

PANJAB UNIVERSITY, CHANDIGARH

Minutes of special meeting of the **SENATE** held on Sunday, 29th January 2017 at 11.00 a.m. in the Senate Hall, Panjab University, Chandigarh.

PRESENT:

1. Professor Arun Kumar Grover ... (in the chair)
Vice Chancellor
2. Shri Ashok Goyal
3. Ms. Anu Chatrath
4. Dr. Akhtar Mahmood
5. Dr. Ajay Ranga
6. Dr. Ameer Sultana
7. Ambassador I.S. Chadha
8. Professor Chaman Lal
9. Dr. Dalip Kumar
10. Professor Dinesh K. Gupta
11. Dr. D.V.S. Jain
12. Dr. Emanuel Nahar
13. Dr. Gurdip Kumar Sharma
14. Dr. Gurjot Singh Malhi
15. Dr. Gurmit Singh
16. Dr. Gurmeet Singh
17. Dr. Hardiljit Singh Gosal
18. Dr. Harjodh Singh
19. Dr. Harsh Batra
20. Shri H.S. Dua
21. Dr. I.S. Sandhu
22. Dr. Inderpal Singh Sidhu
23. Dr. Inderjit Kaur
24. Shri Jarnail Singh
25. Shri Jagdeep Kumar
26. Dr. Jagdish Chander
27. Dr. K.K. Sharma
28. Dr. Keshav Malhotra
29. Dr. Mukesh K. Arora
30. Dr. N.R. Sharma
31. Dr. Narinder Singh Sidhu
32. Dr. Nisha Bhargava
33. Dr. Neeru Malik
34. Professor Navdeep Goyal
35. Shri Naresh Gaur
36. Dr. Parveen Goyal
37. Shri Prabhjit Singh
38. Shri Pawan Kumar Bansal
39. Professor Promila Pathak
40. Professor Rajat Sandhir
41. Professor Pam Rajput

42. Dr. Raj Kumar Mahajan
43. Dr. Rabinder Nath Sharma
44. Dr.(Mrs.) Rajesh Gill
45. Professor R.P. Bambha
46. Shri Ravinder Mohan Trikha
47. Dr. Sarabjit Kaur
48. Ms. Surinder Kaur
49. Professor Shelly Walia
50. Shri Sandeep Singh
51. Shri Sandeep Kumar
52. Dr. Shaminder Singh Sandhu
53. Dr. Satish Kumar Sharma
54. Shri Satya Pal Jain
55. Shri V.K. Sibal
56. Col. G.S. Chadha (Retd.) ... (Secretary)
Registrar

The following members could not attend the meeting:

1. Dr. Amod Gupta
2. Dr. Amar Singh
3. Shri Amanpreet Singh
4. Dr. Amit Joshi
5. Professor Anita Kaushal
6. Dr. Baljinder Singh
7. Dr. B.C. Josan
8. Professor B.S. Ghuman
9. Dr. Dayal Partap Singh Randhawa
10. Professor Deepak Pental
11. Justice Harbans Lal
12. Shri Jitender Yadav, D.H.E., U.T., Chandigarh
13. Smt. Kirron Kher
14. Professor Manoj K. Sharma
15. Shri Parmod Kumar
16. Shri Parimal Rai
17. Shri Punam Suri
18. S. Parkash Singh Badal
19. Dr. R.S. Jhanji
20. Shri Raghbir Dyal
21. Shri Rashpal Malhotra
22. Professor Ronki Ram
23. Dr. S. S. Sangha
24. Dr. Sanjeev Kumar Arora
25. Shri Sanjay Tandon
26. Dr. S.K. Sharma
27. Justice Shiavax Jal Vazifdar
28. Shri Sanjeev Kumar Bandlish
29. Dr. Suresh Chandra Sharma
30. Dr. Subhash Sharma

31. Shri Surjit Singh Rakhra
32. Shri T.K. Goyal, Director, Higher Education, Punjab
33. Dr. Tarlochan Singh
34. Dr. Vipul Kumar Narang
35. Shri Varinder Singh

I The Vice Chancellor said, "I am pleased to inform the august house that:

- i) Hon'ble Shri M. Hamid Ansari, Vice-President of India and Chancellor, Panjab University, has very kindly consented to deliver 66th PU Annual Convocation address on March 25, 2017. On this occasion Hon'ble Chancellor will confer Honoris Causa degrees on eminent icons, viz., Dr. Narinder Singh Kapany (D.Sc.), Prof. Murli Manohar Joshi (D.Litt.), Prof. G.S. Khush (D.Sc.), and Dr. Nuruddin Farah (D.Litt.) as well as honour three awardees, viz., (i) Sahitya Rattan (Prof. Ms. Dalip Kaur Tiwana), (ii) Kala Rattan (Shri Anupam Kher) and (iii) Vigyan Rattan (Dr. Purushotam Dass Gupta). Hon'ble Justice J.S. Khehar would not be able to join for the Convocation to receive Doctor of Law (Honoris Causa) degree on March 25, 2017 due to his prior commitments elsewhere on the same day. The United Nations Development Programme and the Ministry of Environment, Government of India along with National Green Tribunal is organizing a 2-day international event at Vigya Bhavan on March 25-26, 2017. The President of India is the Chief Guest and the Hon'ble Chief Justice of India has to preside over the event. He was not aware of it earlier. Yesterday, the Chief of the National Green Tribunal, Justice Swatantar Kumar informed that the Hon'ble President of India could be willing to shift the convocation date by one day and then Justice J.S. Khehar could participate in the Convocation. So far they have not been able to find out whether Justice J.S. Khehar would be able to come or not. A formal appeal to the Vice-President of India could be made to shift the date and it would be known in a day or two. Otherwise, as of today, the Convocation date is Saturday, March 25, 2017. Rest of the people have confirmed and they are arriving well in advance and some of them are expected to stay for 3-4 days after the Convocation. Let them hope that something positive comes and hope that the Chief Justice of India is amongst them for the Convocation.
- ii) Prof. G.S. Khush has consented to give Shiv Ram Kashyap Oration on 24th March and Institute of Nano-Science Technology (INST) Hargobind Khurana Lecture on 27th for School Students who receive Hargobind Khurana Scholarship given by the Punjab Government. Last year, the same lecture was given by Dr. V. Ramakrishnan and this year Dr. Khush would deliver this lecture. Dr. Nuruddin Farah has consented to deliver Panjab University Colloquium on March 16, 2017. He would stay with us for two weeks. Dr. P.D. Gupta would give First Professor H.S. Hans Memorial Lecture on March 24, 2017 in the Department of Physics. Dr. N.S. Kapany shall also give a couple of lectures in the City for young college and school students during his visit.
- iii) Philatelic Advisory Committee at Ministry of Communications, Government of India, Department of Posts, has recommended the release of five Commemorative Postage Stamps and one of them is on 'Prof. Balwant Gargi', an illustrious alumnus of Panjab University. In this list of five writers, along with Balwant Gargi, the four other are, viz., Krishan Chander, Pt. Shrilal Shukla, Bhisham Sahni and K.V. Puttappa, under the theme "Commemoration of Birth Centenaries of Eminent Writers" in due course to commemorate their birth centenaries. They were born in the year 1914, 1915 and 1916. These prima facie belong to all language groups in India. Three of the above five luminaries, viz., Mr. Krishan

Chander, Dr Bhisham Sahni and Prof. Balwant Gargi are alumni of Panjab University, while Mr. Krishan Chander and Professor Balwant Gargi studied at F.C. College, Lahore, and Dr. Bhisham Sahni studied at Govt. College, Lahore and later obtained his Ph.D. from PU, Chandigarh in 1958. Dr. Bhisham Sahni also taught at Khalsa College, Amritsar. It has been suggested that after the stamps are released in Delhi, they should hold a satellite event at Panjab University campus. They have proposed Baisakhi day to hold that event. So, they would have re-release of three stamps on Mr. Krishan Chander, Professor Balwant Gargi and Dr. Bhisham Sahni on the campus. It has been suggested that it should not be just a stamp release event, but they should invite prominent writers from the region in all the languages that are spoken in this part of the country, we could hold panel discussion(s) throughout the day, identify themes, get people together and sub-divide them into three sub-panel groups and hold for at least one day, a kind of literary event, while these commemorative stamps get released. They have to work on it, and it is going to be a very interesting event. The University Colleges are excited about implementing it.

- iv) Prof Harkishan Singh, Emeritus Professor, UIPS, PU, Shri Punam Suri, Member PU Senate since 2012 and Shri Kanwal Sibal (MA in English from PU), Former Secretary, Ministry of External Affairs, have been selected for the Padma Shri Awards this year. Panjab University Alumni Association proposes to hold a felicitation function to honour them before the awards are presented.
- v) Hon'ble Mr. Justice J.S. Khehar, an illustrious alumnus of Panjab University, took over as Chief Justice, Supreme Court of India, on January 4, 2017. He is the first one from present PU Campus to attain this high position.
- vi) Professor Ajay K. Sood, Fellow of Royal Society (FRS), another alumnus of our University, has taken over as President of Indian National Science Academy (INSA), New Delhi w.e.f. January 1, 2017. He also studied at the present PU Campus (1968-72). He was given PU Vigyan Rattan for the year 2011 and awarded Padma Shri in 2013.
- vii) Professor I.B.S. Passi, Emeritus Professor, Department of Mathematics and former Dean University Instruction, PU, has been elected as Council Member of INSA, New Delhi w.e.f. January 1, 2017.
- viii) A book entitled 'Industry-Academia R&D ecosystem in India' authored by Professor Rupinder Tewari, *et.al.*, who is founder Coordinator, Centre for Policy Research (DST Project awarded to Panjab University in the year 2014), was released by Dr. R. Chidambaram (Principal Science Advisor to Prime Minister of India), Dr. V. Saraswat (Member, Science, NITI Ayog) and Dr. Ashutosh Sharma (Secretary, DST), on the first day of the Indian Science Congress 2017 on January 3, at Tirupati.
- ix) Hon'ble Punjab and Haryana High Court directed UGC on January 19, 2017 to release Rs.30.5 Crores within four weeks as an interim relief to PU to enable payment of salaries and pension up to February, 2017.
- x) XIth Chandigarh Science Congress is scheduled from March 9 to 11, 2017 and VIIth Chandigarh Social Science Congress is scheduled from March 21 to 22, 2017. The Science Congress will be inaugurated by the President of Indian National Academy of Sciences, Professor Ram Ramaswamy and we have invited Nobel Laureate Shri Kailash Satyarthi to inaugurate the Chandigarh Social Science Congress.

On the suggestion of one of the members, University has prepared a booklet containing information on all the members of the present Senate. This booklet and Panjab University diary for the year 2017 is being made available to all the Senate members today.

RESOLVED: That –

- (1) the felicitations of the Senate be conveyed to:
 - (i) Prof Harkishan Singh, Emeritus Professor, UIPS, Panjab University on having been selected for the Padma Shri Award;
 - (ii) Shri Punam Suri, Member PU Senate on having been selected for the Padma Shri Award;
 - (iii) Shri Kanwal Sibal, Former Secretary, Ministry of External Affairs, on having been selected for the Padma Shri Award;
 - (iv) Hon'ble Mr. Justice J.S. Khehar, for having taken over as Chief Justice, Supreme Court of India, on January 4, 2017;
 - (v) Professor Ajay K. Sood, Fellow of Royal Society (FRS), alumnus of the University, for having taken over as President of Indian National Science Academy (INSA), New Delhi w.e.f. January 1, 2017;
 - (vi) Professor I.B.S. Passi, Emeritus Professor, Department of Mathematics and former Dean University Instruction, PU, on having been elected as Council Member of INSA, New Delhi w.e.f. January 1, 2017;
 - (vii) Professor Rupinder Tewari and his other colleagues on release of the book 'Industry-Academia R&D ecosystem in India' by Dr. R. Chidambaram (Principal Science Advisor to Prime Minister of India), Dr. V. Saraswat (Member, Science, NITI Ayog) and Dr. Ashutosh Sharma (Secretary, DST);
- (2) the information contained in the Vice Chancellor's statement at Sr. Nos. (i), (ii), (iii), (ix) and (x), be noted.

Dr. Gurmeet Singh said that this has been a tradition that they could have discussion on the Vice Chancellor's statement. If the Vice Chancellor permits, he could start discussion.

The Vice Chancellor said that he would like it to be a restricted comment.

Dr. Gurmeet Singh again said that it has been a tradition and there is no harm in having discussion on the Vice Chancellor statement.

The Vice Chancellor said that there is no such point for discussion in the statement. However, if he (Dr. Gurmeet Singh) wanted to have discussion, he would not refuse it. These are simple information items.

Dr. Gurmeet Singh said that there is an important matter for discussion and it could be known when the Vice Chancellor would listen to it, and if permission is given.

The Vice Chancellor said that he would get back to him.

Professor R.P. Bambah said that according to the Calendar nothing could be discussed at a special meeting other than what they have been called for. This is what the Calendar states but if members want, they could discuss.

Dr. Gurmeet Singh said that since the statement has come, that is why he was saying.

Shri V.K. Sibal said that it is not a normal meeting. Therefore, the question does not arise (of any other discussion).

The Vice Chancellor said that the Vice Chancellor's statement is just for information. Personally, he is okay with it, but he (Dr. Gurmeet Singh) should be brief. He would say that the purpose of the meeting should get served. All the members have come from long distances. He did not want to say that he is not prepared to give time to the members. He is here for the whole day. He would come back to Dr. Gurmeet Singh.

Principal Hardiljit Singh Gosal said that there is an issue of Rs. 30 crores in the statement.

The Vice Chancellor said that he is not coming to this issue.

Professor R.P. Bambah said that if they make a discussion, that may create problems. According to regulations, they could not discuss anything. According to Regulation 9 appearing at page 29 of Panjab University Calendar Volume-I, "at a special meeting of the Senate, only the business for which the meeting is convened shall be transacted". There might be complications later on if they have discussion.

Dr. Dalip Kumar said that they should go with the Regulations.

Shri V.K. Sibal said that they should not depart from the Regulations.

The Vice Chancellor said that he is available to the members whosoever wishes to talk, after the meeting, in an informal manner. He is available throughout the day. They could raise the issues with him and he is prepared to respond the same to the best he could or come back to it as early as he could.

Dr. Ajay Ranga said that so many members have come to attend the meeting and a lot of money of the University would be involved if a meeting is again called for this purpose. He requested that they should complete the agenda for which the meeting has been called. Thereafter, the meeting could be continued and the grievances of the members be listened to, after adjourning the meeting.

Professor R.P. Bambah said that they could adjourn the meeting and again meet.

The Vice Chancellor said as Professor R.P. Bambah has suggested that they could adjourn the meeting and informally he (Vice Chancellor) could listen to all the members.

Professor R.P. Bambah said that first the meeting could be adjourned and the listen to the members otherwise it could cause legal complications later on.

Dr. Ajay Ranga said that Professor R.P. Bambah has been often saying that for the welfare they should be adherence of the Calendar. He requested, as a lot of money has been spent on the meeting, so many members have come and they are devoting their time, he has no problem if there is a majority opinion, first finish the agenda.

The Vice Chancellor said that Professor R.P. Bambah has suggested a way out that he (Vice Chancellor) would meet all the members after they have transacted the business and adjourn the meeting and again meet. It would serve both the purposes. He proposed that they attend to the agenda of the meeting and excuse him and he would like to remain out of the agenda of the meeting, as per the traditions somebody has to chair. He would like to be excused and absented himself from the consideration of the agenda item thereafter.

(G.S. Chadha)
Registrar

Confirmed

(Arun Kumar Grover)
Vice Chancellor

Mrs. Anu Chatrath proposed the name of Shri Jarnail Singh because he has chaired the meeting of the Syndicate. She said, he could chair the meeting because he was unanimously authorized by the Syndicate members, so let him chair the meeting.

Professor R.P. Bambah and Dr. Dalip Kumar seconded the proposal.

Some of the members also agreed to it and Shri Jarnail Singh chaired the meeting from this point onwards.

II. Item on the agenda was read out, viz. –

C-1. To consider the recommendation of the Syndicate dated 21.01.2017 with regard to constitute a Committee pursuant to letter No. F.2-5/2015-U.II dated 09.01.2017 received from Director (U.II), Ministry of Human Resource Development, Department of Higher Education, Government of India (**Appendix-**)

Shri Jarnail Singh thanked all the members of the august House for reposing faith in him. He would try to transact the item on the agenda honestly. Let him invite.

Shri Ashok Goyal said that before proceeding for the agenda, as Professor R.P. Bambah has rightly pointed out that they must go by the Regulations. He is very happy with the proposal made by Mrs. Anu Chatrath that since Shri Jarnail Singh has chaired the meeting of the Syndicate also and it would be the most appropriate for him to chair the meeting of the Senate because otherwise it would have been difficult for anyone to reply. He just wanted to read Regulation 7 and would like to know from the then Chairman of the Syndicate and today's Chairman as to under what provisions, this special meeting has been convened and as to under what provisions the Syndicate has taken a decision to convene the special meeting and who proposed that this special meeting be convened because the Regulation 7 clearly says that there are only three exigencies under which the special meeting could be called. One is if requisitioned by the Chancellor, another is, if requisitioned by the Vice Chancellor and the third is, if requisitioned by at least 15 members of the Senate and that requisition also should be signed jointly. All the three, whether it is the Chancellor or the Vice Chancellor or 15 members of the Senate, will intimate to the Syndicate the purpose of such a meeting and the Syndicate shall fix a date for the special meeting of the Senate so requisitioned. Now, if there was any such requisition, he is sure that would have been placed before the Syndicate for its consideration to fix the date for the special meeting. But, the agenda papers which have been circulated, there is no such requisition either by 15 members or the Vice Chancellor or the Chancellor. The proceedings which have been recorded say that it was informed that a special meeting would also be convened on 29th January as the issue has to be decided in a time bound manner. Who informed, nobody knows. Who requisitioned, nobody knows from the proceedings. He would like to know whether any such requisition was received from the Chancellor, the Vice Chancellor or 15 members of the Senate. If it is there, he would like have to a copy of such requisition, if it is there in the record in the office of the University.

Shri Jarnail Singh said that he has apprised the House regarding that the University received a letter from Ministry of Human Resource Development (MHRD) which necessitated, regarding application submitted by Dr. Gill, that the University should constitute a new Internal Complaint Committee for the purpose because the existing Committee (PUCASH) was reluctant to submit its decision as per the stipulated date. It was a direction from MHRD for which the Syndicate recommended to the Vice Chancellor that a special meeting be held on 29th of this month.

Shri Ashok Goyal asked that if this convening of special meeting covered under Regulation 7. Whether it is direction from MHRD or Prime Minister or President of India, he should be told whether they could go beyond their Regulation. Could the MHRD override whatever the Regulation or Panjab University Act says? He is simply saying that under what circumstances, when there is a special procedure laid down in the Calendar about how and when such a special meeting could be called, how it has been called. Is there any requisition? Could a letter from MHRD be considered at par with a requisition letter?

Shri Jarnail Singh said that the provision is that should the Chancellor, the Vice Chancellor or at least 15 members of the Senate. It was on the behest of the Syndicate that the Vice Chancellor convened the special meeting on 29th January.

Shri Ashok Goyal said that, that is the requisition he wanted. Where is the requisition given by the Vice Chancellor?

Shri Jarnail Singh said that this was the decision.

Shri Ashok Goyal said the decision has to be taken only after the requisition is placed before the Syndicate.

Shri Jarnail Singh said that this was the decision that the special meeting of the Senate would be held. It was on 21st of this month that the Vice Chancellor convened the special meeting of the Senate.

Shri Ashok Goyal said that he is saying is that unless and until a requisition is placed before the Syndicate by the Chancellor, Vice Chancellor or 15 members of the Senate, could any date be fixed, on whatever date the meeting of the Syndicate took place. His simple question is whether there was any requisition or no requisition.

Shri Jarnail Singh said that there was a proposal.

Shri Ashok Goyal said that, no proposal.

Shri Jarnail Singh said that the members of the Syndicate are witness to it.

Shri Ashok Goyal said that the proceedings do not say that.

Mrs. Anu Chatrath said that the unanimous decision by the 15 members amounts to a requisition by 15 members.

Shri Jarnail Singh said that all the members of the Syndicate had said it.

Principal Gurdeep Kumar Sharma said that the Syndicate unanimously decided that a special meeting be convened.

Shri Ashok Goyal said that the proceedings which have been sent to the members do not say that there was any such proposal. It is written that it was informed that since the matter is time bound, they could call a special meeting of the Senate on 29th January for this purpose only. Who said it, who proposed it, it is not mentioned. He knows who proposed it, it was not any member of the Syndicate. It was not even the Vice Chancellor. It was not even the one who had presided over the meeting in the absence of the Vice Chancellor. He has the right to know who proposed convening such a special meeting. Why he is saying it that some of the members have really shown their concern for spending so much money for convening a special meeting wherein they all are convinced in terms of Regulation, no other agenda could be taken up as Professor R.P. Bambah is

also right. They have to see whether there is any such direction from the MHRD or National Commission for Women (NCW), the proceedings of which have also been referred to, that they could call a special meeting since the matter is time bound. At least, he has not been able to find any line or word in any of the proceedings of the NCW or in a letter written by MHRD to Panjab University that it is to be completed in such and such time, then how is it time bound. As far as the Act under which the enquiry is to be conducted, neither the MHRD nor the Panjab University nor any authority could go beyond the provisions of the Act wherein the 90 days period is already given. NCW in its proceedings has asked for the report from MHRD in connection with how to handle such issues because NCW also knows that the enquiry is not to be conducted by the MHRD. So, they have given 30 days time to MHRD as what are the plans and how they propose to handle it. The same letter, the same proceedings have been circulated, the MHRD has written to the University that the enquiry may be conducted within the stipulated time which automatically means as per the provisions of the Act. The impression is as if since the enquiry is to be concluded within 30 days and that 30 days is already over because the NCW hearing was on 22nd and they are holding meeting on 29th. So, in his view, it is completely an illegal meeting, not within the purview of the Syndicate, not within the purview of anybody, and without the requisition which is mandatory as per the Regulation, no such meeting could have been called and that too at the suggestion of somebody who is not even a member of the Senate and Syndicate and this could be verified from the video recording whether anybody proposed to hold a special meeting.

Shri Jarnail Singh said that he would apprise the members of the House that it was the Syndicates unanimous decision that a special meeting be held for this purpose only. As far as the date is concerned, it was thereafter right at that time proposed by the Registrar that could it be held on 28th or 29th. The members said that it should be held on 29th. This is the factual position.

On a point of order, Shri Ashok Goyal said that Shri Jarnail Singh is saying that this is the factual position. But what is recorded in the proceedings is something else. That means that factual position is something else.

Shri Naresh Gaur said that the video be played.

Continuing, Shri Ashok Goyal said that they should play the video.

Shri Jarnail Singh said that all the members of the Syndicate are sitting here. Is he telling a lie?

Shri Ashok Goyal said that, no he (Shri Jarnail Singh) is not telling a lie that means that the office is telling a lie.

Mrs. Anu Chatrath said that if they are interested in resolving the issue and bringing the name of the Panjab University at its status level, if the meeting has been called, 15 members of the Syndicate unanimously decided, it amounts to a requisition by 15 members, and if the meeting has been called and the members are present, there is no harm in discussing the issue.

Shri Jarnail Singh said that there is no harm in discussing the issue. Let them try to resolve it and as various members have tried to resolve the issue amicably but failed. Let them, try to resolve it.

Shri Ashok Goyal said that they should try to understand that it is not that a small issue. It involves the prestige of two most respected persons of Panjab University. Let them not take it, that it amounts to it or that and when specifically it is written that, that requisition would be placed before the Syndicate and only then it could be decided.

Dr. D.V.S. Jain said that there is no point in splitting the issue here. The unanimous decision of the 15 members of the Syndicate, it amounts to requisition by 15 members and they should proceed with it.

Shri V.K. Sibal said that he would like to add if anybody considers that what has happened is illegal, they could seek legal remedies and why are they trying to discuss it here.

Shri Jarnail Singh said that let them not discuss the issue.

Shri Ashok Goyal said that as a member of the Senate, he took strong exception to such kind of a suggestion that instead of expressing his opinion in the Senate, he is being forced to go to the Court.

Dr. D.V.S. Jain said that it does not matter.

Shri Ashok Goyal said that he knows it does not matter.

Shri Ashok Goyal said that he had every right to express his opinion and that too based on Panjab University Calendar.

On that Shri DVS Jain said that he had already said whatever he (Shri Ashok Goyal) had wanted to say.

Shri Ashok Goyal said that anyway dissent of myself be recorded as far as convening of this illegal special meeting of Senate is concerned.

Shri Naresh Gaur & Professor Keshav Malhotra said that their also.

Dr. Dalip Kumar opined that they should deliberate on the item first.

Ambassador I.S. Chadha said that he wanted to support what Prof. Jain and Mrs. Anu Chatrath had said. He added: "in his view, he is not a lawyer, nor is he a member of the Syndicate, but common sense tells him that if 15 Members of the Syndicate, who have been elected by them, they are their representatives, if they unanimously decide to hold or to convene a special session of the Senate, for him it meets the requirements of the law, whether it is requisition or decision, these are legalities into which they need not go". Their concern should be, the primary concern of all of us should be a matter which has been hanging fire for such a long time and has brought bad name to the University, it should be speedily settled. And therefore whatever mechanisms are put in place for speedy settlement of this issue, he would whole heartedly support them.

Professor Shelley Walia said that they should avoid taking speedy decisions like this, they need to deliberate on it so that no embarrassment, legally, comes to the University later on, because this is going to be challenged again. So, what he is saying is, that if they were to take an impartial stand, if they were to be public spirited in some way they would be trying to be objective and to be objective if one can look into certain legal issues and see that they go through it legally then he think no embarrassment would come to us later. So, my request is that let us be public spirited, they all want reconciliation, they have failed. We did try, did not succeed. But at the moment any decision that the Senate takes should be a nonpartisan and objective decision and a decision which in fact sorts out the problem not further escalates it.

Shri Jarnail Singh said that so, the issue is before the House. The proposal has already been circulated to the members. He invited people, who were interested in participating.

Shri Ashok Goyal said that he wanted to know that if the letter has been written to the University by the MHRD that the Committee should be constituted by the Senate, then how did the matter go to the Syndicate because there are few things, which are straightaway brought to the Senate and there are (other) normal things which are routed through the Syndicate. He wanted to know as to who marked that letter to the Syndicate. The only person, who is authorized to mark it to the Syndicate, is the Vice Chancellor. Has the Vice Chancellor marked that letter to the Syndicate?

On that Shri Jarnail Singh pointed out that there is a Provision 3.2 on the Chapter Senate. The item of business shall not be included in the Agenda unless it has first been considered by the Syndicate except as provided in the Regulations.

Shri Ashok Goyal replied that, so that means this has been marked by the Vice Chancellor. This letter which has been received from MHRD, has it been marked to the Syndicate by the Vice Chancellor. Because, on letter it had not been mentioned that Vice Chancellor has marked it to the Syndicate. He would like to seek clarification. The copies which have been circulated there is no where Vice Chancellor has marked it to the Syndicate.

Shri Jarnail Singh confirmed that it was marked by the Vice Chancellor after seeking confirmation from the Registrar.

Shri Ashok Goyal asked for the copy of the letter it has been marked by Vice Chancellor.

Shri Jarnail Singh assured that it would be provided.

Shri Ashok Goyal said that secondly the letter which has been received from MHRD is qua formation of the Committee by the Senate. Now, in which Regulation it is said that unless and until it is placed before the Syndicate and Syndicate has to make the recommendations. How the privilege of the Senate has been taken.

Shri Jarnail Singh replied that Syndicate has only made the recommendation. Now the Senate has to decide.

Mrs. Anu Chatrath said that the Syndicate has proposed the names. They could change today. Any name could be changed the Senate has to consider it.

Shri Ashok Goyal expressed his disagreement and said that whether, for something which the Chancellor is competent, the powers could be *suo moto* delegated to the Senate or/and to the Syndicate, that he would come to later on, if the item is proceeded with further. So, he wants to know two things, that whether the Vice Chancellor has marked this letter, he wanted the copy of that with his signatures where he has marked to the Syndicate and secondly under what circumstances the item was brought because it was Prof. Jarnail Singh only who presided the meeting and immediately after taking over the chairmanship of the Syndicate he says come out with your proposals as if only names are to be proposed. The moment he said come out with your proposals, the proposals by one man have been given 1, 2, 3, 4, 5 followed by another person suggesting some other name as if everything was pre-decided. There is no discussion. Such an important issue has been discussed only within seven minutes. They should have explored the possibilities whether it is within the purview of the Syndicate to recommend or not. As Prof. Shelley Walia rightly pointed out that ultimately we know that issue is going to go to the Court of Law and the apprehension of Mrs. Anu Chatrath that we should think in terms of broader image of the University. Tomorrow, if we get the bashing at the hands of the Court Panjab University's name is not going to be unaffected. It is only with this point of view that I am telling you that we have to take

care of all legalities in spite of the fact that in the past we have been believing that let us leave legalities and technicalities. It is to be kept in mind that issues when discussed in the court are always discussed on legalities and technicalities only, especially, when there are special provisions made in the Regulations and the Act.

Prof. Shelly Walia wanted to know that how did they appoint this Committee. What were the procedures and what was the discussion because he is just looking at the hypothetical situation that suppose the Senate was to appoint at this moment a Committee to look into this matter. Then there would be suggestions coming from all over. He would make a suggestion of A another one would say B. They would have discussion on it. When finally they come to a unanimous decision like this it leaves much to be doubted and people become little skeptical all over the City. He wanted the matter to be solved. But he would like to know that when they make this kind of a suggestion, let them be very open about it and transparent that when they come to a meeting and they make a suggestion, first of all, the minutes are not noted down. What happened in the Syndicate it seems to be secret in a way that 15 names were just thrown up in the air out of the heavens. And they just accepted those 15 names. So, he, as they were the Chairperson, would like to know how these names were suggested of the Committee, that they have collected here to approve. What was the discussion on it?

Shri Jarnail Singh replied that a proposal came and none of the members objected to it

Professor Shelly Walia asked as to where from the proposal came.

Professor R.P. Bambah said that yesterday they got an e-mail which said something about what happened in the Syndicate. Why not put it up here?

It was confirmed that it has been circulated and it is on the table with every member.

Professor R.P. Bambah suggested that why not read it out first the e-mail that they got yesterday it may be read out now.

Dr. Akhtar Mahmood asked that what was the criterion they used to get these papers in the Committee. Kindly let them know.

Mrs. Anu Chatrath said that first of all there is a special Act, 2013 Act, and the constitution of Internal Complaints Committee is specified under Section 7 (iv) of the Sexual Harassment of Women at Workplace, Prohibition and Redressal Act of 2013. First, she thinks her learned friends have a query that on what basis this Committee was proposed. Because every proposal is required to meet the requirements of a special enactment and that is an Act and the Act specifically provides that these-2 members could be a part of the Internal Complaints Committee. Section 4 may be read out.

Shri Gurjot Singh Malhi said that the Syndicate in its wisdom recommended some names. Now the matter is here before them, if they do not like the names they could change all names. What is the problem how does it matter who recommended, how it was recommended? Make a new Committee and change all names.

Shri V.K. Sibal said that he would just like to say that he has carefully gone through the names, which have been proposed. He was thinking what is wrong with it. They got two High Court Judges, two Secretaries of the Govt. of India, got somebody, who is Chairman of the National Commission for Protection of Child Rights, and they got prestigious Fellows of the Panjab University. So, what is wrong with these names? So, why are they saying some other names? He just does not understand. They could say

that this person is objectionable. Tell us objections about that and they could look at them. But they could not just say that let him not consider these names and give him some other names. And they would not be objective and unbiased.

Dr. Dalip Kumar stated: "I have suggested these names and whether this is a question of 5 minutes discussion or 7 minutes discussion, there was a discussion. Some other names were also suggested. Even one of our colleagues Shri Varinder Singh Gill suggested the name of Justice Jasbir Singh. So, the question is we have just suggested the names. It is the purview of the Senate whether they wanted to continue with these names or not. It is only the suggestions. We have not approved and if you see the details even the nominee of the UT Administration is also there. It is just in the purview of the Administration to which name they are recommending, we do not know about that name. So, my submission is that these names have been suggested keeping in view their profile, their role in the society. That is all".

Mrs. Anu Chatrath stated that she would read out first the provisions of the Act. Section 4 of the 2013 Act clearly says that what would be the constitution of Internal Complaints Committee. It says every employer of a workplace shall by an order in writing constitute a Committee to be known as the Internal Complaints Committee provided that where the Offices or Administrative Units of the workplace are located at different places or divisional or sub-divisional level the internal committee shall be constituted at all Administrative Units or Offices. The Internal Committee shall consist of the following members to be nominated by the employer namely (a), a Presiding Officer, who shall be a woman employed at a senior level at workplace from amongst the employees, provided that in case a senior level woman employee is not available the Presiding Officer shall be nominated from other offices or Administrative Units of the workplace referred to in sub-section one provided further that in case the other offices or Administrative Units of the Workplace don't have a senior level woman employee the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization (b) not less than two members from amongst employees preferably committed to the cause of women or who have had an 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. If she sees the provisions of Section 4 of the Act so far as this proposed committee is concerned according to her it meets the requirement of the Act except one member, i.e., Mrs. Meenaxi Anand Chaudhary because as per her reading of the provisions of the Act says that she has to be an employee and because she has retired and she is not covered under the definition of the employee. So my proposal, instead of Mrs. Meenaxi Anand Chaudhary I propose the name of Madam Urvashi Gulati because she has also been the former Chief Secretary as well as at present she is holding the post of Chief Information Commissioner. So far as, what Shri Ashok Goyal says as he has rightly pointed out that they should constitute a committee which meets all the legal requirements. So, it is her proposal/suggestion as per Section 4 of this Act. Rest of the members she seconded.

Ambassador I.S. Chadha said that he would like to make two or three points. First, on the legality of this meeting. He agreed with Prof. Shelly Walia that they should take care to ensure that whatever they do today is not challenged later on in the Court in the manner in which it causes some embarrassment. Therefore, they could not sidestep the legal issues, as some members might have given the impression that they are doing. He is not sidestepping it. He repeated that in his view this meeting has been called after due process and in his view as he had said earlier also that if 15 members of the Syndicate, who are also the members of the Senate and who have been elected by the Senate to represent the Senate in the Syndicate, they are responsible persons and their proposal or recommendation that a special session of the Senate be convened, in my view

gives the required legal basis for the convening of this session. Secondly, about the manner in which the proposed Committee has been recommended by the Syndicate and why the matter was sent to Syndicate and not come directly to the Senate he thinks that the provision has been very clearly quoted by the Chairman (Shri Jarnail Singh) Sir namely that normally no matter shall be brought before the Senate unless it has first been considered by the Syndicate. This has been quoted in the past, he remembered to suit those who did not want to involve the Syndicate or those who did not want to have the matter discussed in the Senate on the ground that it had not been settled in the Syndicate. So, the provision in the law is clear that Senate normally should not take up any matter directly before it has gone to the Syndicate and in this case he sees no reason why Syndicate should have been bypassed and the matter placed before the Senate directly. So, there again he thinks that the correct procedure has been followed. Now, about the names of the Committee to argue that a certain matter was settled or decided upon without too much discussion and therefore is invalid, he finds that argument very strange. In the Parliament, for example, he knows how many bills, which become part of the country's legislation are adopted without discussion that does not mean that the Parliament has not manifested its will thereby. It is up to the Syndicate and this is not a decision, it is a recommendation and whether this recommendation was preceded by seven minutes of discussion or 17 minutes or no discussion at all, is irrelevant. It is a recommendation, made by 15 honorable ladies and gentlemen, whom they have elected, in whom they have reposed our trust. They have made a recommendation and obviously their recommendation is not binding on the Senate. The Senate is the deciding authority and therefore, they could look at their recommendation. They could look at the names recommended by them and they can express their opinion and they could accept, reject or modify that recommendation but they could not, in his view, question the manner in which that recommendation was arrived at whether after seven minutes of discussion or 17 minutes of discussion, these are irrelevant issues. Now, there is a panel before them. They could look at that panel. The credentials are impeccable. Retired High Court Judges, Retired Chief Justice, serving or retired Professors of this University. He sees no reason to question their credentials, but if somebody has reasons let those reasons be stated and they could look at them. Mrs. Anu Chatrath has very rightly pointed out that probably, recommending somebody who is not at the moment have any employment under the government may be a violation of the Act and therefore, they should look for somebody of equal stature, who is at the moment an employee of the Government and he fully support the name of Madam Urvashi Gulati. He knows her personally and she has been helpful in many committees in which he had served along with her and he had no problem with that. And if somebody else has similar suggestions, they could look at them, but to say that because the certain procedure has not been followed or the discussion was too short, is not a reasonable way of proceeding. He is keen to settle this matter amicably, in an objective manner, and he certainly feels that with the modification suggested by Mrs. Anu Chatrath they should approve the panel proposed by the Syndicate.

Dr. Chaman Lal stated that he wants to speak on general issues of the University. For him institutional interest is more important than individual interest or individual victimization or individual conduct. For him, let him start with a little bit of personal experience whenever he has been appearing in the last few years on television programme on certain discussions. The first criticism and very harsh criticism he got from his own daughter, "Papa why are you getting hyper. Always you are getting hyper". He is always, you know, self-critical about himself. Whenever they conduct in public their impulses take over their reason, and when impulses take over reason we always damage ourselves as well as the society. So, firstly he would like to express that even today or rather always he maintained that he might not make some reaction by getting impulsive. So only thing we need to do particularly in a University, they need to base everything on facts and on reasoned arguments and then they have to accept the more collective decision even if it does not appeal our reason but then collective will of the people is to be

respected. So this is my first response. Secondly, coming to institutional interest, he thinks they all are in a way responsible for harming their (Panjab) University's institutional interest. He does not want to name anybody but in general he wanted to say that MHRD & UGC had no business to interfere into our affairs. It is very unfortunate that in our institute's affairs, where the University is considered to be an autonomous body, MHRD & UGC, are harming most of the Universities at the moment. The whole country's Universities are suffering because of MHRD & UGCs unnecessary intervention and unnecessarily suppressing the internal autonomy of other universities as well. He is more concerned that if from their own bodies they invite MHRD and UGC to crush their Universities autonomies and interfere into issues that is a kind of thing which should be considered very serious. They are already struggling to get their desired financial resources, which are their due, which is their right and the MHRD and UGC are instructing the University to not to fill up the posts and close the departments. High Court is saying that sell this University to a Hotel. This is the image of the University. What is MHRD & UGC doing and they are inviting them to intervene. Thirdly, if they go into institutional hierarchy above the Vice Chancellor, he does not say that Vice Chancellor could not make any error or mistake. Yes, any human being could make mistakes but whosoever suffers from his error or mistake, Chancellor is the only person, who should be approached. Now, what he read in this letter of MHRD is that Chancellor referred the matter to UGC, which in turn got legal opinion, which is being conveyed by MHRD. Who is the MHRD to convey that? It is the Chancellor's duty to convey. Chancellor is our Head of the Institution and bringing MHRD into it, he wants to condemn on the floor of this House for sending this letter to the University. This is only the Chancellor's duty to instruct the University in whichever manner they should proceed. Secondly, that whatever Committee is being formed by the Senate, that committee should be handed over the Johl Committee Report, which was presented in last Senate's meeting, but was not opened and it was given to Dr. Bambah. He thinks if some committee has done some earlier work that should be referred to the new Committee. They should be able to get some earlier work done by on this issue. Thirdly, most importantly, here he would like to request and appeal to all their members and both the Senators, i.e., Vice Chancellor and Prof. Rajesh Gill they should try to evolve a mechanism in which such issue or any other issue they should be able to resolve internally. They could fight in the Senate in whichever way they want. But outside Senate they should give impression that they are capable of resolving their issues in a very best way. For the first time he is a Senator, he does not know what has happened between Vice Chancellor, Prof. Grover and Prof. Rajesh Gill. He knows from whatever, he has been reading through newspaper reports. Incidentally, let him share one more thing, he thinks most of the Senate Members have received two letters however he has received none from either sides. Both sides have received Prof. Navdeep Goyal's letter and Prof. Rajesh Gill's letter.

Dr. Chaman Lal said that other members can consider him as an independent person, who does not belong to any group. None of the groups has sent him their letters. So that is why other members can take his opinion, as an opinion of a person, who is very objective, who is very independent and is above groups.

Shri Jarnail Singh said that actually those letters have been sent by individuals to members of the Senate. He thinks they don't form part of the record.

Dr. Chaman Lal continued to say that if there are people like him, who have not received letter either from Prof. Navdeep Goyal or from Prof. Rajesh Gill, they could join together and try to suggest them please resolve the matter.

Shri Jarnail Singh said that efforts have been made but they have not succeeded.

Dr. Chaman Lal added that, that was his opinion. He stated that he was not saying that his opinion should be accepted or rejected. The only thing was that he was appealing to other honourable fellow members that they should assess or understand that as to whatever has happened. One could try to assess whatever has happened. It could be that two people or group of people met and probably Vice Chancellor lost his temper. The Vice Chancellor might have used certain words which had hurt a certain person. He did not think there was an issue of harassment, it was an issue of impulsive conduct, about which he has said in the beginning. The impulsive conduct always destroys the institution as well as the individuals. So, those kinds of things should be sorted out very dispassionately. If there are people like Shri V.K. Sibal and if there are such senior people, they could resolve this issue.

Shri Jarnail Singh said that such efforts have already been made. Today they have to consider something that is on the agenda.

Dr. Chaman Lal said that he thinks that they could again make an effort. Senate could always try. He would like that there should be some women members and some senior very experienced people like Shri V.K. Sibal. He has explained legal position also and Ambassador I S Chadha and those people still can sit with both sides first separately then together and sort out the matter. That will give this Institution the most respected image. And they know that the democratically elected Senators when they are in the Senate meeting, play tempered behavior, play impulsive behavior, shout at each other, they know sometimes they sit on floor. This is not Indian Parliament or a State Assembly. They should not follow Indian Parliament or State Assemblies for this conduct rather than Senate should become a model for Assemblies and Parliament to follow that how the democratic things are conducted. So, let them think these things in absolutely dispassionate manner and try to resolve internally.

Shri V.K. Sibal said that will this now go to the Chancellor for his approval? Because, they are again making a recommendation. He just wanted to make it clear that what the Senate decides today is only a recommendation and it is for the Chancellor to accept, modify or change whatever he wants.

Shri Jarnail Singh said that it is for the approval by the Chancellor.

Shri Ashok Goyal stated that, Prof. Chaman Lal ji has, in fact, expressed his real intention for the purpose of serving the University. He just wants to say the only dispute qua the PUCASH and the University authority was, who is the employer of the Vice Chancellor and in this Senate in December 2015 this Senate had resolved that since the Chancellor is the employer of the Vice Chancellor, the Senate unanimously resolved to request the Chancellor to appoint a committee by ensuring that nobody belongs to Chandigarh. He just wants to tell the house what happened thereafter, after December 2015. Probably Prof. Bambah who had in fact moved the proposal, he also might not know. On one side they say that Senate is the supreme body, but to his surprise, a decision which was unanimously taken by the Senate in December 2015 was sent by the Registrar to the Legal retainers for legal opinion that whether the Senate has taken the right decision or wrong decision. And to his knowledge, it was sent to three retainers and two retainers gave the opinion that it is the Chancellor, who is the employer and the third retainer asked who has sought this opinion. Has the Chancellor sought the opinion on this? Meaning thereby you are nobody to seek opinion on this unless and until the Chancellor asks, that too in writing. He refused to give the opinion. And after taking that legal opinion the University sent the decision of the Senate along with the legal opinions to the office of the Chancellor. In response to which, the University gets a letter in January, 2016 negating the decision of the Senate and also negating the legal opinion given by the legal retainers that Chancellor is the employer and letter was received by the University wherein it was intimated that since Senate is the overall governing body, so let

the Senate constitute the Committee. He would like to draw the attention of those who know what legal terminology means, a letter coming from the office of the Chancellor not from the Chancellor wherein they write Article 10 of Panjab University Act and obviously doubt had to be created in the minds that the said letter had not been written with the approval of the Chancellor. The difference between Article and Section need to be known very well. The Articles are used only in Constitution and Sections are used in the Act It was written (by them) not once but thrice that such and such Article of PU Act, Senate is the supreme body. That letter was placed before the Syndicate in its meeting of January, 2016 under the head information and when he said that they wanted to discuss the Vice Chancellor said no item under information can be allowed to be discussed. However, if he (Sh. Ashok Goyal) wanted to discuss this they could bring this item for consideration in the next meeting of the Syndicate, thereby, he thought that the item would be placed before the Syndicate in February, 2016. But from January to December, 2016 went, that letter was never placed before the Syndicate, what to talk of placing before the Senate. Wherein the OSD to the Chancellor says that this is being issued with the approval of the Secretary to the Chancellor and that letter was also sent to the PUCASH. PUCASH raised the objection that Secretary to the Chancellor is not the employer. It is the Chancellor, who is the employer. Unless and until he directs them, they can't go ahead with the inquiry. Now, he was noticing that in the meeting which has been held on 21st January it is written, though to my knowledge the copies of the letters, which have been mentioned therein were never supplied to the members of the Syndicate. It is written, considered letter No. so and so dated 09.01.2017 received from Director, so and so along with minutes of the meeting attended by the Registrar at the office of NCW, which was also attended by the officials from MHRD on 22nd December and letter No. VPS 15 1 2016 Volume-II dated 19.12.2016 received from Shri Anshuman Gaur, OSD. Where are these letters? He does not know whether there are two letters because on one it is written 15th January, 2016, whether it is the number or the date or the 15th January's letter is still to be placed before the Syndicate and which letter is this dated 19.12.2016. He had tried to contact some of the members of the Syndicate and wanted to know which these letters are? They showed complete ignorance. While the item itself says that you were to consider letter received from MHRD, you were to consider the proceedings of the NCW herein and you were to consider one or two letters, whatever it may be. So, now where we have reached in 2017 that too after the intervention of NCW, that too after the MHRD has sought legal opinion from their legal retainers, that where we were in 2015. The Senate of Panjab University in its wisdom had taken a unanimous decision that the Chancellor is the employer of the Vice Chancellor, so, the Chancellor should be requested to constitute a Committee. After more than one year of that we are getting a dictate from the MHRD that the Chancellor is the employer of the University. Are we not duty bound to tell them, yes, that Senate in its wisdom had taken this decision one year in advance that Chancellor is the employer and he is sorry to say that he was going through the proceedings before NCW, these are very serious points, that at least he has not come across any letter, whatever has been shown to us, written by the PUCASH and not Chairperson of the PUCASH. The letters, which have been written by PUCASH, though they are signed by the Chairperson but not in her individual capacity. Nowhere they have said that we do not want to proceed with the inquiry since all the members are junior to the Vice Chancellor but unfortunately what is recorded in the proceedings before NCW is that it was informed that Chairperson, PUCASH is reluctant to proceed with the inquiry on the plea that the members of the PUCASH are junior to the Vice Chancellor and the complaint from complainant has not been directly received by the ICC. He is sure that he must not have come across that paper, the Registrar cannot give any such statement, which is not on record and which he cannot prove that was correct. Through the Chairperson, he would request copy of any letter wherein PUCASH has shown its reluctance on the count that the members of PUCASH are junior to the Vice Chancellor. If there is any such letter, it is a matter of concern why it has not been brought to the notice of the Syndicate and Senate and if there is no such letter, then under what circumstances such a statement on behalf of the University has been given

before the NCW by the Registrar, that is to be looked into, it is only on that ground that NCW seems to have directed the MHRD that you see to it how such issues are to be handled. And the MHRD representative, whosoever appeared there, he says they have received the legal opinion just on that day and we are looking into it. After 22nd December, when the hearing was granted by the NCW on 9th January that is just after 18 days. They wrote the letter and definitely must have informed the NCW also that we have done our job within 30 days as prescribed by the NCW. You see the legal opinion, which has been obtained by them, says that the Chancellor is the employer and in the next para he does not know on what basis they are writing that Senate should constitute the Committee. Whether there is any such provision under the Act, dealing with such cases. Whether there is any such provision in the PU Act. Whether there is any such power with the MHRD to work over and above the Act, which has been passed by the Parliament. In the next para they (NCW) say, on their own, that Senate should constitute the Committee and Sir in the third para that is the last para the same MHRD is saying that the committee so constituted should be clarified, on the issues, raised by the present Chairperson of the PUCASH so that there is no doubt. Doubt was that whether the committee has been constituted by the competent person, i.e., the employer. Now, as per the Act, it is the employer, who is to constitute the Committee though the only thing which they have added, which was not decided by the Senate in 2015 they have said the Senate to constitute the Committee and the approval be sought from the Chancellor. He does not know whether there is any such provision, where, even in our Act, the Chancellor's power can be delegated to ourselves, delegated to the Syndicate, unless and until the Chancellor tells to send him some names for his consideration, to be included in the Committee, he can understand, but they have entered into the shoes of the Chancellor only on the directions of the MHRD. He knows because he had to say so many things and he is sure that he would be getting answer to everything because he had yet to get the copy of that letter having been marked by the Vice Chancellor to the Syndicate. So, on one side he said that MHRD says that employer is the Chancellor, on the other hand the MHRD says that the committee be constituted by the Senate and also clarify to the new Committee the doubts raised by the previous Committee. If such a statement has been recorded before the NCW, is it not undermining the authority of PUCASH, which had been appointed by none-other than the Senate, that they are reluctant to proceed with the inquiry only on this count that they all are junior to the accused or whatever it is. And that after receiving that letter he (Registrar) had in fact very finally touched it he did not raise any objection as to why that letter was placed before the Syndicate. He, simply said, who placed it in the Syndicate, when the letter was meant to be dealt by the Senate. Now, under the provision that everything is to be routed through the Syndicate, that letter never said that Syndicate should recommend the names. The letter simply said that Senate should constitute the Committee and if the letter was to be kept before the Syndicate, as they do in so many cases especially in disciplinary cases, that when the issue is placed before the Syndicate they know that it is not within their purview, they say forward it to the Senate as it is the Senate, who is the competent authority to look into it. Who gave the powers to Syndicate to recommend the names also. As have been rightly said that 15 members of the Syndicate, since they took the unanimous decision, it amounts to requisition, the day is not far, that when from tomorrow onwards Syndicate will start taking any decision without any item being on agenda just because all 15 members are taking unanimous decision. Can that be allowed? The procedure is there that unless and until everything is listed on the Agenda nothing could be discussed. Here, not this Vice Chancellor only, all the previous Vice Chancellors, including Prof. R P Bambah, they have been saying nothing beyond Agenda, if they want to discuss anything beyond Agenda that could be allowed informally, but if they accept this proposition that without item being on Agenda, just because 15 members unanimously decide something, should be construed as a requisition, that probably is not very convincing.

Shri Jarnail Singh said that this is his opinion. Kindly conclude.

Shri Ashok Goyal stated that he is concluding. Now, could he (Shri Jarnail Singh) answer whether there is any such letter wherein PUCASH has expressed its inability, because they are junior. The proceedings that they have gone through it is written there that they are reluctant to proceed because they are junior. Was any such letter circulated in the Syndicate? Were these two letters which have been mentioned circulated in the Syndicate? What happened to the letter which was written by OSD to the Chancellor, which was not accepted by the University, because it amounts to reviewing the decision of the Senate by Senate itself? Senate has already taken the decision in December 2015 that the Chancellor be requested to constitute the Committee. He does not know under what circumstances he did not constitute the Committee. This has given us a chance to review their decision, simply because MHRD has written. Prof. Chaman Lal ji is right, who are they (MHRD), to dictate them. And especially when they have no power to do such things, they are simply writing such letters to them. And in NCW, when the hearing was there, did any official of the University, who was representing the University there, took the sanction from Syndicate or Senate as to what is the stand, what are the documents, which have been sent there. These things ought to be thought before taking the decision. Yes, he knows that people would say let them go and meet the Committee, and another thing Syndicate has suggested eight or nine members, and of course, without application of mind, as Anu Ji has also pointed out that may be the Chairperson of the suggested Committee is not covered under the Act. Though he has his reservations whether the name suggested by her is also covered under the Act just because, she happens to be an employee of Government of India, that has to be seen. But the Syndicate after having suggested all the names have said that they have given the names and amend these as per the Act. That means the Syndicate did not bother to see what are they recommending, whether it is in consonance with the Act or not. It is written, it was informed that the proposition of the Committee has to be in accordance with the Act. The names are already given. As Prof. Navdeep Goyal said that after taking the consent they could see whether it is in accordance with the Act and only then they could contact the members. Nothing has been mentioned that whether this proposal has been considered by the Syndicate, keeping in view the provisions of the Act, whether till date the names, which have been mentioned or proposed, the consent has been taken or not, to say that it is very good that the things have been clinched in seven minutes time. He would also be the first person to congratulate for being so efficient in taking the decisions but what Prof. Shelly Walia was saying that a decision taken in haste, if it smells of something fishy, they have to be careful. That it should not look as if they had gone with pre-determined mind as to these are the persons. Even the Supreme Court has come (down) very heavily on the powers vested with those who are empowered to nominate members to different bodies. The Supreme Court has quashed the nomination done by the President, the Vice President, the Prime Minister, the various ministries only on saying that it be told that what was the criteria. Simply saying that these are very big names, he thinks nobody has objected to the names. Prof. Shelly Walia did not object to the names. He simply wanted to ask what was the criteria and he is surprised that today, with the papers, brief bio-data of the members has been given. Was this bio-data available with the members of the Syndicate also? That means in all fairness these bio-data, which have been made available to the members of the Senate for consideration, whosoever suggested the said names, he/she ought to have provided the bio-data of these persons to Syndicate as an obligation.

Shri Jarnail Singh said that it was just to supplement, everybody knows the stature of the people, whose names have been nominated. Almost all persons who have been nominated are known to everybody in the House.

Shri Ashok Goyal said that meaning thereby. Reply is received that it is keeping in view the stature of the persons that the names have been nominated ignoring the provisions of the Act, ignoring the delicacy of the issue, ignoring who the people are involved. It is only the stature on which the names have been nominated. But his query

is where is that letter where PUCASH ever said that they are not willing to proceed with, because the members of the committee are junior to the Vice Chancellor.

Dr. Chaman Lal said that, on point of order, he wants to add to what Ashok Goyal has said. He has also criticized the MHRD. But, would he also say that Prof. Rajesh Gill has done a wrong thing by writing to the Education Minister/MHRD, because this kind of thing has been done from the University itself. Why should the victim write to the MHRD when there is a Senate, when there is a Chancellor? They first invite MHRD and then say why MHRD. This is hypocrisy.

Shri Pawan Kumar Bansal said that he takes a cue from Prof. Chaman Lal ji to intervene in this debate today. It was perhaps the last or the penultimate meeting of the last Senate that this issue was discussed in detail and during the course of discussion many a non-pleasant moments were generated, but happily at the end of the debate, a different way out or process was suggested and he happened to be one of those suggesting that such matters need not be really sent to different forums. It would be in the fitness of things, and he says today that it would be in tune with the University anthem that they sang "*teri shano shaukat sada rahe*", that they should adopt a different way of dealing with the situation and they did see a ray of hope when finally a group of senior members, he does not call that a committee, because he had suggested they should not call it a formal committee; a group of senior members of the Senate headed by Prof. Johl and comprising members like Prof. Bambah, Sr. Tarlochan Singh Ji, Mr. Poonam Suri be constituted to go into this matter informally. No proceedings needed to be recorded. Because once the proceedings are recorded and evidence is taken, people tend to take sides and they obviously have to defend their own case and that will do no service to the ultimate interest of the University, and, therefore, what they had then suggested and those gentlemen had readily taken it upon themselves to look into this matter to talk to both the sides informally, and try to come to an amicable and he underlined the word amicable. Today, he feels they have moved towards an amicable solution. That day, they had suggested an amicable solution to this issue. He was expecting all this time, that thereafter the Senate would be taken into confidence about the outcome of their efforts. But going by the Agenda papers, he feels that ray of hope was not (there), even a glimmer of hope (is not in sight).

Shri Pawan Kumar Bansal said that entire process has been brought to a naught and they are back to square one. Rather they have in the meanwhile complicated the case little further and there was no need of doing that. He deliberately did not intervene in the preliminary objection part to this matter. Though he had the same view as Shri Ashok Goyal Ji had. Because did not really know the way of intervening in this matter so that nobody takes it a miss, but since he did feel that it was his duty to give expression to his feelings and his views on this matter and the process that has been followed. When he saw the names of all those 7-8 peoples which have been recommended, not knowing the back ground, not knowing as to how it has been done, he thought this was another good effort because he knows most of them personally and he knows others as well and it is his opinion that all of those persons are of impeccable credential and if the earlier efforts failed, may be, now they would succeed, but when he gets to know little more about the matter from the news reports from the various emails which Professor. Chaman did not receive, I received those from both sides has made the matter little more intriguing for him as he said he wanted to emphasise again, he has no problem whatever with the names were referred let him admit that when Mrs. Anu Chatrath mentioned about it, about the provision of the law, he did not know of it. But that is the subsequent point. Why he said it all the matter was more intriguing for him, first was the reason that sometimes when we overreact on an issue, when we over-stretch the issue.

Shri Jarnail Singh intervened and said Ashok Ji kindly; please ask him (official) to provide the copies.

Shri Pawan Kumar Bansal said that they were in the process likely to unwittingly raise questions over matters for which there was no reason to raise otherwise and that was what he think happened there. The idea was not to say a word or find anything wrong with the whatever names have been recommended but certainly when the matter comes to the Senate, all the points which have been raised, should legitimately be raised. They should not only be swayed by the exceptional merit or the credential of those names proposed for the committee to overlook everything else. Rather looking at the prospective, going back to day one since this day that why the matter had not been or could not be sorted amicably and why there was rush now, why the extra-ordinary procedure had been adopted which was not there. This was his view, he had not been shown legal provision as such that if firstly, this matter had to be only dealt with by the Chancellor. The Chancellor could have formed the Committee. He somehow thought in his wisdom not to form it. He had, therefore, referred the matter to the University. The University set-up that or referred the matter to the PUCASH that is the committee against the sexual harassment. He is not personally following the proceedings of that committee. Though he saw it from the papers before us today that the PUCASH had expressed its reluctance to hold to this matter. He did not find it anywhere otherwise. And in fact in the letter had been received from the MHRD, what had been mentioned, is the last para, small para to the Registrar that he may address the issues raised by the present Chairperson of PUCASH so that the new committee did not pose the same doubts. What were those doubts? Why had that been mentioned? Something which the MHRD, NCW or the UGC was aware of, perhaps they were sitting there not aware of that. That was what had been told to them and those points cannot be brushed aside. Those are important points. They cannot allow to be just swayed by the names which had been suggested and as I said sometimes in an anxiety to get over the matter by suggesting some important names and here he again eludes to his University anthem that it is necessary for them not to take sides in this matter. Not to say that if you are either with him or against him. If you are not with him you are against him. That approach cannot work in the University, that cannot work in the University and should not work in the University. University and particularly this University. Otherwise considered to be an unwarily Senate, but consisting of the finest brains. When he saw it (Senate) for the first time after many many years ago, (he noted) that they were mostly academicians from the different parts of the state of Punjab and Chandigarh. He considered it to be a very important, eminent and an august body and this matter had to be decided by this committee. There is no need of the guidance of Syndicate for this purpose. He is aware of the fact that, normally according to the University calendar, all the matters which come to the Senate follow the route of Syndicate and with the recommendations of Syndicate, they decided the matter there. But, since this was a different matter altogether, and a different committee was being suggested, he thinks this matter did not have to go to the Syndicate at all. That letter of MHRD should have been put to the University Senate here and he is conscious of the fact that such a big body would find it extremely difficult to come to 5,6,7 names, but, then, there are ways that they had been resolving those issues. Every year they elect the Syndicate. It is their considered opinion that they elect Syndicate and they pick up 15 best members amongst them for that purpose. They ask them to represent and look into the matters of the University, on day to day basis, and, thereafter, send those matters for information or ratification etc. to them. But there was a different way being suggested, and here this over anxiety to take this matter to the Syndicate, and then get the names decided in the Syndicate and, then bring those there and say they can change those names there, is not the right a course to be followed. He is for the amicable settlement of the matter. He had somehow hoped, and hoped fervently, that those gentlemen would come up only with one line statement signed both two sides that, without referring to the matter, without referring to the details. Just say this that all their doubts and everything have been cleared. They want

to proceed further. They want to allow the past to be past and they want to proceed further. He thought that was the way and as Professor Chaman Lal Ji has also suggested. Though he (Professor Chaman Lal) may have been little harsh on the Parliament as he is yet to see what happens here at sometimes. However, what he has suggested was that would be the best possible to be followed. If it could not be followed, at least once the Senate had recommended that, he expected that, as he had said that earlier too, that they should have been taken into confidence about that day's proceedings and the result thereof, which has not been done. That's what he wanted to say in this matter.

Professor R.P. Bambah said that he is the only member of that Committee who is present here. He had informed the Senate that they had not succeeded.

Shri Satya Pal Jain said Professor Chairman Sahib, today's meeting is a special meeting and when we look behind, after a very long time a special meeting had been convened in the house. This is the different thing on starting the new house, the special meeting has been convened within 2-3 months. He is agreed with 3-4 points of earlier speakers. First thing is that we should have objectively taken decision on that. Neither in favour of any person not against any person, he may have either any high status or position. In this matter both the persons, complainant and against whom the complaint is made, he has told last time also, both are very respectable persons, both have their place, both have their own credibility. There are three issues of today's meeting in front of us on which the house has to take decision. First issue is that, what the Syndicate in their wisdom had unanimously decided to recommend a committee. He does not want to go in the details of the letters received from MHRD, UGC and the Chancellor. Interpreting those letters in their own way, (Syndicate) had decided to recommend constitution of a committee which will look into the matter. First issue is that either we are agreed with those recommendations of the Syndicate or not. Second issue that comes before us after that the names that had been recommended, are we going to approve these names or the house wanted to add some other names or not. And he is fully agreed with, what has been said before him. Publically to discuss the names of these persons, to speak in favour of them or against them, will be embarrassing for them and embarrassing for us also. But even then, they will have to reach on a solution. And the third solution, which Shri Ashok Goyal Ji and his companion presented beautifully. He always said Shri Ashok comes prepared after having read and studying the issue. The way he (Shri Ashok Goyal) raised the issue of the maintainability and raised the issue of validity of the meeting. There are three issues on which the house has to take decision. If he understands correctly, let's come to the first issue and try to go ahead, understanding if it is not a valid meeting. . Some of our friends have given their dissent. Now, we are on the second issue, whether we have to constitute any committee or not. He wanted to say two things. This was a very unfortunate episode. There is no doubt that this issue had tarnished the image of the University. Now this issue has to end at some place. There are two ways of ending the issue. Either this should be settled amicably or some investigating officer, who has the power, should investigate the matter and bring to notice what is true in this case. What is decided in the house should be accepted. There is no other way. Other aspect of this is the criminal act. If anyone wants to go to court, there is a clause and there is provision in the court. That is not related to us. Anyone of both the parties can go to the court. That is a different issue. He wants to say that the issue was tried to be settled amicably and Professor R.P. Bambah Saheb, Professor S.S. Johal Saheb and Shri Punam Suri Ji, and the whole house tried as per their wisdom. That has been done. If we go to that background and say that why they could not succeed, whose fault was it, there is no use of it. Sometimes the persons of amicable settlement tactfully succeed, and sometimes (they) are unable to succeed. He knows of recent incident that Shri Virbhadra Singh was the Chief-Minister of Himachal Pradesh at that time and Shri Shanta Kumar Ji was the former Chief-Minister. They had given some statement and Shri Virbhadra Singh Ji filed a case of

defamation against him (Shri Shanta Kumar). He was the advocate of Shri Shanta Kumar Ji and they appeared in the court. He was talking about the incident of Shimla. In the court of C.J.M., Shri Virbhadra Singh Ji was sitting with Sinha Saheb and he was sitting with Shri Shanta Kumar Ji. The person who was C.J.M., although he is not a high ranked person, told that he is not an advocate of either side and not mate of anyone. He is keeping both the persons (Shri Virbhadra Singh and Shanta Kumar) informed. He doesn't like the persons of high status that is former Chief Minister and present Chief Minister to appear in the court again and again. He took both of them, Shri Virbhadra Singh Ji and Shri Shanta Kumar Ji, inside a room. And, after 30-45 minutes, they came out with a paper in their hand. They wrote on the paper inside the room with their signatures that they have solved the issue between both of them. The matter was sorted out without aspersion on anybody. After coming out when they briefed the media, he remembered the sentence of both persons. They said that we remained Chief Ministers and opponents of one another, but, in first time of our life, we have jointly signed on the same paper. The persons, who entered the court weeping, came out together smiling. But that is not possible in this case. My request is that now in this matter, either this inquiry committee is formed or any other inquiry committee is formed. Either the inquiry committee is formed by the Syndicate or Senate or by the Chancellor, whichever authority form the Committee, please and please form the inquiry committee and take this issue at the logical end. As much as the matter gets lingered on, so much this University will earn a bad name. There will be unfortunate incidents which will be in no one's favour and interest. A lot of objections have been raised on this issue here, he does not want to go in that, who marked the letter, what was written by the Chancellor on it. It is absolutely clear if on the letter of the Chancellor, an article is written in place of the clause of Panjab University Act, this reflection is on that person also, whether he is a Superintendent or a Secretary, who has done so. But, these types of mistakes can be done by many persons. He is giving you one example of today. Punjab Municipal Corporation Act was adopted in Chandigarh. You may go home and see that in this Act in Section 5, it is written that who can be member of the Chandigarh Corporation There is one clause which was passed in the Parliament that the members of the Punjab Vidhan Sabha who are from Chandigarh, they all should be the Ex-Officio Members of Chandigarh Corporation. From Peon to President all know that there is no Punjab Vidhan Sabha member from Chandigarh. It prevails in the Act till date, and the Parliament had passed it unanimously. Sometimes this type of mistakes do happen, it happened and no one challenged it, no one has done anything. He is concluding now. We should accept it to constitute an Inquiry Committee to end this issue. Now the issue is whether the Inquiry Committee can be formed by the Senate or by the Chancellor. One solution is that, we are talking about post facto provision. What we decide here, should be sent to the Chancellor and authorize him if he wants to make one or two changes in this, he may do so. He may add any person, there is no problem. We have nothing to do with any person whether that should be in the Committee or not. He should finalize the Committee and finalization of Committee should be time bound. The report of the Committee should also be time bound. Time bound report should come and he thinks after having received the report, the report would come again in this House. It is not that the report will go at some other place. Perhaps, if I have the right knowledge of University Acts and Regulations, the report will again come in front of us. Our option will be open; if we think the Inquiry Committee report is not time bound and is off the track, it is up to us to accept the committee report in this House. Whether we accept the report or not to accept the report, but we should go fast to end the matter. One thing of the MHRD , Professor Chaman Lal has also talked about MHRD. MHRD has not given any directive, and (it) did not want to interfere in the working of the University. You have rightly said if any report goes in the MHRD against the University, either it is of the student or teachers, they forward the complaint in their own way. It depends on us whether to accept that or not. MHRD has sent letter to us and written there to handle it at your own level. We are doing the final decision. Today (it) is our right, whether to decide to constitute the Committee or not, who will be in the committee or not in the committee, it

is our right. MHRD has not said that you include this member or that member in the committee. And the members, whose committee is formed, he agrees with the (Senate) members, are very eminent persons. There may be many other eminent persons. It is not easy to agree on five to seven members in the House of ninety members. Therefore, what the proposal has come, Chancellor is not attached with any party, he is non-political and knows each and everything. Continuously everything has gone to him. He has seen the working of the Panjab University for the last ten years; we should request him, in our wisdom, whatever the knowledge we had in our Senate and Syndicate, had suggested you the names, you want, you may change the committee, add any member, delete any member, make the chairperson any one. But, do both these things time bound and end the matter. He thinks without this neither the PUCASH will do it. CASH has ended its cash. He doesn't know what is the reason the PUCASH could not do it. If they are not able to do it, then we have to constitute some committee. He wants to say another thing that who have objection on this committee, they want Chancellor should constitute the committee. Suppose Chancellor approves the committee and he approves this committee, then. We will have to end this issue. He would speak two another lines of University Anthem and end his statement. "*Bina pankh parvaz karata, sahi galat ka gian karata*". Therefore, we should decide what is right or what is wrong. Thank you very much.

Professor Rajesh Gill thanked the Chairman. She said that in this august house there are number of legal experts of a very high stature and she is a very ordinary person, who has very little knowledge as far as law is concerned. Rest of us by and large are educationists one way or the other. She just wishes to draw their attention to a very simple thing, that, it is not important that which members were appointed. As most of us said that they have nothing against the very esteemed members who have been placed on this committee. It would be very embarrassing for both the members as well as for us to single out any names like that. What is important is who appoints and how they are appointed. Who were the members appointed to judge a particular case and what is the procedure followed in selecting those members. Who makes the selection and at whose behest? The people who are selecting, did they have bias or independent view. She is speaking both theoretically and practically. And that the House consists of people who are very mature and experienced, and they know all the difference between theoretical and practical issues. It is important to know whether any of these members has a conflict of interest which could deter him or her from being independent and objective. In any committee the members will have to certify that they did not have any conflict of interest. And can they certify and can they pledge that none of the members is under obligations of the person against whom the complaint is pending? Mr. Sibal, Madam Chatrath would agree with her that ultimately it is the procedural lapses on which a judgement or decision or a case falls in the Court of Law. Hence, what is most important is procedure, independence of the community vis-à-vis the accused and the complainant. One esteemed member of the House just said that there must have been an impulsive out-burst leading to the complaint. I would like to submit here that sexual harassment is not just the act of, acts of omission and commission which are of sexual colour. But sexual harassment also includes all the subsequent harassment of the victim for the last two years, whatever she had faced, in the shape of intimidating and extremely hostile environment at her workplace and all that itself amounts to sexual harassment as per the Act of 2013 and the legal dignitaries would agree with her. Secondly, the same esteemed member has objected as to why Rajesh Gill wrote to the MHRD. Let her submit, Sir, that her first complaint dated 15th April, 2015 was addressed to Hon'ble Chancellor. She had submitted this complaint to the Vice Chancellor on 16th of April, 2015 to be forwarded to Chancellor through proper channel. But instead of forwarding it to the Chancellor, to the addressee, her complaint was immediately referred to several committees and the same day it was circulated, distributed to Senate and Syndicate members and various committees. And the same day, i.e., 16th of April, one of the committees convened its meeting and gave a clean chit to the person accused and flashed

out to the media and the Professor complainant was asked to keep the decorum. Was that law, was that legal? Nobody had objected. Nobody had till date objected to all those irregularities. Where is the law? Where are the practitioners of the law?

Professor Jarnail Singh intervened and said Dr. Rajesh Gill, please let us come to the end.

Professor Rajesh Gill said that please, please she is coming to the issue, she is responding. You did not say this to others, why to me. Please don't, you (Professor Jarnail Singh) are occupying the same Chair, the same Chair had not allowed her to speak, don't follow his footsteps. Please have patience. Have patience please.

Professor Jarnail Singh said that you should have patience.

Professor Rajesh Gill said that because this is a very serious issue. Let her speak for some time. She will not speak a single word which is irrelevant, she promised. Thereafter, writing that letter to the Chancellor, she wrote one hundred letters and e-mails to the Chancellor. She can show those to them. Those were all referred back immediately to the University authorities, Registrar or Vice Chancellor, to take action. Just imagine, an aggrieved person, it could be you, you, anybody sitting in this House, who doesn't find justice, would go to any quarters. And she went to every quarter, pleading for justice, just an independent inquiry and fair inquiry. What she had been encountered all through from all quarters was a complete apathy and insensitivity towards a woman complainant who had gathered courage to protest to speak up for her dignity at workplace only. Ever since she had filed the first complaint, she had been subjected to tremendously hostile and intimidating work place. She knows how she is surviving. Because she had decided to protest against the powerful Vice Chancellor, she had faced, she had faced pre-conceived opinions of her colleagues, men and women both, there is no difference. Because she is an ordinary woman professor and people ask her, people wonder, why I couldn't keep quiet as other women do. Why did she have to speak up? Even when somebody, who is superior, who is your master, indulged in some unethical kinds of behaviour because in our society, in every society women have to live without this. She had not only fought for injustice, she also sustained refusal to understanding meaning of violation of the dignity of a woman. It is pathetic that a senior member equates this issue with a clash between two Chief Ministers. This is the level of understanding we have in the sexual harassment and the dignity of a man. A person from law holding highest office in the Law Commission says that "whatever the committee should be, we should accept. Fast, fast, do it fast." Irrespective of principle of natural justice, irrespective of any law and procedure. A lawyer is saying that. It is difficult for her to digest that. Hats off to his other suggestions that committee be sent to the Chancellor for approval, some committee will have to be constituted, no difference what is right and what is wrong. And they have the subjectivity on right and wrong. And finally she wanted to submit her objections to the constitution of this committee, which she will read out. Please have patience because that is technical and on legal grounds. Initial objections are already raised objections' letter which had already submitted to the Vice Chancellor, Registrar and the Members. I had requested the Registrar and the Vice Chancellor, but they had not circulated so she had to circulate. Additional objections to the formation and constitution of Complaints Committee Constituted de facto by the accused Vice Chancellor The Complaints Committee formed by the Syndicate on 21st January, 2017 was *ab initio* invalid, inter alia on the following grounds:

1. Mandate in the Act of 2013:

The Act clearly states that the employer shall constitute the committee.

2. Who is the employer in this case, where the Vice Chancellor is accused? If the Vice Chancellor is accused as in the present case, the Chancellor will be the employer as brought out in the following communications:
 - i) MHRD in its letter dated 18th September, 2015, addressed to Registrar stated in no unambiguous terms, that as per the Act and DOPT guidelines, Chancellor is the employer of the Vice Chancellor.
 - ii) PUCASH in its communication dated 28th April, 2016 addressed to the Registrar had very categorically stated that quoting relevant provisions that the Chancellor is the employer of the Vice Chancellor as per the Act.
 - iii) MHRD in its letter dated 9th January, 2017 has reiterated that as per the legal opinion sought by them, Chancellor is the employer of the Vice Chancellor.
 - iv) P.U. Senate in its meeting dated 5th December, 2015, itself took the decision that since members of the Senate were sub-ordinate to the Vice Chancellor, who Chairs the Senate, and since it is the Chancellor who is the employer of the Vice Chancellor, only Chancellor has the prerogative to constitute a committee in this case, and hence the Chancellor should be approached to constitute a committee to inquire into this case.
 - v) The above said decision of the Senate stands even today since it has not been modified till date. It follows as per law, therefore, that it is the Chancellor, the employer, who in this case shall constitute the Complaints Committee. In view of the above, it is the Chancellor who is the employer and who shall constitute the Complaints Committee and not the Syndicate.
3. Further, MHRD in its directions dated 9th January, 2017, has taken a contradictory stand, i.e., on the one hand in one para it says Chancellor is the employer of the Vice Chancellor and hence he should have constituted the Committee, while on the other hand in the next para, it has asked the Senate to form the Complaints Committee, which does not happen to be the employer of Vice Chancellor. Thus, the directions of MHRD are bad in law.
4. Moreover, it is a set proposition in law that the person authorized must exercise that authority himself, only after due application of mind. It is only one thing, it is one thing to constitute a Committee, with application of mind and totally another to only approve a Committee and she wonder the senior members equate both of them from law, already constituted by a lower authority and that too without any application of mind by the person in whom the authority has been vested. Thus only the employer can himself make a Committee and not delegate this power to any other subordinate authority, let it be Syndicate or Senate.

5. Moreover, Registrar was directed by the MHRD to ask the Senate to constitute a committee and get it approved by the Chancellor, but the matter was placed before the Syndicate, which constituted a Committee on its own, thus violating the sanctity of Senate and she knows on whose behest, everybody knows on whose behest Registrar would have done that. Constituting a Committee by the Senate itself and endorsing a Committee constituted by the Syndicate are two different things. In order to conform to the directions of MHRD, the proposal of a Committee should have been placed before the Senate through proper procedure. Forming a Committee and then placing it before the Senate for approval implies that the prerogative of the Senate to appoint members on its own, on the basis of some criteria, which are transparent and as per law, has been usurped by the Syndicate.

6. The most important objection (Mr. Chairman, she would seek his attention, please), she has to the constitution of this Committee is that it has been constituted at the behest of the accused, the Vice Chancellor, wherein one Syndic in a premeditated plan proposed the names of members of the committee and others without any application of mind, seconded these. The video-graphed proceedings of the said Item i.e. C-6, in the Syndicate meeting dated 21st January, 2017 indicate that the entire process of constitution of this Committee was completed in just eight minutes, 1.36 to 1.44 . Moreover, the proceedings appended with the agenda of this senate meeting begin as under:

“Considered letter number so and so, so and so. However, the video-graphed proceedings show that the above said letters were neither opened, nor read out, what to talk of considered. Moreover, had the letter of MHRD been considered by esteemed members of the Syndicate, they would never have formed a committee because they had never given any mandate by the MHRD to form any committee.

7. Further, as per the video-graphed proceedings of the Syndicate meeting dated 21st January, 2017, all the members of the Committee were proposed by one member, who read out the names one by one from a paper, which he already had and then one member was later proposed by another member, which again clearly shows that the whole exercise was all premeditated. There was neither any discussion on the profiles of the proposed members, which were in fact never presented, nor any member was interested in knowing the expertise or competence of the proposed members to be on the Complaints Committee. No member even tried to ascertain the provisions under which the said committee was being constituted. It is for certain that the names of the members were not result of the application of mind by the Syndics, it was pre-orchestrated elsewhere and hurriedly got passed in the Syndicate within eight minutes, without any discussion, as is evident from the videography itself.

Further, some of the members of the newly constituted committee are associated in one way or other with the authorities, who matter and

are thus far from independent members. Under the circumstances, this Committee barring a few members cannot act independently.

Finally, Professor Navdeep Goyal, the patron of Navdeep Goyal Group or the so called University group is the leader of the Syndicate. Professor Goyal is the one who jumped to the rescue of accused Vice Chancellor after the undersigned filed the first complaint on 16th April, 2015 and presented himself as a witness of the accused and produced the character certificate in support of the Vice Chancellor. Again, it is the same person who swiftly issued an open letter in the defence of Vice Chancellor in response to the humble request of the undersigned to all Senate members on 25th January, 2017. In return, Vice Chancellor has recently given a clean chit to him in the Syndicate meeting. Professor Goyal, as per the videography, led the Syndicate in forming the committee and misled the esteemed members by misrepresenting the facts by stating that Chairperson, PUCASH was reluctant in conducting the inquiry, while he concealed the fact from the Syndics that Chairperson, PUCASH vide letter dated 28th April, 2016 had raised certain technical, legal queries, which have not been responded till date by the authorities for reasons best known to them. He successfully by manipulating the facts, got the committee proposed, formed, of members who had been picked up much earlier, outside the Syndicate meeting, as per the convenience of the accused, without application of mind and without any mandate.

A committee formed by such close aides of the accused, is thus illegal and unlawful, ab initio. Moreover, such committee consisting of members, some of whom are closely associated with authorities, shall be unable to act independently. Such members may be coerced or influenced to sign up on dotted lines and not act independently. This will tantamount to compromise with the principles of natural justice in delivering their verdict.

To conclude, I submit these facts before this august House of learned and educated members to make a decision based on conscience rather than consensus by applying their mind logically and rationally, rather than going by a majority vote as always happens. In the last two years, she has been asking for only an independent inquiry where the accused should not be allowed to influence the decision. She is sure they all will agree with her and that the accused must not sit in judgement in his own case. And finally, she object to the convening of this special Senate meeting dated 29th January, 2017 since neither Senate nor Syndicate nor MHRD is competent to form a committee in case of her complaint. And, please tell her, she wants to ask the house, how many times shall she be subjected as a victim to several committees made by or behest, at the behest of the Vice Chancellor himself and undergo humiliation, terrible kind of humiliation. Thank you very much and she want to submit these objections and take a receipt for that.

She submitted her objection to the Registrar and distributed the same to some of members present in the house.

Shri Ashok Goyal addressing the Chairman said that he had asked for copies of the letters, but he has not received the same till now. This has been cleared that that letter received by the University from MHRD has not been marked to the Syndicate by the Vice Chancellor. Then he needed to be explained that under what circumstances and under whose authority the letter went to the Syndicate

It was clarified that before including it as the item for consideration, it was signed by the Vice Chancellor.

Shri Ashok Goyal said that no, no, he (Registrar) knows any document which is placed before the Syndicate is signed by the Vice Chancellor saying Syndicate and thereafter what he (Registrar) is telling him that he gets the bound copy of all the items and the Vice Chancellor, on every page, he (Vice Chancellor) signs on item number this and this for consideration

It was informed that as per procedure all items before including them in the agenda is approved by the Vice Chancellor not on the bound copy but on individual copy of the item.

Shri Ashok Goyal said that he knows that.

It was informed that it goes individually; approval is given on each item.

Shri Ashok Goyal said no, bound copy comes to them, to the members. He is talking about the members. What he is saying that any item which is placed before the Syndicate is marked by the Vice Chancellor on that letter itself Syndicate. And only then it becomes the part of the agenda of the Syndicate.

It was informed that any item which is brought to him (Registrar) on the file from whichever place individual from there, is being put up for consideration along with all the appendixes, put up to the Vice Chancellor only if he approves it, it is brought to the Syndicate.

Shri Ashok Goyal said that's what the approval that he wants.

It was informed that he has given that and same was shown to Shri Ashok Goyal.

Shri Ashok Goyal said that no, it is not there, he has given something which has later on been prepared only with the subject to consideration such and such. The letter which has been received from the MHRD where that has been marked to the Syndicate on the basis of which the item has become under the signature of the Vice Chancellor. Now let him tell that if he gets an agenda of Syndicate or Senate, he will show him how the letters are marked.

It was informed that the Registrar is preparing the agenda since last 2 years. He is personally doing it. He signed it on the 6th of January, 2017.

Shri Ashok Goyal said that no, it is not on 6th of January, it is on 11th of January. Letter is of dated 9th January and he (Registrar) saying it is marked on 6th January. What are you saying?

It was clarified that it was marked on 11th January, and approved by the Vice Chancellor.

Shri Ashok Goyal said that on 11th January this item has not even been framed

It was informed that this item to consider, letter number such and such, dated received from the Director, Human Resource Development, Department of Education attended by the Registrar, such and such.

Shri Ashok Goyal said that no, no, it was not even framed on 11th. The letter which was received from the MHRD, was it placed before the Vice Chancellor.

It was informed that the item initially included only a letter from the office of Anshuman Gaur, OSD to Chancellor. That had come on 3rd, on 10th it was being marked to DR(G).

Shri Ashok Goyal said that no, that letter of Anshuman was not given to them.

It was informed that can he (Registrar) explain the sequence. Initially a letter came from the Vice-President's Office, i.e., from Anshuman Gaur's desk, that letter was required to be put up to the Syndicate. Once the item was being processed, another letter which has come from the MHRD, it was linked to the same issue that it is with same context. Thus, it was got approved by the Vice Chancellor to be included in the agenda.

Shri Ashok Goyal that he (Registrar) says the letter received from the Mr. Anshuman was required to be placed to the Syndicate.

It was informed that it was approved by the Vice Chancellor.

Shri Ashok Goyal said that where that letter of Anshuman is.

It was informed that it was there in the enclosure given.

Shri Ashok Goyal said that they have not been given. That's what he is saying. They have not been given the letter 15th January and the letter 19th January, 2017.

Registrar asked from the official whether the letter had been gone or not as appendix.

Shri Ashok Goyal said that the letter had not gone to Syndicate how it would have been gone to Senate. He further inquired that any letter which is received in the University, is received by the Office of the Registrar. Is he correct? Any letter which is received in the University is received in the Office of the Registrar or somewhere else. Even if it is received somewhere else it has to be put up.

It was informed that not necessarily from the Registrar's Office, it can be received by the Vice Chancellor's Office. It can be put up.

Shri Ashok Goyal asked that how it is dealt with. You see if it relates to Deputy Registrar, you write D.R., if it relates to A.R., write Assistant Registrar.

It was informed that obviously, whichever Department it relates to is referred to that Department.

Shri Ashok Goyal said that now this letter definitely must had been put up to the Vice Chancellor, which have been received from the MHRD. What had the Vice Chancellor written on that letter that he wanted to know? Because the copies which had been sent to them, these have not been marked to the Syndicate by anybody.

It was informed that at times it also happened that the Vice Chancellor would had asked him (Registrar) to please put up to the Syndicate.

Shri Ashok Goyal said that no, he (Vice Chancellor) cannot. He would have to go as per the regulations.

It was informed that finally before placing the item for Syndicate or Senate it is put up to the Vice Chancellor for its approval.

Shri Ashok Goyal said that means all this has been done orally.

It was informed that there is so much of bulk matters, hundreds of files are there; As times approval are taken on telephone or verbally that such and such matter may please taken up to Syndicate. On some letters Vice Chancellor might not have put his signatures, but he has approved it finally before being put as an agenda item

Shri Ashok Goyal said that yes, admit it that it had not been marked. That is what he is saying

It was informed that it is quite possible. He (Registrar) would like to see and confirm that.

Shri Ashok Goyal said that it is the part of agenda. He wants to understand that how his letter has reached to Syndicate. It's a simple question.

It was informed that with due approval of the Vice Chancellor, it had been brought to the Syndicate.

Shri Ashok Goyal said that so where is the approval of the Vice Chancellor.

It was informed that it is still here. He (Registrar) had shown him. It is still there. Any body else can see it.

Shri Ashok Goyal said that it is not approval of the Vice Chancellor. It is not the letter.

It was informed that this is the approval, this is the agenda item which was approved.

Professor Chaman Lal said that he had received the first mail of the Syndicate. Registrar had marked on 18th, and 19th January this had been marked to Syndicate, by whom he does not know. It could be Vice Chancellor or it could be someone, but after the Registrar had marked, the higher than the Registrar is Vice Chancellor only. It seems on 19th January this letter has been marked to the Syndicate by the Vice Chancellor. But, you can clarify whether it is Vice Chancellor or some other person.

It was informed that okay they will clarify.

Shri Ashok Goyal said that it can be clarified just now. When it be clarified. Special meeting had been convened for this.

Shri Jarnail Singh said that okay they will clarify. Let them continue the discussion.

Professor Akhtar Mahmood said that if they see the letter itself, it is written to the Syndicate and somebody has signed it, who are those people who have signed it. They could see the letter. What is written here?

Shri Ashok Goyal said that how the letter went without the authority.

Professor R.P. Bambah said that he is following Shri Pawan Kumar Bansal and Shri Satya Pal Jain. They have passed through a very unpleasant situation and he thought may be a little emotional on occasions. It is time to put an end to the thing. One could go into technicalities and so on and there would be question long discussion and may be the things would go to the Court also. He thought that they could again request

Shri Pawan Kumar Bansal and Shri Satya Pal Jain to use their good offices to try to find a solution. If they could not, as they (Johl Committee) could not, he would request that instead of going into the procedure of who formed the Committee, who does not form the Committee, they request the Chancellor that as it is clear that he is the appointing authority of the Vice Chancellor, he may form a suitable Committee in his own judgment. Some of the names have been suggested by the Syndicate are enclosed. The Senate could also suggest some names and the Chancellor might not make a 8-member Committee. It would not be PUCASH because PUCASH is for the whole community here where the Syndicate forms a Committee because Senate is the employer of all of the people except the Vice Chancellor. The Vice Chancellor is employed by the Chancellor. So, the Chancellor could be requested, if necessary, he is hoping that with the type of the skill and the attitude that both Shri Pawan Kumar Bansal and Shri Satya Pal Jain have, they might be able to resolve the problem by talking to the two persons and come to a sort of amicable solution. The respect and dignity of both, he is again requesting Professor Rajesh Gill and the Vice Chancellor to please try to find a sort of solution that does not cause any embarrassment to either of them. If they do not succeed, Shri Satya Pal Jain and Shri Pawan Kumar Bansal could also associate some other persons whom they would like to associate with so that the general feeling of the House that it is time to end the situation, is made clear to both the parties. But if they do not succeed, then his request is that the Senate request the Chancellor, as employer of the Vice Chancellor, to make a suitable Committee and for his consideration some names have been suggested.

Ambassador I.S. Chadha said that he has an uneasy feeling that they are going round and round in circles. His sole concern, and he is sure it is shared by everybody, is to ensure a speedy end to this matter and to find the least irritable way of doing it. Now the suggestion that they ask Shri Pawan Kumar Bansal and Shri Satya Pal Jain to get together and do it, let them say whether they are willing to try. He thought that they have tried before and not succeeded. But if they are willing to do again, then fine. As far as asking the Chancellor is concerned, he would like to draw the attention of the Registrar, his memory tells him that the Chancellor was approached and he said that it is for the Senate. He requested the Registrar whether could he confirm it because otherwise they are going round and round in circle. His memory is that PUCASH reached an impasse for whatever reasons, went to National Commission for Women, from there it referred to MHRD, the Chancellor was flooded with the representations, MHRD was flooded with them. He could share Professor Chaman Lal's concern as to why the hell is an outside agency interfering in their matters. They have invited their interference. They have told them that PUCASH has reached an impasse. They referred the matter (they meaning the University, not talking of the Registrar or the Vice Chancellor), the matter was referred from PUCASH to National Commission for Women, from there it went to Chancellor and from there, it went to MHRD. It has gone the full circle. They have put the matter to them (University) now. Now, they have to take a decision. He could understand that, he is not a lawyer, eventually judgments stand or fall on procedural grounds but that does not mean that they should not proceed towards reaching a judgment. Now preventing further progressing in this matter on procedural grounds, in his view, is hampering the cause of justice. They have procedural objections to the formation of this Committee, those have been stated and would be recorded. Now, having heard those objections, the Senate has to take a decision and that decision, of course, is subject to judicial review and of course would stand or fall on procedural grounds. But if they could not reach a unanimous decision, then let them decide by vote what is the view. The Senate could not evade its responsibility. It has a responsibility. He is second to none in upholding the autonomy of the University. The Senate is the final authority. Let them not weaken it. So, let the Senate take a decision today having heard all the objections, forward the decision to the appropriate authorities, let them then proceed as they deem fit. They have put the baton in their (University) lap. They could not say, no, no, that they do it. This could go forever. So, let them take a decision, let them form this Committee. They have no objection. Let them form the Committee, send it to the

Chancellor for his approval or disapproval what he deems fit, if he agrees with the Senate, he would approve, if not, he could come up with his own idea. So, his suggestion is that they proceed now to take a decision.

Shri Jarnail Singh said that since Professor Rajesh Gill has referred to various letters written to the Chancellor and regarding that, there was a judgment. She had applied for in Central Information Commission, a copy has been circulated to all the members. It was on 27th of this month. One of the observations was that the Commission further noted from the written submissions of the respondent in which it is stated that Panjab University has its own Secretariat, the petitions/correspondence concerning the University are forwarded directly to the office of the Vice Chancellor/Registrar of the University. All matters pertaining to Panjab University Senate, received by Vice President Office, are also sent to Panjab University without classifying and segregating them into separate categories. In effect, for the handling of correspondence received at Vice President Secretariat from sources other than Panjab University administration, it is the office of the Vice Chancellor and Registrar, Panjab University that acts as record keeper. This has been circulated to all the members. It was given to him and he thought it fit to give to all the members.

Shri Ashok Goyal said that this issue is not to be discussed. It is a special meeting. This is an appeal.

Shri Jarnail Singh said that he is referring to what Professor Rajesh Gill said that she had written several letters to the Chancellor.

Shri Ashok Goyal said that the letters which he had requested had not been provided whereas the letter which came on 27th January has been provided quickly which has no relevance. It is only an appeal filed before the Central Information Commission.

Shri Naresh Gaur said that at whose behest it is.

Shri Jarnail Singh said that she (Professor Rajesh Gill) has referred to that.

Shri Ashok Goyal said that she has not referred to it at all.

Professor Rajesh Gill said that she had not referred to RTI. She has referred to complaints.

Shri Jarnail Singh said that she has referred that she has not been provided the information by the Chancellor.

Professor Rajesh Gill said that this is an RTI application.

Shri Ashok Goyal said that he thought as Chairman of the Senate, he (Shri Jarnail Singh) would be very transparent in meeting his demand of getting the copies of that letter where the Vice Chancellor marked it to the Syndicate. Why he is saying so.

Shri Jarnail Singh said that he would propose that because it refers to the authority of the Vice Chancellor, he would request the members that the Vice Chancellor must be recalled as far as his authority is concerned.

Shri Ashok Goyal said, "no".

Shri Jarnail Singh said that as far as Committee is concerned, he would do.

Shri Ashok Goyal said that if he (Shri Jarnail Singh) goes through the copy of the letter which has been supplied to them. This probably has happened in rarest of the rare occasions that the fluid has been used on the letter which has been received from Ministry of Human Resource Development. Though that copy of the letter has been sent to him only through e-mail scanned copy and they could make out from scanned copy also that after writing something, fluid has been used. Why he is saying that the letter be shown to him whether it has been marked by the Vice Chancellor. Let them see what has been done. He requested to show him the original wherein it has been marked by the Registrar to Office Superintendent (Syndicate).

Shri Harpreet Singh Dua said that some helper be sent as a lot of time is over and the letter has not been provided.

Shri Naresh Gaur said that the Vice Chancellor is sitting nearby as the files are being taken to him frequently. He has seen twice by visiting there.

It was informed that “no”. It was requested not to make such statement. There is a camera in the office. If it is a evidence, if this is being challenged like this, it is a serious allegation.

Shri Ashok Goyal said that how it is a serious allegation. He (Shri Naresh Gaur) says that he has seen himself.

Shri Naresh Gaur said that he has himself seen that the Vice Chancellor was there.

It was clarified that he (Registrar) had gone to take the file from the cabinet.

Shri Ashok Goyal said that why he (Vice Chancellor) is sitting there.

Shri Naresh Gaur said that he and Shri Harpreet Singh Dua had seen it.

Shri Ashok Goyal said that why the official had gone.

Shri Naresh Gaur requested the Registrar to ask the official whether they have seen the Vice Chancellor.

Shri Harpreet Singh Dua said that the time could also be seen in the camera.

Shri Ashok Goyal said that so much manipulation and they are talking of the highest standards of Panjab University.

Shri Naresh Gaur requested the Registrar to ask the official whether he has shown the file to the Vice Chancellor or not.

Shri Harpreet Singh Dua and Shri Naresh Gaur requested for “yes” or “No”.

Shri Naresh Gaur said that he is being accused.

It was clarified that the official was not asked nor the official has shown any papers to the Vice Chancellor.

Shri Ashok Goyal said that the Registrar is making serious allegations against the member.

Shri Naresh Gaur said that he has personally seen. He and Shri Harpreet Singh Dua have personally seen. He met him as he opened the door of the cabin of the Registrar.

Shri Harpreet Singh Dua said that without verifying, they are being given threat.

Shri Naresh Gaur said that he has personally seen that the official was standing near the door and he has seen the Vice Chancellor after opening the door. Why he is being accused?

Shri Naresh Gaur said that the Vice Chancellor has seen the file.

It was clarified that no, the keys are with him (Registrar).

Shri Naresh Gaur said that let them see the camera.

It was clarified that they would do it.

Shri Naresh Gaur said that the Vice Chancellor was in the cabin of the Registrar.

Shri Jarnail Singh requested Shri Naresh Gaur to take the seat.

Shri Naresh Gaur again said that the Vice Chancellor was in the cabin of the Registrar.

It was clarified that he (Registrar) had gone to see the particular file on the asking of Shri Ashok Goyal.

Shri Naresh Gaur said that the Registrar had shown the file to the Vice Chancellor who is in the cabin of the Registrar.

Mrs. Anu Chatrath said that if the members immediately wanted some files and if the office is not able to find the files, she rather appreciated it that if the Senate members had asked for something, the office could seek that guidance or clarification for that even from the Vice Chancellor office also.

Shri Naresh Gaur said they could see the camera.

On a point of order, Shri Ashok Goyal said that he (Shri Jarnail Singh) had been here for the last more than two decades and he (Shri Ashok Goyal) only for one and half decade and has he (Shri Jarnail Singh) ever seen that any item which is placed before the Senate and Syndicate, the original file relating to that item was not available in this hall and it is a special meeting for a particular item and the Registrar is saying that he had gone to his office to check the file and the Registrar says that he does not have the original file relating to this case.

Shri Jarnail Singh said that the file is not being tampered. Let them discuss the case on merits.

Shri Ashok Goyal said that until and unless they are provided the file, how could they discuss.

Shri Naresh Gaur said that he is being accused and he (Shri Jarnail Singh) is saying not to disturb. He has personally seen the Vice Chancellor.

Mrs. Anu Chatrath said that she has come to attend the meeting by missing her office because she is a professional. If this is the way to conduct the meeting, she

thought that they have appointed him (Shri Jarnail Singh) as the Chairman and whatever is the agenda today, talk on that issue. As per the order passed in the appeal under the RTI Act, the Vice Chancellor and the Registrar are the total custodian of the office record and if anybody is not able to get any copy, they have full-fledged right to get that under the RTI and who is stopping them.

Shri Ashok Goyal said that he is asking for the papers which are related with the item which he is supposed to get here.

Shri Naresh Gaur and Shri Harpreet Singh Dua said that they want the papers.

Professor Keshav Malhotra said that then they could call the meeting after the RTI.

Mrs. Anu Chatrath said that whatever decision is taken in today's meeting, whether accepting any Committee or rejecting, that could be sent to the Ministry of Human Resource Development.

Shri Jarnail Singh said that let they continue with the meeting.

Mrs. Anu Chatrath said that they are not deciding since 11.00 a.m. when they started.

To this, Shri Ashok Goyal said that if she is a professional, others are also not idle.

Shri Naresh Gaur also said that they are also professionals.

Principal Hardiljit Singh Gosal said that this case is going on for the last three years and they should reach to some conclusion. He wanted to give a suggestion that suppose if the Syndicate has taken a decision in a haste as it also happens in the Committees, if something is wrong, that could be corrected. If the members think that the Committee is not right, a 5-member Committee could be formed and he could suggest the names and if the same did not seem right, the same could be changed. Professor R.P. Bambah, Shri V.K. Sibal, Shri Ashok Goyal, Shri Satya Pal Jain, Shri Pawan Kumar Bansal should be given an hour and they form a Committee and if that Committee is acceptable to the Senate, that could be forwarded and if not acceptable, then they could see to it.

Dr. Dalip Kumar said 'no'.

Shri Jarnail Singh said that the proposal is before the Senate.

Dr. Dalip Kumar said that the members of the Committee are being doubted.

Mrs. Anu Chatrath said that two retired Judges and one ex-Chief Justice are members of this Committee, one retired IPS officer is member of this Committee, Director, U.T. Administration office nominee is the member of this Committee. If they have any doubt or feel that this particular member could be biased, they could raise objections particularly on that. But if the Committee is not in consonance with the provisions of the Act, as she has rightly raised one objection that as per the provisions of the Act, he has to be employee, he/she has to be a member. Because if they raise the issue, it means they are doubting the decisions to be taken by retired Judges and Chief Justice of the High Court, this is an insult to the members.

Professor Rajesh Gill said that this is exactly why the Committee was proposed in the Syndicate.

Professor Shelley Walia said that he quietly agreed to the senior members who have suggested that there should be a reconciliation and another effort to be made. If it is not made, this reconciliation and this reconciliation that is amicable as Shri Pawan Kumar Bansal said that if they did not succeed in achieving that amicably, then he personally felt and he would disagree to some extent with Professor Chaman Lal that the idea of collective will to him is rather a suspect. He has never gone with unanimous opinion because to his mind, all collective will is a brute majority. He is saying this because he has not gone with Brexit, he has not gone with the elections in the United States and wherever he felt this kind of brute majority operates, then the results of the decisions are rather suspect. Therefore, he goes with Professor R.P. Bambah that they do write to the Chancellor who is the rightful employer and who has the duty to take on the task of appointing a Committee. They, as the Senate or the Syndicate, he thought if they were to go into the whole act of making the Committee, it would be not worth it. Let him say it very infavourable if he is criticized for. It would be a prejudice appointment of that Committee. He does not go with the unanimous decision of the Syndicate that has taken of the members who have been appointed. He totally has faith in those members, he did not doubt their credentials whatsoever. But he does feel that if they really want to carry this through to some kind of an objective decision, then let the employer, which is the Vice President of India, the Chancellor, let him appoint a Committee. They, as Senate people, should not appoint a Committee.

Professor Chaman Lal said that there are two suggestions. He would actually try what Professor Shelley Walia and Principal Hardiljit Singh Gosal have suggested. They could try to resolve the way as Professor Shelley Walia has suggested by reconciliation Committee once more. He would also go for that once more. What is the procedure of reconciliation? He thought that there should be one member each of the two parties of their own choice. Let Professor Rajesh Gill and the Vice Chancellor give one name of their choice, three members by the Senate itself on its wisdom. This is one suggestion. The second suggestion what Principal Hardiljit Singh Gosal suggested, with these 8 people, seeing the different opinions expressed, he would like to say that this should not be a Senate appointed Committee. This should be a Senate suggested Committee forwarded to the Chancellor for forming Committee on his own and he would like to add 4 names to this, Shri Satya Pal Jain, Shri Pawan Kumar Bansal, Shri V.K. Sibal and Mrs. Anu Chatrath, all four eminent legal personalities. These 12 names should be forwarded to the Chancellor. The Chancellor in his own wisdom, the Senate should not say that they form a Committee, but only refer to the MHRD letter and had called a special meeting which had lot of different opinions. With these different opinions how could they resolve those things, either these two processes could be taken together. Let the reconciliation Committee take 15 days. If the Committee could come to a sort of reconciliation, that would be the best. If the reconciliation is not able to resolve within 15 days as Professor R.P. Bambah could not resolve, no need to call another meeting, simply forward those 8/10/12 names to the Chancellor to form his Committee with his wisdom. This way, he thought, they could try to accommodate both the strong views and with majority they could recommend a Committee. But he would also like, rather than with a majority decision, that they make a consensus, let first the reconciliation Committee go into this. If not 5, they could make 7, two members of the choice of Professor Rajesh Gill and Vice Chancellor and 3 or 5 members of the choice of the Senate.

Shri Jarnail Singh said that just to tell them Dr. Johl Committee has already done it.

Shri Pawan Kumar Bansal said that he appreciated the sentiments of Professor R.P. Bambah. Further, he would like to say he expresses his inability to be on any such group or Committee.

Professor Akhtar Mahmood said that this matter had already decided by the Senate in 2015 that the matter be referred to the Chancellor to constitute a Committee. He did not know why it is taking so long. It is the same story. They are at the same place from where they started. He suggested to refer the matter to the Chancellor and let him make a Committee to look into the matter.

Dr. D.V.S. Jain seconded that the proposal made by Professor Chaman Lal to be followed.

Ambassador I.S. Chadha said that could they continue the debate or not. He has something to say. The last suggestion is that they put the matter to the Chancellor. He brought it to the notice of the Registrar that, if his memory serves him right, they have asked the Chancellor to look into this matter and there was a response from him. Could the Registrar refresh his (Ambassador I.S. Chadha) memory?

It was informed that the Chancellor says that the complete superintendence is with the Senate, hence the Senate has to do it.

On a point of order, Shri Ashok Goyal said that there is no response from the Chancellor. That is what his (Shri Ashok Goyal) dispute is. There is no response. He requested the Registrar to show him the letter. That is a letter dated 15th January 2016 of Mr. Anshuman and they could read that letter.

Professor R.P. Bambah said that the Chancellor's office said that the whole superintendence of the University lies with the Senate but the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 says that the employer would make the Committee. They (Senate members) are not the employer of the Vice Chancellor. They could suggest that the MHRD again has written that Chancellor is the employer. They could write to him (Chancellor) that since he is the employer and may form a Committee as per the Act, he might form a Committee for this purpose only and they could suggest some names.

Some of the members said that no names be suggested while others said they could suggest the names.

On a point of order, Shri Ashok Goyal said that for the information of the House, they had written a letter conveying the decision of the Senate to the Hon'ble Chancellor with a request to form the Committee. He did not know whether that letter has ever been placed before the Chancellor or not because the record as available in the University shows that the communication which has been received by the University is approved by the Secretary to the Chancellor and Chancellor has nowhere given any approval. Thereafter, subsequent to that, another letter was received wherein it is specifically mentioned that this is issued with the approval of the Chancellor. If the Chancellor is the employer, how could anybody other than the Chancellor convey without the approval of the Chancellor, that is the dispute, which has never been done. The letter dated 15th January 2016 in which they (Chancellor's office) have said that Senate is the overall supreme body, that letter has not been placed for consideration before the Syndicate and Senate till date even after lapse of one year. Why it has not happened? That is also questionable. As he had said he wanted to share with the House that his apprehension came out to be true that the copies of the letter of MHRD, which have been circulated to the members of the Syndicate as well as Senate, fluid has been applied on that. He has seen the original one.

It was clarified that, no, there is no fluid.

Shri Ashok Goyal said that he would show what the Registrar had sent to the members. There is no fluid on it, then how come they have got with fluid. Why this is not appearing in their copies?

It was informed that there is a copy which has gone through e-mail. There is a letter which has come through e-mail.

Shri Ashok Goyal said that the Registrar had sent them the copy of this letter only.

It was clarified that there is a letter which has come through email. The remarks on this are that they had received through this e-mail to be taken up as agenda to the Deputy Registrar (General) and the DRG placed it along with the item for consideration which is to be taken to the Syndicate, taken approval from the Vice Chancellor and thereafter it was placed.

Shri Ashok Goyal requested to show the other copy of e-mail.

It was informed that the e-mail has been received.

Shri Ashok Goyal while looking at the file said that the photocopy of this has been sent to the members wherein this is not appearing.

It was clarified that it is quite possible.

Shri Ashok Goyal said that there must a photocopy.

It was clarified, while showing the file, that there is no fluid.

Shri Ashok Goyal said that he is thankful to the Registrar that his (Shri Ashok Goyal) query has already been replied that this item has not been marked by the Vice Chancellor but by the Registrar to the Syndicate.

It was clarified that it has been marked to the Deputy Registrar (General). Thereafter, it has been processed by DR(G) as per procedure.

Professor Navdeep Goyal said that first he would like to say what the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act suggests because when Professor Chaman Lal was talking about conciliation part, that anyway is the part of the procedure when any Committee against sexual harassment starts its working. So, whatever Committee is approved by the Chancellor finally, that is the first step that the Committee has to undertake and he thought that whatever suggestion he (Professor Chaman Lal) has given that 4 names that he has suggested and the other names which have been suggested by the Syndicate alongwith the proceedings of this Senate meeting, the Syndicate meeting, be sent to the Chancellor so that he forms a Committee.

Professor R.P. Bambah said that they have to resolve this issue. They could go into the details with full capacity. His again request is that Shri Pawan Kumar Bansal, Shri Satya Pal Jain, Professor Chaman Lal, one nominee of the Vice Chancellor, one nominee of Professor Rajesh Gill, five of them sit and resolve this matter. If they could not within one or two weeks, then they could request the Chancellor to act because he is the employer, make a Committee which is not going to be PUCASH but Chancellor make a special Committee for this purpose only. PUCASH would be made for all the other employees of the University.

Mrs. Anu Chatrath said that the minutes of the Syndicate and Senate be enclosed.

Professor Akhtar Mahmood said that in case it is not resolved as Professor R.P. Bambah is suggesting, in that case they should write each and every point since two years what they have done, they have gone through that and still they are not able to resolve, that should also be mentioned.

Shri Jarnail Singh said that keeping in view what has been put before the House, they have three options.

Shri V.K. Sibal said that he felt that they are very distracting while discussing this issue. He had been listening to this similar kind of debate over the years and they are still at the same position at which they were earlier. Now he sees it rather a simple situation that the MHRD, UGC and the legal retainers were involved, everybody was consulted and it is found that the Chancellor is the employer. So they asked the University to make an internal Committee for the approval of the Chancellor. So, he thought that an appropriate step was taken because nothing could come to the Senate before it goes to the Syndicate and the recommendation of the Syndicate comes with names. The names are before them. So far as he is concerned, he really finds that in spite of the vague allegations having been made against the people that they are biased, they are people of impeccable reputation. He personally does not see anything which is against them. So they have a very simple thing to do that they send the recommendation, subject to the approval of the Senate, to the Chancellor for his approval. If they wanted to add some names, they could do so. One more suggestion, people could have dissent also either way supposing the House does not want to approve it. Lot of objections have been raised and the members could send to the Chancellor in their personal capacity and the Chancellor could also keep that in view because there is a Senate decision and there are some objections also, let him take a decision and that decision should be acceptable.

Mrs. Anu Chatrath intervened to say that it is fine.

Continuing, Shri V.K. Sibal said that the idea of having another reconciliation process starting, how long they could delay it.

Shri Jarnail Singh said that they should leave it to the Committee and do the process.

Shri V.K. Sibal said that if the Committee takes a decision which is not acceptable to somebody, there are remedies available. Nobody is autocrat in this country. It is a democratic situation.

Ambassador I.S. Chadha supported this suggestion of Shri V.K. Sibal.

The suggestion of Shri V.K. Sibal was also supported by Principal Gurdeep Kumar Sharma, Professor Navdeep Goyal.

Dr. D.V.S. Jain said that they are discussing the issue for the last three hours.

Ambassador I.S. Chadha said that let them send the names and let him (Chancellor) decide.

Professor Keshav Malhotra said that he has no legal knowledge but he has tried that as a layman, he understood all this issue. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 says that, as he could

understand, if the head of the institution is accused, for that person, his/her employer would form a Committee. He did not know as to whether this thing had been brought to the knowledge of the MHRD or not. But the MHRD has made it very clear and firstly emphasized that the employer would form the Committee. If the employer has to form the Committee, then in this case the Chancellor is the employer. They have no other way if something wrong has been done, they are discussing beyond the Act to send the names beyond the Act, this is against the Act which they are discussing. As a layman, he has searched the Act which clearly says "it is a famous for its President in establishing the principle that mere appearance of bias is sufficient to overturn a judicial decision". The bias of the Senate is and why they should send the names to the Chancellor. "It is also brought to the common parlance that oft quoted aphorism not only must justice be done it must also seem to be done". If as a layman, he is feeling it and if he had been in this situation, he would have directly requested the Vice Chancellor to form a Committee, if the head of the institution unfortunately is involved in the matter, he has high regards for him, he would have talked to the higher authorities and asked the Chancellor to take action in the situation which has been created. An independent enquiry should be conducted. The matter which should have gone to the head of the institution it remained pending because the University authorities never wanted an independent enquiry. Whatever they are doing here today that is biased. If the MHRD has written something beyond the Act, they should also not discuss that and take a decision that let the Chancellor make this independent Committee so that justice must not only be done but it should be seen. They should not suggest the names, it should be sent directly to the Chancellor.

Dr. Gurmeet Singh said that since one of the members has talked as a layman, he would also talk as a layman as otherwise he accepts that he has neither read all the documents related with this case nor he could say something definite. Whatever he could understand as a layman, as has been suggested by Shri V.K. Sibal and Ambassador I.S. Chadha that they are sending the names of a Committee for approval of the Chancellor. Sometimes it happens that if a Committee is to be formed in some Department, the same is sent to the Vice Chancellor with suggestions of some names and when the Vice Chancellor approves those names, it could not be said that the Committee has been formed by the Department, but it is formed by the person who has finally given the approval. If they are sending the names and the Chancellor gives his approval, it means that Chancellor is forming the Committee and he has this right and asking for the help. If the Chancellor had to form the Committee on his own, as Professor Rajesh Gill has said that she had written so many letters, he (Chancellor) would have formed the Committee. The Chancellor has his own way of working and they should not comment on that. He is not in favor of it, as earlier has been said, the matter should be resolved here and should not approach the MHRD. He said that they have an issue that a road is being constructed in front of 27 houses. If the authorities are not listening to the problem, they are knocking at the doors of other authorities also and the authorities could not ask why they are approaching the Chandigarh Administration. That is an independent matter. They approached the Chancellor who did not form the Committee as the matter is going on for the last one year. They should try to understand this also. Similarly, as far as the first issue of legality is concerned, he has already told that he is not clear about it. He is a more layman than the member who has already talked as that member was a member of the earlier Senate. That is why he does not know about it. If they are having the objection on the use of "it was informed". It could not be that it is directly informed, there should have been a proposal. If it is possible to correct, they could write that "it was proposed by all members". Then that matter would be solved. If something is approved, the members should try to understand that it is a Committee approved by them. One of the members is saying that he did not want to be part of the Committee, then the name of some other person would be proposed, it would not work out and the matter would linger on. His submission is that if it is stamped by the Vice Chancellor, it is stamp of the employer and not the stamp of the Senate members. If it would have

been the stamp of the Senate members, they would have approved it directly and asked the Committee for an enquiry as they have earlier also formed the Committees in this matter. This is a different matter from that. His second submission is that, as earlier has been discussed, whenever they make any comment regarding Parliament or Vidhan Sabha, he has high regard for these bodies. If he got a chance, he would like to suggest that they should start the question hour for the letters which are being asked. They should have the zero hour in the beginning of the meeting instead of at the conclusion of the meeting. If the members wanted to say these things in this way for anyone, every institution has its own contribution. They should see themselves also. MHRD is not of Pakistan Government and they should understand that it is in their own country. Many of the persons there must have studied here. If they did not see their own mistakes and blame others. He is not saying about this case but they are already knocking at the doors of Chandigarh Administration and even would knock at the doors of the Prime Minister if the University administration does something wrong. Earlier, he was not allowed to speak, he respects all including Professor R.P. Bambah and that is why he did not speak anything otherwise since it was a special meeting, the information could have been circulated separately and there was no need to read the same. He wanted to give a good suggestion that since they are honouring 5 authors, Srilal Shukla and Kannada writers should also be included in that. He had no other motive. If they talk of law, they should not linger on the matter. He could not tell them, as some of the things are off the record, as to how much damage this matter has caused to the University. As far as he estimates, saying on some ground, since the University had sent an invitation to the Prime Minister for the Convocation which he did not accept, this was the reason behind not accepting the invitation. He had this doubt and it is his guess. He is not saying that he has any related documents or has got any information from the Prime Minister's office. They should understand that if they keep lingering on the matter. It is a Committee of the Chancellor, the names that they are suggesting is not a diktat of the Chancellor.

Professor Keshav Malhotra said that when the PUCASH was formed as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, the employer should have at that time itself, whether there was any case or not, the Committee should have been formed by the Chancellor. Why the names of the Committee are now being sent in a biased manner? It should be independent and why they are creating biasness. The Committee should have been formed at that time itself. It should be enquired into as to who is at fault that the Committee was not got formed at that time.

Professor Rajesh Gill said that she would like to ask the esteemed member Shri V.K. Sibal that is there a difference between forming a Committee and approving a Committee or are these the same legally because it involves the application of mind. Therefore, when they send routine Committees to be made, to the Vice Chancellor, for instance they suggest the names and he (Vice Chancellor) puts his nominee on the Committee and the Committee is made. However, she would not give the names of the Selection Committee in case of a Selection Committee for her. There is a difference between Committees. They could not equate one Committee with the other. So, she would like to know is this such a case where anybody else could apply mind or without application of mind, collect names. Secondly, the very fact that some of the members are so keen to send certain names for the Committee, then get it approved. They do not want the Chancellor to have absolute freedom in assigning. It clearly indicates that something is there. Why, why are they scared of having an independent Committee? Secondly, it has been said time and again that the Chancellor was approached to form a Committee. He was never approached to form a Committee. The letter dated 11 January 2015 by the Panjab University authorities was written to the Chancellor citing two legal opinions out of the three because the third person did not want to give the legal opinion, telling, explaining to the Chancellor that PUCASH has been constituted according to the Act and

PUCASH should be endorsed. The Chancellor was never asked to form a Committee even then. Till date, he has never been asked to form a Committee. He wanted to ask it as to why repeatedly they have been trying to make their own Committees. He is the Vice Chancellor and he is not an ordinary man. She has complained against the Vice Chancellor and the very fact that for two years, she has sent more than 100 letters to the Chancellor who refused to give her a personal hearing and the staff there says that they could not give her a personal hearing. She has said to them to forget that she is a Professor, she is a citizen of the country and wanted to meet the Chancellor to which the staff said that she could not get a hearing. If this is the case, imagine her plight as a complainant and if the Chancellor has not taken a call for two years, this means that their office is biased and the Committee could not be made even it has to.

Shri Jarnail Singh said that let them restrain from making compulsion on the Chancellor.

On a point of order, Shri Ashok Goyal said that what Professor Rajesh Gill has said that contrary to the decision taken by the Senate in its meeting in December 2015, is it a fact that instead of conveying the decision of the Senate, the University has written to the Chancellor that PUCASH be endorsed to enquire into the matter. It is a very-very serious matter. That was the mandate of the Senate.

Shri Jarnail Singh said that it would be on record that it would be written to the Chancellor.

Shri Ashok Goyal said, "no". He said that what he (Shri Jarnail Singh) is doing. A decision taken by the Senate has not been communicated to the Chancellor in the letter and spirit. He wanted to see the letter. He was under the impression that the decision of the Senate has been conveyed.

Shri Jarnail Singh said that let them try to clinch the issue and should come out of the technicalities.

Professor Rajesh Gill said that whether she a complainant or accused. Why she is being treated as an accused?

Principal Gurdeep Kumar Sharma said that he wanted to record that, after due application of mind, the Syndicate recommended those names and those should be forwarded to the Chancellor.

Mrs. Anu Chatrath said that she seconded it.

Professor Mukesh Arora said that whatever is being said is said about the members of the Syndicate. There was directive from the MHRD and they represent the whole Senate and are not biased. They suggested a Committee. It is for the Senate whether to accept or reject. As is being said that a patch-up should be got done here, whatever he could understand during the period of 1½ years, as Shri Satya Pal Jain had said that both the parties would have to have a big heart and only then they could have a patch-up. Otherwise, there would be a feeling that one group is satisfied and the other would feel dissatisfied. They formed the Committee. Whether the decision was taken in 9 or 7 minutes, he has seen that in the Syndicate some of the decisions are taken within a minute, then nobody objects. If they had asked Dr. Dalip Kumar who had thought of the names for the Committee, that was approved by all the members and nobody gave dissent on the same. The Committee formed by the 15-members of the Syndicate who are also the Senate members, if the Senate wanted to change the names, it could do so. But it should be done at the earliest otherwise if 15 days time is taken in sending the matter here and there, nothing would come out and the names should be sent to the Chancellor and MHRD.

Professor Keshav Malhotra said that the Committee could not be formed and how the Syndicate has formed the Committee. It is against the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act. The employer has to constitute the Committee.

Shri Jarnail Singh said that they just want to respond to the statement of Professor Rajesh Gill.

Dr. Raj Kumar Mahajan said that time and again it is wrongly being said. The Chancellor has requested the Senate to send a Committee and they are saying that the Chancellor has to form a Committee.

Shri V.K. Sibal said that the hon'ble had asked him a question and he would like to respond to that. So far as he understands, forming a Committee, approving a Committee are slightly different things. Formation is a process where one could get suggestions from any quarters before formation, the materials comes, then one makes the short-listing and then the same is sent for approval. That is the final because the approval is. The second thing is that the person who approves, could modify. It is incorrect to think that there would be non-application of mind merely because approval is given. The Chancellor is not a rubber stamp. The Government is functioning like this. Advance apparatus is with the Government. Everything could not go to the Minister, there is a delegation order. The things are decided at various levels but everything is being done in the name of the Governor or the President and not that they have seen the files, they have not applied their mind. Mind is applied by those to whom the power is delegated. They should not suspect whether the Chancellor is biased or not.

Professor Shelley Walia said that could in such a delicate matter they leave it to him.

Shri Ashok Goyal said that he agreed with Shri V.K. Sibal hundred percent that they should not expect the Chancellor to be biased. By sending the names from here, in fact, it is an indication as if they doubt the integrity of the Chancellor, a Chancellor who has the capacity to nominate 36 members to the Senate, a Chancellor who has paraphernalia to appoint the search Committee to appoint the Vice Chancellor, he knows how to appoint a Committee also. Why they doubt the competence of the Chancellor in recommending the names to form the Committee. Now the cat is out of the bag. He was also surprised that if in the December 2015 meeting, the Senate had resolved to request the Chancellor to make the Committee, instead of making the Committee, the University received the letter from the Secretary to the Chancellor, it is something really ridiculous that contrary to what the Senate had decided, if it is right what has been pointed out by Professor Rajesh Gill that the University instead of requesting the Chancellor that as per the Senate decision, he might make the Committee and they said that they endorse the PUCASH, which was not the decision of the Senate. Now, why should they doubt that in case the Senate requests, without sending names to the Chancellor, that he makes a Committee to look into the matter, do they think that he is going to make a Committee of incompetent people. He remembered that the contention of Professor R.P. Bambah in December 2015 that they also request him (Chancellor) that no member preferably from Chandigarh be included in that Committee so that it may not give an indication of bias. So let they send it to the Chancellor.

Professor Chaman Lal gave a suggestion. He is trying to resolve the both opposing kind of views but he read MHRD letter. Though he is very critical of MHRD still one thing is written in the MHRD letter that the Chancellor referred the matter to UGC. The UGC got legal opinion which says, as far as he understands, that the Senate should form a Committee which is Chancellor's direction only which MHRD has conveyed. However, he

felt that the Chancellor should have directly conveyed. If UGC has got legal opinion at the behest of the Chancellor and that has come. Secondly, suppose if they send a letter to the Chancellor to form a Committee and the Chancellor in return says that Senate is the policy maker of the University, let Senate suggest certain names and then form a Committee which means again two-three months time. Thirdly, he would still say that to resolve the issue what they could do is that rather than sticking to just 8 names, they add little more wider names, say 15 members. He would suggest 3-4 names. He would suggest two names, one, the nominee of Dr. Rajesh Gill for a natural justice and one nominee of Professor Grover for natural justice and PUCASH Chairperson because PUCASH is the local Sexual Harassment Committee, an institutional kind of thing. 3-4 more names be added. Let the Chancellor decide, pick up as many members, he might pick up 3 or 5 people. It should be written that such and such name is the nominee of the complainant and this is the nominee of the accused.

Professor Keshav Malhotra interrupted to say that let the Chancellor be given free hand.

Professor Chaman Lal said that they have to refer it to the Chancellor that this Committee was formed because of this purpose as per the MHRD letter and because of UGC legal opinion which has been sought by the Chancellor. They could not just waste the time of the whole Senate and putting motive on the Senators, putting motive on the Chancellor, he thought, it is very-very undesirable.

Shri Ashok Goyal enquired as to where the Chancellor has sought the legal opinion.

Professor Pam Rajput said that she had been listening and did not want to intervene today because it so happens that the Syndicate has suggested her name and it is a very sensitive issue personally because the dignity of a woman is involved. She is very sensitive. Even then she is just wondering whether it is the letter of MHRD or from the office of the Chancellor, both are bound by the Act of Parliament. The Act of the Parliament clearly says, each institution shall have an Internal Complaints Committee (ICC). She is not going into the other Committees. What shall be the nature and how that Committee shall be constituted? What the Act says, both the Chancellor's office and the MHRD are bound to by that. She did not know as to how they suggested there should be a woman outside the University, high standards and all that, the Act does not say. Let her read the provisions clearly. Chairperson's eligibility: woman working at senior level as employee, if not available then nominated from other office unit/department/workplace of the same employer. That means that a person who has to chair the ICC has to be from within the University, not outside the University as people are suggesting that let they have people from here or there, etc. Secondly, who could be the member. At least two members, the number could be more, from amongst the employees committed to the cause of women from the employees, at least from the University, ipso facto, for that matter, having legal knowledge and experience in social work. The third category of membership is: member from amongst NGOs/Associations committed to the cause of women or a person familiar with the issue of sexual harassment. So, the issue before the Senate, one is that the recommendation has come from the Syndicate on the basis of the letter that they received from the MHRD which is questionable otherwise but they have not, the issue is before the Senate. So, request the Chancellor to constitute the Committee as per the norms of the Act and these are the names which this House thinks/wants to recommend to the Chancellor as suggested names. So, let the Chancellor, according to the Act, constitute the Committee.

Professor Keshav Malhotra said that in the Act it is not written that they have to suggest the names. He (Chancellor) has to apply his own mind.

Ambassador I.S. Chadha said that the people have dissent, they could record the dissent. His motion is that the Senate has considered the matter, the Senate had before it the recommendation of the Syndicate, which is appended hereto and the Senate decided to forward the recommendation of the Syndicate to the Chancellor for his approval.

Professor Keshav Malhotra and Professor Rajesh Gill said no to it.

Shri Jarnail Singh said that it is a proposal and two persons have seconded it.

Shri Naresh Gaur, Professor Keshav Malhotra, Shri Harpreet Singh Dua, Shri Ashok Goyal and Professor Rajesh Gill said no to it.

Shri Ashok Goyal said that he just wanted to make this House aware that how the mockery of this House has been made. Despite his repeated requests, the letter written after the decision of the Senate in December 2015, has not been made available to him. But now he has got it. What has been pointed out by Professor Rajesh Gill is correct that the Senate had take the decision to request the Chancellor to make a Committee but the letter which has been written, after taking legal opinion from two Legal Retainers and one who refused, has been written that Chancellor may give concurrence to the PUCASH. He (Shri Jarnail Singh) tell him what it is.

Professor Rajesh Gill said that the same is being done now.

Continuing, Shri Ashok Goyal enquired is it small nitty-gritty. Is it not the violation of the privilege of the Senate which is called supreme body by everybody? Who is responsible for this? Who has approved these minutes? Who has approved this letter to be sent to the Chancellor? Because the minutes which have been circulated do not say so, the minutes say that they have to request the Chancellor but the letter which has been written beyond the minutes, not only beyond the minutes, in violation of the decision of the Senate, he thought an enquiry is needed to be conducted as to who is responsible.

Shri Jarnail Singh said that there is a proposal.

Shri Ashok Goyal said that what he meant by proposal.

Shri Naresh Gaur, Shri Harpreet Singh Dua and Professor Keshav Malhotra spoke together and nothing could be made out.

Shri Jarnail Singh said that what they have said has been recorded and let the Chancellor do.

Professor Keshav Malhotra said that the day is not far when they could make man a woman and a woman man by way of majority.

Shri Jarnail Singh said that Professor R.P. Bambah wanted to propose an amendment.

Professor Rajesh Gill said that it is pathetic, they call this esteemed House a House of intellectuals.

Shri Jarnail Singh said that it is for the members.

Professor Keshav Malhotra said that it is being done forcibly.

Shri Ashok Goyal said that he would like to draw the personal attention of Shri Satya Pal Jain that what the decision had been taken and what had been conveyed.

Professor Rajesh Gill said that it is pathetic and said something about women activists. She said that is why it has escaped an independent Committee.

Professor Keshav Malhotra stressed for an independent Senate and independent Committee.

Shri Ashok Goyal said that the Senate reiterates the earlier decision.

Professor Rajesh Gill said that this is criminal.

Shri Jarnail Singh requested the members to listen to the amendment.

Shri Ashok Goyal said that the Senate reiterates. The Senate in December 2015 also, the proposal given by Professor R.P. Bambah was accepted unanimously. He said that they reiterate the decision of the Senate which was taken in December 2015.

Professor Keshav Malhotra said that they have full faith in the Chancellor.

Mrs. Anu Chatrath said that since 11'o clock they are discussing that instead of suggesting the Committee, the Chancellor should be given the freedom to constitute the Committee. Few seconds earlier, she recalled the stand taken by the complainant in the previous Senate meeting that PUCASH is of the members who are subordinate to the Vice Chancellor. So, they would not take a decision against the Vice Chancellor. If an independent Committee had been suggested and even she quote her statement on the basis of settled law that if an authority has been delegated by a competent authority, i.e., the Chancellor to the Senate to suggest.

Professor Rajesh Gill intervened and enquired as to when the Chancellor has delegated.

Mrs. Anu Chatrath said that Mr. Chaman Singh has just said.

To this some of the members said, "no, no".

Continuing, Mrs. Anu Chatrath said that on the basis of legal opinion, the Chancellor's office has conveyed the decision to the Vice Chancellor's office to suggest the names because Senate is the competent authority. In view of the MHRD letter and the communication from the Chancellor's office, the special meeting of the Senate has been called. Few seconds earlier, the complainant in previous meeting raised the doubt on the UGC CASH, PUCASH. Few seconds earlier, the learned friend has raised doubts, even has alleged that the Chancellor's office is biased. So, from where she is expecting the justice to be done. If an independent Committee who has nothing to do with the University functioning.

To this Professor Rajesh Gill said 'this House'.

Continuing, Mrs. Anu Chatrath said that this House is suggesting two independent Judges who have no role in the Panjab University functioning. Director's nominee. They are not forming a Committee, they are not approving a Committee, they are suggesting. Final approval, as Dr. Gurmeet Singh has just made a statement, and it is the law also that the approval would be by the competent authority because he has delegated his authority for suggestion of the names and the moment it is approved, then the Committee would be the final Committee. It is not a final Committee.

Shri Jarnail Singh requested the members to listen to the amendment.

Shri Ashok Goyal said that Mrs. Anu Chatrath is right if she is of the opinion that the Chancellor has delegated any such power for suggesting the names which is not a fact. Professor Chaman Lal has misunderstood that the Chancellor has sought legal opinion from UGC and at the behest of the Chancellor, the UGC has sought the legal opinion. It is not that. The UGC sought legal opinion and conveyed it to the MHRD whereby the MHRD said that Chancellor is the employer. They could read the letter. The Chancellor is nowhere in the picture. Mrs. Anu Chatrath is saying about High Court Judges because she would understand the language that he is going to speak, please refer to the Supreme Court judgment 'x' versus Madhya Pradesh High Court where the Supreme Court has quashed even the Committee constituted by the Chief Justice of Madhya Pradesh against an enquiry to be conducted against the High Court Judge wherein the allegations were levelled by Additional Sessions Judge. So much so, the Supreme Court has gone to the extent of saying that justice could not be expected from a colleague, from anybody who is working under the administrative control of that particular Judge, so much so they have gone to the extent of saying that Chief Justice of some other High Court may be appointed to constitute the Committee or as an alternative, Chief Justice of India should constitute the Committee and till the enquiry is going on, all administrative powers of the Judge be suspended and the judgment is given by none other than the present Chief Justice, Justice J.S. Khehar.

Mrs. Anu Chatrath said that she fully agrees with it.

Continuing, Shri Ashok Goyal said that in the Panjab University Calendar, Panjab University Act, there is no such provision of delegating any power by the Chancellor to anybody including the Senate, Syndicate or the Vice Chancellor.

Mrs. Anu Chatrath said that the Syndicate does not delegate the power to constitute a Committee.

Shri Ashok Goyal said that in the Calendar under the Chapter 'delegation of powers', everything is written, but there is no such provision.

Shri Jarnail Singh said that Professor R.P. Bambah proposes an amendment to the motion already made.

Shri Ashok Goyal enquired as to which motion as the debate is still going on.

Professor R.P. Bambah said that the motion that he moved is that the Senate has met in reference to the letter and enclosing the proceedings of the Syndicate and requesting approval. His amendment is that the Senate has met in reference to the letter and considered the recommendation of the Syndicate, the Senate requests the Chancellor, as the employer of the Vice Chancellor, to make a suitable Committee.

Most of the members agreed to it.

Mrs. Anu Chatrath said that it is to be with the recommendations of the Syndicate to which one of the members said that it should be without the recommendation.

Professor D.V.S. Jain said that now they should take a final decision.

Shri Jarnail Singh said that the amendment is that they send the names recommended by the Syndicate.

Most of the members agreed to it however, a couple of other members said, “no”, it should be without recommendation.

Professor Rajesh Gill said that it is fishy. They are interested to send their own names.

Professor R.P. Bambah said that the motion was that the Senate has met in reference to the letter from MHRD and the Syndicate has made some recommendation, the Senate is enclosing those recommendations and requesting the Chancellor to approve. He said that this was his motion and his amendment in the motion is that the Senate has met after the reference of the letter from MHRD, considered the proposal made by the Syndicate, which is enclosed, the Chancellor as the employer of the Vice Chancellor is requested to make the suitable Committee.

Most of the members agreed to it and few members opposed it and pandemonium prevailed.

Professor Rajesh Gill said that why they wanted to send it to the Chancellor. What is the motive behind it?

Pointing to Professor Rajesh Gill, Principal Jarnail Singh said she has already spoken at length.

Professor Rajesh Gill said that he (Jarnail Singh) cannot make her case to settle.

Principal Jarnail Singh said that she (Rajesh Gill) has to submit her case to the Committee and the Committee should decide it.

Professor R.P.Bambah said that his proposal is that all the proceedings of Senate and Syndicate relating to this case should be sent to the Chancellor's office alongwith the proposal. Ambassador I.S. Chadha said that he agrees with the proposal of Professor R.P.Bambah.

Shri Satya Pal Jain said that the sides of both the parties have been discussed threadbare and all the technicalities have been discussed in detail. He said that when the item was started, relating to the complaint of Professor Rajesh Gill against Vice Chancellor, the Vice Chancellor has stepped out of the House and he is sitting outside. The complainant has been heard carefully. He said that the Vice Chancellor's stance to go out of the House has appealed to him. He said that one thing needs to be kept in mind that whenever any complaint is lodged and the Committee to be constituted, is neither formed at the dictats of the accused nor at the dictats of the complainant. It is always made by an independent House. Secondly, if they do not have trust in this House as well as the Chancellor, someone have to come with such type of proposal. Some solution shall have to come, it is immaterial as to from which quarter it comes. He said that such a situation could come to anyone at any stage. He said that so far as the dignity of the complainant is concerned, he is fully agreed to it and he had said it earlier also that he considers her as equals as his sister and as equals as his daughter. Simultaneously, the dignity of the Vice Chancellor cannot be ignored. The charges which have been levelled against him are not less serious. He said that supposedly if the same charges would have been levelled against any one of them, what would have been their stand, that could well be estimated. He said that he is not saying whose charges are right or whose charges are wrong. He is not on any side. He said that his request to them is that they have made the detailed discussion, their 4-5 members are feeling otherwise, they could have their own reasons. He further said that it is the first instance he had been observing that in the House the complainant has been given full opportunity to say her words. He said that on this ground one can raise objection as to that they have heard the complainant and why the Vice Chancellor has been asked to leave the

House. He was of the view that the Vice Chancellor too should have been given the chance to say his case. They are objecting to the official that he had gone to the Vice Chancellor sitting outside, to enquire about something. He questioned as to whether Professor Grover has been expatriated, or he has been jailed. He said that he himself had gone out and he had seen the Vice Chancellor sitting outside. He had talked to the Vice Chancellor, what is the matter. After all he is our Vice Chancellor. It is the temporary arrangement, Shri Jarnail Singh has not been made as permanent Vice Chancellor. He (Jarnail Singh) is chairing because the Vice Chancellor has shown his grace. He said that both the parties are before them. If they would try to make the things by way of shouting or by the tactics of dictats, the decision would not be able to be made. He said that so far he is understanding, the consensus of the House is heading towards, as has been stated by Professor Gurmeet Singh, Dr. Raj Kumar and Prof. Chaman Lal to whom he has listened for the first time, who has placed the points with logical way, his (Satya Pal Jain) suggestion is that the recommendation of the Syndicate has come, in the House, the consensus made up of the overwhelming majority says that there should be an independent Committee. They also say that independent Committee should be there and we also say the same thing. In their wisdom, names have come there for that independent Committee. He said that it is the prerogative of the Chancellor because he is the employer of the Vice Chancellor, and he does not want to go to that issue because things would go deviate otherwise, the appointing authority may not necessarily be the employer, he(the Chancellor) is the appointing authority, he is not the employer. He cited an example that the judge of the High Court is appointed by the President of India. But they are not the employees of the President of India. They act in accordance with the system of the High Court. The Director of PGI is appointed by someone else and he is the incumbent of someone different. They come under the provisions of the Panjab University Act and the power of superintendence is finally rests with the Senate. So he does not want to go into those issues. Those issues are different ones. But because it has been said by some people that it is to be enquired, then let it be enquired. That is why they have said that alright, that formality they should complete too at any time. His suggestion is that the recommendations of the Syndicate be accepted by the House, it should be endorsed, it should be routed to the Chancellor stating that this is the recommendation of the Syndicate and it is their (Senate) recommendation, and this is the point of view of our honourable members regarding meeting, regarding Chancellor, regarding correspondence and they should send it to the Chancellor. Now three options are with him (Chancellor). Firstly, if the Chancellor wanted to approve whatever has been recommended by the Syndicate or Senate, then approve it. Secondly, if the Chancellor wanted to constitute a new Committee, then it let be constituted. Thirdly, if he wanted to modify it, then he could do so. He said that if the letter containing the text as suggested by Professor Bambah with the further suggested amendments goes to the Chancellor and after the period of six months, the Chancellor responded that he is not to decide this case and returned it back saying that he is not involved in it and it is the Senate which is the final authority, then they shall have to convene a special meeting of the Senate again and the matter would continue to go unresolved. He suggested that by this time, the matter should be sent in a clinched form because the overwhelming majority what he has been made to understand, is in favour of the accepting the recommendations of the Syndicate. The Chancellor be approached with the three options so that the matter does not come here again. He said that he is not bothered about whatever has been said about his knowledge. Everyone has the right to say his words. But despite of that, he is reiterating it that this matter should be made time-bound. There is no cause that amicable settlement is not possible, but that could not be made somehow. He said that when it happened that the matter could not be resolved amicably, then the Enquiry Committee shall have to be formed definitely and it shall have to give its report. He further said that Professor Pam Rajput has explained about the provisions of the Act and this Committee has gone even beyond those limits. He suggested that while sending this Committee, the Chancellor should be given three options. He said that once again he is giving three options, approve the very Committee,

modify the Committee or form a new committee. He said that the Committee should be made time bound to give its report, so that issue is resolved with the visible filtered decision. He said that if the Vice Chancellor is found guilty, he should be proceeded and if the complaint is found false, then proceedings should be made against the complainant, as per law. It is his request to the House.

Principal Gurdip Sharma said that the discussion has already taken a lot of time, it should be clinched now.

Dr. Rabinder Nath Sharma said that for the first time, he had come to the Senate after a gap of four years. He is not aware of the background what is being discussed here and what has happened in the past. He said honestly speaking that Syndicate and Senate are two bodies and the Syndicate has been elected by the Senate and the Committee which has been proposed, has been transparently proposed. He said that he had asked as to firstly read the Act in order to ensure what they are proposing is right. He further said that even today he is standing by his words that no one suspiciously objected to the selection of the members of the proposed committee that they will make any favour to anyone. So the committee so proposed was okayed by the Syndicate. Today the suggestion has been received by the Senate, the proposal has reached the Senate and after a lengthy discussion in the Senate, everything has come clear and to break the deadlock which has emerged, the way to open it is, as suggested by Shri Satya Pal Jain, a Committee shall have to be formed and things would move ahead only in this way. He said the firstly Shri Pawan Bansal said that he cannot get involved in this process followed by Shri Satya Pal Jain with the same version. All are showing their disinclination in coming to fore for resolving the issue. He said that at this time, there was the question of the prestige of the Senate, the question of the status of this constitutional body. He said that they should not make mockery of the institution. Whatever has been recommended by the Syndicate, the way the consensus of the House has evolved, the resolution of the Senate should be sent to the Chancellor. The Chancellor shall decide on the recommendation of the Senate as per his wisdom. They have full confidence in that authority.

Shri Harpreet Singh Dua said that he shall not comment upon whatever has been said by the earlier speaker. There are three to four things which are necessary to be discussed. He said that as is being projected that three four persons were feeling agitated, the things are not as such as are being shown. He further said that no one from the House has requested the Vice Chancellor to leave the House. He (Vice Chancellor) has shown his grace and went outside the House. He said that Professor Rajesh Gill is sitting in the House to see as to how it was being played with the records. He said that they have to say the things with disgrace that things have changed during the realm of the Vice Chancellor. In the past, whatever was being said, that was made to happen in real terms. Now the situation is such that members say something else, CD speaks differently and the proceedings say something different. He further stated that it has been proved thrice since the morning and Professor Bambah are very much sitting here that the decision that was taken in 2015 and the content of the letter sent to the Chancellor is different from what was resolved. He said that at least it is a convincing thing that Professor Rajesh Gill has been listened. Neither of the members sitting here in the House has termed the Vice Chancellor as an accused. If someone has said such, let it be explained. He further said that if as per the minutes the letter of January 2016 has been taken back, why it has not come back upto December 2016. This has not happened just once, you go through the minutes of every Syndicate meetings, it was not said once, it was being said time and again that whatever was decided last month, get the Action Taken Report of the matter which was discussed and resolved. His motive was only to say that the resolved one was different than that of action. He said that this time too, nobody has said that the committee has done this or that, and the minutes has been circulated by you, they have not commented any

aspersion upon the members of the Committee as to this is right and that is not right. He said that he is trying to say that in the manner, this item has been brought, that method is not right. The proper procedure has not been followed. The issue has not only been said but in the records it has also been established. The file is with him (Vice Chancellor) and special meeting of the Senate is being held just for one item. He said that there are four number of files relating to this issue and the files are not coming to fore even after two hours period. This is not a matter to show one low but he (the Vice Chancellor) should have the knowledge of five six points. If they were convening this special meeting of the Senate, these letters should have reached to them much earlier. On which decision, the signatures are of whom, all records should be before them. He questioned as to whether is there any need that it should be made known to the Chancellor office to select members from amongst the nine members suggested by the Syndicate. Is there no list of the academicians, educationists or bureaucrats of northern India or Punjab? He said that there was nothing in their mind. Suddenly, there came tabled item and without disclosing the name of the member, he is saying that one member was proposing that these seven members would be on the committee and the proposal of adding of one more member as suggested by Varinder Gill was accepted. He said that the proposal of seven names by a single member creates doubts that either the minutes are not proper or the Committee has been brought prepared at home.

Dr. Mukesh Arora said that generally they say to each one that these are the names of the member for consideration of the Syndicate.

Dr. Dalip Kumar said that he wanted to explain one thing. As has been mentioned by their learned colleague, Shri Dua said that, he had mentioned, the names of seven members. Although he had read out the names, these names were suggested after consultation with other members.

At this din prevailed.

Dr. Dalip Kumar continued saying that if he has written those names, was there any harm on that. It is so easy to make clapping. He said that he is reiterating it that if he has written those names and read out those names in the meeting, was there any irregularity in it?

Shri Harpreet Singh Dua said that time is not a consideration here and they should not hasten in concluding.

Pointing to Shri Dua, Principal Jarnail Singh said that if there is any suggestion with Shri Dua, he should share it with the House.

Shri Harpreet Singh Dua said that it was not only few members who have projected him (Jarnail Singh) to Chair the meeting of the Syndicate but all had suggested him to chair.

Shri Jarnail Singh said that this was not the issue. The matter is before them and he is not imposing his opinion in any way. The consensus has to be seen. The consensus cannot be ignored.

Shri Harpreet Singh Dua said that they need not to send the names to the Chancellor's office. He suggested that it should be sent to the Chancellor's office that the special meeting of the Senate has been convened and the committee constituted by the Chancellor's office would be acceptable to them.

Shri Ashok Goyal said that probably the most pertinent point which has been raised by Professor Pam Rajput has not been taken into consideration by anyone. Will

they like that the Senate be seen in a poor light by the Chancellor? Dr. Rajput has told that this committee which has been proposed by the Syndicate, has anybody ever bothered to care that if it is in consonance with the Act. If it is not in consonance with the Act, the special Senate also endorses the recommendations of the Syndicate. They should imagine just for a minute what kind of impression they are going to give to the Chancellor and Dr. Pam Rajput has specifically told that as per the Act, it has to be somebody working within the University. Then to know persons working in the University, he do not know out of the eight which has been recommended by the Syndicate, how many of them are the employees of the University? And if while telling the Chancellor that these are the names recommended by the Syndicate, are they going to inform the Chancellor' that though these names are not in consonance with the Act, so you are requested to consider the names also. So this is in fact most desirable that they should have full faith in the wisdom of the Chancellor and had they got the wisdom in 2015 also and conveyed the decision of the Senate in 2015, the committee would have been formed by now and may be that the issue would have been resolved by now. Now it is never too late. At least today they should reiterate the decision of the Senate of December 2015 and request the Chancellor to form a Committee in consonance with the PU Act, there is no problem.

Shri Jarnail Singh reading out contents of the Act said that there is a provider further that in case, the other offices of the administrative unit of the work place do not have a senior level woman employee, the Presiding officer shall be nominated from any other workplace of senior employer or other department or Organisation.

Shri Ashok Goyal questioned that it was only for the Chairperson, he enquired as to what about the others ?

A din prevailed.

Shri Jarnail Singh said that the consensus is that there is a proposal from all the members including Professor R.P.Bambah, Ambassador I.S.Chadha, Shri Satya Pal Jain that the Senate considered the recommendation of the Syndicate, annexed herewith and decided to forward it to the Chancellor for a final decision in his capacity as employer of the Vice Chancellor.

A din prevailed. Most of the members agreed few members voiced "with no names".

Professor Keshav Malhotra voiced for independent committee.

On Shri Jarnail Singh's stance that should the Vice Chancellor be called to enter the House for taking decision, Professor Keshav Malhotra and Shri Harpreet Dua said that the meeting has been chaired by him (Jarnail Singh) and the decision too shall have to be taken by him.

Professor Keshav Malhotra and Shri Harpreet Singh Dua said that they do not agree with the decision and their views be recorded.

Shri Jarnail Singh said that those who are having dissent with the resolution, should get their dissent recorded.

Dr. Naresh Gaur, Shri Harpreet Singh Dua and Professor Keshav Malhotra said that this was their view and not the dissent.

Shri Jarnail Singh said that their view would be forwarded to the Chancellor.

RESOLVED: That the Senate considered the recommendation of the Syndicate (**Appendix- _**), and decided to forward it to the Chancellor for final decision in his capacity as the employer of the Vice Chancellor. The deliberations of the Senate meeting to be made available to the Chancellor.

The following members desired that their views against above be also made available to the Chancellor, viz., no specific names be forwarded to the Chancellor for the Committee to be formed as per Sexual Harassment of Women at Workplace, Prohibition and Redressal Act of 2013:

1. Shri Ashok Goyal
2. Professor Rajesh Gill
3. Professor Keshav Malhotra
4. Shri Naresh Gaur
5. Shri Harpreet Singh Dua
6. Professor Shelley Walia

(G.S. Chadha)
Registrar

Confirmed

(Jarnail Singh)