

Minutes of XVI Meeting of Executive Council held on 17 March 2013

EC:16:01	Confirmation of the minutes of the meeting held on 9th October 2012 The minutes were confirmed.
EC: 16: 02	ATR on the minutes of the meeting held on 9th October 2012 The ATR was noted.
EC:16: 03	Reporting Items

03. 1. Campus land

The Department of Human Resource Development, Government of Sikkim, handed over 265.94 acres of land at Yangang at a formal function held at the PWD guesthouse in Yangang on 25th January 2013. The function was attended by the Secretary, HRD, Govt. of Sikkim, the Director of Higher Education, HRD, Sub-Divisional Magistrate of Ravongla (the subdivision under which Yangang falls), the Deputy Commissioner of South District, the Zilla Adhyaksha of South District, senior officials of the HRD Department, the donors of land and other villagers. The University was represented by the Vice-Chancellor, the Adviser (F) acting as Registrar, and the Director of College Development Council.

At present mutation of the land handed over to the University is over and the process of resettling the villagers has started.

03.2. University Review Committee

The Vice-Chancellor, after interacting with different sections of the University and the society at large for more than two months, considered it appropriate to constitute a University Review Committee consisting of some senior academics from within and outside the University, college Principals, HRD officials, and civil society representatives. The purpose of constituting the Committee was to review some important aspects of the academic, administrative, examination, and other programmes of the University. It was also to explore ways to better connect with the local people and the colleges affiliated with the University. The Committee sat from 7th to 9th of February 2013 and submitted their report on the last day.

The report was placed before the Academic Council in its meeting held on 9th March 2013 and the Council approved the report with some modifications.

03.3. Appointment of the Registrar

As per the University Act the first Registrar is to be appointed by the Visitor for a period of 3 years out of which about 2 years is yet to be completed by the two Registrars who joined the University so far. When the present Vice-Chancellor joined the University there was an Acting Registrar who informed him that the issue of “residual clause” was pending before the MHRD. The VC inquired about it during his meeting with the MHRD officials in November 2012 but there was no clear reply in this regard. The VC also raised this issue with the

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Chancellor who is a reputed former judge of Supreme Court of India. In consultation with the MHRD officials the VC scouted for an able and efficient officer to serve as Registrar of the University to be appointed under Statute 6(4). He identified the present incumbent for the post and offered him the post to which he first hesitated and finally agreed. In the meantime a letter from MHRD came saying that the University may hold a fresh selection committee with Prof. A. N. Rai, VC of NEHU and Prof. P. Tandon, former VC of NEHU, as Visitor's nominees.

The University intends to take necessary step as per the letter of MHRD in due course of time and will keep the Council informed about the development in this regard.

The Executive Council directed that the designation of the incumbent Registrar should be OSD in charge of Registrar and the University should seek further clarification on the role of the Council in the appointment of the First Registrar.

03.4. The Court cases

At present the following three cases are pending the High Court of Sikkim:

1. Rajendra Prasad vs Sikkim University

Writ Petition (Civil) is filed against the University on service matter. The University has filed counter-affidavit. Till date 7 hearings have taken place.

2. Ravangla Aastha Association vs Sikkim University

PIL related to the functioning of the University administration. Counter-affidavit filed by the University.

3. Sikkim University vs Sikkim State Human Rights Commission

Writ Petition (Civil) filed by the University against the SSHRC judgment on Rajendra Prasad & Others vs Sikkim University.

The hearing on 21st February 2013: The Court ordered the University to release the salary and experience certificate for Rajendra Prasad and M. Mishra within 7 days from the date of issue of the order. The University complied with the order.

Other matters related to this case continue in the Court.

The Executive Council considered the earlier counter-affidavit submitted by the University in the PIL filed by the Ravangla Aastha Association and observed that the numerous charges made against the co-respondent no. 5 are likely to weaken our case. Accordingly, it was resolved that the affidavit submitted by the University be withdrawn and a revised counter-affidavit be submitted.

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EC:16: 04

Agenda for Consideration of Ratification

04.1. Appointment of the HoDs/ICs and Deans of Schools

All the 21 departments and 1 School of the University were run with the help of Coordinators without any clear guidelines on their powers and functions. Hence the Vice-Chancellor, under Section 12(3) of the SU Act, 2006, appointed HoDs/ICs for all departments vide notification dated 26th December 2012. They were also provided with the guidelines on powers and functions subsequent to their appointment.

The University also appointed only two Deans, one in charge of the Schools of Sciences and Policy Planning Studies and the other in charge of the Schools of Humanities and Social Sciences in view of the fact that there are only two professors in the University. The two Deans were also provided with necessary guidelines on their powers and functions subsequent to their appointment.

The matter was placed in the Academic Council meeting held on 9th March 2013 and the same was ratified.

Minute: The Executive Council ratified this.

EC:16: 05

Items for Consideration of Approval

05.1. Ex post-facto approval of the syllabi for I and II semester PG courses in History, Political Science, Mathematics, English, and Commerce.

Following an agitation by students leading to the blockade of the NH31A for over 8 hours during May 2012 and subsequent signing of an agreement between the University and the Government of Sikkim, Master's classes were started in Tadong Government College for History, Political Science, Mathematics, English, and Commerce. The University provided the syllabi for the five subjects on the basis of the UGC model syllabus, but has not brought the matter for post-facto approval of the Academic Council as yet. The University also agreed to start these five subjects in the University from July 2013.

The Academic Council in its meeting held on 9th March 2013 approved the following:

- a. Post-facto approval to start the five subjects mentioned above in Tadong Government College from July 2012 and in the University from July 2013.
- b. Post-facto approval to the syllabi used for I and II semester courses in the five subjects mentioned above.

The matter was placed in the Academic Council meeting held on 9th March 2013 and the same was ratified with the condition that the syllabi for the above subjects should be revised before the next academic session begins.

Minute: The Executive Council approved it subject to the condition that this should not be used as a precedent in future.

05.2 Permanent Affiliation to Tadong Government College, Sikkim Law College, and Harkamaya College

It may be recalled here that the colleges in Sikkim were affiliated to North Bengal University prior to their coming under Sikkim University after the passage of the Sikkim University Act, 2006, which brought all the colleges in Sikkim under the University. Some of the old colleges of Sikkim like Tadong Government College, Sikkim Law College, and Harkamaya College were given the status of permanently affiliated colleges by North Bengal University. But when Sikkim University came up their status was that of temporarily affiliated colleges, reportedly leading to serious difficulties for seeking financial support from the UGC under Sections 2f and 12(b) of the UGC Act.

As per the latest amendments to the UGC Regulations on Affiliation issued in April 2012, accreditation by NAAC or any other central/state accreditation body is a must for permanent affiliation.

The Review Committee considered the issue and recommended that the University may consider giving permanent affiliation to the above three colleges on the ground that these three colleges were already granted the status of permanent affiliation by North Bengal University.

The matter was placed before the Academic Council meeting held on 9th March 2012 and the same was approved.

Minute: The Executive Council approved it.

05.3 Service Conditions of faculty members (probation period, lien and counting of service during the contract period for all purposes)

The University has a list of 21 conditions for joining the University, including the probation period of two years, although the UGC Regulations 2010 clearly say that the probation period is for one year only. The University has also made it mandatory for teachers coming from other universities to resign from their lien before joining the University. They also cannot join politics, apply for any jobs anywhere, etc.

It may further be recorded that many of them served the University in its formative period with little or no facilities. Many of them also left the University during the past two years on account of our University's service conditions.

The Academic Council in its meeting held on 9th March 2013 approved the following to encourage the selected teachers to join the University:

- a. Reduction of the probation period to one year and waiving the remaining period of one year for those who have completed the probation period of one year already.

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- b. The University should not insist on resignation from lien, which is a right they have earned by performing duty in the institutions they have come from.
- c. The University should revise its content in the “offer of appointment” significantly in order to make the selected teachers feel welcome.
- d. In order to attract teachers of high caliber the Council may allow the protection of pay in particular as per GoI rules.
- e. The period of contract in Sikkim University may be counted for all service purposes in view of the fact that they were appointed through regular selection procedure for teachers.

The Academic Council in its meeting held on 9th March 2013 approved the above.

Minute: The Executive Council approved the proposal of the University, subject to the replacement of the words “for all service purposes” in (e) above with the words “for seniority, increment and promotion”.

05.4 Service Condition of the Librarian

The University advertised the post of Librarian as a tenure post and the incumbent was to get hard-furnished accommodation and a light vehicle as per the advertisement. This perhaps happened due to oversight on the part of the University authorities because the post of the Librarian is a permanent post but he is not entitled to hard-furnished accommodation or a light vehicle under the UGC rules.

The Academic Council, in its meeting held on 9th March 2013, considered the item and decided to permit commuting of the post of the Librarian from a tenure post to a permanent post, as he fulfills all the qualifications of a Librarian and his selection was through the due process established by the UGC.

Minute: The Executive Council approved the proposal of the University to commute the post from the existing tenure post to a regular post but directed that the post must be re-advertised and incumbent must be considered afresh for appointment against a regular post if he has applied for and has been considered against a tenure post when he was first appointed.

05.5 Payment for ‘Adjunct Professors’

There is some confusion regarding payment for the Adjunct Professors by Sikkim University. According to the EC resolution no 11:47 dated 22.2.2012 Professor A. P. Pathak, an Adjunct Professor was paid the starting salary of a professor plus Rs.20,000/- as additional perk (the total amount being Rs.125,000/-) whereas the Ordinance on Adjunct Professor says that they shall only be paid Rs.40,000/- consolidated plus free accommodation. The Ordinance further says that the University shall bear local travel expenses and a contingency grant of Rs.5000/- per month, and such a professor may be appointed for a maximum period of two years.

The Council may consider paying a retired professor joining the University as “Visiting Professor” the starting salary of a professor minus pension, which is the normal practice in

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other central universities. In addition, the University may provide free accommodation to attract senior faculty members to the University.

Minute: The Executive Council directed that the University should follow the UGC guidelines in this regard.

05.6 Panel of Experts for Examination and Selection Committees

The University needs a panel of experts approved by the Council for (1) conducting practical examinations in various departments, (2) evaluating the theses and conducting viva of MPhil and PhD candidates in various departments, and (3) for constituting selection committees for a large number of posts (129 out of 201 total posts) under XI Plan lying vacant at present in each department.

The Academic Council, in its meeting held on 9th March 2013, considered the item and approved it.

Minute: The Executive Council approved it.

05.7 Redesignation of non-teaching posts

At present the University is following the “University Designed Designations” as given in the following table:

UGC Prescribed Designations	University Designed Designations
Registrar	Chief of Operations
Finance Officer	Chief of Finance
Controller of Examinations	Chief of Examinations
Deputy Registrar	Manager
Assistant Registrar	Deputy Manager
Section Officer	Senior Executive
Private Secretary	Executive Secretary
Office Assistant	Executive
Upper Division Clerk	Assistant Executive
Lower Division Clerk	Junior Executive
Driver	Car Support
Peon	Office Support

The Academic Council in its meeting held on 9th March 2013 considered the proposal of the University to revert to the UGC prescribed designations and approved the same.

Minute: The Executive Council approved it.

05.8 Satellite libraries

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The University has 10 satellite libraries in the colleges affiliated to the University with a total of 1740 books. The almirahs for holding the books have also been provided by the University.

It has been realized that it is impossible to monitor the loss of books in the satellite libraries or to sustain them continuously.

Therefore the Council may consider directing the University to donate those books and almirahs to the affiliated colleges as a one-time support from the University towards building libraries in its affiliated colleges.

Minute: The Executive Council approved it.

05.9 Constitution of the School Boards

Statute 15(2) states that “Every School shall have a School Board and the members of the first School Board shall be nominated by the Executive Council for a period of three years”. In view of the fact that the University has only two professors at present and a draft proposal for constitution of only two Schools of Studies is placed here for consideration of approval of the Council.

Minute: The Executive Council nominated the following members to the School Boards:

A. School of Sciences

- i. Dean, College of Agricultural Sciences, Ranipul, East Sikkim.**
- ii. Prof. S. Ghosal, Department of Physics, North Bengal University, Siliguri.**
- iii. Prof. S. R. Joshi, Department of Bioinformatics and Biotechnology, North-Eastern Hill University, Shillong.**

B. School of Humanities and Social Sciences

- i. Prof. Jeta Sankritayan, Department of Economics, North Bengal University.**
- ii. Prof. Rita Kumar, Department of Psychology, Banaras Hindu University.**
- iii. Prof. Barun Mukhopadhyaya, Indian Statistical Institute, Kolkata.**

The Council also directed that in future the CV of the proposed members of the School Board may be placed for consideration of the members of the Council.

05.10 Constitution of the Building Committee

As per the UGC Guidelines for XI Plan projects the University needs to constitute a Building Committee to consider all proposals related to construction and development activities in Yangang campus. Accordingly the following Building Committee has been constituted as per the UGC guidelines as follows:

- | | |
|--------------------------|---|
| 1. Chairman | Vice-Chancellor |
| 2. Representative of PWD | Superintending Engineer (S/W) of Buildings & Housing Department |
| 3. Member-Secretary | Registrar |

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4. Member Finance Officer
5. Member Dean of the Schools of Sciences and Policy Planning and Studies
6. Member Dean of the Schools of Humanities and Social Sciences
7. Member Chief Engineer (Civil), Sikkim Manipal University, Gangtok.
8. Member Professor & Head, Department of Electrical Engineering, Sikkim Manipal Institute of Technology, Majhitar, Sikkim.
9. Member Additional Chief Architect, Urban Development and Housing Department, Govt. of Sikkim.
10. Member Dr. Arun Bapat, Former Head, Earthquake Engineering Research Division at the Central Water & Power Research Station (CWPRS), Pune.

Minute: The Executive Council approved the proposed Building Committee with the following suggestions:

- i. **One more member may be included in the Building Committee from the Central Building Research Institute, Roorkee.**
- ii. **The Vice-Chancellor may constitute a Committee for Academic Planning of the University Campus.**
- iii. **An inventory of the existing biodiversity of the campus area may be prepared before starting the campus development.**

05.11 Amendment to Sikkim University Act, 2006

Section 3(2) of the Sikkim University Act, 2006 says: “The headquarters of the University shall be at Gangtok”.

In view of the fact that the University has been granted land for its permanent campus at Yangang the Council may consider the proposal to amend the above provision as follows:

Section 3(2) shall be replaced with “The headquarters of the University shall be at Yangang, South Sikkim”.

The Academic Council, in its meeting held on 9th March 2013, considered the item and approved it.

Minute: The Executive Council approved it.

05.12 Amendment to Sikkim University Statute 15

The University proposes some changes in Statute 15, which deals with Schools of Studies and Departments with the view to (1) reducing the establishment cost of the Schools from the existing 17 to the proposed 6, (2) to make the Schools academically more integrated from within, (3) to do away with (a) Schools without any department, (b) Schools with a single

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department, and (c) Schools with only two departments. The University is of the view that a School must have at least three departments for meaningful cross-fertilization of ideas and intellectual synergy.

The Academic Council, in its meeting held on 9th March 2013, considered the item and approved it.

Minute: The Executive Council approved it.

05.13 Amendment to Sikkim University Statute 17

At present the Finance Committee has 6 members out of which 5 must be present to make the quorum. This makes convening of the FC meeting extremely difficult for the University unless it is convened in Delhi, which should be discouraged as far as possible not just for financial reasons but also for the honour of the University. There is likelihood of only a marginal expansion in future if we have a Pro Vice-Chancellor, third nominee of the Visitor, and a nominee of the Court. Hence it is proposed to make a small amendment in the quorum of this Committee in the relevant Statute from the existing 5 to one-third of the members.

Minute: The Executive Council approved it.

05.14 Professor A. C. Sinha Collection of Books and Theses

Professor A. C. Sinha taught at Gujarat Vidyapith and the Indian Institute of Technology, Delhi before moving to North-Eastern Hill University, Shillong where he taught for about three decades. During his long stint at NEHU he accumulated a large number of valuable and rare books and doctoral theses on Northeast India. His collection may be approximately 800-1000 books and theses many of which are related to Sikkim, as he himself wrote two books and numerous articles on this Himalayan state during the past four decades or so.

During his recent visit to the University as the Chairman of the University Review Committee he expressed his desire to donate his collection to our university, which the Vice-Chancellor welcomed with gratitude. The total value of his collection, even on the prices at which they were bought, may be well above seven lakhs and he bought them out of his hard-earned salary.

The Academic Council, in its meeting held on 9th March 2013, considered the item and approved it. The Council also decided that the University should bear the expenses towards transportation of the books from Delhi and the donor may be felicitated on the occasion of the University Foundation Day.

The Council may consider permitting the University to accept his donation at a token payment of rupees one lakh only.

Minute: The Executive Council approved the proposal of the University to accept the donation of books by Professor A. C. Sinha, expressed its deep appreciation for him, but regretted the payment of the proposed token amount.

05.15 Institution of the Sikkim University Special Lectures

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The University wishes to launch the Sikkim University Special Lectures from April 2013 by inviting scholars belonging to different disciplines and walks of life from the state as well as outside it from time to time. Such scholars may be paid actual travelling expenses by economy class airfare, a token honorarium of Rs.3000/- per lecture and a modest hospitality. The content of the lectures may be published in both English and Hindi languages in our university newsletter.

It is hoped that the Lectures will establish and strengthen the intellectual link between the University and its catchment area as well as the country as a whole. Occasionally even scholars from outside India may be invited to deliver the lecture during their visit to the country.

The Academic Council, in its meeting held on 9th March 2013, considered the item and approved it.

Minute: The Executive Council appreciated the proposal of the University to institute the Sikkim University Special Lectures and decided to raise the honorarium amount from the proposed Rs.3000/- to Rs.5000/-.

05.16 Report of the University Review Committee

The report of the University Review Committee is placed here for consideration of the Council.

The Academic Council, in its meeting held on 9th March 2013, considered the item and approved as per details provided in the agenda paper.

Minute: The Executive Council approved the report of the University Review Committee with some minor modifications on what was approved by the Academic Council.

05.17 Replacement of existing Ordinances with the First Ordinances

There are numerous Statutes and Ordinances drafted by the University during the past five years. The general features of the existing Statutes and Ordinances are as follows:

1. There is no record to show that all of them are approved by the relevant Authorities of the University.
2. There is no record to show that a single Ordinance is approved by the concerned ministry and assented to by the Visitor.
3. There is no record to show that the First Ordinances were drafted with prior permission from the concerned ministry, as is required under Section 30 (2) of the University Act, 2006.
4. The Ordinances are often not in consonance with the Government of India orders and circulars issued from time to time.
5. Excepting two Ordinances on recruitment of teaching and non-teaching staff, which are more than 47 and 43 pages long respectively, the Ordinances do not indicate

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which Section of the Act or Statute they draw their strength from, which makes them legally infructuous.

6. The Ordinances were drafted in such a manner that they contain the nature and force of Regulations, thereby reducing the strength of Ordinances and their flexibilities.

In view of the above facts the Council may consider replacing all existing Ordinances promulgated till date, with or without the approval of the University Authorities, with the “First Ordinances” placed here for consideration of the approval of the Council. The Council may also authorize the University to take resort to the Acts, Statutes and Government of India orders issued from time to time for subjects that are not covered by the set of Ordinances placed here.

The Academic Council, in its meeting held on 9th March 2013, considered the item and approved it.

Minute: The Executive Council approved it with minor corrections in some Ordinances and resolved to adopt and follow the rules of the Government of India for cases where the University does not have its own rules.

AC:16: 06

Items from the Chair

- i. Letter from the UGC dated 27th November 2012 the operation part of which is quoted below: “The Commission considered the report of the Expert Committee on Disaster Management and approved the introduction of an optional paper on Disaster Management at UG level across the universities/colleges. The Commission further decided that Disaster Management be introduced as one of the topics in Orientation and Refresher Courses offered by the Academic Staff Colleges”.

The Executive Council decided that ‘Disaster Management’ may be introduced as a paper by relevant departments at the time of revision of their syllabi.

- ii. Letter from the UGC dated 16th January 2013 containing the following recommendation: “UGC and AICTE would ensure that Cyber Security/Information Security is introduced as a subject in the universities/technical institutions at the under-graduate and post-graduate levels.

The Department of Computer Applications may provide for specialization in the field of Cyber Security/Information Security at the time of revision of their syllabi, but starting it as a separate subject, as suggested by the UGC, may be too premature at present.

- iii. One year LLM programme

The UGC in its letter dated 21st January 2013 has approved the suggestion of the Round Table on Legal Education set up by the MHRD for one-year LLM degree programme. This programme is valid only in such universities/institutions where there is provision for post-graduate legal studies. It is further clarified that the LLM programme of one year as well as two years will remain valid.

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The matter was placed before the Academic Council in its meeting held on 9th March 2013 and the same was deferred.

The Executive Council decided to defer the matter for lack of detailed information.

iv. Format for Annual Report

Section 32(1) of the Sikkim University Act, 2006 stipulates that “The annual report of the University shall be prepared under the direction of the Executive Council...”

Accordingly a draft format for Annual Report of the University was placed before the Council.

The Council approved the same with the suggestion that the Annual Report should also include information on MPhil/PhD guidance, international invitations, invited lectures delivered, and national fellowships.

v. Financial Matters

A. The Council noted the minutes of the 9th Finance Committee meeting held on 3.3.2013 and approved the Revised Estimates for the year 2012-13 at Rs.50 crores which includes the provision for the boundary walls of the permanent campus, installation of the power station and preliminary activities for development of source of water in the permanent campus of the University. The Council also approved the Budget Estimates for 2013-14 and noted the report of the Statutory Auditor for the year 2011-12.

B. The Council approved the delegation of financial powers of the Vice-Chancellor as noted below:

Sl. No	Designation of the official	Power to sanction
1	Deans of Schools	Upto Rs.1 lakh within the budget allocated for the department
2	Deans of Schools	Contingency expenditure of the office of the Dean upto Rs.25,000/- within the allocated budget
3	Heads of the Departments	Contingency expenditure of the office of the Dean upto Rs.50,000/- within the allocated budget for the departments
4	Registrar	Full power for routine expenditure like electricity bills, telephone bills, payments on executed agreements, statutory liabilities, etc.
5	Registrar	Petty expenditure up to Rs.25,000/-
6	Librarian	Contingency expenditure of the office of the Dean upto Rs.25,000/- within the allocated budget

vi. The Constitution of the Sikkim University Teachers' Association

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The Executive Council approved the constitution of the Sikkim University Teachers' Association subject to the following conditions:

- i. The Association submits a revised constitution amending 1(1) as follows: "To promote democratic functioning of Sikkim University", and deleting 12(1)(3).**
- ii. The Executive Council reserves the power to de-recognise the Association if the latter, in the opinion of the Executive Council, is found to be engaged in activities that are against the interest of the University.**

The meeting ended with a vote of thanks from the Chair.

Sri K. M. Deb
Member-Secretary

T. B. Subba
Chairman