Senior Professor & Head, Department of Botany, University of Delhi
3. Prof. Arun K. Pandey - Vice-Chancellor, Mansarovar Global University, Bhopal

The Vice-Chancellor under the provision of Section 12(3) of the University Act accepted the recommendation of the above Selection Committee and accordingly, Prof. Shanti Swarup Sharma was placed from Professor (Academic Level 14) to Senior Professor (Academic Level 15) under CAS vide office order no. 302/2021 dated 05.10.2021 w.e.f. 27.11.2020.

The Executive Council ratified the action of the Vice-Chancellor nominating the above three experts to the Selection Committee and accepting the recommendation of the Selection Committee and promoting Prof. Shanti Swarup Sharma from Professor (Academic Level 14) to Senior Professor (Academic Level 15).

EC 39.3.2: Promotion of Dr. Manjushree Thapa Manger, Senior Medical Officer to Chief Medical Officer under DACP Scheme

The Executive Council noted that Dr. Manjushree Thapa Manger, Senior Medical Officer fulfilled the service requirement for promotion from Senior Medical Officer to Chief Medical Officer under DAVP Scheme after completion of her five years of service as Senior Medical Officer on 3rd May, 2021.

Upon fulfilling the service conditions prescribed by the University Grant Commission and as recommended by the duly constituted Departmental Promotion Committee on 16th September, 2021, the Vice-Chancellor under the provision of Section 12(3) of the University Act accepted the recommendation of the Departmental Promotion Committee and accordingly, Dr. Manjushree Thapa Manger was promoted from Senior Medical Office to Chief Medical Officer vide office order No. 293/2021 dated 28.09.2021 in Pay Level 12 under DACP Scheme w.e.f. 04.05.2021.

The Executive Council ratified the action of the Vice-Chancellor in promoting Dr. Manjushree Thapa Manger from Senior Medical Officer to Chief Medical Officer.

EC 39.3.3: Promotion of Dr. Lok Bahadur Limboo, Medical Officer to Senior Medical Officer under DACP Scheme

The Executive Council noted that Dr. Lok Bahadur Limboo, Medical Officer fulfilled the service requirement for promotion from Medical Officer to Senior Medical Officer under DAVP Scheme after completion of his four years of service as Medical Officer on 24th July, 2021.

Upon fulfilling the service conditions prescribed by the University Grant Commission and as recommended by the duly constituted Departmental Promotion Committee on 16th September, 2021, the Vice-Chancellor under the provision of Section 12(3) of the University Act accepted the recommendation of the Departmental Promotion Committee and accordingly, Dr. Lok Bahadur Limboo was promoted

from Medical Office to Senior Medical Officer vide office order No. 292/2021 dated 28.09.2021 in Pay Level 11 under DACP Scheme w.e.f. 25.07.2021.

The Executive Council ratified the action of the Vice-Chancellor in promoting Dr. Lok Bahadur Limboo from Medical Officer to Chief Medical Officer.

EC 39.3.4: Nomination of a member of Executive Council to the Finance Committee

The Executive Council noted that Statute-17(1)(iv) of the Sikkim University Act states “three persons to be nominated by the Executive Council, out of whom at least one shall be a member of the Executive Council” shall comprise to be the members of the Finance Committee. Under the said Statute, the following members were nominated to the Finance Committee by the Executive Council:

1. Prof. Debi P. Sarkar, Director, Indian Institute of Science Education and Research, Mohali, Punjab
2. Prof. Pramod Tandon, Chief Executive Officer, Biotech Park, Lucknow and Former Vice-Chancellor, NEHU, Shillong
3. Prof. S.S. Mahapatra, Professor, Department of Commerce, Sikkim University.

Prof. Sarkar and Prof. Tandon completed their tenure in the Finance Committee on 28.10.2021. Prof. S.S. Mahapatra ceased to be the member of the Finance Committee subsequent to his completion of membership in the Executive Council.

The Council also noted that in view of the shortfall of quorum in the Finance Committee, the Vice-Chancellor nominated the following members to the Finance Committee in place of the above members:

1. Prof. Pramod Tandon, Chief Executive Officer, Biotech Park, Lucknow and Former Vice-Chancellor, NEHU, Shillong (nominated again for another term)
2. CMA Dr. Braja B. Mishra, Finance Officer, Tezpur University, Tezpur
3. Dr. A.N. Shankar, Associate Professor, Department of Commerce, Sikkim University

The Council ratified the action of the Vice-Chancellor nominating the above members to the Finance Committee under Statute 17(1)(iv).

EC 39.3.5: Extension of deputation period of Shri C. B Chhetri as Internal Audit Officer

The Executive Council noted that the deputation period of Shri C. B Chhetri as Internal Audit Officer has been extended for one year by

the Vice-Chancellor w.e.f. 01.07.2021 vide office order no. 195/2021 dated 01.06.2021.

The Council ratified the action of the Vice-Chancellor in extending the deputation of Shri C. B Chhetri as Internal Audit Officer for one year from 1st July 2021.

EC 39.3.6: Relieving of Dr. Sanghamitra Choudhury Assistant Professor

The Executive Council noted that Dr. Sanghamitra Choudhury, Assistant Professor in the Department of Peace & Conflict Studies and Management and a regular faculty member submitted her resignation from the post and requested to be relieved vide letter dated 17.11.2021 due to personal reason.

The Council also noted that as per the policy of the University under Statute 26(6)(a), she was asked to deposit notice pay in lieu of the period falling short of the notice period of three months.

The Vice-Chancellor accepted her resignation and relieved her from the services of the University w.e.f. 30.11.2021 (A/N).

The Council ratified the above action of the Vice-Chancellor.

EC 39.3.7: MoA between Sikkim University and Centre for Educational and Social Studies

The Executive Council noted that a Memorandum of Agreement was signed between Sikkim University and Centre for Educational and Social Studies (CESS), Bangalore on 8th December, 2021 at Gangtok for facilitating collaborative training, research and implementation of National Educational Policy, 2020. Apart from other collaborations, the primary purpose of this MoA is that the CESS shall provide its services in supporting and mentoring the initiatives and process for implementation of National Education Policy, 2020 at the Sikkim University and its affiliated colleges.

The Council ratified the action of the Vice-Chancellor in signing of MoA by the University with Centre for Educational and Social Studies, Bangalore.

SECTION – 4
MATTER FOR CONSIDERATION AND APPROVAL

EC 39.4.1: Completion of probation period of teachers

The Council noted that the following teachers of the University have completed one year of service on the date shown against each:

Sl. No	Name	Designation	Date of joining	Date of completion of probation
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1	Prof. Sanjay Dahal	Professor	29.10.2020	28.10.2021
2	Dr. Bhoj Kumar Acharya	Associate Professor	01.10.2020	30.09.2021
3	Dr. Amit Chakraborty	Associate Professor	15.10.2020	14.10.2021
4	Dr. Nitish Mondal	Associate Professor	16.10.2020	15.10.2021
5	Dr. Rajesh Kumar	Assistant Professor	06.10.2020	05.10.2021
6	Shri Yeshey Namgyal Bhutia	Assistant Professor	06.10.2020	05.10.2021
7	Dr. Sumnima Rai	Assistant Professor	07.10.2020	06.10.2021
8	Ms. Rinchen Ongmoo Lepcha	Assistant Professor	15.10.2020	14.10.2021
9	Dr. Ningthoujam Koiremba	Assistant Professor	20.11.2021	19.11.2021
10	Shri Migma Ongdup Lepcha	Assistant Professor	11.12.2020	10.11.2021
11	Shri Ash Bahadur Subba	Assistant Professor	15.12.2020	14.12.2021

The Council also noted that their performance has been reviewed by the concerned reviewing authority and in view of the satisfactory performance report having no adverse remarks, the Council approved to lift their probation and confirm them in the services of the University with effect from the day following the date of completion of their probation as mentioned above.

EC 39.4.2: Screening cum Evaluation Committee proceedings for promotion under CAS of Assistant Professors from Stage I to Stage II

The Council noted that the 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 Executive Council in its 35th meeting held on 11.09.2020 discussed the matter and decided to keep it in abeyance under the submission made by him till all relevant documentary evidence is verified.

The Council also noted that Dr. Biswajit Gopal Roy submitted additional relevant documents and was found eligible for placement from Stage I to Stage II. The Screening Cum Evaluation Committee

constituted as per UGC Regulations met on 8th November 2021 and submitted its report.

The Executive Council approved the recommendations of the Screening cum Evaluation Committee for placement of Dr. Biswajit Gopal Roy from Stage I to Stage II w.e.f 23.04.2017.

EC 39.4.3: Extension of contract of Teaching Staff

The Council approved extension of contract of the following teaching staff for a period of six months from 1st January 2022 on exiting terms and conditions in view of their requirement of services till such time regular faculty are appointed.

Sl. No.	Name	Designation	Department
1.	Prof. Imtiaz Gulam Ahmed	Professor	Law
3.	Prof. Vinod Chandra Tiwari	Professor	Geology
4.	Shri Bhaichung Tsh. Bhutia	Associate Professor	Bhutia
5.	Dr. Hissay Wangchuk Bhutia	Assistant Professor	
6.	Shri Bal Bahadur Subba	Associate Professor	Limbu
7.	Shri Norbu Tshering Lepcha	Associate Professor	Lepcha
8.	Ms. Dukmit Lepcha	Assistant Professor	
9.	Dr. R. S. S. Nehru	Assistant Professor	Education

EC 39.4.4: Annual Report 2020-21

The Council was informed that the 14th Annual Report 2020-21 of the University has been prepared for which an Editorial Committee under the Chairmanship of Prof. Shanti S. Sharma was constituted. Summary of the draft Annual Report 2020-21 highlighting the overall achievements of the University and its various academic departments during the year under report was presented to the Council by the Chairman of the Editorial Committee.

Thereafter, the Council approved the draft Annual Report 2020-21 of the University and also desired that a copy be circulated to the Members.

EC 39.4.5: Audited Annual Accounts and Separate Audit Report (SAR) 2020-21

The Executive Council, on the recommendation of the Finance Committee in its 30th meeting, approved and adopted the Audited Annual Accounts and Separate Audit Report (SAR) 2020-21. The Members especially Prof. H.C.S. Rathore complimented the Finance Team for their work for not having any adverse remarks against the University in the SAR 2020-21.

EC 39.4.6: Imposition of penalty to Dr. Ram Bhawan Yadav, Assistant Professor, Department of English

The Executive Council noted that in its 38th meeting held on 28.10.2021, the Charge Memorandum to be issued to Dr. Ram Bhawan Yadav under rule 16 of CCS (CCA) Rules was approved and the same was issued to him on 02.11.2021.

The Council also noted that Dr. Ram Bhawan Yadav submitted his written statement in response to the Memorandum dated 22.11.2021, wherein while partially accepting the statement of imputation, he has however repeatedly confirmed of having a consensual relationship with his scholar thereby proving misconduct/misbehaviour.

Accordingly, the Executive Council approved implementation of its decision of imposition of penalty against Dr. Ram Bhawan Yadav as decided in its 37th meeting held on 26.07.2021 as under:

..... imposition of minor penalty under Rule 11 (iv) i.e. withholding of increment of pay for three years without cumulative effect. The same to be restored at the end of the period of three years.

Additionally, the Council also decided to impose the following penalties:

- i) Barring him from holding any administrative post or chair/member of any Committee in the University for three years.
- ii) Barring him from supervising any MPhil/PhD for 3 years including his current scholars under his supervision.

EC 39.4.7: Regulations under Career Advancement Scheme

The Council noted that in its 32nd meeting held on 08.02.2019, the UGC Regulations 2018 on minimum qualification for the appointment of teachers and other academic staff in the Universities and Colleges and measures for the maintenance of standards for the higher education was adopted in the University.

Accordingly, the University has been following the same with reference to the Career Advancement Scheme for teachers. Clause 6.3 VI. (iii) states the following:

(iii) The candidate who does not succeed in the first assessment he/she shall have to be re-assessed only after one year. When such a candidate succeeds in the eventual assessment, his/her promotion shall be deemed to be one year from the date of rejection.

The Council also noted that the above prescribed criteria for unsuccessful candidates are suitable in an ideal situation when the University is in a position to carry out promotion under the Career Advancement Scheme in a systemic and timely manner. However, the case may not be so in reality. A candidate may apply for promotion under the scheme in a certain year, however, due to several constraints, the review of the applications may have taken time in the system and hence, the assessment result may only be out much beyond the one-year time frame.

For example, in the current scenario if a candidate has applied for the Career Advancement Scheme in 2018 and the assessment by the University is delayed and conducted in 2020 due to COVID or other unavoidable circumstances, then the date of rejection on assessment would be 2020 and therefore, the candidate would be allowed for re-assessment only after one year from 2020 i.e. in 2021 and in the eventual assessment if the candidate is successful the promotion shall be one year from the date of rejection i.e. only with effect from 2021. Therefore, for no fault of the candidate, he/she is losing three years which seems much beyond the intention of these rules and unfair to the candidate.

Therefore, to overcome such situations which may have serious impact on one's career without the fault of the candidate, the date of promotion instead of one year from the date of rejection could be considered as one year from the date of his/her eligibility. This means that if a candidate has applied for his/her assessment and after failure in the first assessment the candidate is re-assessed after a year and is found successful in the eventual assessment the candidate will lose one year as prescribed in the regulations from the date of his/her eligibility.

The Executive Council after thorough deliberations suggested that the Clause 6.3 VI. (iii) of UGC Regulations 2018 may be interpreted as per the spirit of the rule, i.e., the candidate who does not succeed in the first assessment he/she shall have to be re-assessed only after one year. When such a candidate succeeds in the eventual assessment, his/her promotion shall be deemed to be one year after the date of his/her initial eligibility.

SECTION -5
MINUTES OF AUTHORITIES/COMMITTEES

EC 39.5.1: Minutes of the 28th meeting of Academic Council held on 10th December 2021

The Council noted the minutes of the 28th meeting of the Academic Council held on 10th December 2021. The Council after consideration gave specific approval to the following:

- i) Implementation of National Education Policy (NEP) 2020 in the University from the academic year 2022-23
- ii) Proposals for amendment in Examination related Rules and Regulations
- iii) Discontinuation of MPhil program in the University from the academic session 2022-23
- iv) Adoption of CA/CS/ICWA qualification be treated equivalent to PG Degree during admissions and recruitment in Sikkim University
- v) To start B.Sc Microbiology course at Nar Bahadur Bhandari Degree College, Tadong and grant of temporary affiliation for the course from the academic session 2021-22 with an intake of 20 students subject to complying with the conditions mentioned in the report of the inspection team.
- vi) To start B.Com. course at Sikkim Government College, Gyalshing and grant of temporary affiliation for the course with an intake of 50 students from the academic session 2021-22 subject to complying with the conditions mentioned in the report of the Inspection Team.
- vii) Renewal of temporary affiliation to the 12 colleges/subjects provided the conditions mentioned in the report of the inspection teams are complied.
- viii) Withdrawal of temporary affiliation of the university granted to Palatine College, Pakyong for inability to comply with the conditions mentioned by the inspection team in its report dated 15th February 2017.
- ix) Amendment of Section 20 of OD-1 of the University Ordinance and insertion of the following sentence after “.....adoption of this Ordinance”

“However, Colleges affiliated permanently shall be inspected by the Inspection team once in three years as decided in the 15th meeting of the Academic Council held on 13th July 2014 and shall pay a fee of ₹50,000/- with 2 % non-cumulative enhancement as inspection fee”

SECTION – 6
ITEMS FROM THE CHAIR
Nil

Meeting ended with a vote of thanks to the Chair.

Sd/-
(K.V.S. Kameswara Rao)
Registrar & Secretary
Executive Council

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