

Minutes of the 38th meeting of the Executive Council held on 28th October 2021 at 12 Noon in Conference Hall Barad Sadan, Academic Block

38th meeting of the Executive Council, a special and an emergency meeting, was held on 28th October 2021 at 12 Noon in Conference Hall, Barad Sadan. Following were present:

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| 1. Prof. Avinash Khare
Vice-Chancellor | - | Chairperson |
| 2. Shri Tashi Densapa
Former Director
Namgyal Institute of Tibetology | - | Member |
| 3. Prof. N. Sathyanarayana
Dean, School of Life Sciences | - | Member |
| 4. Prof. Manesh Choubey
Dean, School of Social Sciences | - | Member |
| 5. Prof. Sanjay Dahal
Dean, School of Physical Sciences | - | Member |
| 6. Prof. Kabita Lama
Dean, School of Languages & Literature | - | Member |
| 7. Prof. Laxuman Sharma
Dean Students' Welfare | - | Member |
| 8. Prof. S.S. Sharma
Senior Professor, Department of Botany | - | Member |
| 9. Shri K.V.S. Kameswara Rao
Registrar | - | Secretary |

Following members attended the meeting online through video conferencing:

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| 10. Prof. Gurmeet Singh
Vice-Chancellor
Pondicherry University | - | Member |
| 11. Prof. Bidyut Chakrabarty
Vice-Chancellor
Visva-Bharati | - | Member |
| 12. Prof. Ramesh Kumar Yadava
Vice-Chancellor
Baba Mastnath University | - | Member |
| 13. Shri G.P. Upadhyaya
Additional Chief Secretary
Education Department, Govt. of Sikkim | - | Member |
| 14. Prof. Krishna Kumar
Head, Department of Physics
IIT Kharagpur | - | Member |

15. Prof. Mahendra Singh Seveda - Member
Professor & Head
Department of Renewable Energy Engineering
Central Agricultural University, Ranipool
16. Dr. A.N. Shankar - Member
Associate Professor, Department of Commerce

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. Sh. 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 38th meeting, a special and an emergency meeting. Vice-Chancellor specifically welcomed Prof. S.S. Sharma, Senior Professor, Department of Botany and Dr. A.N. Shankar, Associate Professor, Department of Commerce who were attending the meeting for the first time. Vice-Chancellor also placed on record contributions and thanked Prof. S.S. Mahapatra, Dean, School of Professional Studies and Prof. Sohel Firdos, Professor, Department of Geography for their contribution in the meetings of the Executive Council.

Thereafter, agenda items were taken up as under:

EC 38.1.1: Recommendation of Committee of Appeal regarding the appeal of Dr. Silajit Guha, Professor, Department of Mass Communication against his termination order

In pursuance to the direction of Hon'ble High Court dated 03.07.2021 & 07.10.2021 the Executive Council deliberated in length on the appeal submitted by Dr. Silajit Guha.

The Committee of Appeal as constituted by the Executive Council in its 36th meeting held on 20.01.2021 as per the University Regulations for appeal submitted its report and the same was presented by Dr. Veenu Pant, Head of the Department of History, member of the Committee.

The Committee of Appeal submitted its conclusion as under:

As far as the penalty to be imposed as suggested by the Internal Complaints Committee is concerned, this committee is also of the view that the conduct of the Appellant in committing sexual harassment in different ways on different occasion does not appear to be a one time or accidental incident. It seems that, the Appellant is a habitual offender of this nature which is evident from the statement of the witnesses as reflected above. In view of this, this Appellate Authority does not find any ground to interfere with the finding of the Internal Complaints Committee.

The Executive Council noted the fact that Dr. Silajit Guha was given an opportunity to present himself before the Committee of Appeal. Further, a very important point was also drawn to the discussion that the witnesses to the incident as reported in the ICC report narrated that the reported incident was not an isolated incident but such incident had happened to other female students earlier which went unreported.

It also noted the fact that the complainant stated that this was not a single incident and she had faced indecent overtures by him and also confirmed by the witnesses that such instances occurred even in the department, a workplace.

The Council also noted the opinion of Prof. Bidyut Chakrabarty for taking a final call by allowing Dr. Silajit Guha to depose before the Executive Council as a last chance. Some members including Prof. Bidyut Chakrabarty expressed that the option of imposing compulsory retirement could be explored. However, Sh. G.P. Upadhyaya and majority of other members observed that this matter was sufficiently discussed from all aspects and there remains no ground to further allow him to depose before the Executive Council and suggested to stick to the earlier decision. However, Prof. Bidyut Chakrabarty did not endorse this decision.

In view of the above facts as per the opinion of the majority of Members, the Executive Council resolved to stick to the previous decision and finds no ground to review the earlier order 201/2019 dated 28.06.2019 and thereby confirms the termination order issued vide order 201/2019 dated 28.06.2019 to Dr. Silajit Guha. Hence, the appeal submitted by Dr. Silajit Guha is disallowed and it is dismissed accordingly.

EC 38.1.2: Request for extension regarding the ongoing inquiry CBI Case in PE0102016A0003 against Dr. Vijay Kumar Thangellapali, Associate Professor and others

The Executive Council noted that the Vice-Chancellor appointed Prof. Peeush Ranjan Agarwal, former Vice-Chancellor of VBS Purvanchal University, Jaunpur, UP and APS University, Rewa MP as Inquiry Authority vide office order no. 188/2021 dated 27.04.2021 and Ms. Grace Dechen Chankapa, Deputy Registrar as Presenting Officer vide office order no. 165/2021 dated 30.03.2021. However, in during the course of the inquiry the Presenting Officer due to ill health was unable to continue as Presenting Officer and Dr. Sarbada Pradhan, Assistant Librarian was appointed as Presenting Officer on 18.08.2021 and accordingly took up the case.

Prof. Peeush Ranjan Agarwal was appointed vide office order dated 27.04.2021 under Rule 14 of CCS (CCA) Rules the inquiry is required to conclude and the Inquiry Authority is to submit its report within a

period of six months from the date of his appointment as the Inquiry Authority. The six months ended on 26.10.2021 and Inquiry Authority recording reasons, sought extension of time from 27.10.2021 to 31.01.2022. Under sub Rule 24 of 14 of CCS (CCA) 1965 the Disciplinary Authority may allow additional time not exceeding six months for completing of the inquiry at a time.

Given the urgency of the matter, under the above provisions, the Vice-Chancellor as the Chairman of the Executive Council accepted the request to grant additional time for the period w.e.f. 27.10.2021 to 31.01.2022.

The Executive Council ratified the action of the Vice-Chancellor in extending the additional time for the period with effect from 27.10.2021 to 31.01.2022.

EC 38.1.3: Charge memo to be issued to Dr. Ram Bhawan Yadav, Assistant Professor, Department of English

The Executive Council approved that as decided in its 37th meeting held on 26.07.2021 recommended imposition of a minor penalty under rule 11 (iv), i.e. withholding of increments of pay for three years. The same is to be restored at the end of the period of three years.

Additionally, the Council after detailed discussion 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.

Accordingly, the Council approved the charge memo to be issued to Dr. Ram Bhawan Yadav under rule 16 of CCS (CCA) Rules, as attached **(Appendix – 1)**.

EC 38.1.4: Charge sheet to be issued to Dr. Veer Mayank, Assistant Professor, Department of Law

The Executive Council deliberated on the matter and took note of the findings of the one-member inquiry committee and accordingly approved the charge memo for imposition of minor penalty under Rule 16 of CCS (CCA) Rules to be issued to Dr. Veer Mayank, as attached **(Appendix – 2)**.

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

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