

Senate Proceedings dated 27<sup>th</sup> May, 2018

**PANJAB UNIVERSITY, CHANDIGARH**

Minutes of meeting of the **SENATE** held on **Sunday, 27<sup>th</sup> May 2018** at **10.00 a.m.** in the Senate Hall, Panjab University, Chandigarh.

**PRESENT:**

1. Professor Arun Kumar Grover ... (in the chair)  
Vice Chancellor
2. Dr. Amod Gupta
3. Dr. Ameer Sultana
4. Professor Anita Kaushal
5. Dr. Amar Singh
6. Ms. Anu Chatrath
7. Shri Ashok Goyal
8. Dr. Amit Joshi
9. Dr. Akhtar Mahmood
10. Dr. Ajay Ranga
11. Ambassador I.S. Chadha
12. Dr. B.C. Josan
13. Dr. Baljinder Singh
14. Professor Chaman Lal
15. Dr. Dalip Kumar
16. Dr. Dayal Partap Singh Randhawa
17. Dr. Emanuel Nahar
18. Shri. Gurjot Singh Malhi
19. Dr. Gurmit Singh
20. Dr. Gurdip Kumar Sharma
21. Dr. Gurmeet Singh
22. Dr. Harsh Batra
23. Shri H.S. Dua
24. Dr. Harjodh Singh
25. Dr. Hardiljit Singh Gosal
26. Dr. Inderjit Kaur
27. Dr. Inderpal Singh Sidhu
28. Dr. I.S. Sandhu
29. Professor J.K. Goswamy
30. Dr. Jagdish Chander
31. Shri Jagdeep Kumar
32. Shri Jarnail Singh
33. Dr. Keshav Malhotra
34. Dr. K.K. Sharma
35. Dr. Nisha Bhargava
36. Dr. Narinder Singh Sidhu
37. Shri Naresh Gaur
38. Professor Navdeep Goyal
39. Dr. Neeru Malik
40. Professor Manoj K. Sharma
41. Dr. Parveen Goyal
42. Principal N.R. Sharma
43. Shri Pawan Kumar Bansal
44. Professor Pam Rajput
45. Shri Prabhjit Singh
46. Professor Ronki Ram

Senate Proceedings dated 27<sup>th</sup> May, 2018

47. Dr.(Mrs.) Rajesh Gill
48. Professor Rajat Sandhir
49. Dr. R.S. Jhanji
50. Professor R.P. Bambah
51. Shri Raghbir Dyal
52. Shri Rashpal Malhotra
53. Dr. Rajesh Kumar Mahajan
54. Dr. Rabinder Nath Sharma
55. Dr. Raj Kumar Mahajan
56. Dr. Raj Kumar Chabbewal
57. Dr. Sarabjit Kaur
58. Professor Shelley Walia
59. Professor Shankarji Jha
60. Shri Sandeep Kumar
61. Shri Sanjay Tandon
62. Dr. S.K. Sharma
63. Dr. Surinder Kaur
64. Dr. S. S. Sangha
65. Shri Sandeep Singh
66. Dr. Subhash Sharma
67. Dr. Shaminder Singh Sandhu
68. Shri Varinder Singh
69. Dr. Vipul Kumar Narang
70. Shri V.K. Sibal
71. Col. G.S. Chadha (Retd.)                      ...                      (Secretary)  
Registrar

The following members could not attend the meeting:

1. Capt. Amarinder Singh, Chief Minister
2. Shri Amanpreet Singh
3. Professor B.S. Ghuman
4. Shri Bharat Bhushan Ashu
5. Acting Chief Justice
6. Shri Deepak Kaushik
7. Dr. D.V.S. Jain
8. Professor Deepak Pental
9. Justice Harbans Lal
10. Shri Harjit Singh, DPI Colleges, Punjab
11. Smt. Kirron Kher
12. Dr. Mukesh K. Arora
13. Shri Parmod Kumar
14. Shri Parimal Rai
15. Shri Punam Suri
16. Shri Rubinderjit Singh Brar, D.H.E., U.T., Chandigarh
17. Mrs. Razia Sultana, Education Minister, Punjab
18. Dr. Suresh Chandra Sharma
19. Shri Satya Pal Jain
20. Shri Sanjeev Bandlish
21. Dr. Satish Kumar
22. Dr. Tarlochan Singh

**I.** The Vice Chancellor said, "I am pleased to inform the Hon'ble members of the Senate that –

- i) Hon'ble Governor of Punjab and Administrator, UT, Chandigarh, Shri V.P. Singh Bandnora and Member of Parliament from Chandigarh Smt. Kirron Kher, has very kindly consented to inaugurate the Neerja Bhanot Girls Hostel No.10 and Teachers' Flats (T-1) in South Campus, PU and unveil the Plaque of Dewan Anand Kumar Ji, in the Administrative Block, PU on May 29, 2018. They will arrive at the Administrative Block at 11.00 a.m., unveil the plaques and move on to Sector-25, cut the ribbon for the new flats and then move on to the site of Girls Hostel No.10. They will stay there for one hour. I believe the detailed minute programme has been sent to you. It will be also again sent and everybody is welcome to this event. With this building, it completes almost all the buildings in Sector-25. Of course, the multipurpose auditorium is still incomplete and it will take a few more years. All the buildings which were under construction when I took over, this is the last one being completed.
- ii) PU has improved its rank from 135 to 130 (marginal improvement) in the Times Higher Education Emerging Economies Rankings 2018. In Overall Rankings, PU stands at 4 among universities, behind the Central University of Tezpur, State University Jadavpur and the Central University Delhi University and is at 12 among all institutes of India including IITs and IISc.
- iii) The Biocubators Nurturing Entrepreneurship for Scaling the Technologies (BioNEST), PU, has received a grant of Rs. 2.57 crore for Secondary Agriculture Entrepreneurial Network in Punjab under which projects in food and agriculture processing will be funded. We already have a Biocubator in the campus for few years now. The same Biocubator has received this funding. Under this project ways of converting biomass into high-value product will be suggested to the Government. Five start-ups/innovators (upto 50 lakhs each), which would work in this field with a main focus on Punjab and nearby areas, will be funded under this project. The BioNEST project is headed by Dr. Rohit Sharma of Department of Microbial Biotechnology. The Department of Microbial Biotechnology was created as a Centre for Microbial Biotechnology has moved on to become a Department. The long term objective was to engage in transferring things to the technology. This is how it was conceived to be different from Department of Microbiology of the University and has made progress.

**RESOLVED:** That –

- (1) felicitations of the Senate be conveyed to Dr. Rohit Sharma, Head, BioNEST, Department of Microbial Biotechnology, PU, on having received a grant of Rs. 2.57 crore for Secondary Agriculture Entrepreneurial Network in Punjab;
- (2) the information contained in Vice Chancellor's Statement at Sr. No. (i) and (ii) be noted and approved; and

Senate Proceedings dated 27<sup>th</sup> May, 2018

- (3) Action Taken Report on the decisions of the Senate dated 01.04.2018, as per appendix, be noted.

When the Vice-Chancellor announced Item C-1, Dr. Jagdish Chander Mehta pointed out that 137 Colleges teachers have received notices from the Director, Higher Education.

The Vice-Chancellor said that he is already aware of it and working on it long before. They would discuss it at the end of the agenda.

**II.** The recommendations of the Syndicate contained in **Items C-1** on the agenda was read out, viz. –

**C-1.** Considered

- (A) (i) recommendations of the Syndicate dated 29.4.2018 that report dated 5.3.2018 of the Panjab University Committee Against Sexual Harassment (PUCASH) regarding complaint of certain students of the Department of Public Administration, against faculty member of the Department of Public Administration alongwith letter/representation dated 5.4.2018 of the members of the PUCASH, be accepted; and
- (ii) exemplary punishment be imposed on the faculty member in question.

**(Syndicate dated 29.4.2018 Para 6)**

**NOTE:** 1. In response to resolved part (v) of Syndicate dated 29.4.2018, it is stated that the Syndicate in its meeting dated 28.9.1985 (Para 40) considered the recommendations of the Board of Control dated 14.9.1985 and resolved that it be recommended to the Senate that the services of Dr. Mantrini Prasad, who is on probation be terminated by giving him one month's salary in lieu of one month's notice.

The Senate in its meeting dated 27.10.1985 vide Para VIII considered and unanimously approved the recommendations of the Syndicate. A copy of Senate decision alongwith the attendance of the Senate **is enclosed**. It is evident that the voting was not carried out in that case and the present strength of the Senate on that date was 59.

Senate Proceedings dated 27<sup>th</sup> May, 2018

2. Copy of letter no. 36822-26/Estt. dated 29.10.1985 **is enclosed.**
3. A copy of judgement dated 14.3.2011 of Punjab & Haryana High Court in CWP 11160 of 1989 tilted as Dr. Mantrini Prasad Vs Panjab University **is also enclosed.**

(B) also to note the reply dated 14.10.2017 (**Appendix**) of Shri Komal Singh, Assistant Professor, Department of Public Administration, duly forwarded by Chairperson, Department of Public Administration, Panjab University, in response to the show cause notice No.6821/Estt. dated 03.10.2017 (**Appendix**), served to him, pursuant to the decision of the Senate meeting dated 10.09/24.09.2017 (**Appendix**).

**(Syndicate dated 19.11.2017 Para 32)**

- NOTE:**
1. The above item was placed before the Senate in its meeting dated 1.4.2018 as an item C-8. A copy of the discussion held on the item is enclosed (**Appendix**).
  2. Legal opinion received from Shri Girish Agnihotri and Dr. Anmol Rattan Singh Sidhu, Advocates is enclosed (**Appendix**).

The Vice-Chancellor said that now they have agenda Item No.C-1.

Professor Rajesh Gill enquired as to which is this agenda, the agenda of the adjourned meeting or anything else.

The Vice-Chancellor said that this is the agenda which had been sent to the members for this sitting of the Senate.

Professor Rajesh Gill said that the last meeting had been adjourned at a particular item and it would be better if they start from there itself.

The Vice-Chancellor said that he had said that a sitting would be held where an agenda item would be brought in and few more agenda items which are necessary have been added to it. They have a long time ahead and the items are a few. The first item pertains about which everybody is well aware that on this item at some stage, they have had a voting to determine on the basis of inputs that they had till then. Everybody is aware that 50 members had voted and 32 members voted for one option and 18 voted for another option and they were not having 2/3<sup>rd</sup> majority.

Professor Rajesh Gill enquired as to when they would take up item I-15 as they had left at this item in the last meeting and the Vice-Chancellor had said that they

would start with I-15. They had discussed this item last time and amidst discussion the Vice-Chancellor had adjourned the meeting and said that they would start with it in the next meeting.

The Vice-Chancellor said that they would take up it in another meeting of the Senate. Today's meeting of the Senate has the items which are before them. He would try to complete all pending matters before his period, i.e., before 22<sup>nd</sup> July. He is going to have a longer meeting of the Senate for all the pending agenda of the previous meetings as also the new agenda which have passed through the Syndicate. So, a Senate meeting would get convened certainly in the first week of July and if necessary may be in June as well. He would try to complete all the items in which he has participated which are of interest to the University before 22<sup>nd</sup> July. Even if it means holding frequent Syndicate and Senate meetings. This is the assurance which he could but he did not know up to what extent he would be able to fulfill peoples' expectations, but he would try his best.

The Vice-Chancellor giving the background of **Item C-1** said that it is a case for which large number of documents/papers and everything has been sent to each of the members. Last time, when this matter was discussed, at some stage, they had a voting. In that voting 50 members participated and they had voted on two options, 32 people had voted one option while 18 people had voted for second option. The voting was done in the background that that they had accepted that the person deserves a major penalty. Out of the 3 major penalties, 2 penalties amounted to asking a teacher to leave. Somewhere in the Panjab University Calendar, it is written that they could ask a teacher to leave only if 2/3<sup>rd</sup> members of the Senate vote for it. They had discussion whether it is 2/3<sup>rd</sup> of the present or 2/3<sup>rd</sup> of the total. The legal opinion was sought of which all the details are in front of them. The legal opinion is also split whether it is 2/3<sup>rd</sup> of the present or 2/3<sup>rd</sup> of the total. But whatever it is, when the 50 members had voted, they had neither 2/3<sup>rd</sup> of the total or 2/3<sup>rd</sup> of the present. Later on, it so transpired that the option which amounted to not removing a person but reducing the stature of a person, they had voted on that. But it turned out that it was infructuous because the person concerned is an Assistant Professor at a grade pay of Rs.6000/- which is the bottommost grade pay of Assistant Professor whereas they did the voting on the premise that the person had a grade pay of Rs.7000/-. That option was a folly and he is responsible for that folly. As an executive officer of the University, he should have had precise information as to what was his grade pay. Even if he did not have the precise information, it enjoins upon him to have that information extracted from the office. So, he has no excuse for lapse on his part. He admitted that it was his lapse. But this is how all things happen, he had believed his colleague that he (the person) was in the grade pay of Rs.7000/-. But that is not an excuse that he should not have verified. So, he humbly accepted that it was a mistake on his part that he did not live up to the expectations of his office. But, all which he has done, he requested to accept his apologies and the situation today is that what about voting they did, it becomes more or less in fructuous. So, today they are at a situation where they have left. They are supposed to take decisions on removal of a teacher or a Senator only if they have 2/3<sup>rd</sup> of the total number accepting for that recommendation or voting for that recommendation. In the meantime, after that meeting, he got a report from the Chairperson of the PUCASH and the entire Committee came to his office and made him aware of their strong feeling that the punishment is recommended by the PUCASH after a thorough investigation. If one has to accept the spirit of the Sexual Harassment Act, that recommendation has to be carried out and there should not be further discussion on such things. So, while the entire Committee came to see him, they also told him that they had given him (Vice Chancellor) another report or misdemeanour of the same colleague, namely Mr. Komal Singh. In that report, Mr. Komal Singh had done

unacceptable things, but best known to the PUCASH, they had done some reconciliation between Mr. Komal Singh and the Committee. It was told to him (Vice Chancellor) that they had agreed that while accepting that what Mr. Komal Singh has done, was wrong, he apologised and the Committee said that this matter should remain within itself, it should not go out. In the background of that report, he had no option but to close that thing and he could not bring it. But once they could not take a decision on his previous misdemeanours, now the PUCASH gave him a letter saying that all his misdemeanours must be considered in totality and the governing bodies of the University must have a relook at the entire thing. So, he had no option to start piecing together everything that had happened relating to Mr. Komal Singh. The office was asked to prepare a detailed note on the progression of Mr. Komal Singh ever since he joined the University as a faculty. So, all the documents whatever were relevant were put together and each one of them today has this document which has the entire history. It has PUCASH reports from one PUCASH Committee and a new report from a new PUCASH Committee which they had at one stage and said that it should remain confidential. So, the matter was put and the Syndicate also referred to it and now everything is before them. Now, if the punishment has to be major, the two major punishments amount to removal, and only one major punishment amounts to reduction in salary or reduction in grade. Reduction in stature is not possible because he is an Assistant Professor. So, given the misdemeanour committed by their colleague, it has to be a major punishment. If the major punishment has to be of the kind of removal from service, it can be of two kinds i.e. removal from service where he would be removed from the service but he can seek job elsewhere and the other kind of removal from service is that he cannot be in a position to seek job elsewhere. So, there is removal with an option to seek job and removal without an option to seek job of a similar kind as well. These are kind of things which are there. It is in that background that he wrote a personal note to all of them and also provided the attendance of the Senate meetings over the last few years, because if something has to be taken with 2/3<sup>rd</sup>, the 2/3<sup>rd</sup> of members have to be present. He does not know as to what is the number today they have, but they would come to it as they would proceed. So, the matter is before them in the form of all the inputs. In the meanwhile, one of the recommendations from the PUCASH was that to have the punishment going, if some changes have to be brought in, so that a punishment can be given in the rules and regulations of the University or any other organization, some steps should be taken. They had not taken cognizance of these things earlier, but he was approached by a member of the present Senate saying that this option should be exercised. So, he asked the Dean of University and a Committee was formed which gave a report and that report was presented to the Syndicate yesterday. But there was not adequate time to discuss it in totality. So, that report is still pending. It would be discussed in the subsequent meeting of the Syndicate and then it would be placed before the Senate. That report suggests something as if they can take actions of a kind of major punishment amounting to removal, even if they do not have 2/3 majority, but they have to bring in certain changes in the regulations, etc. That process is going on its own track. So, today they are at a situation that they have all these documents and in the background of these documents if a major punishment amounting to removal from service is to be accorded, then they have to have 2/3<sup>rd</sup> of the total members, i.e., 2/3<sup>rd</sup> of the 93 members agreeing to it. This had been discussed at length. Shri Ashok Goyal ji has pointed it out in a certain way. He does not want to go into the entire discussion again that has happened. He requested to members to go through the proceedings of the previous meeting. There is no point in starting all it again. The legal opinion has been got which is split one. He did not want to open all these things again.

The Vice-Chancellor said that the rule of the game as of today safely is 2/3<sup>rd</sup> of the total if they do not want ambiguities.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Professor Navdeep Goyal said that earlier also a teacher was removed, namely Shri Manthari Prasad.

The Vice-Chancellor said that he checked up the things about the case of Shri Manthri Prasad also. Shri Manthri Prasad was on probation when his services were terminated.

Dr. Ajay Ranga intervened and said that this fact has been hidden.

Continuing, the Vice-Chancellor said that the person was on probation and during the probation, his services were terminated via a simple majority. He went and contested in the Court, 20-30 years after the thing had happened a judgment came from Court. That happened somewhere in mid 1980s and only in 2011 the Court gave a judgment that since the person was on probation, his services could have been terminated without any reason by the appointing authority. That case is of an entirely different kind. So, they should not mix up the issue and do the things which are cleaner. Let them not put themselves in more and more complexities and disrepute. He had written to all the members. If all the members are not able to come, nobody has told him that he/she is not able to come today. He has received no communication from any Senate member that he/she understands the importance of the agenda but however he/she is not able to come. He has received no such communication. Those who are absent today are absent by their own action otherwise somebody should say that he/she is not able to come but understands the importance of the agenda. Everything has been sent to them. He has just been told that they (members) are 65 in number in the Hall at the moment.

Shri Varinder Singh said that they should see the cases individually. There is a lot of difference between the present case and the other one which is coming up. So, they should not hold voting because manipulation could be done in the voting. So a direct decision should be taken and punishment should be given.

The Vice-Chancellor said that there are some newer facts which have been sent to the members.

Shri Varinder Singh said that first they should take a decision that the voting should not be held.

The Vice-Chancellor said that the earlier decision of the Senate is that a major penalty is recommended. Now additional facts have been added to it. That means that a newer report is also there which was not in front of them when the previous things happened. So when the PUCASH recommendation is that everything should be considered in totality, his (person) actions should be considered in totality, his actions or misdemeanours or mistakes or whatever, have to be considered in totality. Then, first of all is there any opinion that he (person) does not deserve a major penalty. Is there anyone who says, irrespective of the fact whatever is the number present or what 2/3<sup>rd</sup> of the total or lesser than 2/3<sup>rd</sup> of the total, they are all here, how many of them feel that the person does not deserve a major penalty, a recommendation of PUCASH.

Dr. Ajay Ranga said that it seems to him that the Vice-Chancellor has given his order on it whether voting would be held or anything else.

The Vice-Chancellor clarified that he has not given any order.



Senate Proceedings dated 27<sup>th</sup> May, 2018

Continuing, Dr. Ajay Ranga said that the Vice-Chancellor has specifically told everything. But even then his opinion is that since this matter has been again placed before the Senate, there is a letter of PUCASH dated 5.4.2018 whose subject matter is regarding Senate proceedings dated 1<sup>st</sup> April, 2018 with respect to the item relating to Dr. Komal Singh. He has a question what is the legality of this letter whether PUCASH is competent authority to write this letter. Could PUCASH issue any instructions to the Senate on a decision taken by it? First, this question should be answered and only then other things would be discussed.

The Vice-Chancellor said that he could not reply to such things.

Dr. Ajay Ranga said that the Vice-Chancellor has no reply to such things and that is why he does not reply. It is just like a simple reply, are they sitting here to ruin the life of someone.

The Vice-Chancellor said that it is not fair.

Dr. Ajay Ranga requested the Vice-Chancellor to reply these things and only then he would discuss the matter.

Professor Rajat Sandhir said that Dr. Ajay Ranga could write to PUCASH on this which could reply to this question.

Dr. Ajay Ranga requested the Vice-Chancellor to give a reply.

The Vice-Chancellor said, 'no comments'.

Dr. Ajay Ranga said that what does 'no comments' means. They are deciding somebody's life and the Vice-Chancellor would have to give the reply.

The Vice-Chancellor said that he is not deciding somebody's life but it is the members who have to decide it.

Dr. Ajay Ranga said that the Vice-Chancellor is behaving like dictator which is not acceptable.

The Vice-Chancellor refuted the insinuations or accusations of Dr. Ajay Ranga.

Dr. Ajay Ranga said that the Vice-Chancellor has to reply on the issue.

Shri V.K. Sibal said that the way the hon'ble member (Dr. Ajay Ranga) is talking is not fair. If somebody has problem and has pointed out, let the other person speak and let the matter finish.

Dr. Ajay Ranga said that could they decide on every letter by conspiracy.

Shri V.K. Sibal said that Dr. Ajay Ranga does not have the veto authority.

Dr. Ajay Ranga said that he wanted answer to the question about the legality of the letter on the basis of which they are bringing this item.

Shri Rashpal Malhotra said that Dr. Ajay Ranga should stick to the rule of the game that those who are not in favour of it (punishment), they should raise their hands and those in favour, then let the matter finish. Why to create another situation. If

whatever has been said is really something which is not acceptable and should not be acceptable to any of them and what has been happening here is not in the welfare of the institution. He started his career from this institution. He, therefore, humbly requested his seniors and colleagues to let this matter be settled. The Vice-Chancellor has asked that those who are not in favour, may raise their hands and those who are in favour and the majority says 'yes', then this decision be carried.

Dr. Ajay Ranga said that it is not a game. They are deciding somebody's life and the life of his family and the future of the complainant also. He asked whether they believe in rule of law or rule of a person. It is a matter between rule of law and rule of a person. Now a person is dictating everything here.

Ambassador I.S. Chadha supported what Shri Rashpal Malhotra has said and that is also in response to what the Vice-Chancellor has said. The simplest way to proceed now is, since they have enough members present to be able to have 2/3<sup>rd</sup> majority, if all of them are in favour, to ask those who are not in favour, they may raise their hands and if that number is such that the balance is less than 2/3<sup>rd</sup>, then they face that situation, then they come to it.

Shri V.K. Sibal said that they should not go on that function that they need 2/3<sup>rd</sup> of the total because they have consulted two lawyers who have given different views. The Courts are full of lawyers who give different views. They should leave the things to the principles of the Court. The regulation does not say for 2/3<sup>rd</sup> of the total. So, why they are bringing in something which is not there. So, if somebody has an issue could go to the Court and the Court in its wisdom could decide the very important question. Secondly, the record of the Senate has shown that 2/3<sup>rd</sup> of the total hardly ever come. This is armour plating the teachers. What happens if the Registrar or Deputy Registrar or Assistant Registrar misbehaves? There they would not ask for 2/3<sup>rd</sup> majority. The law is very clear that if they have a rule or a regulation which does not promote the objective for which they made that rule that is unconstitutional. Therefore, there are important legal issues and they should not be distracted by people who have not studied it in depth and the Courts could decide in their wisdom as to what is right and it is good for the University. They have to see as to what kind of a message it would give to the society and the girls, their safety, modesty and honesty. This is something in which larger issues are involved and the Courts could attend to those. If somebody has any objection, he could approach the Court and the matter is finished. It is only one person and he could not hold the whole Senate to ransom.

Professor Akhtar Mahmood thanked for providing very exhaustive document and it is nice to read and it would help him to really know exactly what the whole case is all about. All the information about the person has been provided. The person joins in 2005. Somebody complains that the person has a fake NET certificate which was got verified from UGC and turned out to be genuine. It is a irrelevant kind of thing. Then the person had a domestic problem in 2007. This has also been quoted by PUCASH which is nothing to do with that but it is concerned only about the sexual harassment case which happened in 2015 and 2017. The PUCASH has also quoted that which is irrelevant as all the people have some domestic problems. Supposing, the person beats his wife and in turn she beats him, then what they would do. What they are doing as all these things are irrelevant. It is absolutely just to change the mind of the people. It is also mentioned in the report (page 2) that person registered for Ph.D. but could not qualify the course work and dropped. So, the person is not a Ph.D. holder and is simply Mr. or Shri whatever they call him. But in all the related documents from PUCASH and under the signatures of the Vice-Chancellor, the person is mentioned as Dr. Komal Singh. This is a wrong information being provided and misleading the people

to have a different opinion. He requested the Vice-Chancellor to look into that. Then there are three cases which have been mentioned in the report. The first one is that way back in 2015 that a girl student was illegally staying in the girls hostel who had made the complaint. He requested the Vice-Chancellor to tell him as to why no action was taken against the Warden of the hostel and the Dean Student Welfare who allowed a girl illegal stay in the University hostel but they are finding fault with the person. Later on, it turned out that again there was a compromise. The second one is that of a B.Sc. Hotel Management, which has nothing to do with the case as she was not a student of the Department of Public Administration where the person is working. It was again sorted out. But it is again quoted not only in the documents but by PUCASH also. Interestingly, these cases were never reported to the Syndicate and the Vice-Chancellor has mentioned that because he was busy in going to MHRD, UGC and High Court and so. What kind of administration is this as the Vice-Chancellor is not concerned about the person that what he has been doing but the Vice-Chancellor is busy with so many other matters.

Shri Rashpal Malhotra said that Professor Akhtar Mahmood is wasting the time of the Senate.

Professor Akhtar Mahmood said that he is talking about what is mentioned in the documents which have been given to them.

Shri Rashpal Malhotra said that the Vice-Chancellor has asked the members that those who are not in favour of the removal of the person, they may raise their hands and those not in favour, may not raise. That should be followed.

Professor Akhtar Mahmood said that then why this document has been given.

Dr. Amit Joshi said that Professor Akhtar Mahmood has also a right to speak.

Professor Akhtar Mahmood said that he does not need this kind of garbage.

The Vice Chancellor said that he (Professor Akhtar Mahmood) is a senior member of Senate of this University and he was nominated by the Vice President of India to the Senate. The Vice Chancellor said that he has not stopped him to speak and requested Professor Akhtar Mahmood to speak what he would like to say.

Professor Akhtar Mahmood said that whatever he has been saying, he is saying it from the documents provided to him.

The Vice Chancellor said that he only wish to protest that this is not garbage.

Professor Akhtar Mahmood said if he (Vice Chancellor) is not to listen to him, then why he has given these documents to him.

The Vice Chancellor said that Professor Akhtar Mahmood should not say that he has given him garbage.

Dr. Inderpal Singh Sidhu clarified as to what Professor Akhtar Mahmood meant to say was that if he was not to be allowed to speak, only then it is garbage.

The Vice Chancellor said that it is his (Professor Akhtar Mahmood) interpretation.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Professor Akhtar Mahmood said then why these documents have been given to him.

The Vice Chancellor said that whatever documents were with him, he has provided all those documents to him and requested that he should now speak. He is a senior member of the Senate and also an Emeritus Professor of the University.

Professor Akhtar Mahmood said that he does not need a certificate from him (Vice Chancellor). It does not make any difference whether he is a senior or junior member. He knows what he is. He said, do not give him a certificate, he does not need it from him (Vice Chancellor). It is an insult to him.

The Vice Chancellor requested Professor Akhtar Mahmood not to make any unnecessary accusations and insinuations against the Vice Chancellor. He (Professor Akhtar Mahmood) is not here to pass a resolution on his (Vice Chancellor) conduct. He is to speak on the topic and do not say anything about what he has done in performing his duties for this University and do not go out of context. Nobody has given him the right to say all these things as well.

A pandemonium prevailed at this stage as several members started speaking together.

Dr. D.P. Randhawa requested the Vice Chancellor that he is Chairing the meeting and if someone interrupts in between, then he should stop him.

The Vice Chancellor said that somebody should listen to him.

On being requested by Shri Sanjay Tandon to speak, Professor Akhtar Mahmood said that the second case pertains to a B.Sc. student from Hotel Management. She is not from the Public Administration Department. So again it was sorted out, again mentioned. These two cases were never reported as there was a compromise. As the Vice Chancellor has mentioned here that there are so many things which could not be taken up. That is different. Finally, the third case pertains to the year 2017. There were M.A.-I students who represented and the case went to PUCASH. Now the PUCASH has given its report and they have talked to each other. While referring to page 33 of the report where it is written that it has to be kept confidential, which is not. Obviously, it has become public now. In the last line it is written that this signed by the complainant and the respondent in the presence of the members of PUCASH, the case was closed on the basis of the settlement. Once the case has been settled and closed, what is use of bringing it here, what for it has come. Secondly, in one of the letters the present Chairperson PUCASH mentions that the person came drunk. Now, what can they do for that. Instead of calling the person from the Health Centre, she called the Security Officer. The Security Officer called the Police Station Sector-11 and they put up a DDR at 7.00 p.m. Then the person is taken to Sector-16 (Hospital) and they received and got a report at 6.52 p.m. The DDR was lodged at 7.00 p.m. and the hospital gives its report at 6.52 p.m. What is going on? In that report they did not take any urine sample or blood sample, they did not perform the blood test, there is no alcohol meter reading taken. All is just observation made and the observation is that smell like alcohol. Does it make any sense? Does this type of argument survive in legal procedures? In fact, nowhere it is mentioned that they have tried to find out whether he was really drunk. Even an M.A. student complains that he comes to the class (drunk), then he should have been sent to the Health Centre. The doctor should have been called and perform the test right the way. It is all manufactured type of information, which has been given.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Professor Rajat Sandhir objected to this kind of statement that it is a manufactured information.

Dr. Ameer Sultana also objected to it.

The Vice Chancellor requested Professor Rajat Sandhir and Dr. Ameer Sultana to let Professor Akhtar Mahmood complete his version and that they have full day to discuss this item. If the members would like to come tomorrow to discuss the issue, he is ready continue the meeting tomorrow itself.

Professor Akhtar Mahmood said that he is of the opinion that there is no such evidence as far as alcohol content is concerned. This is what he is trying to say, from where it comes, he does not know.

Shri Sanjay Tandon requested the Vice Chancellor to give only two minutes to each speaker, otherwise someone could take 30 minutes or so.

The Vice Chancellor requested Shri Sanjay Tandon to let Professor Akhtar Mahmood to finish his statement. After that he could ration the time.

Professor Akhtar Mahmood said that he has finished his statement.

The Vice Chancellor said that the society needs an answer from them as a governing body and the society does not care that they have differences so sharp and which are based on such thing that they cannot decide.

Shri Sanjay Tandon said that in any kind of public meeting or any kind of House meeting, basically the Vice Chancellor has to decide a mechanism that it finishes within the appropriate time. When the Vice Chancellor says that they can go on for one day more, he is thinks that most of them do not have that much time that they keep on coming for the same reason. He requested the Vice Chancellor that when he permits someone to speak, he should tell him that he has two minutes to conclude his statement. If everybody starts reading the agenda again and again, what is the idea of saying the same thing again and again. He (Vice Chancellor) should tell that within this and this time, the particular agenda item has to be closed and he cannot say that he could continue it for three days. Dr. Dalip Kumar and some other members endorsed the view point of Shri Sanjay Tandon.

Shri Varinder Singh said there should not be any such thing to finish the discussion within a specified time. They can speak for five minutes or ten minutes or even more. They have come here to attend the meeting. How much time a person has to take would depend upon the points he has to discuss.

Dr. D.P.S. Randhawa said that if somebody has less time and if he thinks that his participation in the meeting is not important, then he could do his other work.

The Vice Chancellor said that he accepts to finish the meeting today itself till 5.00 p.m. thus, excluding lunch time etc., they would be having 5 hours or they can say 300 minutes and let they should say that none would speak more than 2 minutes.

Dr. Ajay Ranga, Shri Varinder Singh, Dr. Inderpal Singh Sidhu, Dr. Chaman Lal and some other members objected to it.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Professor Chaman Lal while objecting to it said there cannot be two minutes' time because it is a question of person's life.

The Vice Chancellor said, is it the way to behave?

Professor Chaman Lal said, is this his way to behave? What does mean two minutes?

Shri Varinder Singh said one could speak even for ten minutes. There needs to be a capacity to speak for ten minutes because one is not to read an essay.

Dr. Ajay Ranga said that if someone feels that to sit in the meeting is not valuable or if he thinks that he is wasting his time, then he should go and do his work, there is no problem in it.

Dr. Subhash Sharma said that if they want to finish it, then they can linger it on for years. If some people here do not want to finish this agenda, they do not want to reach to any conclusion, they are wasting the time, that is why they are pleading. They have already discussed this topic at length for full day.

Shri Gurjot Singh Malhi said, he thinks this is an extremely serious case and the reputation of the University is at stake. This is a case which affects all of them. They all have mothers, sisters, daughters. To his mind this is a proven case and it has been discussed several times in the Senate and they have agreed that this case deserves major punishment. He would just like to make 2-3 quick submissions to stick to two minutes' time line. One, that he agrees with the procedure that they have adopted this morning. All the people who oppose major punishment, even that he would say are not really required because they have agreed that major punishment will be given. But still if somebody still wants to oppose the major punishment, he should raise his hand. The second submission is regarding the 2/3<sup>rd</sup> part. They have split legal opinion. There is no way that one can go for one and ignore the other. But personally speaking, he found that the opinion which Mr. Agnihotri has given is reasoned, he has given examples on other paragraphs. The reading of the opinion would show that 2/3<sup>rd</sup> of present and voting. Be that as it is made, let they should count the votes today as to who are the people who want to give the major punishment and leave it to the judgement for future. He requested to do what they have to do. They cannot postpone their decision. Let the hands be counted and that is perfectly fine. Third, they have ample amount of discussion on this. They have discussed the pros and cons and who were the witnesses and other things. He thinks that this is below the dignity for the girls to be discussed in such a manner. Once they have given statements, it has been proved. They have discussed it and to over and over again, he thinks, it does not behove this House. He said that they should close it now and go with the procedure that has been prescribed.

Professor Rajesh Gill said she, in person, is absolutely for zero tolerance for sexual harassment at workplace. But she would also insist that they must follow the rule of law and equality before law. She bows before the House for penalizing the person guilty of sexual harassment act at work place and quite rightly the authorities have taken all efforts to ensure that punishment is meted out to him. But she would just like to ask the House one simple question, had the offender been the Head of the Institution having complete control on every document, even the Committee investigating this case, in complete knowledge of each happening on day to day basis, sitting as a judge in his own cause, would the results be the same? Still, are they not following, "you show me the man I show you the rule". It is important to note that in this case the respondent was restrained by PUCASH in several ways. Much before, he

was proved guilty, for instance no membership in departmental committees, his personal life was intruded and his access to official privileges was curtailed. Had he been the Head of the Institution, would the same steps been taken? He would have been allowed to continue working as such, despite the desperate pleadings of the complainant to restrain him. Could there be an independent enquiry? While he would have been in possession of all kinds of information, while the complainant has none, she would have been completely lost. She is putting all these facts across to all esteemed members of this House just to be educated to educate her as to whether they take decisions on sexual harassment cases irrespective of who the persons are or it depends upon who they are. She has to say this because they have to show what kind of message they are giving to the society. She is repeating the phrase which has been said earlier. She would, therefore, plead to the House to be just and fair and view every case of sexual harassment with the same yardstick irrespective of who the respondent is. Remember, this is an offence if they (members), keep silent, when it is their duty to speak.

Shri Varinder Singh said that he is not in favour of anyone. First of all he would like to say that Shri Komal Singh is not able to teach because he starts drinking since morning. He has spoken this in the Syndicate. He has committed many mistakes and no one could take his guarantee that he would not drink in future. But his main problem is his drinking habit. When he is not in an inebriated condition, he does not commit such mistakes. All the complaints against him are received only when he has been under the influence of liquor. His problem is not his behaviour, but his habit of drinking. He said that the House may dismiss him, but he would like to request that he (Mr. Komal Singh) may be given one year's probation and sent to the de-addiction centre. If he improves himself, it is okay, otherwise dismiss him. He means to say that he has small children, otherwise he has nothing to do and the House could take a decision and act accordingly. But he commits mistakes only when he is drunk. So, he requested the House that they should not impose on him much bigger penalty that he has to lose his job. Otherwise also his health is very poor. So, they should not think only to dismiss him. They could put him on probation and send him to de-addiction centre. It could also be ordered even now that if he does not improve himself, he would be treated as dismissed. He means to say that he could be given a chance. If someone commits a mistake in all his senses, it could not be tolerated. He added that Mr. Komal Singh when goes to teach the class also abuses the students and so he is not able to teach. It is but natural that if he would go to the class after drinking, he would commit mistakes. So, he should be sent to a Psychiatrist. Even otherwise he may not survive more as he is a drunkard. If something could be done to save him, they should think about it. He could be sent on leave for two years. So, he requested that they should not only think of dismissing him. He suggested that he (Mr. Komal Singh) could be given some clerical job. With this he could be able to earn his livelihood as his children are very small.

Shri Ashok Goyal, on a point of order said that a very serious thing has been brought to his notice and he would like to share it with the House that the representative of the non-teaching staff, PUSA, who has been re-elected as President and is member of the Senate has not been called for the meeting. Why he has not been called for the meeting.

The Vice Chancellor said that he has not given such instructions.

Continuing, Shri Ashok Goyal said, that is why he would like to bring it to his (Vice Chancellor) notice and requested to ring and call him.

Senate Proceedings dated 27<sup>th</sup> May, 2018

The Vice Chancellor said that he has informed even the Chancellor office about it and he has not given instruction for not calling him to the meeting.

Shri Ashok Goyal said that he has been told that he (Mr. Deepak Kaushik) kept on following with the General Branch and the General Branch people said that they cannot call him because they are awaiting instructions from the office.

The Vice Chancellor said that he is sorry for this thing, but there are no instructions (from him). *It was confirmed that agenda was received by Shri Deepak Kaushik and he could not attend due to some unavoidable personal circumstances.*

Ms. Anu Chatrath said that in the last meeting the issue of Shri Komal Singh has been discussed in detail and most of the members are of the view that he is not fit for teaching the students. Shri Varinder Singh has said that he should be sent to the non-teaching side, but there are also female members in the non-teaching staff. So, the problem would also remain there also. Majority of the members had decided that major penalty has to be imposed. The question was whether there should be 2/3<sup>rd</sup> of the members present or 2/3<sup>rd</sup> of the total members. Practically, for the last 20 years she has seen that total members are never present in the Senate meeting. Where the statutes are silent and by this, she fully endorses the opinion given by Mr. Agnihotri that where the statutes/ rules are silent, then the presence of the members at the time when they initiate the consideration and discussion, has to be seen. The presence of 2/3<sup>rd</sup> of the members present when the issue and that particular agenda is taken up has to be seen. So, the legal position, she believes, she fully endorses Shri V.K. Sibal's view. 2/3<sup>rd</sup> of 91 members will never be there. She believes that Professor Akhtar Mahmood has raised the issue that the girl was not a student of Public Administration Department. Does it mean that the PUCASH is not for Public Administration Department? PUCASH is of the Panjab University. If any student or any teacher or any non-teaching staff raised an issue against the teaching faculty to the PUCASH, then the PUCASH is competent to take a decision. The second point which he has raised that when the earlier issue was compromised, then that issue should not have been made a basis by the PUCASH. She fully disagrees with that because once a person admits his fault and apologises, at that point of time they could decide to close the chapter. But in future, if he repeats the same behaviour and same action, then that has to be made a basis for taking decision for future also. At the most they can once exonerate a person, but this does not mean that every time he goes on repeating the same thing again and again, misbehaves and then apologises. Every time he says that he will not repeat it, but he again repeats it. So, his past conduct has also to be made as a basis for taking decision for his future conduct. She thinks that most of the members have participated in the discussion on the issue and now they have to take a decision as to what major punishment they could impose. That should be open to the members of the House for taking a decision.

Shri Varinder Singh said that two girl research scholars, two students and one female member from the non-teaching staff should also be included in the PUCASH. He further said that the voting should be stopped. They should first unanimously decide that they would not resort to voting. If the voting is done, then any legal or illegal decisions could be managed. Different sexual harassment cases have different nature, thus they cannot resort to voting in all the cases.

Shri Sandeep Kumar said that he has come to know from the members of the House that Mr. Komal Singh used to come to the department in inebriated condition. It is beyond his understanding that when he comes to department in an inebriated condition, why someone has not made his complaint. The problem is that they think



when some incident had occurred. Had they thought about it in time and that person was not allowed to drink or some action would have been taken at that time, perhaps this problem may not have been there.

Principal R.S. Jhanji said that the today's discussion should have been only on one point whether they have to follow the 2/3<sup>rd</sup> majority of the total or the members present here because the punishment has already been decided in the past. They have to decide on the major penalties i.e. either number one or number two. The discussion should be side tracked. The discussion should on the point that whether it should be 2/3<sup>rd</sup> of the total or 2/3<sup>rd</sup> of the present. This is the issue today. Penalty has already been decided. Why they are holding discussion on this thing. Why they are discussing unnecessarily what to do or what not to do. Again they are back to square one. The discussion is still there, it is not progressing. So, let they should decide it once for all whether they should follow the 2/3<sup>rd</sup> majority of the present or 2/3<sup>rd</sup> of the total members. This should be the issue. He does not know why the discussion is going on and on. It is not the issue whether the punishment is to be given or not because the punishment is to be given. That is the case, why they are side tracking it. They should decide this issue only and the members should speak on this issue only whether it should be 2/3<sup>rd</sup> of the total members or 2/3<sup>rd</sup> of the members present in this House.

The Vice Chancellor said that PUCASH came back as a Committee to him only when they could not award punishment. Their view point was that once the PUCASH has carried out the entire enquiry, done their job for several months and then recommended something, after that there is no scope of disputing it. Their plea was that the punishment has to be given. The second plea was a report in which they have closed the matter, after the first two, they are sending that whatever they have closed and the circumstances in which they closed, and the act that he committed, he committed a wrong act, he sought an apology. Continuing, the Vice Chancellor said that look at everything in totality, i.e., first mistake another mistake and third mistake. It is in that totality, he was supposed to bring the complete case. He was the person who detected that he has wrongly admitted a student in the Girls Hostel, who was not a student, using his authority as a Chairperson of the Department. He goes as a Chairperson of the department and ask the warden to admit the student. It comes out later on that she was not a student. He (Mr. Komal Singh) has just got admitted somebody who should not have been admitted by him as a Chairperson of the Department. It was in these circumstances that he (Vice Chancellor) requested him (Mr. Komal Singh) to give up his Chairpersonship as he has committed an act which is unbecoming of a Chairperson of a department and he conceded it that he should not have done it. He (Vice Chancellor) said that he (Mr. Komal Singh) would not perform the duty. But, as Shri Vicky ji (Shri Varinder Singh) has said that alcohol is his problem, he tried to have him rehabilitated in so many ways, asked him to go to the de-addiction centre or the Alcohol Anonymous. He requested the doctor to cure him, but he did not cooperate with the doctor. He told him to do this for three months. But he forced the doctor after one month to send him back. Now, why he said to send him back. It is because the alcohol is not cheap, he needs money. So unless he has access to salary, job or regular income, how can he buy liquor when it is not free. So, the problem is very complex. Of course, he needs a de-addiction centre, but, what they could do. Do, they keep him in the job and keep on doing these things. What they would be answering to the society. Is the society with them that they should pay the tax payers money to such a person to do these things because he happens to be a teacher of the Panjab University whose Calendar says that unless they have 2/3<sup>rd</sup> majority of the total, he cannot be removed. So, this is what Shri V.K. Sibal at some stage had said that let the Court decide as to how everything has to be interpreted. Let they do their duty and let nation do its duty.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Dr. Ajay Ranga said that due to this 'let the court decide' attitude, there are 1500 cases pending against the University which is the highest in the country.

The Vice-Chancellor requested Dr. Ajay Ranga not to mix up the things.

Dr. Ajay Ranga said that why not to mix up, this is a fact. For every case, the University is paying a sum of Rs.15-20 thousand to an Advocate which is a financial burden due to the wrong decisions taken. Who is responsible for that?

Dr. Ameer Sultana said that they are here for serious deliberations and requested the members of the House to be disciplined. She is sorry if she is using strong words. If Dr. Ajay Ranga wanted to speak, she requested the Vice-Chancellor to allow him first to speak and they would listen to him completely and let him take his own time.

Dr. Subhash Sharma said that let Dr. Ajay Ranga speak for about half an hour or so but thereafter he should not be allowed to speak.

Professor Akhtar Mahmood requested Dr. Ameer Sultana to please have her seat.

Dr. Ameer Sultana said that she has a right to speak as she also is a member of this House. She is not dictating but making a humble submission.

The Vice-Chancellor said that she (Dr. Ameer Sultana) is a member of the PUCASH.

Dr. Ajay Ranga said that the agenda before them is Item C-1 and requested the members first to read the item. The item is recommendation of the Syndicate dated 29.04.2018 that report dated 5.3.2018 of the Panjab University Committee Against Sexual Harassment (PUCASH) regarding complaint of certain students of the Department of Public Administration, against faculty member of the Department of Public Administration. The agenda of PUCASH is on the basis of one complaint which 17 students had made against Shri Komal Singh. They all including the Vice-Chancellor are talking of terminating his services on all the other agenda. First of all, there is a lot of difference between the agenda and the discussion and both are wrong. He suggested that either the agenda be set right as they are discussing all the previous and present record of Shri Komal Singh. The second agenda is that exemplary punishment be imposed on the faculty member in question. It means that it is predetermined that they have to impose the exemplary punishment. There is no democratic system of discussion. The e-mail which has been sent from the e-mail of the Deputy Registrar (General) and he also came to know that the Vice-Chancellor has personally talked to the persons to attend the meeting. It means that the Vice-Chancellor is already biased that he would terminate the person and not keep him in service. What kind of discussion could be held on this issue. He requested that he be told whether the discussion is on the issue of complaint made by 17 students against Shri Komal Singh or on all the previous and future incidents. He requested the Vice-Chancellor to answer to it. He requested the hon'ble members also to ask the Vice-Chancellor to answer his queries on this issue.

The Vice-Chancellor requested Dr. Ajay Ranga to say whatever he wanted.

Dr. Ajay Ranga said that he is here to discuss and the Vice-Chancellor has to give the answer because he has brought this agenda and deciding somebody's life. He

told that he is not in favour of Shri Komal Singh. He is not in favour of it that the Vice-Chancellor is working against the person in a biased manner. He wanted that the rule of law should prevail and not the rule of man. The members must be fearing but he has no fear. Everyone must be working under some pressures but he does not do so. He works in his own way. The matter which has been brought on is the complaint by 17 students. If the House permits he could play the recording for the House, all this is being done on the direction of the persons and Chairpersons dear to the Vice-Chancellor. Secondly, out of the 17 names of the students mentioned in the complaint, 7 students were not present in the class. Out of those students 3-4 students have admitted that they were under peer pressure due to which they had signed on the complaint. If the members need, he would send this complaint to all the members, this complaint could be Xeroxed and distributed to the members. He requested that it be told as to which issue they want to discuss. He would logically discuss each and every point. When some matter has been disposed off, then with what intention the same has been brought here. He requested Dr. Ameer Sultana and Professor Rajat Sandhir, the members of PUCASH, as to under which provisions of the Act they had given a power to write such a letter. If such a letter has been written then, there is also a case pending against the Vice-Chancellor which is bringing bad name to the University from all over the world, the Vice-Chancellor is also being defamed and they are also being defamed. Then why the PUCASH did not take up that matter also. Secondly, a teacher had been exploiting a girl student for four years due to which she became mentally disturbed. In that case, the Syndicate had authorised the Vice-Chancellor, then why he did not take the action in that case. Why the action is being taken against Shri Komal Singh, is it so because there is no one to speak in his favour? Otherwise could they take such a decision and throw Shri Komal Singh out of service like this by bringing an agenda item in such a way. It is predetermined that major penalty is to be imposed upon the person. He requested the Vice-Chancellor to first clear his questions on the agenda and only then he would further discuss the issue.

The Vice-Chancellor said, 'no comments'.

Dr. Ajay Ranga said that it means that the Vice-Chancellor has no answer to his questions and that is why he is saying 'no comments'. If the Vice-Chancellor has the answers to his question and has the courage, he challenged the Vice-Chancellor to defeat logically and legally him in this case. But by vote or majority, they could decide anything. He again challenged the Vice-Chancellor. He requested the members with due respect that if they wanted to logically argue on this case, they should discuss for a long or a short time, they should discuss logically but not on majority basis. It means that if someone has no godfather, that person would be thrown out of service and the person having godfather would be saved. He said that when three students have given in writing that they were under peer pressure to sign on the complaint, let it be cleared as to what is the logic in it. He asked the Vice-Chancellor as to why he is not answering to his questions.

On a point of order, Shri Ashok Goyal said that according to him, it is very easy for the Chair to give the background as to what is to be decided by the Senate today. This is the only question which Dr. Ajay Ranga is asking.

The Vice-Chancellor said that he (Dr. Ajay Ranga) is not asking this question.

Dr. Ajay Ranga said that the Vice-Chancellor is running away from his responsibility intentionally.

Senate Proceedings dated 27<sup>th</sup> May, 2018

The Vice-Chancellor said that he is not running away from his responsibility. He (Dr. Ajay Ranga) could say whatever he wanted, but no comments on that.

On a point of order, Dr. Subhash Sharma said that in the last meeting of the Senate held on 1<sup>st</sup> April, 2018, they had discussed this issue at length. After discussing the issue at length, the whole House unanimously including Dr. Ajay Ranga decided that major punishment has to be imposed on the person. It is on record. There was only a difference of opinion on the issue which of the major punishments has to be imposed, i.e., whether the rank is to be reduced or removal with giving opportunity to apply for another employment. They had to decide on one of the punishments. It was the only difference of opinion. The major punishment has to be imposed was already decided. Dr. Ajay Ranga was a part of that unanimous decision. Therefore, there is no logic to discuss that issue time and again. That issue has been closed. This House has unanimously decided that major punishment has to be imposed. The only difference of opinion was as to which of the two major punishments has to be imposed. Voting on that was held on that day and 32 members voted in favour of second punishment, i.e., removal from service with an opportunity to apply somewhere else for future employment. Eighteen members voted in favour that the rank is to be lowered. Thirty two number was below the 2/3<sup>rd</sup> mark. Therefore, there was a technical problem that the punishment could not be imposed. The issue before the Syndicate was that if the punishment could not be imposed, then what could be done. So, the Syndicate again endorsed that exemplary punishment has to be imposed and the matter be placed before the Senate as to how the punishment could be imposed. There is no meaning of discussing the issue again and again as it has already been decided to impose the major penalty. The issue before them today is that which penalty is to be imposed and what methodology is to be adopted for that. This is only question of matter on this agenda. Therefore, only this issue should be discussed. Therefore, there is no meaning of discussing and debating the issue again and again. Otherwise there is no meaning of discussing the issue without any result. This is the only question and whoever wanted to give his opinion, he/she could do so. They should take a decision as to how the decision is to be taken by voting whether it is 2/3<sup>rd</sup> of the total or present. How the voting is to be done. If the voting is not to be done, is to be decided unanimously by the House. They should discuss only these two things. They have already discussed all other questions and the hon'ble members have given their opinion on the issue for a long duration. Nobody has anything new to say. The issues which are being discussed today have already been discussed which could be verified from the record. Therefore, they should not waste the time and take a decision on the agenda today and the members should give their opinion.

The Vice-Chancellor said that let him take two minutes to read as to what is mentioned on page 34 of the report. They could open the same while he reads it. This is a letter submitted on 5<sup>th</sup> April, 2018 by PUCASH. The letter says that "this is to bring to your kind notice that PUCASH took serious note of the media reporting of the Senate proceedings 1<sup>st</sup> April, 2018 on the recommendation of the former PUCASH regarding sexual harassment complaint against Assistant Professor, Dr. Komal Singh. We would like to emphasise that the sexual harassment is a serious offence against the dignity and rights of women and it is not to be taken lightly by any person or organisation. This special statute Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was enacted by the Parliament of India on the specific directions of the Hon'ble Supreme Court in the Visakha case to safeguard the dignity of women at the workplace in which the Hon'ble Court had declared. Each incident of sexual harassment of women at workplace results in violation of fundamental rights of gender equality and the right to life and liberty. It is a clear violation of rights under Article 14, 15 and 21 of the Constitution. We would like to draw your attention to the

following facts: The present PUCASH dealt with another complaint of sexual harassment by the students of Public Administration against the same person, Dr. Komal Singh in which he tendered an unconditional apology for his misconduct. It further needs to be emphasised that during the proceedings before PUCASH regarding the subsequent complaints of 2017, Dr. Komal Singh came to attend the proceedings in an inebriated state. PUCASH felt compelled to call the University security who in turn called the police. The Police not only got a DDR registered against him but also got his medical examination conducted. The report of PUCASH proceedings of the said case has already been submitted to your goodself. Thus the Committee is of the considered opinion that all these above stated facts of the subsequent case further corroborate the conduct of Dr. Komal Singh. Section 13 of the Act provides that "On the completion of an inquiry under this Act, the Internal Committee or the Local Committee, as the case may be, shall provide a report of the findings to the employer, or as the case may be, the District Officer within a period of ten days from the completion of the inquiry and such report be made available to the concerned parties. The employer or the District Officer shall act upon the recommendation within sixty days of its receipt by him". In view of the above, the PUCASH is of the unanimous opinion that as the recommendation of the previous Committee should be taken up at the earliest, failure to take action or delay in action implies a violation of the provisions of this legislation. Furthermore, PUCASH wishes to make a submission that all the complaints of one accused be dealt collectively so as to corroborate and strengthen the case. Thus, we hereby request that the recommendations of the PUCASH with respect to the subsequent complaints be also placed before the Syndicate and Senate. Sir, Panjab University as one of the leading institutes of India with a large majority of women students must uphold a zero tolerance policy of sexual harassment. There must be no impunity for the offenders. We would like to reiterate that who is found to be repeatedly indulging in such an offence must be dealt with strictly. It is requested that the opinion of PUCASH be placed before the Senate in its next meeting". So, this is where they are today. They have already decided before the next incident happens that the person concerned is to be given a major penalty. Of the two major penalties that they considered while voting, he has brought to their notice he has admitted his lapse on that part that one of the things that they voted for has become infructuous. So, the only thing that remains of the voting is removal from service so that the person could take a job later. So, what they are left with today is only to decide whether they reiterate that they remove the person from the service of a kind that he could seek a job elsewhere. This is where the matter is at the moment. As far as his understanding of the comprehension of the situation is that he had till this lingering doubt whether they need 2/3<sup>rd</sup> of the total or present and Shri V.K. Sibal has clarified that it has to be 2/3<sup>rd</sup> of the present. If there is any dispute, people could always take the matter to the Court and the Court could give some judgment one way or the other. As far as he understands, they only need to tell all the people present who are in favour of removal from service without his right to apply elsewhere, this is what the simple matter is. If 2/3<sup>rd</sup> of them present say that this is what it is and the matter stands concluded.

Dr. Ajay Ranga said that he could not understand as to why the Vice-Chancellor is running away from discussing the matter on facts.

Dr. Subhash Sharma said that the arguments could be put forth before taking any decision as in the Courts also no arguments take place after a decision has been taken by the Court. Arguments have been put for in the Senate and it has already taken a decision that major penalty is to be imposed. Then why they are discussing the issue time and again. There is a unanimity that major penalty is to be imposed. There was not even a single voice of dissent.

Shri Ashok Goyal said that he agrees with what Dr. Subhash Sharma has said that it is not only the unanimous decision of the Senate to award major punishment to the person. That decision was already taken. Not only the decision was taken, that was also decided as to what is the quantum of punishment listed under the misconduct rules. On that date also it was suggested that before going in for voting, let them decide whether it is 2/3<sup>rd</sup> or the total or 2/3<sup>rd</sup> of the present and voting. But without deciding about that, still as ruled by the Chair, they went for voting. Fortunately or unfortunately, let them take both the interpretations. 2/3<sup>rd</sup> of the total, the first option, was rejected by the House. As per both the interpretations, the voting which was done on that day is neither 2/3<sup>rd</sup> of the total nor 2/3<sup>rd</sup> of the present and voting, for that it required 34 votes. So, the issue stands clinched on that day itself. As Dr. Subhash Sharma says that it could not be brought to the same Court the same issue to be decided afresh, as he understands it. The case which has been brought for consideration of the Senate is on the basis of a letter which has been written by the PUCASH on 5.4.2018. He did not know whether the PUCASH has challenged the decision of the Senate taken by it on 1.4.2018 or that Committee has asked it to review the decision. If it is so, then what Dr. Ajay Ranga is asking, is it within the purview of PUCASH to pressurize the punishing authority or the disciplinary authority or the competent body to say that unless and until they take this decision, justice would not be met, this needs to be examined. If they (PUCASH) have not written at all, then probably they did not need to look into this question also. As far as the other subsequent incidents are concerned which they (PUCASH) have referred to, on those grounds neither any PUCASH enquiry has been conducted nor any report has been submitted. The Technical flaw which the Vice Chancellor explained right in the beginning which probably Dr. Ajay Ranga could not concentrate on, was that the punishment which was awarded by the Senate in its meeting on 1st April by having less than 2/3<sup>rd</sup> majority, not only of the total but of the present and voting on the issue could not be implemented because he was drawing Rs. 6000/- AGP and not Rs 7000/-. So practically it was not possible to implement the decision as he could not be brought at a lower stage since he was working only at the lower stage, this is what he understands. So, this is the only thing which needs to be handled, that how to see that the punishment is implemented, if it is not implementable, then as per the decision already taken by the punishing authority, what alternative can be done. As far as he is concerned, he is of the view, he told earlier also, so he is not in the habit of clarifying his position again and again. Probably, in this House nobody is against punishing a person who has committed such a serious crime and on that day also it was decided unanimously. Left to me, he would like to suggest that such a person should be hanged till death, but it could be done only if it is provided for in the rules and regulations. If it is not provided for, if the maximum punishment is life imprisonment then whatever one may want, he may not be able to do that. So, as per the existing provision, whatever was possible in good faith and resolved bonafide, the Senate took a decision, though at that time also he had suggested that while taking a decision about a particular person, they should have all the details, i.e., what is date of joining, what is the date of birth, what are the details of his family members, what are his liabilities, when the next date of increment is falling due, what are the present emoluments and so on. But in good faith, maybe wrongly on the basis of the presumption that he was drawing Rs. 7000/- AGP, it would be lowered to Rs. 6000/- AGP, the Senate took the decision and now they have to cut a sorry figure that he was not drawing Rs 7000/- AGP. Now in view of the decision already taken, that decision already stands taken, this needs to be seen legally that whether the same body can review its decision on its own. If yes, can it review its decision to the disadvantage of the accused or can it review its decision by diluting the punishment which is not implemented. In both the cases if the answer is 'yes', then they have to decide what is to be done today. But, if all, it is to be decided it is only to solve the problem which they are faced with in not being able to

implement the decision which was taken on 1st of April. Notwithstanding, what has happened subsequently, if they want to take action in subsequent incidents also, for that the whole process has to be adopted as per the Act and as per the service conditions of the employee concerned. That is what he wants to say and that is why he was requesting the Chairman of the meeting to at least address, if Dr. Ajay Ranga does not know what they want to discuss, then there is no difficulty in explaining. However, he is thankful that the Vice Chancellor gave him the opportunity. As he understands this is the issue, if somebody else has any difference of opinion including the Chairman, he (Shri Ashok Goyal) would like to be enlightened.

Professor R.P. Bambah said that his idea and his intention is not for intervening, but after listening to all the people and also applying his mind, he found that the decision taken earlier by them essentially gave freedom to the person because they could not dismiss him unless 2/3<sup>rd</sup> majority is there, they could not lower his grade because that is not possible. In a way he got scot free. Then later to this another incident took place, they have got another complaint from PUCASH, this is his understanding, and according to the new Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 which is there, the new recommendations of PUCASH which have come to them have to be decided within a certain period and that period is about 60 days. The Syndicate has already taken a decision, whether they think of the past or not. They have got the recommendations of the PUCASH that exemplary punishment be imposed on him (Mr. Komal Singh). He does not know whether the PUCASH requires a notice to him or anything. But he would suggest that they accept the recommendations of the PUCASH and say that the recommendations of the PUCASH which has just come to them from the Syndicate and give him punishment. On the issue of 2/3<sup>rd</sup> majority, his view is that it should be 2/3<sup>rd</sup> of the member present and voting otherwise they can never have 2/3<sup>rd</sup> majority. As Dr. Jagan Nath Kaushal used to say that in one's honesty, they should take the decision, they should do their job and let the Court do its job. There could be difference of opinion. If the Court thinks that they have erred, they can correct it. If they do something honestly, then they should take action according to their conviction. Therefore, he suggested that they should accept the PUCASH recommendations and give him punishment. If he has to be dismissed, there should be 2/3<sup>rd</sup> majority of the members present and voting. On a personal note which most people did not like to be soft, as also earlier said by Mr. Vicky Gill (Shri Varinder Singh) that this is a psychological case. They could give punishment, suspend him, give him leave without pay or whatever is due and have him sent for rehabilitation centre. After a year, if he could convince them that he is fit to take classes, they may reinstate him, if he still does not improve then dismiss him. This is his soft view. This may not be taken otherwise.

Dr. Neeru Malik said that she was expecting that they are only to discuss about the total of the present majority which is 2/3<sup>rd</sup>. It is her personal opinion. She is not here to recall the previous discussion. She would like to say that for the girls it is very difficult to open up on this issue and the more difficult is to bring the proofs. They are a bag which is full of proofs and facts. Secondly, ample opportunities and ample offers were given to Mr. Komal Singh and he has been rejecting himself. He has rejected any kind of preventive measures or remedial exercises which they have offered him, i.e., either to consult a psychiatrist or to go for a rehabilitation centre. Even the Vice Chancellor offered him transfer to USOL, but he is sitting by closing his doors. If they talk about the PUCASH, the PUCASH was constituted for some purpose and that is under the jurisdiction of law which is mandatory body and they have not taken a decision of their own. There were some facts which were observed, evaluated and then the PUCASH presented their report. Why to question when the facts are in front of

them. If they say that they have received a mail to show their presence to influence the House, then she would like to request the House to recall those moments and calls where his (Mr. Komal Singh) father has called the members and approached other persons, was it not an emotion. Keep the fact in their hands, would they like to give a new direction to their decision. She is not in favour of an exemplary punishment, but she is in favour of the punishment which is as per the rules and regulations, under the penalties for misconduct either that is minor or major. A call which has been made by Mr. Komal Singh and his father, after that they have decided and in between a point also came up that he belongs to SC category and because of that this is being done to him. But this is not true, they were only discussing the teacher which has done a misconduct. If they talk about the members of his family, then she would like to say that then they have to discuss about the family of Dr. Devinder also whose case would also be coming to them. When Shri Varinder Singh intervened, she said that whatever she is saying, it is her personal opinion. Next, if they say that the Panjab University is as bad as far as 1500 cases are pending in the Court. Let they should join to give a right message to the society by taking a not exemplary but the appropriate punishment which is another provision. This is her personal opinion and she does not represent any group or girls or Mr. Komal Singh or anyone else. She is a female and she has a daughter and she would not like to send her daughter to an institution where the teachers are of such type.

Professor J.K. Goswamy said that it may not be considered that he is in favour of Mr. Komal Singh in any respect. He is in favour of the punishment, but he would like to thank the Vice Chancellor for providing the whole case and he could go through the whole case since he was not in the Senate from the time this whole issue was being discussed. Somehow he could not have the access to all the documents before that. So, now once has gone through those documents, he found that there are something which they can call a contravention of principle of natural justice. He would not like to mention each of them because that would create another type of environment here. One thing as he has pointed out in the last meeting also that when show cause notice was issued to him, will his reply assist in any manner. Now he just would put up that it was Registrar who has asked the S.L.O. whether any other Committee can be made. After that 'P.T.O.' was written but there were no further pages are attached to it. Even in the report of PUCASH there are certain places where they could find, he is not supporting Mr. Komal Singh, but Mr. Komal Singh has been put to disadvantage on one pretext or the other. He was not allowed to present his case properly. He would not be specific because there would again start creating opinion difference. He is on record now about what he is speaking. He can say that there any many stages where this issue was there and that he has not been given chance and there are certain concealments in this document. He is very frankly saying this. Keeping this in view, can the PUCASH members, all of whom have investigated this case, given affidavit that the justice and all investigation aspects have been covered, then he would be the one to dismiss him (Mr. Komal Singh) and he would support his dismissal. The wife of Mr. Komal has sent a letter to PUTA which he would like to submit to the Vice Chancellor. On being requested by the members, he read out the letter which states as under:-

"I, Sukhdeep Kaur came to know through various newspapers regarding the case Mr. Komal Singh. I wish to inform that I was married to Mr. Komal Singh in the year 2002 and now decree of the divorce has been granted by the Court on 8<sup>th</sup> March, 2018. I am very much hurt that the newspaper report has mentioned about marital dispute between myself and Mr. Komal. The University has no right to intervene in the personal matters by quoting my name in the report submitted for any action to be taken against Mr. Komal Singh. The newspaper report is affecting me



Senate Proceedings dated 27<sup>th</sup> May, 2018

and my kids psychologically and the University authorities must restrain themselves from bringing personal matter of my family into the public domain.”

Continuing, he said that this is a very serious letter and he hopes that this should go as a part of the minutes.

Dr. Neeru Malik asked whether they are discussing the case of Mr. Komal Singh or his wife.

The Vice Chancellor said that she has exercised the right and they have brought it to the minutes, that is it.

Ms. Anu Chatrath said that she believes that this is the case on which they want to have a second sympathetic consideration because as per this letter (read out by Prof. J.K. Goswamy) which says that by making a mention of this, it is affecting her and her kids. It means the kids are staying with the wife.

Principal N.R. Sharma said that after reading this case the 2-3 things have become clear. One, that he has written under pressure which is wrong because he has himself admitted and also gave in writing that he would improve himself. Second, it is being said that it has already been decided in the last meeting that exemplary penalty has to be imposed. Now the question arises as to what penalty has to be imposed. He would like to add something in the major penalty. Because, what Mr. Vicky (Shri Varinder Singh) has said, perhaps there could be some technical problem, so he (Mr. Komal Singh) could be given three years leave, without salary and without any increment. If after three years, he submits a Certificate from a Psychiatrist of AIIMS that now he is mentally established and fit for taking the class. This could be considered. If some things are not decided here, then the public will be compelled to decide. If they see the media report of last time which stated that two votes saved the job of culprit teacher (*Do vote ne bachai doshi teacher ki naukri*). It means what message they are going to give. What they want to do? They should think about it.

On point of order, Prof. J.K. Goswamy said this newspaper had earlier also misquoted the facts.

The Vice Chancellor asked Principal N.R. Sharma if he has anything more for to say.

Principal N.R. Sharma said that he is not asking for voting otherwise a lot of discussion has already taken place.

Professor Chaman Lal said that first of all he would like to apologize for raising his voice in the beginning. He was provoked by two reasons. One reason is that Prof. Akhtar Mahmood was interrupted unnecessarily. There was no reason to interrupt him as he was talking sense. Rather he also got provoked. He (Professor Mahmood) was not provoked earlier but when the interaction became such, he provoked. There should be no occasion to provoke others to raise their voice or shout. Secondly, he was provoked because a member said that everybody should be allowed to speak for two minutes and the Vice-Chancellor also says the same thing OK only two minutes. If everybody is speaking for 10-15 minutes in the whole meeting, out of 5½ hours he (Vice Chancellor) takes a minimum of two hours as Chairman and he wants to put a cap of two minutes how can you discuss in two minutes, so that is what provoked him but still he thinks that he was wrong. Now he would come to the point. Let him say very clearly. He is

again repeating what he said earlier that he did not know Mr. Komal Singh at all. He has not seen his face at all. He stands by the unanimous decision of the last Senate and he also upholds what PUCASH recommended, though he has reservations, that the person deserved a major penalty. So everyone of them is in favour of major penalty. Those two things are granted. Only dispute is what kind of major penalty has to be imposed. Secondly, he is always concerned about the procedures and what he has to speak here today is raising his objections for certain procedures. First, the constitution of PUCASH is not as per MHRD given structure. He had raised it earlier also and put it on record again despite full respect for all the members of the PUCASH. This PUCASH is not legally constituted as per the MHRD and UGC directions.

The Vice Chancellor said he (Professor Chaman Lal) has said these things earlier also and it has been pointed out to him that the PUCASH constituted by this University and this Senate is as per law and it has been examined by the MHRD.

Prof. Chaman Lal said that it was his opinion but not his opinion and let him express his opinion.

The Vice Chancellor said that whatever happened in JNU is not to (necessarily) happen in Panjab University.

Prof. Chaman Lal replied that he is not talking about JNU at all. He is talking about MHRD and he is talking about UGC. When the Vice Chancellor wanted to say something, Prof. Chaman Lal said that why is he provoking him and further said when he stops others from interrupting, why he interrupts, listen to him, if he has any argument, he can respond it later.

The Vice Chancellor said that he (Professor Chaman Lal) should not say something which is so absurd that they have done things and constituted a Committee which is not as per the Act. As a Member of the Senate he cannot do this.

Professor Chaman Lal said that his (Vice-Chancellor) behavior is so provocative that when he interrupts and then all things happen. If he keeps patience and keeps his cool, the things would not go that way. Let him complete, he still repeats that this PUCASH which as per MHRD, as per UGC should be called Internal Complaint Committee. The proper name is ICC. ICC in universities and in colleges must have three elected members from students as well as three elected members from teachers and even from non-teaching staff. This PUCASH does not have elected members either from teachers or from students. In fact, if there have been elected student members, they would have even more harsher than the PUCASH. He knew that. Yet he would say this was not properly constituted. Last time, he even suggested that since they could not hold elections but they can have is that let PUTA and PUSU nominate from their own side their own two members if not three at least two members from PUTA and PUSU should be part of PUCASH or ICC whatever it is and whatever they said that becomes more valid. What he means to say is that despite respecting PUCASH recommendation, he would put on record that this PUCASH is not properly constituted. He would again come to the procedure. Saying very clearly that he has no sympathy and he goes with the Senate decision to award him major penalty. However, since he does not know the man, he does not want that anybody should be hanged without justice. Secondly, since he has objection to PUCASH constitution, if the Senate can take a unanimous decision which he pleaded last time and he supports Prof. Bambah, Principal N.R. Sharma. He will go even further. Everybody is saying that since he is at the lowest level he cannot be demoted, he says that he (Shri Komal Singh) could be demoted. They can make him a Research Officer, University has a power, Senate has a power to demote him to

Senate Proceedings dated 27<sup>th</sup> May, 2018

Research Officer, Research Scientist without having any classes or below the grade also, less than Lecturer's grade, Assistant Professor's grade. He also favours that the person should be sent to the de-addiction centre for one year with no salary, no house on campus. Even they could stop five increments. All these things could be recorded and if that decision could be taken unanimously, he would go with that. Otherwise his own view is that he would abstain from this decision precisely for the reason because he neither can say that whatever is being done with that the person is correct nor he could say that it is incorrect. Since he does not know the man and since he does not follow the procedure which is done properly. So, he will go with two options, (i) punish him with major penalty as the Senate has already decided or (ii) short of it, make him a Research Officer, send him on leave or a de-addiction centre or whatever conditions they want to put, should be put on the person but if they want to punish him with dismissal, then he abstains from that decision.

On a point of order, Dr. Subhash Sharma said that Mr. Chaman Lal is factually wrong. As per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Committee shall consist of the following members. (a) a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees; (b) not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge; (c) one member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment; Provided that at least one half of the total Members so nominated shall be women. That is only the requirement. There is nothing like that there should be.

Professor Chaman Lal said that it is not according to MHRD/UGC.

Dr. Subhash Sharma said that this is the Parliament Act.

Professor Chaman Lal said that Parliament Act has to be implemented by the different departments.

Dr. Subhash Sharma while referring to Prof. Chaman Lal said what he is talking about is only his opinion that matters. He (Prof. Chaman Lal) is misleading the House to which Prof. Chaman Lal responded that he (Dr. Subhash Sharma) is misleading the House. Their Complaint Committee is only as per Parliament Act. No rule is above the Act of Parliament.

Principal R.K. Mahajan said that one thing he would say is only that if the decision is not taken today they will not be able to face the public. See what happened after first April.

The Vice Chancellor said that they should not go after the news published in the newspaper.

Principal R.K. Mahajan said that he is not talking they should read what has been written in the newspaper. He will be reading the headings only. Two votes saved culprit teacher (*do vote ne bachaya doshi teacher*). The public perceives him as a culprit because the news has already gone to the public. It is being alleged that two persons have saved the culprit, it is an allegation on the Senate. *Voting mein bacha sexual harassment ka aropi shikshak* (Voting saved teacher alleged of sexual harassment. What does it mean? Everybody considers him a culprit, newspapers consider him a culprit, public consider him a culprit but they do not consider him a culprit. They

consider him a culprit but they are not imposing any punishment. He is not talking about one newspaper. He is reading statements of all newspapers. The heading of a newspaper says: 'After five hours debate tainted Professor removal failed to get majority Senate vote'. The newspaper has written a statement of a Senator who has said that he has not raped or even attempted to rape anyone. These words have appeared in the newspapers. What is being discussed here, the same is published in the newspapers. The reporters are sitting here. If they do not take a decision today then what will be published in the newspapers the next day and what impression will go to the public. They must note it where they are standing. They are the Senators of one of the big and topmost universities of India. It would be blot on the Panjab University.

Shri Gurjot Singh Malhi requested to wind up the discussion as it has already taken much time.

Shri Prabhjit Singh said that the discussion has started from the last Senate. The members who are speaking are very senior and educated. The affidavit which the Vice Chancellor had given for the reforms (in governance at Panjab University) is right and he accepts it. He is unable to understand as to what they are talking here. Everybody is Ph.D. holder here. Discussion was to be held to give punishment, voting has been done on punishment and now they are again going back, whether this is to be done or not, whether it is right or wrong. If this is the view of the experienced and the cream of the society, then he is sorry that nothing can be done and then he (Vice Chancellor) is right and they are wrong and there is dire need of the reforms (in governance at Panjab University). What punishment is to be given is to be given in accordance with the rules. Somebody says give one year leave and somebody says give two years leave. Is there any provision in the rules for exemplary punishment? Somebody says that the Act is wrong or not as per UGC. It is not understood what are they doing? What are they doing for the last 2-3 hours? What do they want to say? The issue is how much punishment is to be given. Somebody says give him leave, somebody says to send him in rehabilitation centre. They can give punishment in accordance with the rules. From where can they give the salary of Research Officer? Where is the post of Research Officer? He further said that he belongs to the administrative side and is not a Ph.D. holder. But he is unable to understand. What Madam Anu Chatrath said, what Shri Sibal ji said and what Shri Subhash ji said is totally correct whether the 2/3<sup>rd</sup> majority is to be taken of the total members of the Senate or the 2/3<sup>rd</sup> majority is to be taken of the present members. Sibal Sahib is saying that the 2/3<sup>rd</sup> majority of the members present is to be taken and the matter is to be decided. He (Vice Chancellor) in the starting has said that if anybody does not want to do, should raise hand and they have again reached back that place from where they started 2½ hours back. Second thing, do they doubt PUCASH? Do they doubt the credibility of the PUCASH? He may be removed from service. Somebody says he has child. The Court while imposing punishment does not see whether the culprit has a child, parents or a house. They are here to take a decision. While taking a decision, the quantum of crime is to be seen. Crime has been proved and that proof has been accepted by the Senate and at the time of giving report they think what action is to be taken. Remove him from service. He is requesting him (Vice Chancellor) the way he is convening the meeting, if the meeting continues for 15 days, no decision can be taken. He is requesting him (Vice Chancellor) as Chairman to conclude this item within 15 minutes or half an hour.

Professor Ronki Ram said the matter is simple. In the beginning he (Vice Chancellor) has told in simple words and Sibal Sahib has also told in clear terms. The only issue was that for some reasons they could not decide in the last Senate because in that meeting they talked about 2/3<sup>rd</sup> majority and they had not clarity about it. In

the beginning of the meeting, it was said that the voting has to be done again. That meant that they have to vote only for one option whether the punishment is to be imposed or not. In the last meeting, they had given two options (i) whether he is to be removed from service or (ii) he is to be demoted and voting was done on these issues. Voting was also done to decide out of two punishments what punishment is to be given and whether 2/3<sup>rd</sup> majority is to be implemented. When it came to their notice that one option carried 32 votes and the other 18, even on that they had said they are not 34 whereas there should not have been 2/3<sup>rd</sup> on that issue. Now, the PUCASH has submitted its report in which they have made the enquiry. PUCASH is itself a constitutional body. Can they question PUCASH? Can they say that what has been written in the report is not in a proper way? Do they have a right to violate PUCASH and whether the Court would not ask the Senate that they do not accept PUCASH. They say that the PUCASH decision is final. Study has been conducted on women. Her case has been seen and whether the other body has a right to challenge the decision of the PUCASH. The PUCASH has given its report and they have accepted that report and they have to take decision on that. Do they take a decision? If they do not take a decision, leave the society aside, even the Court can say that violation has been done with women in this University. PUCASH, which is a properly constituted Committee, has given its verdict but the University Governing Body has ignored it. The Court can think of taking action on it. He asked whether the Senate has a right to challenge PUCASH. The PUCASH has given its report on the basis of the documents presented to it. He asked whether the Senate has a right to challenge PUCASH. He said that the Senate has no right to say that the case was not properly investigated by the PUCASH that it was not enquired from various departments. They should have faith in the PUCASH and the PUCASH has submitted a very comprehensive report and they have to take a decision on it which is a legal binding on them. As it has been said that they all are academician and they should have morality. If there is any space for morality, they could think of it otherwise as Shri Prabhjit Singh has clearly said they have to come forward for two points (i) they should be responsible for the job for which they are accountable to the Society and (ii) legally they cannot avoid not taking the decision on PUCASH report. The PUCASH has done its job and now the Senate has to do its job.

Dr. Subhash Sharma said that last time a question arose in the House as to out of two which punishment has to be given. There were three major punishments. The House had unanimously rejected the third punishment. Two punishments were selected. In those two punishments there was a difference of opinion – number 1 and number 2. Voting was done and the House rejected punishment No. 1 of lowering the rank with majority. Majority was for number 2 but it was not 2/3<sup>rd</sup>. His opinion that the major punishment with 32 votes which was accepted in the last Senate be put in the House again and if anybody is against that punishment No. 2 should raise his hand and decide accordingly. There is no need to have further discussion on this.

This was endorsed by most of the members.

Prof. Pam Rajput seconded the proposal.

The Vice Chancellor requested to the members if there is anyone against the proposal of removing him but retaining his right to serve anywhere. Is there anyone opposing this proposal? Those who are opposing it, may raise their hands.

Dr. Ajay Ranga said that this is not the right way to take a decision. In this way, they are violating the fundamental rights of somebody.

The Vice Chancellor asked Shri D.P.S. Randhawa to speak.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Professor Pam Rajput intervened and said that once the proposal has been moved, then why discussion. This is again a point of order now. She said that the report of the Sexual Harassment Committee was submitted to the Vice-Chancellor on December 7, 2015. Already the Act has been violated. The Committee had clearly said that the action be taken within 60 days and three years have gone and the authorities are trying to send him to the doctor or do this or that. She supports what Dr. Subhash Sharma has moved and she also formally moves the resolution, no more discussion on it and let them decide by vote whether they could do this or that.

Dr. D.P.S. Randhawa said with all due respect to Professor Pam Rajput, he has serious concern on this. Do not take a decision in haste.

Professor Pam Rajput said that how it is a haste decision now as it is going on since 2015 and now it is 2018 and they have already violated the Act.

Dr. D.P.S. Randhawa said that everybody has spoken on this. He has his own viewpoint. Let him express that if they agree with it, it is OK and if they disagree with it, they can resist on it. First of all, he had spoken on this issue earlier also and that was on quantum of sentence. The set of allegations made without going into the merits and demerits of the case, the set of allegations made of the verbal contents he has spoken to the complainant. So, if any person makes a verbal comment whether the punishment is major or minor, will he be removed from the service? So, his only point he is not going into whether the fact finding was right or wrong whatever is there, is admitted. But the point is quantum of sentence. The punishment should be proportionate to the degree of the offence committed. So, his point is that the person should be sent for 3 years compulsory leave or whatever it is. Taking his job is too harsh punishment against the allegations levelled. They could not impose life time sentence just for slapping a person. Therefore, the punishment should be in proportion to the offence committed.

Dr. Jagdish Chander Mehta said that all would agree that there should be zero tolerance policy regarding safety and protection of girls on the University campus. As Professor Pam Rajput told, this case is very old. When a lie is spoken hundred times it becomes truth and when time and again Mr. Komal is called accused, then after sometime he becomes the culprit. He also becomes culprit in the eyes of the society. They should keep this thing in mind. Dr. D.P.S. Randhawa has said that harsh punishment cannot be given for a slap. All complaints are verbal, with messages and telephonic conversations. In no complaint, there is a mention of physical involvement harassment or physical direct contact. So, while imposing punishment, they should keep in mind the offence one has committed. He (Vice Chancellor) is in the habit of convening meeting again and again. Instead of convening one meeting for one sexual harassment case and other for other sexual harassment case, why not he call one meeting bringing therein all sexual harassment cases of the last one or two years, including the case of Dr. Devinder Singh, so that comparison of the offence committed by various persons and the punishment imposed upon them is made. They had sufficient time and the case of Dr. Devinder Singh which had already been passed in the Syndicate, could have been clubbed and decided with this case in the present Senate. There is one more case of sexual harassment of a Ph.D. scholar and he has already pointed out number of times and is again pointing out that he (Vice Chancellor) has biased approach to deal with different cases as he has not produced before the Senate the report of PUCASH on a sexual harassment case of a Ph.D. student against the son of DSW (Women). Further, there are number of anomalies in that PUCASH report and the scholar had made representation to this effect but he did not pay his attention towards the same. The Vice-Chancellor has not taken any action against that

boy. Rather, he tried to protect him. In the opposite, he is using the negative word, the Vice-Chancellor is harassing the girl. The High Court has given her protection and the case has been stayed and her Ph.D. cannot be cancelled in any way. Moreover, many children who are in jail for some offence, come to appear for the exams. He (Vice-Chancellor) is not doing anything against the accused but is taking action against the complainant and cancelling the Ph.D. of that poor girl child. He (Vice-Chancellor) is not only cancelling her Ph.D. but in every case he is saying that let the court decide. The Court is giving her protection and staying her Ph.D. but in spite of this he is not doing anything for so many months. The agenda of today's Senate was not to discuss the matter of Mr. Komal but its matter was to terminate Mr. Komal. The reason behind this, he would like to inform that, what legal thing of 2/3<sup>rd</sup> majority they are discussing now had already taken place in the last meeting. If the majority was not prevailing against the decision in the last meeting and if they take any decision today there should be alternative solution and not only termination and if there is any alternative solution, then as suggested Mr. Varinder Singh, respected Prof. Bambah ji, Dr. D.P.S. Randhawa and Prof. Chaman Lal, they should take an alternative solution. The issue of his termination has already been rejected in the earlier meeting of the Senate, so, there is no need to discuss it again. He demanded his (Vice Chancellor) response regarding harassment of the Ph.D. student in spite of the court stay and he has not taken any action against the boy who caused accident and inflicted number of fractures by causing accident.

Dr. Sarabjit Kaur said that she thinks the ethical code of conduct is mandatory for teachers. She feels that this is missing in this particular case and this should not be discussed in so much detail as has been deliberated for last three years. For the last two years she is attending these meetings and this is the fourth Senate meeting and they are lingering on the same case on the same particular issue that should be finished today only. She thinks that mere discussing the psychological problems of the person concerned, what about the psychological well being of the female concerned in this case, who will think about those who come out of their houses for study purpose or for job purpose, who will look after those. She thinks serious and severe punishment should be given in this case so that this may work as a lesson for future also and they are dealing with the professional life of the person. So, they need not to deal with the personal life of the person in this House and she feels that the PUCASH needs to develop a time-bound and transparent policy in such cases to provide safe and secure environment for female for study purpose as well as for job purpose and punishment must be fixed for false implication too. It is not an accused only it may be complainant also. If a false application has been made, then the person concerned should also be punished. He or she should not be left out at freedom and last she must say that a strong message must be conveyed that anyone who is doing anything wrong towards females must not be protected. Those girls who come from their homes, they are doing major struggle for survival and if any person say anything to them, that cannot be tolerated. Being a female, she cannot tolerate. For such person, she shall be saying that he be hanged at the same time. Why a girl should tolerate if anything unusual is said to her. She can be a good daughter, a good wife or a good daughter-in-law. So, no male could dare to exploit her and such a lesson should be conveyed from this House.

The Vice Chancellor said that it is not the verbal abuse only which he has been indulging. The PUCASH says that the Committee took special note of allegation of slapping.

Dr. Ameer Sultana said that the resolution has been moved and with such a discussion they will not reach to any conclusion.

Prof. Shelley Walia said that the report on rights of women, he thinks, is dismal in the country. Violence against women has become an epidemic and if they need to take appropriate measures to curb this. He is concerned about this issue in the country and he is absolutely for major punishment be given to anyone who is guilty of it. But, he thinks that he regards the Senate as no less a body than any other judicial body as he thinks it consists of academics to whom an appeal can be made that they take certain human attitude. They make certain kind of human view of what punishment they are going to give to this gentleman. To give him a punishment, i.e., lethal, is not the way that he would look at it. He feels that the removal of this particular person is giving him punishment that looks to make us repent probably tomorrow. They will repent tomorrow because, he thinks, they are issuing almost a death penalty on him. They are pushing him to more alcoholism and, therefore, in any civil society, the human view that he has, they actually think of quantum of punishment that has to be given. Therefore, let them ensure that he is being rehabilitated like any model civil society does. Removal is not the answer to it. His opinion is a human view and not a legal view.

Shri Sanjay Tandon said that in the beginning of the meeting, he had made a comment and the said comment was objected to by saying why two minutes be given. They are discussing the issue for the last 2<sup>3</sup>/<sub>4</sub> hours without any result. Shri Prabhjit Singh had very clearly spoken on the issue but he thinks that in spite of hearing the same, there is no effect on many persons. After receiving arguments from various persons, he is unable to believe in which society they are sitting. He thinks that whole society is reflected in the Senate. Every type of people are sitting here – both good and bad. He is not saying good or bad to anybody but all type of views are being received. What are the views? It is strange to hear the view of one of the members who has said that he (Mr. Komal Singh) has not even touched any girl. How can they impose exemplary punishment? He wants to ask, as the University authorities are they waiting for a bigger offence. All those people who are trying to protect him by one way or the other; are they not encouraging other Professors to do this. He is ashamed of that some people are continuously talking about it. He would request that they go home, talk the same argument in front of their wife, their mother and their daughter and ask them if they do not rebuke them, they will not come back to the Senate. For the last three hours they are talking about the same issue. Why, they are just trying to protect. In Punjabi, there is saying that if they have to maintain discipline, they have to some harsh decisions so that the others may take lessons from it. They cannot catch even one culprit. He is unable to understand as to where the argument is. Sometimes, they cite his family conditions and sometimes they say to send him to the rehabilitation centre. He has no link with that Professor. His learned Professors are sitting here. He further said that if somebody tries to speak beyond the agenda, he (Vice Chancellor) should stop him. He (Vice Chancellor) becomes very democratic and allows all to speak. He should say that this is the topic, everybody has to speak on the topic, whether to vote on the topic or not, whether exemplary punishment is to be imposed or not. Today, he has no third topic other than two. If someone speaks on the third topic, it means the Senate has free time? If a man repeats the same topic six times, does a person has no right to say that he is wasting the time and if that person says that he will speak for more than two minutes as he has fifty arguments. But that person with fifty arguments could not speak for more than five minutes. They are answerable. They are standing here as a part of the literate Society. They are representing the University. To remove a person in the University has become bigger than the impeachment of a Judge. The Establishment Branch at its own level can decide whether the person is to be removed. It has been told to him that the rules do not allow it, but at the time of getting job all rules are acceptable. While citing an example, he said that if a person wants to board a bus, he requests the others to give him some space to enable him to



board the bus but when he succeeds he asks the others why they are pushing him. Then there becomes a society and say each other to protect them. After giving protection to someone, do they, in turn, not demand the same right of protection from him for a bigger offence? When in the morning, this news would be published in the newspapers; the children would come to them and ask whether they would like to send their daughters in front of such Professor? One of the female members in this House has said that she would not like to send her daughter to study here. Do they not feel anguished that one of their colleagues is compelled to say like this? Are they sitting here with ears closed? To him, they are repeating here the same scene of putting off clothes (*cheer haran*) of Mahabharata. Everyone is speaking what he wants. Dhritrashtra is still sitting here with closed eyes. Bheeshampitamas are also sitting here with closed eyes. Why does anybody not speak that there should be no argument on this issue. This is the question of future of the children and the question of prestige of the University. He asked the members to suppose for a minute, that a mistake has been committed, is there no need to convey a message to the Society. See the newspapers of today, they would see that the tutors are spoiling the life of the children. What the teachers are doing? The University is doing nothing and just waiting? Why to wait? Can they not convey a message to the Society? Do all of them not have their collective responsibility, irrespective of caste, creed, religion, politics, everything? Can they not rise to the occasion? He is trying to awaken the consciousness. Friends, do not take my views otherwise but at the same time, there could not be two things about the punishment to be imposed on him (Mr. Komal). In the Parliament, time is allocated for speaking on a topic. In the Parliament it is said that this topic has come and they have allocated 1 hour 20 minutes to this topic, this party would get this much of time and that party would get this much of time and everybody has to conclude in that time. But, here they have made it a right to speak. Three persons sitting here are desperately recording the minutes of the meeting and they will prepare bulky proceedings like that of a thesis. From the proceedings they will quote some lines and tell the person concerned that how many lines they have spoken to save him. These speeches are for that purpose only. They will go outside and tell other persons too to commit offence and they will protect them. One of the female members is saying that the resolution has already been moved and she has brought all documents while working in the PUCASH but nobody is listening to her. They are saying to keep in mind his (Mr. Komal Singh) children. He further said that if any person enters their house and starts misbehaving with their mother, sisters and daughters that person might be their servant, peon, cook, chowkidar or any officer, would they think about any effect on his family before beating him. What type of arguments are being given?

Shri Varinder Singh said that he is being indirectly targeted.

The Vice Chancellor asked Shri Varinder Singh to sit down.

Shri Sanjay Tandon told Shri Varinder Singh that he is not referring him. He is requesting with folded hands that their daughters and sisters are common and by the grace of God they should not divide it.

Shri Varinder Singh said that they are dividing the issue.

Shri Sanjay Tandon said trying to delay it means trying to divide. If they try to argue for three hours on it, they are trying to divide it. This matter should have been finished in half an hour. Are they not responsible for consuming three hours on the matter? Why to consume? They say that it is the question of one's life. He asked is it not the existence of the University? This is the question of the position of the University's reputation in the eyes of the society. He requested with folded hands not to

consume so much time to decide the matter and further requested not to take him personally and still further asked the members to think about the future of the country, think about the future of this University and think about the future of the women in our country. What place they need to give it to our women in the country? It needs to be decided today and everyone, who cast vote, please cast with his conscience. He requested the members that while casting their vote they should keep their mothers or sisters in mind and not the face of the colleague.

Mr. Varinder Singh said that they are not in favour of the voting, only the unanimous decision may be taken. In the Lok Sabha and Vidhan Sabha, speakers do not speak.

Shri Pawan Bansal said that he would not praise Shri Sanjay Tandon so that he might not get into any trouble. He has only two quick points to make. Firstly, he thinks as far as voting is concerned, it has to be 2/3<sup>rd</sup> of those present, unless it is specifically mentioned of the total strength of the Senate. With due respect to the Hon'ble legal Counsel who has given that advice, he is certainly of the opinion that it means 2/3<sup>rd</sup> of those present. The second, he would like to emphasize only without repeating again the same thing, that there should be zero tolerance to any such matter and any action which has been stipulated, which has been recommended one should take, irrespective of what the outcome of this is what are the considerations forgetting that we must take action that message has to go. He is not saying exemplary or non-exemplary because it has to be according to the rules. What sentence or what punishment you can give is what is prescribed and if it is prescribed, please go ahead.

Shri Raj Kumar Chhabewal said that he had also attended the last to last meeting. This issue is being continuously discussed. This is very embarrassing also. This issue should not take that long and he (Vice Chancellor) had taken legal opinion. As per the legal opinion, they should move. Of course, what Shri Pawan Bansal has said that there should be zero tolerance is very true. They should go with the rules and the decisive powers. He thinks it is lacking on the Chair. They should take the fast decision because this issue is coming in every meeting and lot of time of the House is being wasted. So, they should proceed as per the legal provision.

Shri Sandeep Singh said today is the fourth meeting on the issue. All respected are sitting here. The expenditure, including T.A./D.A. for one meeting of the Senate roughly comes to Rs. 5 to 7 lakhs. It is being said that he (Mr. Komal Singh) should be sent on one year's leave. In the last meeting, he (Vice Chancellor) had got voting on the issue. When they were not clear as to how much percentage of votes and how much percentage of majority is required, voting should not have been there. That day, time was wasted and today again they are again regularly churning the water for nothing. Whatever decision he (Vice Chancellor) wants to take, they are with him. But, he does not agree with Shri Prabhjit Singh who has said about the affidavit which he (Vice Chancellor) has given that all graduates are *gundas* who won the election just with 1% or 2% votes, to which some of the members said that they also do not agree with it. In the Colleges ratio of girls and boys is 9:1. If any boy harasses a girl, why the girl does not give him a slap or take any other strict action against him so that others could also learn a lesson out of it. They have already convened four meetings. Everyone here is older in age than him. All the members have daughters and sisters and when they take weighing scale in hand, then there should not be any discrimination. Dr. Jagdish Mehta has pointed out to him (Vice Chancellor) that what action he should have taken against the boy that action has been taken against the girl research scholar. In the last meeting, he (Vice Chancellor) got annoyed and went out of the meeting. He also said that he is being called accused Vice Chancellor on the website. Why should not they

solve all these things in a good way? They will support him (Vice Chancellor) if he is (Mr. Komal Singh) hanged but before doing so, it must be seen whether he has committed offence. Has it been seen by anybody else? If punishment being imposed upon him is in proportionate to the offence he has committed, then they are with him and nobody will question him (Vice Chancellor). If the wife of Shri Komal Singh has sent a letter that her personal life may not be discussed here but the same time many of the members have objection as to why that letter reached here. They feel proud in telling the people that he used to beat his wife after consuming liquor. Now he agrees with Shri Prabhjit Singh and further said decision may be taken without any argument and there should be no discussion further. But he also wants to say that once the weighing scale has been taken, there should be no discrimination while taking decisions. All cases should be decided equally. This message should go to the Society that this House takes impartial decisions in all cases. Law is equal for everybody and all cases should be handled equally. Different yardsticks should not be adopted while providing justice to the rich and the poor.

Prof. Rajat Sandhir said as everybody thought how much time a student needs when he comes and files a complaint. There is a need to instill courage and confidence in the students so that they can come forward. In the recent case, the dental students with whom they interacted, they did not have courage. In the case of Komal, the recent incident, the complainant student has been intimidated. It is on record and if they want, they submit to the Senate Committee. So, this is where they are going. If this is a situation of PUCASH, he thinks they should not have PUCASH on the campus. They can have a small body arising out of Senate members who can deliberate on things, submit the report here and then they have to decide what is to be done. More so, he would say that even the Chairperson of PUCASH has been questioned on this letter that has been written. Another member of PUCASH has been questioned by a Senate member sitting in this House today itself. This is where they are going. He thinks that what they need to do is to instill confidence in the students and take this PUCASH report seriously, give a message to the students. He must say that they had to interact with 150 students while this deliberation of hundreds at the dental college was happening and they were told by the faculty that nothing will happen, as they have seen what has happened in the case of Shri Komal Singh. They were pained, that is why they wrote letter to the Vice Chancellor and if it comes to voting in the case Dr. Devinder Preet Singh case also, they know what is going to happen.

Dr. Ajay Ranga requested the Vice Chancellor to give him time to speak as he wants to discuss the issue.

The Vice Chancellor told him that he has already taken time.

Dr. Ajay Ranga requested the Vice Chancellor to answer his query and asked for time to speak.

Dr. Inderpal Singh Sidhu said that they have already discussed on the issue of Shri Komal Singh. He does not want to say anything on the issue. But, when anything happens in the society, then to convey the message to the society, the message should be conveyed as a whole. Girls are the daughters as well as sisters of all of them. Whatever is meted out to Shri Komal Singh, he is with the House. But at the same, what Shri Mehta ji has said, that justice should also be provided to that girl in a similar way in this meeting or put this item in the special agenda in the next meeting. This is his only request. That girl is also a daughter of someone else. He requested the Vice Chancellor to clear it to the House if he has any reservation as the matter is lingering on for the last 1½ years. There should not be any suspicion to anyone.

Senate Proceedings dated 27<sup>th</sup> May, 2018

The Vice Chancellor replied that PUCASH report in the case that is he is referring to, police report in the case he is referring to shall be circulated to all of them by e-mail in the next two days.

Dr. Jagdish Mehta said that they have threatened the Chairperson also.

The Vice Chancellor said it is upto him to make any accusations.

Dr. Ajay Ranga said as to why the Vice Chancellor is running away from the discussion on this case.

Dr. Jagdish Mehta again said that the Chairperson has been threatened and asked to give a report condemning the girl.

Dr. Ajay Ranga and Dr. Jagdish Mehta said that the Vice Chancellor is misusing his power.

The Vice Chancellor proposed the resolution that Shri Komal Singh is removed from service with an option that he can seek job elsewhere.

The resolution was approved by almost all the members by saying 'yes'.

Dr. Ajay Ranga and Professor Akhtar Mahmood recorded their dissent against this resolution.

**RESOLVED:** That –

- (i) recommendations of the Syndicate dated 29.4.2018 that report dated 5.3.2018 of the Panjab University Committee Against Sexual Harassment (PUCASH) regarding complaint by certain students of the Department of Public Administration, against Shri Komal Singh, Assistant Professor, Department of Public Administration alongwith letter/representation dated 5.4.2018 of the members of the PUCASH, be accepted; and
- (ii) as per provisions contained in Chapter-IV (Part VI, Page-114) of Panjab University Calendar Volume-III, 2016, major penalty of “removal from service of the University which does not disqualify from future employment” be imposed on Shri Komal Singh, Assistant Professor, Department of Public Administration.

Dr. Ajay Ranga and Professor Akhtar Mahmood recorded their dissent against this decision.

Senate Proceedings dated 27<sup>th</sup> May, 2018

The discussion on Item C-2 took place after consideration of all the items.

**III.**

The recommendations of the Syndicate contained in **Items C-2** on the agenda was read out, viz. –

**C-2.** That minutes dated 29.09.2017 of the working Committee, constituted by the Vice-Chancellor to work out a road map for rationalization and revision of fee structure, examination fee and all other charges for the session 2018-2019 to achieve the task of augmenting the resources for affiliated colleges of Panjab University, be approved:

**NOTE:** The above item was placed before the Senate in its meeting dated 1.4.2018 as an item C-24, but the same could not be taken up.

**(Syndicate dated 10.12.2017 Para 23)**

Shri Raghbir Dyal said that he has got the revised copy of the fee structure, but the amended copy is not available in the agenda. He does not know as to which fee structure has been attached and it has not been approved by the Syndicate. Though the colleges have got the copy of the new fee structure, but it has not been attached with the agenda papers to which the Registrar informed that it has been circulated to the colleges. Shri Raghbir Dyal said that it would have been better if the copy of this fee structure is sent to the members of the Senate also. The papers which are attached to the agenda are not proper. Though he has no grudge to it as he has already received a copy of revised fee structure from the Controller of Examinations. He requested that a copy of this fee structure be sent to all the members for their information.

The Vice Chancellor asked the Controller of Examination to clarify the situation so that there is no doubt.

It was informed (by the Controller of Examinations) that this item was sent by the Finance & Development Officer's Office. This was the draft item and he does not know how it has gone to the honourable members and he regretted for this. After the Syndicate meeting, when it was pointed out to them by the Chairman of the Committee Principal R.S. Jhanji, the corrections were made. Thereafter, in continuation to that some suggestions were sent by the worthy members. They have been incorporated and the revised and superseding letter has been sent to the Principals. It was dispatched yesterday and also emailed to the Principals and today one copy is available which he would get zeroxed and distribute it to the members.

The Vice Chancellor asked the members whether he (Vice Chancellor) should could take C-2 as clarified, to which Shri Raghbir Dyal and some other members spoke in affirmative. The Vice Chancellor asked if Item C-2 is over to which Shri Raghbir Dyal said some discussion needs to be taken.

Shri Raghbir Dyal said that they are deducting retirement benefit fund has now been increased to Rs. 2040/- after making an enhancement of Rs. 100/-. In big colleges there is provision for Provident Fund or Contributory Provident Fund, but there is no provision for retirement fund. He has already talked in the Senate meeting that there is no check on the colleges and there are many colleges who are at fault to which the Vice Chancellor said that this issue was discussed yesterday also. In big cities like Ludhiana and Chandigarh, without naming any college, student from his area come to do master's degree to these colleges. In the fee structure for Chandigarh colleges, the

Senate Proceedings dated 27<sup>th</sup> May, 2018

fee for master's degree is about Rs. 20,000/- and there would examination fee of Rs. 5000/- or Rs. 6000/- whereas some of the colleges charge Rs. 40,000/- to Rs. 45,000/- as fee. He asked if there any check from the University that the colleges would do the things as per the University norms. The University should ask the colleges as to how they are taking this fee, whether they are taking fee as per the University norms or also taking their own charges. There should be some criteria. The University should ensure without any prejudice to any college at Ludhiana or Chandigarh, whether these college follow the University norms as mandated by the Senate. Let the University should ask these colleges to submit their fee details as to how they are charging Rs. 40,000/- or 45,000/-. He requested that unjustified fee should not be taken from the students. Secondly, it is a good thing that the Committee which was formed for rationalizing the fee structure has rationalized it to a great extent. Earlier they used to charge separate fee for PUPIN Card, enrolment and registration. These three different accounts have now been clubbed into one account which is a good thing. Two funds i.e. World University and property tax have been abolished. This would definitely help to lessen burden on the students. It has been his policy not to put more burden on the students, but they have been taking money from the students. He further said that the P.U. Regional Centre, Sri Muktsar Sahib is still in a dilapidated condition and suggested that the amount of Rs.70/- charged for World University Service Fund and for Property Tax which has now been abolished be revived at least for two years and converted as P.U. Regional Centre Fund to be used for construction of building and development of other facilities at Panjab University Regional Centre, Muktsar Sahib. In this way they would be able to collect money from the two lac students studying in affiliated colleges of Panjab University, this figure may have now decreased due ILETS. He does not have the exact data. If they take the number of students as 1.5 lacs, just with Rs. 70/- from each student, they would be able to generate at least Rs. 2 crores for the development of P.U. Regional Centres. It is his proposal which could be accepted, if the House has no objection to it.

The Vice Chancellor said that it is very good and he recommends its acceptance.

Continuing, Shri Raghbir Dyal made another submission with regard to the admission of students. He said that they used to increase the fee every year for admission with the permission of the Vice Chancellor. It started from Rs. 1500/- and now it has increased to Rs. 2250/-. He said, without prejudice to any college, in many colleges the admission keep on going even after the last date, but in the government colleges, they cannot do so as they have to deposit the money within 24 hours taken from students. He asked if there could be any cushion for them also to get their admissions done from the back date. The provision of admission with permission to Vice Chancellor with a late fee, which is at present is Rs. 2500/- is an injustice with government colleges. They are not having enough number of students and so the University would not to have suffer much loss. Loss could happen only if twenty thousand students or more. Earlier the late fee with Vice Chancellor permission was Rs. 2040/- and now it has been increased to Rs. 2250/- so it would not make much difference to the University. At the most the University has suffered only in some thousands. If five thousand students take late admission, it would not affect much. So he requested that more burden should not put on the students.

Professor Keshav Malhotra said that more than five students take late admission and good number of students take admission in University School of Opening Learning mode.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Continuing, Shri Raghbir Dyal requested that 5% fee which has been increased for the BCA and PGDCA courses, this might not be made applicable to BCA & PGDCA courses run under self-financing scheme.

He enquired whether the issue regarding converting of two funds for into Regional Centres Development Fund is passed to which the Vice Chancellor said 'yes' it is done.

Shri Naresh Gaur said the Committee which the Vice Chancellor has constituted for rationalization of fee structure, he does not have any objection on the wisdom of any of the members, but he had requested him (Vice Chancellor) earlier also that as and when the Vice Chancellor forms a Committee to look into the fee structure for colleges, he should at least include one or two members from the graduate constituency, though he is not saying to include his name. He has been saying this for the last three times. This time also there is no member in this Committee from the graduate constituency. The Vice Chancellor could say that Dr. Mukesh Arora is there in the Committee, but he would like to say that Dr. Mukesh Arora has a role mainly as a teacher, though he has come from graduate constituency. He does not know why he (Vice Chancellor) does this, intentionally or unintentionally, because he has been saying this for last three times. Secondly, as regards the issue of increase of fee is concerned, he would like to say that the culture of the University and culture of colleges are different. In the colleges, students from remote area come to study whose poor parent have some dreams to see their children to have some higher studies. Here in the fee structure it has been mentioned that a 5% increase would be made and maximum increase would be not be more than Rs. 1000/-. He said they should not write the word 'maximum' rather they should write that Rs. 1000/- fee would definitely increase. In the proceedings of the Committee, it has been written: "After discussing on the various issues in a rational manner, the committee members unanimously resolved to recommend that an overall 5% fee be increased in all the heads of rectified list of fee structure of Affiliated Colleges (Annexure I to VII) rounding to nearest Rs. 10/-". Clarifying this he said that when they would round it to nearest 10, it would automatically increase one thousand. Suppose, there fee of Rs. 11000/- for B.A. and its 5% would be Rs. 550/- and when it would be rounded off to nearest 10 in each head, it would automatically increase to Rs. 1000/-. So, he requested that only 5% fee should be increased and it should not be rounded off to nearest 10. As informed by Shri Raghbir Dyal, a decision was taken by the Senate in 2013 to increase the fee. At that time also it was decided that for the retirement fund of colleges, a register would be maintained to have record of such funds and an inspection of the college would be done to check these things. But as far as he knows, nobody has taken any action even after the lapse of five years. He know many such colleges who have collected Rs. 1940/- from each students, but they did not give the retirement benefits to the teachers. If such retirement benefits are not given to the teachers, then why that amount is collected from the students. So, he has strong objection to it and the collection of Rs. 1940/- from the students be stopped. This amount be allowed to be collected only when the colleges would start giving the retirement benefits to the teachers. Thirdly, it is written at page 9, point No. that "The new fee/fund structure applicable for the session 2017-18 would be part of the college prospectus". Shri Naresh Gaur said, it has been stated by Shri Raghbir Dyal that many colleges in Chandigarh and Ludhiana, he would not like to name any college as he is residing at Ludhiana, are charging much more fee than the fee whatever fee is prescribed by the University for the colleges,. The guidelines which are issued by the University and printed in the college prospective, the fee structure as prescribed in those guidelines is not followed. It should be decided that if any college does not abide by the guidelines as per the laws, regulations and decisions of the Senate of the University, some penalty should be imposed on such a college

because that college are defying the decision of the University. The students usually do not know such things and they pay the fee as is demanded from them. They charge a very hefty fee. Many colleges of Ludhiana, though he does afraid of narrating their names, admit much more students in B.Com. than the prescribed seats. For example, if there are 200 prescribed seats, but 250 students are studying, it should be checked. The fee is charged by the college, but they are appeared as private candidates. Whatever he is speaking is hundred percent true. They tell the students that they are the students of their college, but they are got appeared as private candidates. The students are allowed to sit in the same class and the Examination Centre is also made in the same college, so it does not make any difference for them. When the University has prescribed the number of students for a class, then how 70 or 80 students are admitted in that class. The colleges are collecting a hefty fee, but when it comes to paying salary or DA to the teachers, they say that the colleges are in a very bad position. Some people manage the system with money and exploit the teachers and the students. So, he requested the House that it should also be included in the prospectus that the fee prescribed by the University should be made a part of the prospectus and if any college does not do so, some penalty must be imposed on that college.

Dr. Shaminder Singh Sandhu referred to page 8 of the agenda item has also been circulated to the colleges. He read out the from the first line which states that, “ Please find enclosed herewith corrigendum fee fund structure to be followed by the Degree colleges affiliated to Panjab University for the Session 2017-18 along with the mandatory conditions as intimated earlier and reproduced below:

1. That all the colleges would pay salary including all admissible allowances such as ADA, HRA, Annual increment and other benefits viz Retirement Benefits, Gratuity, PF, Leave encashment etc. as amended from time to time by the State Govt./U.T. Administration/University.

That a sum of Rs.1940/- would be charged by colleges and shall ensure to pay Retirement Benefits, Gratuity, Leave encashment etc. to the employee. The College will maintain a corpus fund of this amount and report to the Panjab University.

2. That Colleges would be required to submit the Income and Expenditure statement duly audited by the Chartered Accountant to the College Branch of the University by 30<sup>th</sup> June, every year.
3. That the college would charge fee/fund for all Undergraduate, Postgraduate & Self-Financing courses, strictly as per the fee structure approved and notified.

Dr. Shaminder Singh Sandhu further said that he would like to bring to notice of the Vice Chancellor that it has also been discussed earlier about the gratuity, provident fund or earned leave that means all retiral benefits, but even full salary is not given to the teachers. In the last Syndicate meeting, they have invited data from all the colleges, where it was also said that data regarding retiral benefits and all other benefits which are being paid to the teachers be also provided to the University. As regards gratuity, they have said that from the time they started collecting Rs. 1916/-, the data from that date should be provided to the University. The last date was in the month of November and 6-7 months have now passed. Earlier they have told the colleges about the decision of the Syndicate and that the term of this Syndicate would end on December 31 and before that they have to complete everything before that. But so far that data was not placed before the Syndicate. He could understand that there might be shortage of staff. It was also decided that he (Dr. Shaminder Singh Sandhu) would



also be provided a copy of this data, but till today a copy of the same has not been provided to him also. If there is shortage of officials, he requested that this data could be given to him and he would analyze the whole data and submit its report to the Vice Chancellor so that the Vice Chancellor could bring it to the next meeting of the Syndicate and action could be taken on the defaulting colleges. The teachers are reeling under very bad condition, their voice is being suppressed. The attitude of the managements is such that no teacher can speak anything and they have seen as to what has happened in Ludhiana. The college management did not care for the University. They did not think that they have taken affiliation from the University and they have to follow the rules and regulations. They have to be a bit strict. Many of his colleagues have also spoken on this issue, but they have not been successful to solve the issue of any teacher. They cannot take any action against any management or any Principal. As regards salary to teachers, the government is giving Rs. 15600/- and private managements are also giving the same salary. He does not know when they approved it. Even the big colleges also give Rs. 15600/- to a teacher, even the Chandigarh colleges are giving the same salary. He said that they have to be strict and take action against such colleges. To his mind only then they could save the education system. The situation is that it has become very difficult for the teachers to make both ends meet with the meagre salary they are being paid. If the situation goes like this, now would come to this profession because no teacher advises his student to do Ph.D. and become a teacher. They would advise him to do IELTS and go to Canada. If there is no quality education how they could achieve the mission. It is a very deep routed conspiracy and they should not become a party to it. So, there is need to take a hard stand in this regard and if they did not do it, it would be betrayal to their country.

Principal Iqbal Singh Sandhu said that Dr. Shaminder Singh Sandhu and Shri Raghbir Dyal ji have already spoken about the data. He would not give any suggestion. There was discussion about providing data, the data is not available with them since the long time. He informed that the fee which was earlier Rs. 1940/- has now been increased to Rs. 2250/-. He would like to bring it to the notice of the House that he and Professor P.S. Gill were the members of that Committee when it was started and this amount started increasing from 2009 and now reached to Rs. 2250/- in 2018. Every time it is being increased by Rs. 300/- each time. He would like to say that this head is very important, but most important is to maintain it. In spite of fact that such a big amount is being collected, but it is not being implemented for the purpose for which it has been collected. He suggested the Vice Chancellor to make two or three Committees region wise and those committees should be allotted 4 or 5 colleges each and they should check the data there and submit the report to the Vice Chancellor. It might not be possible for single person like DCDC to undertake this activity. It is his suggestion but it is for the house to see. Shri Raghbir Dyal has also talked about the admission with Vice Chancellor's permission. He (Principal Iqbal Singh Sandhu) thinks perhaps a representation from new teachers association of local colleges has been received, teachers of Punjabi University have also requested about it. He said that they start admission from 9<sup>th</sup> July and the normal date remains for a week or 10 days which is very less because in such a short period, the candidates of rural areas do not come to know about it. After that the admission is done with late fee of Rs. 500/- and then with permission of the Vice Chancellor alongwith late fee. He informed that the Punjabi University has shifted the admission schedule without late and started it from 14<sup>th</sup> July to 23<sup>rd</sup> or 24<sup>th</sup> July, thus giving more time to the students. So, he suggested that they should extend the normal admission schedule without late fee for another ten days because in the existing schedule, no student comes to them to take admission. If the normal schedule is extended to 25<sup>th</sup> July, it would give ample time to the student to take admission and then late fee which could be up to 4<sup>th</sup> or 5<sup>th</sup> August because till that time there are no classes. He again said that the retirement head is most important

and that must be there otherwise the teachers would not get retiral benefits. He gave an example of one Hindi teacher of Guru Nanak Khalsa College who has retired. The teachers who joined after 2000, when their retirements would start, there would be a great problem in the long run. So, he requested that the retiral fund must be there. Only 5-7% colleges are maintaining this retirement fund head. He again requested that the decision of creating retirement fund head should be implemented.

Shri Varinder Singh said that when he was in the Syndicate, he had raised an issue to have surprise visits in the colleges. Whatever Principal Iqbal Singh Sandhu has said that is alright, though he has raised this issue, but what was actually done that only selected colleges were targeted for surprise visit. The colleges where surprise visit was needed, those were not checked. So, the purpose of making surprise visits to the college could not be fulfilled and only politics was done. They made surprise visits only to those colleges which they have to target. They did not visit many colleges in Abohar. He knows the details of these colleges, but he does not want to speak, but he could share it if need be. He does not want to name the colleges, but if the need arose, he would name the colleges. He said in the Committees, the politics is done and nothing else to which the Vice Chancellor said that politics is not done at least in the Vice Chancellor's office. Continuing, Shri Varinder Singh said that politics is even done in Vice Chancellor's office and for that he would not spare the Vice Chancellor also. Had there been not any politics in the Vice Chancellor's Office, so many issues would not have cropped up.

The Vice Chancellor said that he refutes all these allegations that he has been making.

Shri Varinder Singh said that it is upto him (Vice Chancellor), but he has said what he feels because he never tells a lie. He suggested that whatever Committee would be formed, there should be one University Professor, one Fellow and other persons from different regions.

Principal Iqbal Singh Sandhu requested the Vice Chancellor that when a Committee for Abohar has to be constituted, Shri Varinder Singh must be included in that Committee in his place. It is must to form 3-4 committees for that area and Principal Sangha, the Senior most teacher could be included in those Committees. In the same way for Hoshiarpur, Principal Gurdip Kumar Sharma, Shri Sikri and Shri Jagdeep Kumar could be included in the Committees. It is not a very big task and he hoped that it could be done within a week which could not be done in a year.

Shri Ashok Goyal said that would the persons belonging to that area inspect the colleges situated in that area?

Shri Jagdeep Kumar said that in last 3-4 meetings he has stated in the Senate that the 'Retirement Head' which has been constituted is not being maintained where as the fee structure prescribed by the University is supposed to be implemented by each college. In most of the aided and unaided colleges of Punjab, the retiral fund head has not been maintained when a teacher retires from the service, he is deprived of this benefit. Apart from this the other fee structure is also not followed by the Colleges and a hefty fee is charged from the students, it a fact based thing. This has also been stated by his colleagues. The bad thing is that the teacher who is working in an unaided college, he is given a salary of Rs. 21600/- only, in some of the colleges it is even less than this such as Guru Nanak Girls College, D.D. Jain college, SDP Colleges of Ludhiana. He has also talked about it in the last meeting but the University has given B.A. B.Ed. Integrated Course to SDP College, Ludhiana, which is a profitable Course,

Senate Proceedings dated 27<sup>th</sup> May, 2018

but the teacher there are not even given a casual leave which is their basic and fundamental right. He is forced to take earned leave. They did not act against any college. They just make a Committee. What they should simply do is that they should get an undertaking from the College whether they accept the University instructions or not. If they do not accept the instructions of the University, their Course should be stopped, but they making committees and committees which do not do anything. The simple way is that they should take an undertaking from the College whether they have maintained the Retiral Fund Head or not. If they did not maintain it, then straight forward their courses should be stopped. If a complaint is received from some college, the University should check it and if found correct their affiliation should be cancelled. After all, they have to find a solution of the problem and only just making of Committees would not suffice the purpose.

Shri Harpreet Singh Dua, on a point of order said that he would supplement what Shri Jagdeep Kumar has said. But he would like to know in which colleges their inspection committees have rejected affiliation.

Shri Jagdeep Kumar again said that they should take an undertaking from the Colleges and if they have not maintained the Retiral Fund, then action should be taken against such college. He further said what happens here is that if one person has recommended action, the other four would make efforts to save the college. This is the politics. With all this, a teacher has to face injustice. Wherever he has gone for inspection, they ask the college whether they have maintained the retiral benefit fund or not. But if after writing against a college, a course is given to a college, then what is the fun of this governing body.

Shri Harpreet Singh Dua said that when a college is not maintaining the retiral benefit head for which there is a column. If the University takes action to reject their course, they could not have dared to do this.

Shri Jagdeep Kumar said that even full D.A. is not given to the teachers in colleges. He went to a college for inspection and questioned that D.A. is not given to the teachers, their answer was that it was not their subject. One teachers working on aided posts was getting full D.A. but the same was not given to the teacher working on unaided post. He was given only 25% D.A. The Principal said that then they would not start the said M.A. Course. He told her to complain against them to the Vice Chancellor. That college was in Ludhiana Distt. and to his mind, they might have withdrawn the M.A. Course. Professor Ronki Ram was also a member of that Committee and they a very hard stand. The Principal tried every effort to tackle them and to get the conditions relaxed, but they did not agree to it. He requested the Vice Chancellor to take undertaking from the colleges and those colleges which do not act as per the instructions of the University, action should be taken against them.

Principal R.S. Jhanji said that his colleagues have talked about the fact that the teachers are not getting their retiral benefits and even from the last six months, salary is also not being paid. In the last years the admissions have also decreased. The Retiral Benefit Head is a very important Head for the teachers. The gratuities are not being paid. From the Supreme Court the cases were received in the High Court. But the government did not made any reimbursement even after orders from the Supreme Court. Their claims are just being submitted and not admitted. This is also a reality. This Senate has passed for creating a Retirement Benefit Fund Head. There are a very few Colleges who are giving statement of retiral benefits regularly to the University. He could say so about his college, balance sheet is also being given. The retirement benefits are not only given to the teachers, but to the non-teaching staff also. Only few

colleges are giving the data, but most of the colleges do not send the data. So, for getting data from them, they have to be a bit stricter on such colleges. From Some colleges, the data is being received, but it is not being enforced. They should also see that the Government is also doing everything on contract basis, what would be position after three years, whether the government would regularize the teachers or not. Where from the grants would be received? Where from the students would come? They should talk on the main issues as to how their strength would increase, where from the money would come, what revenue model they are having, how they made the revenue model for their college and how that is to be generated. If they have increased the fee by 5%, they should also pay the salaries to the teachers. Even those managements which are having good amount of money are reluctant to pay salary to the teachers. If some college has very less number of students, their case is understandable, but the big colleges also doing this. The big colleges, in the name of extra facilities, charging exorbitant money which the students have to pay. There is need to check it. The facilities for which provision has been made in the fee scheme is also needed to be checked as to whether the same are being paid or not. In some colleges even double fee is being charged. To implement all these things, the office has to be stricter to execute it. He said that as governing body they are passing all these things, sending all communications to the colleges for implementation, then what is the problem in getting the record for retiral benefit fund. Earlier also there were so many issues. When affiliation committees were made, at that time it was suggested that it should be categorized. If one college is 80% right and the other college could be 30% right. What are they doing is the equalizing 80% right college with that of 30% right college.

Principal Iqbal Singh Sandhu, on a point of order said that this categorization has spoiled the career of their teachers. They are to follow the UGC and Panjab University norms, why they do not do so. They are making big buildings, then why should compromise when it comes to pay salaries.

Principal R.S. Jhanji said that from the categorization, he meant that the college which is giving facilities, that college is up in the category, but the college which is not giving any facility, it has no right to charge that amount.

A pandemonium prevailed at the stage as some members started speaking together.

The Vice Chancellor said that they must respect the Chair who is conducting the meeting. They did not care for the Chair because they had been doing all this. The Vice asked Principal Iqbal Singh Sandhu to say his point politely.

Principal R.S. Jhanji again clarified that from 80% facilities, he meant that the college which is giving 80% facilities, that college is charging. The college which is giving very-very less facilities, action should be taken against such a college. It has happened earlier also. He requested those members who were apposing him to under the things. So, they should first disaffiliate that college first who has been giving less facilities. He does not mean that the salary should be increased or decreased, he mean to say that if a college is 80% right it could be checked and given suggestion to abide by the University instructions. But the college which is coming under 30% category, action should be taken against that college. In the spat of 100%, they are neither doing anything in the case of 80% right colleges nor taking any action against those colleges which fall under 30% right category.

Principal Iqbal Singh Sandhu while appreciated Principal R.S. Jhanji for the system they have maintained for his college. But what he would like to say is that even

a big management also take the cue that so and so college is paying Rs. 15600/- whereas we are giving Rs. 21600/-. They also give the example of some of the colleges who give 50% D.A. In those colleges very big gymnasium hall are being constructed by spending Rs. 4 crores. There is a college of his friend where there is gymnasium hall, Astro turf is also there, but not paying salary to the teachers. They are spending the whole money on these things, but they have no money to pay the teachers. So, categorization cannot be done like this. It is issue of salary of teachers. When the colleges are in a position to give salary, then question does not arise why they should not give salary. The problem has cropped up because of their leniency. The college which could give full salary, that is also not giving. When the Punjab Government started giving Rs. 21600/- then all the big colleges also started giving Rs. 21600/-. As stated by Dr. Shaminder Singh Sandhu, even the Chandigarh colleges have started giving only Rs. 21600/-.

Shri Jagdeep Kumar said after looking towards the small colleges, big colleges also started giving less salary, so the categorization should not be done at all.

The Vice Chancellor said that they have listened to the Syndicate meeting discussion that took place yesterday. What they are saying is exactly what was stated yesterday in the Syndicate meeting. So, everybody knows the situation.

Shri Jagdeep Kumar that the college which cannot give retiral benefits or salary to the teachers might not open the college. If a management member says that he would not appear before the Committee constituted by the University, the University should disaffiliate such a college as they are not under any obligation of any college. He may be a capitalist for himself only and they are nothing to do with it. When the college would be disaffiliated, the management could understand the meaning of disaffiliation.

Dr. K.K. Sharma said that one person has opened 2-3 colleges more because he gets the experience to run the college.

Shri Jagdeep Kumar said that the management of the college is under misconception and they will come to know only when the college would be disaffiliated.

Dr. Shaminder Singh Sandhu said that when a new college is opened they should check their reserve fund whether they would be in a position to pay salary to the teachers at least for one year.

Shri Jagdeep Kumar said that they have to protect the interests of the teachers and not of the management.

The Vice Chancellor said that exactly same thing was stated yesterday that a transcript has to be made and that transcript has to go to the Chancellor's Office because the Chancellor's office wants an answer as to what is happening, why is happening and so on. He has yesterday also stated this thing that everything would be sent in writing. All these things were stated yesterday also. What all is going on because of laxity. Laxity at every level i.e. office level at the level their own colleagues who go. Somebody is strict, whosoever is strict, the colleges manipulate in a manner, they would get another committee to go there, they get it approved. All these things which were threadbare discussed here will go to Delhi. It would also go to MHRD. He anticipates very heavy action from the MHRD in the next few years in terms of governance of the University. Most colleges of this University are either sick or on the

verge of sickness. Even best of the colleges have stopped paying salary which they were paying few years ago ever since the Punjab Government introduced this concept of only paying the basic salary.

Shri Jagdeep Kumar intervened to say that the basic concept of the government was wrong.

Continuing, the Vice Chancellor said that this is why they were resisted or sometimes they were told by the Punjab Government that they would not implement this scheme. But from this very House, there were voices that if they do not implement this scheme, then what the Punjab Government would do. The positions which they have sanctioned, they would give it to Punjabi University and Guru Nanak Dev University. The grant-in-positions of this region (i.e., affiliated Colleges of PU) would end up for good. So, they reluctantly agreed to it. Three years have passed now. He is continuously reminding the Chief Secretary and Education Secretary, Punjab, Mr. Sandhu, Additional Chief Secretary, Punjab that three years are nearing so, show their intention by at least regularizing these jobs with full salary, that means full D.A. as is to be paid and all other benefits. But so far the Punjab government has not shown their cards as to what they would do. In the meantime, good managements, yesterday he had named some good managements, which were happily paying full salary. The good managements in Chandigarh city which were paying good salaries, colleges which have a grading of 3.4 plus or 3.5 plus, all those colleges have also started paying only Rs. 15600/- or Rs. 21600/-. In fact Punjab government wrote a letter to him that he out rightly refuted it and told them they will not implement this thing in the Constituent Colleges of Panjab University or on the Panjab University campus. But the situation has become really bad. All the new courses approved by the Government of India, viz. 4-Year B.A. B.Ed. Course. So many colleges applied for 4-Year B.A. B. Ed. Course. But none of the colleges of their University, has paid the salary, which should be the salary. The day they ask for these things, it was not on the premise that they will give one half of the salary. The fee structure was devised. As per that fee structure, full salary full salary should have been paid. But disregarding everything, the salaries which have been paid are Rs. 15600/- or Res. 21600/- whereas the DA has reached 136%. It means that they are paying just 45% of the salary. So, the situation is very-very serious. He hoped that the Punjab Government would accept to honour their promise and the 7<sup>th</sup> Pay Commission would be implemented. If 7<sup>th</sup> Pay Commission is implemented, maybe, let they say Haryana Government implements the 7<sup>th</sup> Pay Commission Rs. 15600+6000 would become the new basic pay of the new grade structure and that new basic pay of the new grade structure will be a figure which would be between 50 or 60 thousands. Then the Court would dismiss their this thing. They have engaged very eminent lawyers who quote some line from their Calendar where it is written that minimum of this would be paid. By misusing that line and they are getting away with it. So, let they should fight collectively to have the 7<sup>th</sup> Pay Commission done as early as they can. If they manage to get it, then the enhancement would be done automatically. They have to force the government as well as the MHRD and the Central government that they should force all the State Universities and the State Colleges if minimum of the 7<sup>th</sup> Pay Commission be paid. If they reach that stage of minimum of the 7<sup>th</sup> Pay Commission, lot of their ills would go away. The colleges would not apply for arbitrary cases because they would be knowhow of this that they cannot pay only Rs. 15600/-. They are getting away with it. So, let they should record today's and yesterday's discussion also as it is, while he would send it to the Chancellor's Office, he would make sure that these would go to the D.P.I Colleges (U.T.), D.P.I., Colleges (Punjab) and also the Chief Secretaries of both the States.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Shri Jagdeep Kumar appreciated the Vice Chancellor for reminding about it to the Punjab Government to come true to their promise of filling up 1925 positions of grant-in-aid. All the teachers appreciate this action of the Vice Chancellor. He requested that on behalf of the whole Senate a one line resolution be passed to fill up these positions as there are few days left for the completion of three years' time. He said that a resolution on behalf of the Senate be sent again that those teachers be regularized with full scale.

The Vice-Chancellor said that they could create a grievance cell in the office of the Dean College Development Council which would look into specific things like retiring teachers from the affiliated Colleges and it would be manned by some of the members including Shri Varinder Singh and Dr. Amit Joshi. All the teachers of the Colleges be informed that those who are not getting the retirement benefits would send all the details to the grievance cell. The grievance cell using the authority of the Dean College Development Council would warn the College Management that they have a commitment towards the University.

Shri Jagdeep Kumar suggested that strict rules and regulations be prepared for this so that this decision could be implemented.

The Vice-Chancellor said that the grievance cell is to be created in the Dean College Development Council office at Chandigarh and it could be operated from Ludhiana, Hoshiarpur and Muktsar which could be cooperated by the local members and submit a proposal to him and he would approve the same that this has the authority of the Senate and it should operate on behalf of it.

Dr. Amit Joshi said that most of the issues have already been discussed and they also had a detailed discussion on it in the Syndicate meeting yesterday. The point is again the letter which has been circulated to the Colleges in which everything is mentioned in black and white. There is also a provision and mentioned that the College shall appoint regular faculty in each course in compliance of Panjab University norms. What are the Panjab University norms for appointment of regular teachers? Many of the Colleges which he has visited did not know as to how many regular teachers they have to appoint if they wanted to start a new course. What are the modalities to be adopted if they have to strictly enforce it that all the teachers are paid in a just and fair manner and that they should get all the service benefits. Everything is recorded as they discussed it yesterday also that when a Committee visits the College, it is already mentioned in the proforma itself that the Colleges have to submit the photocopy of the salary records duly certified by the Chairman of the Managing Committee to the office of the Dean College Development Council. According to him, the officers are competent enough to look into it.

The Vice-Chancellor said that the officers are competent but still it is not giving satisfactory output. The Colleges should be made to realize so that the satisfaction level improves.

Dr. Amit Joshi said that main problem that is plaguing the University is again the very root cause the Committee itself which visit the Colleges. In his opinion, what happens to the reports submitted by those Committees and the channels through they pass and still the Colleges get the affiliation. That is the main problem. Again if a Committee is formed, nothing would come out of it. He has no hesitation in saying that nothing would come out of it. They could form thousands of grievance committees still the situation would be the same. The Dean College Development Council should have a firm resolve and bring an agenda that they are disaffiliating a particular for the

specified reasons and he should be very clear about it. He (DCDC) is the one who is collating all the information, who is getting everything from the Colleges. If a Committee visits the College, it would submit its report and the DCDC office has to verify all the records and he could get the information within two minutes whether the salaries are being paid or not. What the subject expert members of the Committee could comment on the salaries etc. as it is an integral part of the proforma that salaries have to be paid. Let the Dean College Development Council come out with a notice or a circular that so and so College is not paying the salary as per the Panjab University norms. They are issuing the letters for following the norms but what are the norms and where are the norms. What is the norm for appointment of a teacher in Government Colleges? The Dean College Development Council could agree with him that there are Colleges which do not have even a single teacher to which the courses even up to M.Sc. have been granted. This is a situation in Government Colleges of Chandigarh. Since, the Dean College Development Council is already having the information, what the grievance cell would do.

The Vice-Chancellor said that the grievance cell is to be created to ensure the payment of retirement benefits.

Dr. Amit Joshi said that just a one-line statement would suffice the purpose. If he is in this Committee, according to him, he would not be able to do any service in this Committee that he would be just getting a complaint which ultimately has to be forwarded to the Dean College Development Council office itself. What power this Committee has, nothing. Ultimately, the power lies with the Vice-Chancellor on the recommendation of the Dean College Development Council. The Committee would be toothless. His submission is that the office is competent enough and if it is forwarding a case to the Vice-Chancellor, the matter is decided. If a teacher is not getting the retirement benefits, the Dean College Development Council office has all the record and should have the resolve to forward the case for disaffiliation or bring the matter as an agenda item in the Syndicate and the matter is resolved. If more and more people would get involved, the more and more politics would be there. The intention of the Vice-Chancellor is that the teachers should get their dues. The sentiment of the whole House is also this that the teachers are not getting their dues and this is spreading like a communicable disease which is becoming incurable and the more they neglect it, the more incurable it would become. This is what is affecting all of them. The only solution is that the Dean College Development Council has to take a call on it.

Dr. Inderpal Singh Sidhu said the disappointment which the members are having is right up to some extent. He cited an example that in the meeting of the Syndicate held yesterday, they had discussed the complaint of a College which had been forwarded by the Vice-President of India seeking a report from the University. Regarding the tragedy which happened in Sri Aurobindo College, he pointed out that after the revocation, the three teachers are not allowed entry in the College. He would not comment on the Committee which is already working with application of its best mind as to what could they do in the matter. Today in the morning, he became emotional on this issue when he got a call from two female teachers of three Colleges of Ludhiana who asked the Committee not to visit the College. This is an issue to be thought over. Those teachers said that if the Committee could do nothing in the matter of the teachers of Aurobindo College, then how it could help them and the Management could suspend or terminate them also. So a solution to the disappointment amongst the members is to be found otherwise they would have to face lot of problems and it would lead to a downfall and it would be difficult to come out of it. He thinks that he should not contest the election after the present term because of the deteriorating conditions. How could they face the public in field and answer to them? The public



asks as to what the Senate could do and if it could do nothing, then why the Senators come to the public in the field and for what they are demanding the votes and what purpose they would serve in the Senate. If the Senators could not serve the purpose in the Senate for the teacher community, then why they are contesting the election, when they could not save the democracy, teachers benefits and respect. The teachers are not interested in working in the Committees and the reason behind it is disappointment and failure of the system. It is high time that if they do not take a call now, there would be disappointment in all of them and would have to leave everything. He pointed out even a Principal has gobbled up the EPF of one of the eight representatives of the teachers in the Senate. It is a shame as they could not even save the interest of that member. Today, he is feeling really low. So, many improvements in the society have to be brought and they would have to take steps in this direction with courage and would have to take a call. He requested the Vice-Chancellor to encourage his officers that nobody would be able to harm them and they are with the Vice-Chancellor.

Dr. Gurmit Singh said that page 8 of the agenda mentions about degree Colleges. He is talking about professional Colleges where the conditions are not better. He visited some Colleges on inspection and a condition is imposed on the Colleges that they have to fulfill the conditions up to a specified date. Thereafter, there is no follow-up of those conditions. Recently he visited a College where the previous Committee had imposed certain objections which have not been fulfilled by the College. There is a joint account of the College in which the provident fund of the teachers is deposited about which also an objection had been raised. He requested that the reports of the Committee should be taken seriously. If a date for fulfilling the conditions has been imposed in consultation with the College and the same is not being fulfilled, then further admissions to such Colleges should be stopped.

The Vice-Chancellor appreciated this.

Professor Chaman Lal said that for the last 1½ years he has noticed that the biggest problem facing the University is Colleges' education system.

The Vice-Chancellor said that it is not only in Panjab University but this is plaguing all State universities of India.

Professor Chaman Lal said that it is true that it is plaguing all universities but he wanted to say that they could not do everything. But since Panjab University is democratic structured University having Senate and Syndicate, the democratic bodies having representatives from all sections, some efforts could be made. Actually when he admires the Vice-Chancellor, he admires for two things – one that he took the issue of financial situation of the University and had fought for it to the extent possible. He appreciated the concern of the Vice-Chancellor that he is concerned with the salaries of the teachers and their service conditions. In his view, all the Colleges of the University need auditing. What he means by auditing is that there are three levels of auditing – academic auditing, administrative auditing and financial auditing. Maybe one team could do all the aspects of the auditing, may be three teams could do all the three auditing separately. He feels that without real surgical operation, a popular word these days, they could not improve the things. Earlier Shri Sanjay Tandon was delivering a very good lecture to teach a lesson to an errant. If they take action against some Colleges, only then the others could learn a lesson. The teachers are not getting full salary, service conditions are not proper, the students are being looted and exploited. So if they want to teach a lesson, it should be done in the Colleges as the education system is deteriorating there. Only then there could be some improvements. As the term of the Vice-Chancellor is shortly coming to an end, he wished he had initiated

these steps earlier as it would have been the biggest historical role of Vice-Chancellor if some improvements in the Colleges had been made. As they are talking about governance reforms, the governance reforms in the Colleges should also be included in it as there is an urgent need of it. The Colleges should not have such a freedom that they remove the teachers as and when they wish, loot and exploit the students. As Dr. Inderpal Singh Sidhu was talking with emotions that the teachers of the Colleges ask the Senators not to visit the Colleges which could lead to their termination, it means that the College Managements are behaving like terrorists. In the real, they (Managements) are terrorists as they terrorize the teachers and the students and even the system has also been terrorized including the officers. Some are terrorized while others are compromised. There is not only terrorization but comprise also in the administration which helps the Colleges Management. Until they put a check on this terrorizing and compromise part, even if they hold discussions and meetings of the Committees, nothing would happen. If the Vice-Chancellor wanted to play a historical role, he should form three powerful Committees which should do the academic auditing of all the Colleges including the Government Colleges also and the Committees should be empowered in such a way that the recommendations would be implemented by the Senate. Even if they have to disaffiliate the Colleges, they should do otherwise there would be no solution.

Dr. Amod Gupta said that the points made by Professor Chaman Lal are very valid that they need auditing at all levels. Maybe they could have online access to the students, teachers and the data of the courses running in the Colleges. Everything should be online for consumption to the public. This is the case in all the western universities and they could see as to where what qualifications a teacher is having, how many students are there and what are the facilities available. According to him, they need to use the information technology to make information available to all concerned stakeholders including the students as well as the teachers and the managements would feel scared if the students and the teachers know that they are being cheated. The Government must also feel scared if the information is available to everyone, to all the stakeholders. That is the only way.

The Vice-Chancellor suggested that they get this discussion of today and yesterday quickly transcript and give it to all the Syndicate and Senate members by e-mail and they could assure their teaching colleagues in the respective Colleges so that a kind of fear is generated that the governing bodies are alive to the wrong things going on in the Colleges so that whichever Management could take cognizance of this and improve themselves, there could be some positive output while they create a machinery to do auditing and take disciplinary action. Is that a fare thing to which the members said, 'yes'. Then he proposed that with the addition of suggestion made by Shri Raghbir Dyal, they accept the fee structure as was put up.

Shri Naresh Gaur said that the issue of 10% increase in the charges should be taken care of as pointed out by him earlier.

The Vice-Chancellor directed the Controller of Examinations to look into it.

Shri Raghbir Dyal requested that the date for normal admission be postponed and the span of normal admission days be extended giving more time to the students to take admission. The issue of admission with permission of the Vice-Chancellor be also looked into accordingly.

The Vice-Chancellor said, okay.

Shri Harpreet Singh Dua while referring to page 10 of the fee structure said that there is a need to strengthen the internal system of the College branch. The persons deputed in the Branch, he is not saying that they are incompetent, might be new and raw to the seats. If in the absence of admission made by the Colleges without proper admission guidelines from the University, the roll numbers of the students are not issued by the University. Since there is a procedure that every College has to submit the income and expenditure statement to the University in the month of February or March, he enquired whether there is any person in the branch who is looking after this. He has been observing it for the last many years that there is no such data available in the University. As Professor Chaman Lal has talked about the auditing, the Managements have expert CAs to handle the queries of Inspection Committees. As Principal I.S. Sandhu said that the Colleges do not have the problem of funds as some of the Colleges are even having astroturf grounds and shooting ranges also. The Colleges are earning the money but are spending the same for some other purposes. The whole funds are being spent on the infrastructure. If any discrepancy is pinpointed at some places and the report of which is sent to the University, then the internal system of the College branch has somewhere been diluted. It could not be pointed out by the branch as to how many Colleges have not submitted their data. Even then the returns of the Colleges have been accepted and the roll numbers were issued and everything is being done. The three Colleges about which the complaint has been made are 'A' graded Colleges by NAAC. They could see as to how the Colleges must have managed it. Panjab University was purchasing a project worth Rs.56 lacs which was stopped by him and a free of cost software was provided by his College. He wanted to know as the College had incurred a sum of about Rs.30-40 lacs why that software was not being implemented. He is paying the recurring cost every month for the last three years for the data to be provided to the College branch. The University had got the project on merit which fulfilled all the conditions in which the then Registrar, Controller of Examinations and Professor Naval Kishore, Dean College Development Council were involved, it was provided free of cost. This software is available for the last three years. All the record of the faculty, their identity cards, as Dr. Amod Gupta has talked about, everything is available on a click. In this regard, the letters to the Colleges have also been issued that the persons working on this project would get the increment, he wanted to know as to at which stage this has been stopped from being implemented. As the members have come to attend the meeting, they would discuss the issues and leave the meeting. It is an ongoing process for the last so many years. If the members are going for the inspection and the reports are being submitted and everything is being proved, then why the University is not able to enforce the guidelines. How the Colleges are managing the system? He wanted to know from the Registrar and the Dean College Development Council as to why they have not been able to implement the software.

While clarifying the position, the Controller of Examinations said that first of all he appreciates the statement of Shri H.S. Dua that the software was provided and undoubtedly in September 2016, the University was almost to purchase the software which was costing them plus 50 lacs. Then deliberation held alongwith Mr. Guldeep Singh, System Manager of their University under the Chairmanship of Registrar Col. Chadha. Some suggestions were there as to why they should not have the in-house application. Why should they depend upon the outside application. Enough time was given. Shri Harpreet Singh Dua ji offered. They were already having some all India level application. It was inaugurated by the then Chief Minister Shri Parkash Singh Badal Ji. He gave them that option. Let us try this thing. Yesterday, the Syndicate has also made some statement. They are having that system which is well placed, 55 modules are there. It is also further added that all types of information, as Dr. Amod Gupta conveyed, starting from the inception of college, trust constitution, members of the management, their designation, total property, revenue record and when the college

applied for affiliation, teachers'/principals' qualifications approval number, number of policy, everything is there. They requested the colleges, the first college, he must congratulate Principal R.S. Jhanji, he was the first Principal who gave them the data. Thereafter, it started with Principal Gurdip Kumar Sharma. They had a workshop in November 2016 for this in the GGSD College, Sector-32 where mostly the Principals of affiliated college participated and appreciated the effort. Some application parts were improved also. As of today, for the information of all, they are having data of 127 colleges. He does feel that due to some more applications and more assignments, they could not implement it effectively as it should have been, whereas the Vice Chancellor gave a call to all the Principals that next time one Technical Officer, one Technical teacher who would be paid honorarium from the College Development Fund. They have earmarked Rs. 60 lacs for this purpose and 107 teachers or the System Analysts or the Data Entry Operator have been paid. The problem which has come now is that the data is placed on the server which is hosted at Ludhiana or with Shri Harpreet Singh Dua ji. They want to host at their level. They are trying to purchase a new server so that the system can be placed in the Dean College Development Office. At the same time they have planned to shift the Colleges Branch to the Dean College Development Office where four rooms have been earmarked for the Colleges Branch and there the racks of the server will be placed. He has made a statement yesterday to give them time of one month or six weeks so that the data can be fed in the system and thereafter whichever team is going to a college, they will not be carrying any paper with them, rather they will be given a softcopy. On a single click this data will be available to the Principal, to the teacher, to the students and to the public at large.

Shri Harpreet Singh Dua said that when it reaches the implementation stage, the college would be told about the conditions of the University. The filled proforma which the college would give, should be made available to the nominee of the Vice Chancellor, ten days before the visit to the college. If the office observed it at any level that the college is not fulfilling any condition imposed by the University, there is no need to send the team. Many of the things would be tackled at that level only as it has been said that the names of the persons were on the server. Rather he has appointed two regular persons as many queries are pouring in and the System Managers are in touch. He requested that it should be implemented at the earliest. Only then the problems could be solved.

Dr. Shaminder Singh Sandhu suggested that until a system is in place, it should be mandatory for all the Colleges to display the fee structure, salary structure and benefits on its website so that anybody could get the information.

It was informed (by the Dean College Development Council) that on the new portal of the Dean College Development Council which was launched in 2017 this link is there and it could be mandatory so that when the prospectus is released, all the information of fee, salary and provident fund is displayed and it could be made a part of the implementation of this project.

Shri Ashok Goyal said that in view of that what has been discussed today in the Senate and also in the earlier Senate meeting including the meetings which were called especially to discuss the problem of the Colleges. It can be clearly made out as if there is no system in place the University for checking the Colleges, and checking the functioning of the Colleges as the concern of the all the member of the Senate seems to be to find out ways and means how to check the Colleges and to design a mechanism whereby they could check the loose control which day by day is increasing. Notwithstanding the facts that everything is in place, if they start following the Calendar. He does not know why they hesitate every time in emphasising again and

again. Why don't they follow the Calendar Volume-I, this is part of the Act and Regulations that unless and until any college at any stage has flouted any of the instructions issued by the University as per the decision of the Syndicate and the Senate from time to time, he wondered that why any Inspection Committee should be sent to that College. Whatever information is lacking on the part of that college as per University records, is it not obligatory on the part of the concerned branch to handover those deficiencies to these Inspection Committees what all is being sent. He had come across some Inspection Committees' concerns that even when they go to the Colleges to ask as to what was the report of the Inspection Committee which visited their college last time and the Colleges say neither they have any copy of that report nor they have any copy of the letter received from the University and unfortunately, the inspection committee is also not provided with any copy of the inspection report for the last year and also if any letter which has been sent to the college. He simply feels that a college who has not removed the deficiencies pointed out by the inspection committee which visited the college earlier, do they have any moral right to send another inspection committee for some other course or for some other purpose, do they deserve any kind of concession? If they have not followed their earlier instructions, how do they expect that they are going to follow their future instructions, but to start with there is a specific chapter that every college is under obligation to send a particular return containing everything including the income and expenditure account of the previous year. Now, if the colleges who have not sent those returns, why should they entertain them under any circumstances. Another thing which he wants to bring to the notice of the Senate, that they probably have not been able to differentiate between the managing committee of a college and a Principal of a college. The role of the managing committee comes only at the time of the inception of the college when they seek recognition/ affiliation from the university. Once the affiliation/provisional affiliation have been granted, for the University the only person a link between the college and the University is the Principal of the College and not the managing committee. They are to accept the signatures of the Principal only. But here what is happening is that sometimes it is signed by the Principal, sometimes it is signed by Secretary of the managing committee, sometimes it is signed by the Chairman of the managing committee, he does not know that what is the difference between Chairman and the President of the managing committee or sometimes it is signed by the President of the committee and sometimes signed by the authorized signatory and the University is accepting any and every letter so much so he has seen in one of the cases that the University has accepted even an unsigned letter. The only thing which they see is that whether the letter head is there, the college name is printed. So they must make it a point that for them the only authorised person to sign as per as communication between the University and the College is concerned on behalf of the college should be Principal. Then there is a difference between the Governing Body, what is the definition of the Governing Body, they should go by what is written in the Calendar and they should not go by the byelaws of the organisation with whom they are dealing they maybe having any structure but as far as their Bible is concerned that says that they have to deal with the governing body of a particular college. He can understand that the same governing body might be running more than one college also. So, for the second college also it can be the same governing body but they have not to deal with anybody who claims that they have got federal structure. They would have no control, so they should follow the Calendar. Then they have seen the software which was being referred to by Shri Harpreet Singh Dua and Dr. Parvinder Singh, it talks of so many modules wherein they say that even the names of the teachers are available, names of the members of the managing committees are available and the other details are available. The only difference is that provision is already available in the Calendar. So much so this is also provided for that at the time of affiliation as per the Act, the management has to give an undertaking that immediately when there is any change in the management or in the teaching staff, it is to be

reported to the University. Are they following that? Then it is also being mentioned that the software has the information regarding approval number of the teachers also. His simple question is how will they find the approval numbers when the University has not even approved the cases and without having approval from the University, if the colleges are being run, is it not laxity on their part and can they grant approval in those cases where they have not even participated in the selection process as the University. He does not know what they are doing. In the last meeting also it was discussed and the Vice-Chancellor had assured and instructed also at the same time that they bring out the list of those many teachers and those very institutions wherein the team of university has not participated in the selection process and how the approval has been given to those colleges and if the approval has not been given what is the status of that. He has been bringing it to the notice of all the concerned officers. Now the fact of the matter even if today like the Vice Chancellor was suggesting 15 minutes back with all good intentions that let them have the video recording of this meeting given to the office to prepare transcripts and then to be supplied to the all the members, meaning thereby, as if before today, they did not know anything. He feels that in view of what is discussed today solution is very much available here in today and now only. There is no need of going through what is being discussed here. If they have the will they have the way also. The first step is that let them should follow the Calendar. So let them start from today itself, let the DCDC be instructed that whatever be the circumstances they would not go out of the Calendar. Whosoever maybe the affiliation committee, whosoever maybe the inspection committee, they will not go beyond the norms. There is no such provision that inspection committee will go and give timeframe that within such and such time if they don't do this, the affiliation would not be granted because the colleges are entitled to apply for the affiliation or extension of affiliation when they give the undertaking that they are ready for everything to come for inspection. The things are other way round that they apply for the course, they apply for the affiliation and the inspection committee goes and tells them and suggest to them to do such and such things and they have this much time come again or without coming they comply and they will see to it. He thinks what they are trying to get as an input from the Senate in view of the discussion he has giving those inputs today only and if the Vice-Chancellor feels he had wasted the time of the House, by not concluding at the earliest he thinks they again want postpone it to the next meeting. Now the process of granting affiliations and extension of affiliation is already on these days. Why could not they implement it from 2018-19 only for the courses to be granted and the fee structure which in fact the issue from where the issue has started the payment of salaries to the teachers, the payment of the provident fund and other terminal dues is concerned and in view of the fact that almost all the members are saying that all the managements have got the funds but not to pay the salaries but to create additional infrastructure that problem would be solved if as per the provision contained in the Calendar they have the Annual Financial Statements of all the Colleges with them in the University copies of which can be provided to the Inspection Committee to verify the authenticity of the statements which have been provided and with that they could also ensure that no extra fee is charged, that no lesser salary is paid and the funds like amalgamated funds are used appropriately for the purpose for which they have been created strictly in terms of what is contained in Rule/Regulations of the University so that the students are also not made to suffer, so that the teachers are also not made to suffer, so that the management through Principal are not in a position to take undue benefits only just they have got affiliation from Panjab University thus undermining the name of the University they have concerned with the name of the University also, if these things are taken care of he thinks the most of the problems would be solved. As far as the under payment like he (Vice-Chancellor) said that they have got reputed lawyers to file the cases in the court they just show one line in their black book (Panjab University Calendar Volume-I) and get the relief for which in fact they are not entitled. He has

been saying for so many years that there are colleges who have got the ex-parte stay from the Punjab & Haryana High Court that the teachers of the colleges are entitled only for the basic pay and the University, despite his repeated requests, reminder and pleas, has not bothered to go for early hearing and has not filed application for vacation of that stay and the teachers are suffering for years together. He thinks this is the high time it is better late than never. Let them take that step. Earlier it related to education colleges, slowly it is coming to degree colleges also. So his view is that the system to which Dr. Parvinder Singh is referring to, though he is sorry that in the period of two years, it is only 126 colleges whose data has been received. He wondered that what about the other 70 colleges. Why they have not got the data of those colleges? That means it is on the whims and fancies of the colleges that as and when they would like, they would give the data. That should not be the concern, tell them if they do not feed the data by such and such date they are not going to entertain any of their request. Dr. Parvinder Singh rather thanking Mr. R.S. Jhanji who was the first to give the data and then Dr. Gurdip Sharma who was second to give the data and now he (Dr. Parminder Singh) has reached the figure of 126, but do not forget that it happened within the period of almost two years that they got the data of 126 Colleges and at that rate he thinks another year will be taken to complete the process. Till the time the process is in place, let them should start to follow the Calendar and take a decision that no laxity, no 80% and 30% categorisation would be considered. Because the people who are having only 30% implementation of the rules and regulations, they say, that the University encourages them to reach 50% and then to 80% and those who are abiding by the instructions by 80%, they say why the University compelling them to reach 80% instead they should go to those who are not even fulfilling 30% conditions. He said rules should be applicable to all in one go, but not with a view to close down the colleges, but only to send a message that enough is enough, whatever has happened till now, it is alright, but the University is very serious about its own name & fame and also the credibility of the degrees which are being awarded by the University and also about the career of the students and definitely about the conditions of the service of the teachers and non-teaching staff working in those colleges.

Shri Raghbir Dyal congratulated the Vice-Chancellor for appointing a very good person as the Director of the Rural Centre, Kauni.

The Vice-Chancellor requested Shri Raghbir Dyal to discuss only the Item C-2 and not general issues.

Dr. Jagdish Chander Mehta said that in the beginning of the meeting, the Vice-Chancellor had said to hold zero hour.

The Vice-Chancellor said that he had not promised it. He has already taken care of the issue of the teachers raised by Dr. Jagdish Chander Mehta and done a lot work on it. He is preparing a white paper on the issue with the help of Professor A.K. Bhandari and discuss the same with the Education Secretary and the Finance Secretary.

At this stage, there was a break for five minutes.

After the break, Shri Raghbir Dyal pointed out that in the Rural Centre at Kauni, there are only 12 students in B.Com. This course is not running there for the last few years. These are the students who do not get the admission in Muktsar and only then they have taken the admission in Kauni. He requested that the seats in B.A. be enhanced in Kauni as the Centre has already requested for it. There is no use of running B.Com. at Kauni. Both the teachers teaching B.Com. classes could be shifted

Senate Proceedings dated 27<sup>th</sup> May, 2018

to Muktsar and the Centre at Muktsar could be granted the M.Com. course. It would not only save the money but also benefit the students.

Professor Keshav Malhotra said that it is a very good proposal.

The Vice-Chancellor said that it could be said by someone that such a proposal should have been submitted at least 6 months in advance and how a decision about it could be taken at this stage.

Principal I.S. Sandhu said that similar situation persists in the course of B.Com. in the College headed by him and that teacher could also be transferred.

Professor Keshav Malhotra suggested that a Committee could be formed to look into the issue.

Shri Ashok Goyal said that it is a case of the University and not of an affiliated College and they could take a decision.

The Vice-Chancellor requested Shri Raghbir Dyal to get a proposal in this regard from both the Directors.

Dr. Neeru Malik said that there is an urgent issue pertaining to the fees. They had visited Sri Aurobindo College. The College in its prospectus has mentioned about punishment for ragging which says expulsion from the College, police case under Indian Penal Code, fine up to Rs.25,000/-.

Shri Jagdeep Kumar said that now the evaluation has started and the officials of the Administrative Block who have been deputed for this duty where junior persons have been assigned the duty of incharge. As they are talking of appointment of Wardens on seniority, he requested that similarly the Deputy Registrar (Secrecy) be instructed to maintain the seniority while appointing the incharge for the evaluation centres.

Principal I.S. Sandhu and Dr. Gurdip Kumar Sharma also endorsed it.

The Vice-Chancellor directed the Controller of Examinations to look into it.

Dr. Shaminder Singh Sandhu said that he had raised the issue of list of publishers but no action has been taken for the last 1½ years.

While concluding, the Vice-Chancellor said that the University started to regulate the Colleges regarding granting affiliation, courses etc. If a matter reaches Delhi, this is the state of affairs of the Management of the Colleges which is going to send a very alarming picture to Delhi. He has no option but to send this alarming picture to Delhi. It is only in the last two years that when they did not have the Dean College Development Council. He even could not give an excuse that the Government did not allow to fill up the post of Dean College Development Council due to which the situation is worse. Then the Government could say that how the things could slip in the last two years. The way the complaints are coming, the way the disruptions have gone on, it looks that they have been slowly sleeping over decades. But that is it and they have to handle it and if they do not handle it, it would affect the University. If the Colleges are not running in a healthy way, the campus would not be able to survive.

At this stage, Shri Ashok Goyal requested the Vice-Chancellor to instruct the Legal Cell to look into the issue of getting the ex-parte stay vacated.



The Vice-Chancellor said, okay.

Dr. Inderpal Singh Sidhu said that he would meet the Vice-Chancellor before the next meeting on the issue of Item C-10

**RESOLVED:** That –

- (i) recommendations of the Syndicate contained in **Items C-2** on the agenda, **as per revised Appendix**, be approved;
- (ii) the amount of Rs.50/- charged for World University Service Fund and Rs.20/- for Property Tax which has now been abolished be revived at least for two years to be used for construction of building and development of other facilities at Panjab University Regional Centre(s);
- (iii) the fee prescribed by the University for different courses be made a part of the prospectus of the Colleges; and
- (iv) in order to provide sufficient time to the students, the span for normal admissions to various courses in the Colleges be extended for one week.

Arising out of the discussion on Item C-2, it was resolved that a Grievances Cell at Dean College Development Council Office be created consisting of following Senate members to redress grievances and problems being faced by the teachers of the affiliated Colleges of Panjab University regarding their service conditions including the retirement benefits:

- (i) Dr. Amit Joshi
- (ii) Shri Varinder Singh
- (iii) Shri Jagdeep Kumar

Senate Proceedings dated 27<sup>th</sup> May, 2018

When this item was taken up, Professor Shankarji Jha abstained from the meeting.

**IV.** The recommendations of the Syndicate contained in **Items C-3** on the agenda were read out, viz. –

**C-3.** That Professor Shankarji Jha, Department of Sanskrit be appointed as the Dean of University Instruction for a period of one year w.e.f. the date he joins, under Regulation 1 at page 105 of P.U. Calendar, Volume-I, 2007:

- NOTE:** 1. The appointment letter has been issued in anticipation of approval of Senate.
2. Professor Shankarji Jha has joined as DUI on 1.5.2018.

**Syndicate dated 30.03./21.04./29.4.2018 Para 35)**

**RESOLVED:** That recommendations of the Syndicate contained in **Items C-3** on the agenda, be approved.

When this item was taken up, Professor Emanuel Nahar abstained from the meeting.

**V.** The recommendation of the Syndicate contained in **Item C-4** on the agenda was read out, viz. –

**C-4.** That

- (i) the term of appointment of Professor Emanuel Nahar, University School of Open Learning, as Dean Student Welfare and Professor Neena Caplash, Department of Biotechnology, as Dean Student Welfare (Women), be extended up to 31<sup>st</sup> August, 2018;
- (ii) Professor Ranjan Kumar, Department of Physics, be appointed as Associate Dean Student Welfare w.e.f. 01.06.2018 to 31.08.2018.

**(Syndicate dated 29.4.2018 Para 2)**

The Vice-Chancellor said that the term of Professor Emanuel Nahar and Professor Neena Caplash is recommended by the Syndicate to be extended up to 31.08.2018.

The members unanimously expressed that the extension in term of the Deans Student Welfare should be for one year.

Mrs. Anu Chatrath told the Vice Chancellor that till now they have been giving minimum one year extension. So, past practice should continue and they should give one year extension.

Senate Proceedings dated 27<sup>th</sup> May, 2018

The Vice Chancellor said that the Syndicate recommendation is before them. Whatever recommendation the Syndicate gave, prima facie, that is also the unanimous recommendation. This was not a split decision.

Majority of the members said that they have no problem if one year extension is given.

Shri Jagdeep Kumar said that in the last meeting of the Senate also it was assured that the case of extension would be placed in the next meeting.

The Vice-Chancellor said that just to respect the sentiments of the members, he has brought this item. Initially, it was expected to be brought in the July meeting of the Senate as he had promised that there would be meeting of the Senate in the month of July. Further, responding to their request, he has brought this item to this meeting of the Senate.

Mrs. Anu Chatrath said that all the members of the Syndicate who participated in that meeting are present here. Most of them are saying that they can modify their decision because in the past they have never given extension like one month or two month, so it should be for one year.

Dr. Subhash Sharma suggested the Vice Chancellor to refer back this item to the Syndicate.

The suggestion given by Dr. Subhash Sharma was objected to by majority of the members and said that in the past they have been giving extension to the DSWs. So, one year extension be given to them.

Dr. Subhash Sharma said that there is no doubt that Dr. Emanuel Nahar is a very competent officer and it is the view of the Senate and all of them want to grant him extension for one year. But, this issue came before the Syndicate. In principle, it was unanimously decided and accepted by the Syndicate members and there was no split or dissent as most of the members except one or two members, that since the new Vice Chancellor is taking over the charge in near future, they would give extension to present incumbents but at least there should be an option for the new Vice Chancellor to elect his/her own team. If all the members of the Senate and the Syndicate desire that one year extension be given to them, then there should be no problem, they could grant the extension for one year.

This was agreed to.

**RESOLVED:** That –

- (i) the term of appointment of Professor Emanuel Nahar, University School of Open Learning, as Dean Student Welfare and Professor Neena Caplash, Department of Biotechnology, as Dean Student Welfare (Women), be extended for another year w.e.f. 01.06.2018 to 31.05.2019;
- (ii) Professor Ranjan Kumar, Department of Physics, be appointed as Associate Dean Student Welfare w.e.f. 01.06.2018 to 31.05.2019.

**VI.** The recommendation of the Syndicate contained in **Item C-5** on the agenda was read out, viz. –

**C-5.** That Dr. (Ms.) Simrit Kahlon be promoted from Associate Professor (**Stage-4**) to Professor (**Stage-5**) in the Department of Geography, Panjab University, Chandigarh, under the UGC Career Advancement Scheme (CAS) (2010), w.e.f. **30.04.2017**, in the pay-scale of Rs.37400-67000 + AGP Rs.10,000/-, at a starting pay to be fixed under the rules of Panjab University. The post would be personal to the incumbents and she would perform the duties as assigned to her.

- NOTE:**
1. The complete bio-data of the candidates would form a part of the proceedings.
  2. It had been certified that the API score obtained by the candidate meets the UGC requirement.
  3. It had also been certified that the selection has been made in compliance to fourth amendment of UGC Regulations, 2010.
  4. The letter of promotion to the person promoted has been issued, in anticipation of approval of the Senate.

**(Syndicate dated 30.3.2018 Para 2(i))**

The Vice-Chancellor informed that with the clearance of these 3 cases, 52 more cases recently approved in the Syndicate, no case promotion case under CAS is pending with the Vice-Chancellor office. He would announce in the Chairpersons' meeting that in case there is any other case pending, the same would also be taken care of.

**RESOLVED:** That Dr. (Ms.) Simrit Kahlon be promoted from Associate Professor (**Stage-4**) to Professor (**Stage-5**) in the Department of Geography, Panjab University, Chandigarh, under the UGC Career Advancement Scheme (CAS) (2010), w.e.f. **30.04.2017**, in the pay-scale of Rs.37400-67000 + AGP Rs.10,000/-, at a starting pay to be fixed under the rules of Panjab University. The post would be personal to the incumbent and she would perform the duties as assigned to her.

**VII.** The recommendation of the Syndicate contained in **Item C-6** on the agenda was read out, viz. –

**C-6.** That the following persons be promoted from Assistant Professor (stage-3) to Associate Professor (stage-4) under the U.G.C. Career Advancement Scheme (CAS) in the pay-scale of Rs.37400-67000/-+AGP Rs.9000/-, at a starting pay to be fixed under the rules of Panjab University. The posts would be personal to the incumbents and they would perform the duties as assigned to them:

Senate Proceedings dated 27<sup>th</sup> May, 2018

<b>Sr. No.</b>	<b>Name</b>	<b>Department</b>
1.	Dr. Paru Bal Sidhu (w.e.f. 11.07.2016)	Ancient Indian History, Culture & Archaeology
<b>(Syndicate dated 30.3.2018 Para 2(ii))</b>		
2.	Dr. Ritu Bala Associate Professor in Sanskrit (w.e.f. 03.11.2017)	V.V.B.I.S. & I.S. Hoshiarpur
<b>(Syndicate dated 30.3.2018 Para 2(iii))</b>		
3.	Dr. Ashu Khosla (w.e.f. 07.11.2017)	Geology
<b>(Syndicate dated 30.3.2018 Para 2(iv))</b>		

**NOTE:** 1. The complete bio-data of the candidate would form a part of the proceedings.

2. It had been certified that the API score obtained by the candidate meets the UGC requirement.

3. It had also been certified that the selection has been made in compliance to fourth amendment of UGC Regulations, 2010.

4. The letter of promotion to the person promoted have been issued, in anticipation of approval of the Senate.

**RESOLVED:** That the following persons be promoted from Assistant Professor (Stage-3) to Associate Professor (Stage-4) under the U.G.C. Career Advancement Scheme (CAS) in the pay-scale of Rs.37400-67000/-+AGP Rs.9000/-, at a starting pay to be fixed under the rules of Panjab University. The posts would be personal to the incumbents and they would perform the duties as assigned to them:

<b>Sr. No.</b>	<b>Name</b>	<b>Department</b>
1.	Dr. Paru Bal Sidhu (w.e.f. 11.07.2016)	Ancient Indian History, Culture & Archaeology
<b>(Syndicate dated 30.3.2018 Para 2(ii))</b>		
2.	Dr. Ritu Bala Associate Professor in Sanskrit (w.e.f. 03.11.2017)	V.V.B.I.S. & I.S. Hoshiarpur
<b>(Syndicate dated 30.3.2018 Para 2(iii))</b>		
3.	Dr. Ashu Khosla (w.e.f. 07.11.2017)	Geology
<b>(Syndicate dated 30.3.2018 Para 2(iv))</b>		

**VIII.** The recommendation of the Syndicate contained in **Item C-7** on the agenda was read out, viz.:-

**C-7.** That the following persons be promoted from Assistant Professor (Stage-2) to Assistant Professor (Stage-3) under the U.G.C. Career Advancement Scheme (CAS) (2010) in the pay-scale of Rs.15600-39100 + AGP Rs.8,000/-, at a starting pay to be fixed under the rules of the Panjab University. The posts would be personal to the incumbents and they would perform the duties as assigned to them:

<b>Sr. No.</b>	<b>Name</b>	<b>Department</b>
1.	Shri Makhan Singh Assistant Professor in Computer Science & Technology (w.e.f.11.07.2016)	University Institute of Engineering & Technology
<b>(Syndicate dated 30.3.2018 Para 2(v))</b>		
2.	Dr.(Ms.) Amandeep Verma Assistant Professor in Information Technology (w.e.f. 03.07.2016)	University Institute of Engineering & Technology
<b>(Syndicate dated 30.3.2018 Para 2(vi))</b>		
3.	Ms. Puneet Jai Kaur Assistant Professor in Information Technology (w.e.f. 03.07.2016)	University Institute of Engineering & Technology
<b>(Syndicate dated 30.3.2018 Para 2(vii))</b>		
4.	Dr. Madhuri Rishi (w.e.f. 07.09.2014)	Environmental Studies
<b>(Syndicate dated 30.3.2018 Para 2(viii))</b>		

- NOTE:**
1. The complete bio-data of the candidate would form a part of the proceedings.
  2. It had been certified that the API score obtained by the candidate meets the UGC requirement.
  3. It had also been certified that the selection has been made in compliance to fourth amendment of UGC Regulations, 2010.
  4. The letter of promotion to the person promoted have been issued, in anticipation of approval of the Senate.

**RESOLVED:** That the following persons be promoted from Assistant Professor (Stage-2) to Assistant Professor (Stage-3) under the U.G.C. Career Advancement Scheme (CAS) (2010) in the pay-scale of Rs.15600-39100 + AGP Rs.8,000/-, at a starting pay to

Senate Proceedings dated 27<sup>th</sup> May, 2018

be fixed under the rules of the Panjab University. The posts would be personal to the incumbents and they would perform the duties as assigned to them:

<b>Sr. No.</b>	<b>Name</b>	<b>Department</b>
1.	Shri Makhan Singh Assistant Professor in Computer Science & Technology (w.e.f.11.07.2016)	University Institute of Engineering & Technology
<b>(Syndicate dated 30.3.2018 Para 2(v))</b>		
2.	Dr.(Ms.) Amandeep Verma Assistant Professor in Information Technology (w.e.f. 03.07.2016)	University Institute of Engineering & Technology
<b>(Syndicate dated 30.3.2018 Para 2(vi))</b>		
3.	Ms. Puneet Jai Kaur Assistant Professor in Information Technology (w.e.f. 03.07.2016)	University Institute of Engineering & Technology
<b>(Syndicate dated 30.3.2018 Para 2(vii))</b>		
4.	Dr. Madhuri Rishi (w.e.f. 07.09.2014)	Environmental Studies
<b>(Syndicate dated 30.3.2018 Para 2(viii))</b>		

**IX. C-8.** To elect (by simple majority vote) a representative of the University as a member of the Dental Council of India, under Section 3(d) of the Dentists' Act, 1948.

**NOTE:** 1. Section 3(d) and 6(i) of the Dentists' Act reads under:

“3(d). One member from each University established by law in the States which grants a recognized dental qualification, to be elected by the members of the Senate of the University, or in case the University has no Senate, by the members of the Court, from amongst the members of the Dental Faculty of the University or in case the University has no Dental Faculty, from amongst the members of the Medical Faculty thereof.

6(i). Subject to the provisions of this section an elected or nominated member shall hold office for a term of five years from the date of his election or nomination or until his successor has been duly elected or nominated, whichever is longer.”

Senate Proceedings dated 27<sup>th</sup> May, 2018

2. The term of present member, Dr. K. Gauba, representing the University on the Dental Council of India, is already over on 23.03.2018.
3. The above item was placed in the Senate in its meeting dated 6.5.2018 (Appendix) as an item R-24 and it was resolved that the above item be not ratified and proper procedure for election be follow.
4. As per above decision of the Senate, a letter dated 19.5.2018 (Appendix) has been sent to the members (through e-mail) of the Medical Faculties to send the nomination on or before 23.5.2018 upto 1.00 p.m.

The following valid nominations duly proposed and seconded have been received:

1. Professor Ashish Jain  
Dr. Harvansh Singh Judge Institute of Dental Sciences and Hospital  
P.U. Chandigarh.
2. Professor Jagat Bhushan  
Dr. Harvansh Singh Judge Institute of Dental Sciences and Hospital  
P.U. Chandigarh.

The Vice-Chancellor requested Dr. Amod Gupta to act as Returning Officer for the election. After the voting and counting of votes, Dr. Amod Gupta announced that this is the result of election of one member on the Dental Council of India by the Senate amongst the members of the Faculty of Medical Sciences. Total votes polled were 71, invalid votes Nil, valid votes 71. Candidate at Sr. No. 1 Professor Ashish Jain got 34 votes and candidate at Sr. No. 2 Professor Jagat Bhushan got 37 votes. The final result is that Prof. Jagat Bhushan is declared elected by the Senate.

Since two nominations were received, the voting for election took place from 1.30 p.m. to 2.30 p.m. under the supervision of Dr. Amod Gupta, Dean, Faculty of Medical Sciences. After counting of votes, Professor Ashish Jain got 34 votes and Professor Jagat Bhushan got 37 votes. Since Professor Jagat Bhushan got majority of votes, he was elected to represent the University as member of Dental Council of India.

**RESOLVED:** That Professor Jagat Bhushan was declared elected to represent the University as member of Dental Council of India under Section 3(d) of the Dentists' Act, 1948.



**X.** The recommendations of the Syndicate contained in **Items C-9** on the agenda were read out, viz. –

**C-9.** That Dr. Devinder Dhawan, Chief Medical Officer, Bhai Ghanaiya Ji Institute of Health, Panjab University be given extension in service for a period of one year.

**(Syndicate dated 30.03./21.04./29.4.2018 Para 32)**

The Vice Chancellor said that they are in a very peculiar situation. They have almost no senior regular Medical Officer left in the University system. They should have reached to the MHRD sufficiently in advance telling that they should be permitted to induct few Medical Officers at different level, younger, middle, senior level and have adequate number of medical staff in their system but with all the problems going on i.e. finance, this and that, so, somehow, there has been a lapse. So, in order to tide over the present situation in an interim way as there is no precedent, let the term of appointment of Dr. D.K. Dhawan, Chief Medical Officer, be extended by one year so that the University does not stand deprived by a Senior Medical Officer. They need somebody. In the meanwhile, he will go to the MHRD and have permission to induct adequate number of Medical Officers. He said that he knew that some people have reservation but he would like to appeal to them that this is the unanimous decision of the Syndicate. Let them not open it into and create a controversy so that this guy also loses the will to serve the University for one year in a manner that he has been doing. Any deeper discussion could de-motivate this guy to give the service in a manner that he would give them if they just approve it the way it has come from the Syndicate.

Shri Varinder Singh said that the Vice Chancellor can give two years' extension to Dr. D.K. Dhawan. Moreover, there is no complaint against him and if they give him one year extension then after six months this matter will again come up.

The Vice Chancellor said that he will go and seek permission from the MHRD.

Professor Shelley Walia said that there is a precedent that two year extensions have been given in the past and Dr. D.K. Dhawan may be given two year extension.

The Vice Chancellor said that they had long discussion and after that a conclusion was reached in the Syndicate meeting and it was a unanimous decision of the Syndicate. He pleaded with them to honour the unanimous decision of the Syndicate. Do not open it by reducing one to zero or for enhancing one to two.

Several members said that Dr. D.K. Dhawan be given two years' extension as there are precedents of two C.M.Os. who were given two years' extension.

The Vice Chancellor enquired whether there are C.M.Os. who were given two years extension. Majority of the members replied in affirmative.

The Vice Chancellor told that this matter has been discussed in detail. There are not many precedents.

Dr. Rabinder Nath Sharma said that nine years ago in the year 2009 when the case of Dr. Pragya Kumar came for extension, the Syndicate and the Senate had unanimously decided to give her extension for two years but without designation and she was not given the designation and, hence, she was deprived. Secondly, under Regulation 17.4, it is clearly mentioned that the recommendation of the Vice Chancellor should be there. He has come to know that in the Syndicate, the Vice Chancellor has clear stand that he would not recommend.

The Vice Chancellor said that as the new Vice Chancellor is coming and he has seen the some old cases, so he did not want to do anything as he is left with only two months.

Dr. Rabinder Nath Sharma said nine years ago they did not give extension to Dr. Pragya Kumar whereas the other members are saying that earlier extensions were granted. When Dr. Lala Suraj Bhan was Vice Chancellor in the Kurukshetra University, Dr. Harish Khanna was C.M.O there. When Dr. Lala Suraj Bhan became as Vice Chancellor to the Panjab University, he brought Dr. Harish Khanna, C.M.O. to Chandigarh. At that time, the extension should have been granted as C.M.O. and not as a Medical Officer. He has seen the record and found that Dr. Rupinder Kaur has 20 years experience as a doctor. After doing MBBS she has worked for 10 years in the PEC as Medical Officer and thereafter in Rajindra Hospital and PGI. Hence, she has completed 20 years of service as doctor. She has qualifications of MBBS, MCH and Diploma and she has also the degree of M.B.A. in Hospital Management. When such a best person is available with them and they are depriving her. It is a clear cut policy in this campus that no teacher will be given any administrative post and power beyond the age of 60 years and he (Vice Chancellor) is adopting different yardsticks in the campus and in the University system. In this campus, no teacher is made Chairperson and no powers are given beyond the age of 60 years and he (Vice Chancellor) is doing so at the other place. Similar contradiction had arisen nine years back and the item was dropped. He wants to say that if he (Vice Chancellor) deprives the next person, then she would feel demoralized. So, this be got examined. It is correct, she came in the university four years back, no problem. But in the advertisement it was mentioned that only those person with minimum three years experience can apply for the post. Even if 4 years service in the Panjab University + 3 years experience is counted, it becomes 7 years. He would say that there should be justice and it should not be a case that the voice of the voiceless persons is not listened. It is correct that Dr. Dhawan is a senior doctor, he has good contacts and good relations and he has good links, he can understand very well. But if they do not give chance to a new person and do such a thing by which they give a chance to a person above 60 years and designation and administrative power is given to Dr. D.K. Dhawan beyond the age of 60 years which was denied to Dr. Pragya Kumar nine year ago. He further requested the Vice Chancellor that since he himself had selected Dr. Rupinder Kaur and when she has shown desired competence and experience, she should not be deprived of the chance. He should not deprive the next person. But, if he does not give chance to the new incumbent, it will not have good impact. So, he requests that the decision should be revised/reviewed.

Shri Varinder Singh said that keeping in view the work and conduct of Dr. D.K. Dhawan. They can give him two years' extension. They are giving one or two years' extensions to the Principals also. As Professor Rabinder Nath Sharma has told that they do not give headship to any teacher beyond the age of 60 years. It is not so. They are giving extensions to the Principals. They cannot demote the Senior Medical Officer to a lower rank. Everybody is saying that the new Vice Chancellor will come. He asked the members whether it is the Assembly that the new government will be formed and that new government will do all the jobs. Would the present teachers or the doctors not work with the new Vice Chancellor or the new Vice Chancellor would not work with the present teachers? Most of the persons having a thinking in their mind that the Vice Chancellor is in under their control and the new Vice Chancellor would be theirs and they would do this or that. Everything has arisen out of this. This question also arose while taking decision of extension of the DSW. All of them are saying that the new Vice Chancellor would be theirs and he would work according to their will. He requested the Vice Chancellor not to do this. He requested the Vice Chancellor that before going from the University he should not put them to loss, rather he should benefit them. The new Vice Chancellor would require at least two years to get adjusted. It is not that the new

Vice Chancellor would change the whole staff. The University staff is very competent and is performing well.

The Vice Chancellor clarified that he has not changed any person in six years.

Shri Varinder Singh said that it is good that he (Vice Chancellor) has not changed any person. He further requests that he should give extension for two years as they are already giving two years to the Principals. So, the Vice-Chancellor should not say such things that the new Vice Chancellor would come and see the things. It is his request that Dr. D.K. Dhawan be given two years extension as there is no complaint against him.

Shri Jarnail Singh said that the recommendation of the Syndicate is good one. Regarding giving charge, the seniority of the doctors is not only of the Health Centre but also of the doctors of other Health Centres of P.U. Regional Centres like at Hoshiarpur. There are number of doctors at P.U. Regional Centres who are senior to the next incumbent in the Health Centre of Chandigarh Campus. Hence, the charge of the C.M.O. may be given according to the seniority and not to the next incumbent of Health Centre of Chandigarh as the others doctors too are reporting to the C.M.O. here. If those outstation doctors are not willing to come to Chandigarh, then the charge may be given to the next incumbent at Chandigarh otherwise the seniority might not be sidetracked.

Professor Chaman Lal said that he does know the present one or the next person. But he wants to go about the things in a proper procedural manner and he has seen that if any Assistant Professor or Associate Professor retires, he or she cannot hold the administrative position. So the same should be implemented to the non-teaching officers. So, generally when they want to hire an officer, a retired officer, [suppose he (Vice Chancellor) is an institution], he designates him or her as OSD (Officer on Special Duty) because he or she is not in proper system and if he wants to give administrative power to this doctor, then he can give him a designation of DSD (Doctor on Special Duty) otherwise there is no reason that the next person whether at Hoshiarpur or in Chandigarh she should be denied or he should be denied the administrative charge. If he is a good doctor, then give him the power, he has no problem. He just wants to ask Shri Varinder Singh and others whether they want a doctor or an administrator. All their pleadings are for an administrator and he does not go about this thing that administration should carry on with certain people who are liked by certain people. People may be likeable, dislikeable, they should get the responsibility as per rules and regulations and here he would say that give him one year or two years or whatever it is. He objects to this statement of the doctor which he has made in the media that he would get de-motivated. Let him get de-motivated. Is he trying a sort of attack on his colleague? How can he say that there is no equal to him and he is the only one? This kind of statement coming from a doctor, who is applying for extension and trying to hit another doctor, is very unfair on his part. Let him not make it. He does not bother about it. He can hire another doctor. If the doctor is to be given extension, it should be given without administrative power and responsibility. They could give the charge to any other doctor whether he/she is at Hoshiarpur, Chandigarh or anywhere else.

Dr. Parveen Goyal said that as per Regulation 17.4 of P.U. Calendar, Volume-I, Page No. 133, a Medical Officer retires on the age of 60 years and may be given extension for two years. Dr. Harish Khanna retired in 1989 and he was given extension for two years, i.e., upto 1991 and after that Dr. Sheela Arora became C.M.O. in 1991 and retired in 1993 and she was given extension for two years, i.e., upto 1995. After 1995 Dr. Pragya Kumar became C.M.O. and she worked, as such, upto May, 2009 and retired. She was not given extension after May, 2009. After May, 2009, Dr. D.K.

Senate Proceedings dated 27<sup>th</sup> May, 2018

Dhawan became C.M.O. upto 31<sup>st</sup> May, 2018 and in between Dr. Lal was made Additional C.M.O. and he retired in the year 2010 and he got extension for two years, i.e., upto 2012 and after 2012 he was reemployed upto 2015 and he was allowed to continue till further orders. Thereafter, Dr. Khullar was made Additional C.M.O. who retired in 2013 and he was given extension of two years, i.e., upto 2015 and thereafter he was reemployed upto 65 years, i.e., upto September, 2018. It means all of them have got continuous extension except Dr. Pragya Kumar who was not given extension. During the tenure of Dr. Pragya Kumar, many medical facilities such as X-Ray, ECG, Pathology Lab etc. were provided and some more facilities were provided in the Dental College. The Health Centre got many achievements during the tenure of Dr. D.K. Dhawan which include; (i) 10% discount on medicines, (ii) empanelment of hospital on the Central Government rates, (iii) infrastructure, cleaning, flooring, facilities for physically challenged patients and senior citizen rooms, (iv) the NAAC team which visited the Panjab University in the year 2013 and 2015 praised these facilities, (v) X-Ray, ECG and Lab facilities provided in the Health Centre and the equipments were purchased in consultation with Dr. Yashpal and Dr. Khandelwal of PGI. Dr. D.K. Dhawan joined as M.O. in 1985 and he was regularized in 1989 and he is continuing since then. Keeping all these achievements in view, he humbly requests that Dr. D.K. Dhawan may be two years extension as per rule. Till today, everybody has got extension irrespective of the fact whether he is C.M.O. or Additional C.M.O. In 1999, Chief Medical Officer was designated as Medical Officer Chief. There is no doctor who did not get extension except Dr. Pragya Kumar. As per his information, Professor R.C. Sobti, the then Vice Chancellor, allocated a sum of Rs. 25.00 lacs for the Health Centre during the term of Dr. Pragya Kumar who could not utilize that amount. Moreover, many facilities which had to start in the Health Centre could not start.

The Vice-Chancellor said that this is not the time to put such allegations on a retired doctor.

Dr. Rabinder Nath Sharma said that if the cases in individuality are to be discussed, then he supported whatever has been said. He pointed out that Dr. D.K. Dhawan never faced any interview or Selection Committee but was just regularized after ad hoc service. All this is on record. This is back door entry.

Dr. Subhash Sharma requested the Vice-Chancellor to request the members not to level personal allegations.

Professor R.P. Bambah asked Dr. Praveen Goyal not to make any comments against anybody, she (the doctor) is not present here, she was a very good doctor and very competent officer.

The Vice-Chancellor said that he had appealed to all the members that all these matters had been discussed and talked with in the Syndicate and they should respect the decision of the Syndicate to give the extension for one year. If they want to extend by another year, they could do so when the new Vice-Chancellor comes. Right now the decision which has come to them after a lot of discussion from the Syndicate and it is unanimous decision of the Syndicate to give one year extension as CMO.

Some of the members agreed to it.

Dr. Rabinder Nath Sharma recorded his dissent against it.

When Principal I.S. Sandhu said that they want to have discussion on the issue, the Vice-Chancellor requested him not to indulge in unnecessary discussion which denigrates their position.

Senate Proceedings dated 27<sup>th</sup> May, 2018

At this point, Dr. Rabinder Nath Sharma said that the Vice-Chancellor had not stopped Dr. Parveen Goyal to which the Vice-Chancellor replied that he had stopped him also and requested Dr. Rabinder Nath Sharma not to make accusations.

Dr. Parveen Goyal said that the proposal of two years is okay.

The Vice-Chancellor replied that he has no such proposal of two years extension.

Dr. Subhash Sharma said that now the decision for extension of one year is taken.

The Vice-Chancellor appealed to the members that they could bring the proposal for extension for one more year through Syndicate, he is not against it. But right now let they not vitiate the atmosphere as after all they had very acrimonious discussion. He appealed that the unanimous decision of the Syndicate should be respected does not preclude that the extension of 1+1 could not be made. It is mentioned in the Panjab University Calendar and if the previous CMOs have been given extension with administrative powers, then the same would be in the present case.

Dr. Rabinder Nath Sharma recorded his dissent against it. He said that a wrong precedent is being created.

Dr. Ajay Ranga enquired whether the decision is taken for 1+1 year extension.

Some of the members said that the extension is given for one year.

The Vice-Chancellor said that 1+1 is not precluded, a proposal in this regard could be brought. Right now the unanimous decision is extension for one year and let they respect it and since in the past when people were given extension for years as CMO, it was with full powers, it would also be with full powers.

Shri Ashok Goyal said that they respect what the Syndicate has recommended but at the same time, according to him, the sentiments of the House have also to be taken into consideration. Let them not discuss the circumstances under which the Syndicate recommended the extension for one year. But he was just thinking that if the Senate is granting the extension of one year, is there any possibility of granting the extension of two years in one go because the sentiment of the House except Dr. Rabinder Nath Sharma seems to be in favor of two years extension. He did not want to discuss the case of 2009 which is being referred as Professor Bambah has pointed out that the person is not here and they should not discuss anything negative about the candidate. But he remembers under what circumstances that recommendation was made by the Syndicate and under what circumstances the Senate had also referred back the item to the Syndicate. The recommendation of the Syndicate was not at all qua granting extension, it is was not in terms of the Regulation 17.4 which Dr. Parveen Goyal had referred. It was recommendation regarding giving re-employment and that too after one-day break. So, that was not a case of extension. But here under Regulation 17.4 they are discussing extension up to two years to the Medical Officers. When that item was sent back to the Syndicate for reconsideration, before it could be reconsidered, the then CMO withdrew her request for extension. So, under any circumstances they could not equate this case with a case of 9-years old. So, let they consider this case independently on merit as per the regulation contained in the Calendar though the Senate has the power to say 'yes' or 'no'. If they are granting extension of one year, then according to him it would be fair that they grant extension for two years and it should not be linked to that only after the new Vice-Chancellor comes, let him take a call or let they take a decision about one year now and thereafter

they could consider extending the term for another year next year. Most of the teachers, non-teaching staff of the University campus and the retired faculty and non-teaching staff, they are the persons who are directly affected by such a decision. In the light of this, he proposed that the extension be granted for two years in one go instead of one year as recommended by the Syndicate.

Dr. Jagdish Chander Mehta and Shri Naresh Gaur supported this proposal.

Dr. Dayal Partap Singh Randhawa recorded his dissent on it.

Dr. Rabinder Nath Sharma said that it is big arbitrary decision.

Dr. Dayal Partap Singh Randhawa said that when they are extending the term, how could they extend the administrative powers. If they are taking such a decision, then such extension should be given to the Chairpersons also. The persons could serve up to 65 years but without administrative powers.

Dr. Subhash Sharma requested that as approved by the Syndicate the proposal has been put up before the House which has unanimously approved it with one dissent. Then there is no need to open the issue again and again.

Shri Ashok Goyal said that he has made a proposal which has already been seconded by Dr. Jagdish Chander Mehta, let it be placed before the House and seek the opinion.

Dr. Subhash Sharma said that the recommendation of the Syndicate has already been cleared with one dissent.

Dr. Jagdish Chander Mehta said that if the sentiment of the Senate is for granting extension for two years to the Chief Medical Officer, then it should be done. The present doctor is an M.D. whereas the next person is not M.D.

The Vice-Chancellor said that he is not doing check-up of qualification of anybody as he has no such data and the things should not be done in an ad hoc manner.

Dr. Rabinder Nath Sharma said that the CMO is not M.D. and the Syndicate has been misled.

Dr. Jagdish Chander Mehta said that the next doctor has worked on adhoc basis and her past experience has not been counted.

The Vice-Chancellor said that he has already said that the decision should be accepted and that does not preclude that they could make it 1+1, go back to the Syndicate and bring the proposal. There is no point of character assassination of their colleagues.

**RESOLVED:** That recommendations of the Syndicate contained in **Items C-9** on the agenda, be approved.

Dr. Rabinder Nath Sharma and Dr. Dayal Partap Singh Randhawa recorded their dissent.

**XI.** The recommendations of the Syndicate contained in **Items C-10** on the agenda were read out, viz. –

**C-10.** That request dated 09.03.2018 (Appendix) of Dr. Inderpal Singh Sidhu, Syndic, for reconsideration of the Syndicate decision dated 15.04.2013/25.04.2013 (Para 21) (Appendix) with regard to debarring Shri Balwinder Singh, Associate Professor, G.K.S.M. Government College Tanda Urmar (Hoshiarpur) to perform University examination duties.

**NOTE:** 1. The Syndicate in its meeting dated 30.03/21/29.04.2018 (Para 43) considered the request of Dr. Inderpal Singh Sidhu, Syndics and it was resolved that as ordered by the Vice-Chancellor, the 2014 matter pertaining to Shri Balwinder Singh should have been placed before the Senate. Therefore, he would find out the reasons as to why the same was not placed before the Senate and thereafter, the matter along with the request of Dr. Inderpal Singh Sidhu dated 09.03.2018 would then be placed before the Senate.

**(Syndicate meeting dated 30.03/21/29.04.2018 Para 43)**

2. An office note containing the brief history with regard to not placing the request of Shri Balwinder Singh before the Senate is enclosed (Appendix).

Shri Ashok Goyal, Shri Varinder Singh and Principal I.S. Sandhu said that since they have not gone through the table agenda, they could take up it later.

**RESOLVED:** That the consideration of the item be deferred.

G.S. Chadha  
Registrar

Confirmed

Arun Kumar Grover  
VICE CHANCELLOR