

Banaras Hindu University

Minutes of the meeting of the Executive Council held at 10:30 a.m. on June 23, 2020 (adjourned) and rescheduled on 15.07.2020 at Banaras Hindu University, Varanasi.

Members Present:

1. Prof. Rakesh Bhatnagar, Vice-Chancellor	In the Chair
2. Prof. Adya Prasad Pandey	Member
3. Prof. Anand Mohan	Member
4. Prof. Ashim Kumar Mukherjee	Member
5. Prof. Bachcha Singh	Member
6. Dr. Neeraj Tripathi, Registrar	Secretary

Dr. A.K. Tripathi, Dr. A.K. Singh and Prof. H.C. Nainwal, Members of the Executive Council could not attend the meetings. Dr. Abhay Kumar Thakur, Finance Officer, Banaras Hindu University also attended the meeting dated 23.06.2020 as an invitee.

Prof. Ram Naresh Mishra could not attend the meeting of 23.06.2020 (adjourned) but attended the rescheduled meeting held on 15.07.2020.

Prof. V. K. Shukla, Rector, BHU also attended the meeting dated 23.06.2020 (adjourned) but did not attend the rescheduled meeting held on 15.07.2020.

The Registrar, Dr. Neeraj Tripathi was not present in the meeting during the consideration/deliberation on the agenda item no.20.

At the outset, the Vice-Chancellor and Chairman of the Executive Council extended a warm welcome to the Hon'ble Members of the Executive Council and expressed his gratitude to them for their help and guidance.

The Agenda items were then taken up.

ECR 170
ITEM 1

CONSIDERED confirmation of Minutes of the Executive Council Meeting held on January 11, 2020.

The members perused the Minutes and noted that some members have commented on ECR No.164 as under:

"A comprehensive Department wise list containing Screening Score (as per short-listing guidelines of UGC) of all the Candidates who appeared in the interview vis-a-vis the name and Screening Score of the Candidate recommended by the Selection Committee be placed before the EC at its next meeting."

On perusal of the comments it was resolved to confirm the minutes of the meeting January 11, 2020 with the aforesaid comments.

RESOLVED THAT the Minutes of the Executive Council meeting held on January 11, 2020 as per Annexure-B be confirmed with the aforesaid comments.

ECR 171
ITEM 2

CONSIDERED the action taken on the decisions of the Executive Council in its meeting held on December 22, 2019 and January 11, 2020.

The Executive Council perused the Action Taken on decisions of its meeting held on December 22, 2019 and January 11, 2020 and resolved to approve them.

RESOLVED THAT the action taken on the decisions of the Executive Council in its meeting held on December 22, 2019 and

January 11, 2020 placed at Annexure-2A & Annexure-2B of the Agenda be recorded and approved.

**ECR 172
ITEM 3**

CONSIDERED the orders of the Vice-Chancellor regarding confirmation of teachers and Group 'A' Officers of the University.

The Executive Council noted that the appointment of teachers as well as Group 'A' Officers is made by the Executive Council on probation for one year and on successful completion of probation they are confirmed on their respective posts under the orders of the Vice-Chancellor who is authorized to do so by the Executive Council (ECR 29 of 1977). Due process of confirmation had been followed before passing order for confirmation of teachers and Group 'A' Officers of the university listed in Annexure-3 of the agenda. It was also informed to the Executive Council that in addition to the names of the teachers and officers listed in the Annexure-3 who had been confirmed on their respective posts, Dr. Ram Narayan Dwivedi, Associate Professor, Department of Vyakaran, Faculty of SVDV, Banaras Hindu University had also been confirmed subject to the decision of the Court in the writ petition under the order of the Vice-Chancellor.

RESOLVED THAT the orders of the Vice-Chancellor for confirmation of teachers and Group 'A' Officers of the University as per Annexure-3 of the Agenda including Dr. Ram Narayan Dwivedi, Associate Professor, Department of Vyakaran, Faculty of SVDV, Banaras Hindu University, be approved.

ECR 173
ITEM 4

CONSIDERED the decisions of the Investment Committee for investing funds of Banaras Hindu University during the period from 08.01.2020 to 21.01.2020 and 11.02.2020 to 09.06.2020.

RESOLVED THAT the decision of the Investment Committee for investing funds of Banaras Hindu University during the period from 08.01.2020 to 21.01.2020 and 11.02.2020 to 09.06.2020 as per Annexure-4A and Annexure-4B of the Agenda, be approved.

ECR 174
ITEM 5

CONSIDERED the minutes of the meeting of the Academic Council held on 20.12.2019.

RESOLVED THAT the minutes of the meeting of the Academic Council held on 20.12.2019, be approved.

ECR 175
ITEM 6

CONSIDERED the recommendations of Selection Committees for appointment of Teachers in different departments/units of the University.

The matter was taken up by the Executive Council in its meeting held on 23.06.2020 but was deferred for analysis of some data pertaining to the previous recruitments before its consideration.

The agenda item was again taken up by the Executive Council when adjourned meeting was rescheduled on 15.07.2020. Before consideration of the agenda item, a presentation of the

statistical analysis of the data related to the previous appointments was made by Prof. S.K. Upadhyay, Department of Statistics, BHU (enclosed as annexure-6A) who also clarified the quarries of the members related to the analysis.

The Executive Council pointed out that in the screening of applications for the positions of Assistant Professors in the departments of Physics, Computer Science, Hindi and MMV the number of shortlisted candidates exceeded the approved limit of 20% of the total number of applications received against a post, for shortlisting for interview.

The Executive Council was informed that such a situation had arisen due to rounding of the API scores of the candidates, tie of API scores of many candidates with the score of the last shortlisted candidate in the 20% limit and because of the fact that many candidates were subsequently found eligible/having API score higher than the last shortlisted candidate on review of their representations by the FAC (Faculty Affairs Committee) and a committee consisting of the Rector and Co-ordinator Legal Cell. The Executive Council observed that the large number of candidates had to be included in the list of shortlisted candidates when they made representation after non inclusion of their names in the shortlisting list, meaning thereby that the shortlisting was not done with due care and diligence by the shortlisting committee and also not verified/cross checked by the office of RAC. Therefore, the Executive Council decided that a displeasure notice should be given to the shortlisting committee that they should be more careful and vigilant in screening the applications and such lapses should not recur in future. The number of candidates

shortlisted for interview should not exceed the limit fixed in the ordinances, except in case of the tie of scores at the last shortlisted candidate after rounding-of the API scores to the nearest integer. The Vice-Chancellor suggested that to avoid such lapses a list of the candidates alongwith their API score would be displayed without mentioning the list of shortlisted candidates for interview and the objections of the candidates on the scores awarded to them would be invited within a period of three days. After reviewing such objections of the candidates the final shortlist of candidates to be called for interview would be decided.

The Executive Council also noted that in some of the departments the composition of shortlisting committee was not as per the ordinance and additional members were included in the shortlisting committee in some of departments. It was informed to the Executive Council that the additional members nominated by the concerned Dean of the faculty were never associated in the process of shortlisting. The Executive Council expressed that persons issue such orders without authority and this goes unchecked. The Executive Council emphasized that Registrar should ensure that the shortlisting and other process of recruitments are strictly followed in accordance with the provisions of ordinances and guidelines duly approved by the Executive Council and nothing should go unnoticed by him or without his knowledge. In the light of the above the Executive Council resolved as under:

RESOLVED THAT the recommendations of the Selection Committees for appointments of Assistant Professor in different departments of University be approved as per the Annexure-6.

RESOLVED FURTHER THAT a displeasure notice be issued to the members of the FAC of department of Physics, Computer Science, Hindi and MMV for not doing the shortlisting carefully and that they should be extremely careful and vigilant in this regard in future. In future scores will be first displayed, corrected after inviting objections and then names of the shortlisted/not shortlisted candidates will be disclosed.

**ECR 176
ITEM 7**

CONSIDERED sanction of additional officiating allowance to Shri L.B. Patel, Assistant Registrar (Estates), BHU beyond the period of three months for discharging additional duties of the Deputy Registrar (Estates).

The Executive Council noted that the provision of payment of additional allowance to a government servant is for holding charge of more than two posts not in the same office or in same cadre/line of promotion which is not fulfilled in the instant case.

RESOLVED THAT the request for sanction of additional allowance to Shri L.B. Patel, Assistant Registrar, Estates for holding the of the Deputy Registrar (Estates) be not acceded to as it did not conform to the provisions of rules.

**ECR 177
ITEM 8**

CONSIDERED the request of Gyan Prakash Mishra, Associate Professor, Department of Journalism and Mass Communication to stop inquiry into the entire matter of complaint made by Prof. Kumar Pankaj, Former Dean, Faculty of Arts, BHU.

RESOLVED THAT the request of Gyan Prakash Mishra, Associate Professor, Department of Journalism and Mass Communication to stop the inquiry into the entire matter of complaint made by Prof. Kumar Pankaj, Former Dean, Faculty of Arts, Banaras Hindu University be not acceded to and he be asked to present his case before the Inquiry Committee at the earliest.

**ECR 178
ITEM 9**

CONSIDERED the letter No.F.54-4/2017(CU) dated February 05, 2020 of the UGC regarding change in the Pay Level as indicated in the sanction letter dated 29.11.2019 for sanction of 57 teaching positions – Strengthening the manpower at the Superspeciality Block at IMS, BHU under PMSSY against the policy adopted by the University for recruitment of teachers through direct recruitment in the Faculty of Medicine & Faculty of Dental Sciences, IMS following the implementation of DACP Scheme in these faculties.

The Executive Council noted the contents of the aforesaid letter No.F.54-4/2017(CU) dated February 05, 2020 of the UGC and deliberated over these in detail. It found that under DACP the provision of direct recruitment is only at the level of Assistant Professor in the pay level 11. The Assistant Professors are promoted to the post of Associate Professors and Professors and there is no element of direct recruitment at the level of Associate Professor and Professor under the scheme. Accordingly when the DACP scheme has been implemented in the Faculty of Medicine & Faculty of Dental Sciences, IMS the direct recruitment is admissible at the entry level of Assistant Professor in the pay level 11 only. In the light of this the Executive Council resolved as under:

RESOLVED THAT with the implementation of DACP in the Faculty of Medicine and Faculty of Dental Sciences, IMS, BHU, the direct recruitment be made at the entry level of Assistant Professor in the pay level 11 with the qualification as prescribed under the scheme.

Appointment to the posts of Assistant Professor and Professor in these faculties shall be made by promotion as per DACP Scheme. There shall be no appointment through direct recruitment at the level of Associate Professor and Professor in these faculties.

RESOLVED FURTHER THAT in case of exceptional circumstances, such as when a new course/ department is to be started in these faculties, etc. which requires availability of teachers at all levels to meet the requirements of MCI/DCI for grant of recognition or continuance of undergraduate/postgraduate/ superspeciality courses, the University may fill the post of Associate Professor and Professor in the appropriate pay level as per DACP Scheme in such cases with the approval of UGC.

RESOLVED STILL FURTHER THAT all the posts of Associate Professor and Professor in the Faculty of Medicine and Faculty of Dental Science be converted as Assistant Professor in the pay level 11 as and when they fall vacant.

RESOLVED STILL FURTHER that the ECR No.82 dated 01.03.2019 be superseded to the aforesaid extent.

ECR 179
ITEM 10

CONSIDERED the date of implementation of change of Core Pay Scale of Library Assistant from PB-1, GP 2000 to PB-1, 2400 in accordance to the letter No. F.NO. 8-2/2019(JCRC) M.File dated 01.08.2019.

RESOLVED THAT the Core Pay Scale of Library Assistant be changed from PB-1, GP 2000 to PB-1, 2400 in accordance with the letter No. F.NO. 8-2/2019(JCRC) M.File dated 01.08.2019 of UGC and be implemented from the date of the issue of the letter by the UGC.

ECR 180
ITEM 11

CONSIDERED the appeal dated 29.04.2019 preferred by Mohammad Javed, S/o Late Nazama No.2, in pursuance of the orders dated 24.02.2020 of the Hon,ble High Court at Allahabad passed in writ Petition No.2917 of 2020 Mohd. Javed —Vs- BHU & Others.

The Executive Council noted that one Shri Mohd. Javed, S/o Late Nazama No.2, Safaiwali, Sanitary & Support Services, BHU filed Writ Petition No.2917 of 2020 (Mohd. Javed —Vs- BHU & Others) in the Hon'ble High Court at Allahabad in the matter of his appointment. praying interalia therein as under:

- (i) **Issue a writ, order or direction in the nature of Mandamus directing the respondent No.2 to decide the representation/appeal dated 29.04.2019 of the petitioner after giving him personal hearing at the time of processing of the same.**
- (ii) **Issue a writ, order or direction in the nature of Mandamus directing the respondents to give appointment to the petitioner on the post of Group D**

employee under dying-in-harness Rules at the earliest;

- (iii) Issue a writ, order or direction in the nature of Certiorari quashing the previous decision & communication letter dated 16.11.2018 of the respondents.**
- (iv) Issue any other writ, order or direction which this Hon'ble Court finds fits and appropriate under the facts and circumstances of the case so that justice be ensured.**
- (v) Award the cost of the writ petition to the petitioner and against the respondents.**

The Hon'ble High Court at Allahabad vide its judgement and order dated 24.02.2020 passed in the Writ Petition No.2917 of 2020 (Mohd. Javed —Vs- BHU & Others) disposed the petition without entering into the merit of the case. The Judgement and order of the Hon'ble High Court is quoted below:

Heard learned counsel for the petitioner and Ms. Pooja Agarwal, learned Counsel for the respondents.

Grievance of the petitioner is that his mother namely Najma was working on Group-D post, who died while in service on 9.02.2011.

Submission of learned counsel for the petitioner is that the petitioner claimed appointment on compassionate ground, which was rejected vide order dated 17.09.2017 by the respondent No.4. The petitioner feeling aggrieved, again represented the matter before the Registrar, Administration, Banaras Hindu University (respondent No.3), who has also rejected his claim vide order dated 16.11.2018, against which he preferred an appeal before the respondent No.2, which is laying pending consideration and no order whatsoever has been passed till date. He submits that in case direction is issued to the respondent No.2 to

consider the ground of appeal and to decide the same within a reasonable period, justice would be met.

On the other hand, Ms. Pooja Agarwal, learned counsel for the respondents submitted that in case appeal is pending consideration before the respondent No.2, the same shall be taken care of and appropriate order shall be passed within a reasonable time.

Accordingly, in view of the argument advanced by learned counsel for the parties, without entering into the merit of the case, the writ petition is finally disposed of with the direction to the respondent No.2 to consider and pass an appropriate reasoned speaking order on the appeal preferred by the petitioner within a period of six weeks from the date of production of certified copy of this order.

The object of the scheme for granting appointment on compassionate ground to a dependent family member of a University employee dying in harness or who is retired on medical grounds, thereby leaving his family in penury and without any means of livelihood, is to relieve the family of the University employee concerned from financial destitution and to help it get over the emergency. The scheme is applicable to dependent family member of a University employee who:

- (a) Dies while in service (including death by suicide); or**
- (b) Is retired on medical grounds under Rules 2 of the CCS(Medical Examination) Rules 1957 or the corresponding provision in the Central Civil Service Regulations before attaining the age of 55 years (57 years for Group'D' University employee); or**
- (c) Is retired on medical grounds under Rules 38 of the CCS(Pension) Rules**

1972 or the corresponding provisions in the Central Civil Service Regulations before attaining the age of 55 years (57 years for Group'D' University employee).

In the rule duly approved by the Executive Council Dependent family member means:

- (a) Spouse; or**
- (b) Son(including adopted son);**
- (c) Daughter(including adopted daughter); or**
- (d) Brother or sister in the case of unmarried University employee**

Wholly dependent on the University employee at the time of death in harness or retirement on medical ground as the case may be

Smt. Nazama No 02, Safaiwali, SSS, BHU expired on 09.02.2011 while she was in service. After her death Shri Mukhtar No. 2 H/o Late Nazama No. 02 vide his letter dated 12.12.2012 **(Annexure-11A)** requested for appointment of his son Shri Md. Javed on compassionate ground. Vide letter dated 29/31.12.2012 the proforma for employment of dependent of a University employee dying while in service/retired on invalid pension was provided to him. Md. Javed submitted the above proforma on 14.01.2015. Due to insufficient number of vacancies and his lower position in the list merit of consideration of such cases, his proforma for appointment on Compassionate ground could only be considered by the Compassionate Appointment Committee in its meeting held on 07.07.2017.

The Compassionate Appointment Committee while considering the case noted that in the proforma submitted by Md. Javed for appointment on compassionate ground on the point No.5,

against the name of Shri Mukhtar No. 02, widower of the employee, it was written as "Nokri" and in NOC enclosed with above proforma which was duly signed by Shri Mukhtar no. 02, it was clearly mentioned at SI. No. 4 that Shri Mukhtar is in job as such he was not willing to claim for this job.

The committee considered the case under the governing rule for appointment on compassionate ground i.e. ECR 204 dated 31.05.2003 and concluded that both mother and father of Md. Javed were permanent employees of the University. As such, the applicant Md. Javed was not wholly dependent on the University employee Late Nazama No. 2 at the time of her demise and recommended as under:

Recommended to regret the request as he was not wholly dependent on the deceased employee of BHU.

The decision of the Compassionate Appointment Committee duly approved by the competent authority was communicated to him vide letter dated 23.9.2017.

Vide his letter dated 27.12.2017 & 7.5.2018 he again requested to reconsider his candidature stating therein interalia that he was wholly dependent on her mother and his father was living separately during the life of his mother.

The case was again considered by the Compassionate Appointment Committee in its meeting held on 22.09.2018 and following was recommended:

The Committee resolved to Recommend that the request of Shri Md. Javed S/o Late Najma No. 02 be regretted.

The decision of the Compassionate Appointment Committee duly approved by the competent authority was communicated to him vide letter dated 16.11.2018.

After issuance of the above communication vide letter dated 25.03.2019 along with affidavit dated 19.03.2019 duly signed by Shri Mukhtar no. 2, Shri Mukhtar and Md. Javed stated as follows:

- **the residential address of Shri Mukhtar is "B 32/98-1-H, Nariya, Muslim Basti, BHU, Varanasi".**
- **due to unhealthy relation Shri Mukhta No. 2 was living separated from his wife and children's w.e.f. 10.01.2010.**
- **Late Nazma No. 02 residence address is "B26/35, Nawabganj, Durgakund, Varanasi". Still his children are living separated to him in their mothers place, he is nothing to do with them.**

In light of the information provided by Shri Mukhtar vide affidavit dated 19.03.2019, office verified the following documents, to confirm the statement of Shri Mukhtar regarding his separation from his wife since 2010:

Pension: Photocopy of the family pension submitted by Md. Javad proved that Shri Mukhtar is getting the family pension after the demise of his wife Late Nazma No. 2.

GPF: After the dying in harness of University employee total amount of '1,26,746/- in reference to Late Nazma was paid to her husband Shri Mukhtar.

GSLI: After the harness of University employee total amount of '2,03,461/- in reference to Late Nazma was paid to her husband Shri Mukhtar.

- Leave Encashment:** After the dying in harness of University employee total amount of '1,69,126/- in reference to Late Nazma was paid to her husband Shri Mukhtar.
- Pension Proforma:** After his own retirement in 2018, the proforma submitted by Shri Mukhtar for his pension, he mentioned his present address as "B 26/35, Nawabganf, Durgakund, Varanasi" instead of "B 32/98-1-H, Nariya, Muslim Basti, BHU, Varanasi" (his wife Late Nazama's address as per affidavit dated 19.03.2019 submitted by him).
- Family Detail for Pension:** He mentioned the name of his 03 sons and 03 daughters (including Md. Javed) in the proforma as family dependent in 2018.

In light of the above facts and available documents the case was examined in detail and it was found that he tried to mislead the University by submitting false documents and on concocted/flimsy ground as such his request for appointment on compassionate ground having no merit was regretted and same was communicated to him vide letter dated 06/09.07.2019.

Md. Javed has submitted a representation dated 19.03.2020 enclosing therewith judgement and order dated 24.02.2020 of the Hon'ble High Court at Allahabad passed in writ petition No.2917 of 2020 (Md. Javed -Vs- BHU) wherein he has

repeated the facts already stated in his earlier representations.

His case has been considered time and again by the Compassionate Appointment Committee within the ambit of the rule position duly approved by the Executive Council and decision duly approved by the competent authority has been communicated to him on his representation.

After detailed deliberation over the matter taking in view the aforementioned fact, the Executive Council found that his case did not merit for consideration of appointment on compassionate ground and resolved as under:

RESOLVED THAT representation of dated 19.03.2020 of Md. Javed for consideration of his case for appointment on compassionate ground, having been considered in the light the order the order of Hon'ble High Court, was not found to have any merit in the light of facts on record and provisions of rules in this regard be rejected.

**ECR 181
ITEM 12**

CONSIDERED approval of the order of the Vice-Chancellor, BHU regarding extension of the term of the UNESCO Chair of Peace and Intercultural Understanding at Banaras Hindu University and the appointment of Prof. Priyankar Upadhyay thereon.

The Executive Council noted that letter for extension of UNESCO Chair was issued by the UNESCO office in the month of October 2019 but it was not received in the University. A

copy of it was later on received in the University in the month of March 2020. Considering the delay so happened in the matter and the fact that no meeting of the Executive Council could be scheduled owing to the Covid conditions, the Vice-Chancellor approved the extension of UNESCO Chair in the University for another four years on existing terms and conditions and also the appointment of Prof. Priyankar Upadhyay thereon. After detailed deliberation over the matter the Executive Council decided to ratify the orders of the Vice-Chancellor under the given circumstances and resolved as under:

RESOLVED THAT the order dated 01.06.2020 of the Vice-Chancellor regarding extension of the term of the UNESCO Chair of Peace and Intercultural Understanding at Banaras Hindu University and the appointment of Prof. Priyankar Upadhyay thereon, be ratified as a special case under the aforementioned circumstances.

RESOLVED FURTHER that this should not be taken as precedent and appointment on the Chair positions should only be made by the Executive Council as per the provisions of Statute 27 (d).

RESOLVED STILL FURTHER that a member of the Executive Council be nominated as member of the special committees to be constituted for recommendation of names for appointment on Chair positions.

ECR 182
ITEM 13

CONSIDERED the recommendation of the Compassionate Appointment Committee taken vide resolution 4 Item 4 in its meeting held on 24 January 2020.

The Executive Council perused the recommendation of the Compassionate Appointment Committee made vide resolution 4 Item 4 in its meeting held on 24 January 2020 and agreed with it in principle. However, it observed that there could be some exceptional cases of hardship which could get excluded under the revised rule. The Executive Council therefore resolved as under:

RESOLVED THAT the recommendation of the Compassionate Appointment Committee taken vide resolution 4 Item 4 in its meeting held on 24 January 2020, be approved with the condition that the application of an individual for appointment on compassionate ground will normally be considered for a period of maximum 5 years from the date of first consideration of proforma for appointment on Compassionate Ground and during the period of five years if the candidate did not get the job offer his candidature for appointment on compassionate ground would be treated as cancelled and would be struck off from the list

The cases of exceptional merit may be considered by relaxation in the aforesaid time limit by the Executive Council.

**ECR 183
ITEM 14**

CONSIDERED confirmation of Minutes of the Executive Council held by circulation vide email dated 07.05.2020.

RESOLVED THAT the Executive Council meeting held by circulation vide email dated 07.05.2020, be confirmed.

**ECR 184
ITEM 15**

CONSIDERED the order of the Vice-Chancellor for adoption of the directives of the Ministry of Health and Family Welfare, Department of Health & Family Welfare, Government of India issued vide its letter No. H.11022/01/2014-MS dated 15th July 2014.

RESOLVED THAT the order of the Vice-Chancellor for adoption of the directives of the Ministry of Health and Family Welfare, Department of Health & Family Welfare, Government of India issued vide its letter No. H.11022/01/2014-MS dated 15th July 2014, be ratified and approved.

**ECR 185
ITEM 16**

CONSIDERED the revised draft of break-up of 100 Additional Marks set for short-listing the applications under the "Quality Assessment Category" for recruitment to the position of Professor and Associate Professor in various Institutes/Faculties by the Committee constituted under the Chairmanship of Prof. A. Vaishampayan, Emeritus Professor & Vice-Chairman, IQAC, BHU vide Notification No. AB/IQAC/2019-20/367 — 281 dated 07.08.2019.

The Executive Council noted that the UGC Regulation-2018 provides in its **Appendix-II** Table-2 and Table-3A the

method of calculation of academic and research scores for the post of Professor & Associate Professor and Assistant Professor respectively. The maximum academic score a candidate for Assistant Professor can get as per Table-3A is 100. Whereas there is no restriction on the maximum number of academic and research score a candidate for Professor or Associate Professor can get as per the Table-2. The UGC Regulation further provides that the academic score as specified in Appendix-II (Table-3A) shall be considered for shortlisting of the candidates for interview only. However, no such provision has been indicated in the UGC Regulation-2018 regarding shortlisting of the candidates of Professor and Associate Professor. Accordingly a committee under the chairmanship of Prof. A. Vaishampayan constituted by the Vice-Chancellor to frame the guidelines of shortlisting for the post of Professor and Associate Professor, has after consultation with the concerned Deans of the Faculties and Director of the Institutes, recommended the following:

Part-A: 100 marks based on Table-2 of UGC Regulations-2018
Part-B: 100 additional marks allocated for Quality Parameters for shortlisting the applicants under the "Quality Assessment Category"

The recommendation of the committee were approved by the Executive Council vide ECR no. 136 dated 27.09.2019.

The aforementioned Prof. A. Vaishampayan Committee has now recommended the revised quality parameters and their corresponding marks for shortlisting of applicants under the *Part-B-100 additional marks allocated for quality parameters*

for shortlisting of applicants under the "Quality Assessment Category".

The Executive Council further noted that as there is no restriction of maximum academic and research score in the Table-2A of UGC Regulation-2018 for the post of Professors and Associate Professors, the limit of 100 marks recommended in the *Part-A 100 marks based on Table-2 of UGC Regulations-2018* by the aforesaid Prof. A. Vaishampayan Committee and approved by the Executive Council vide ECR no. 136 dated 27.09.2019 need also to be revised as per the UGC Regulation-2018 Table-2.

In view of the aforesaid the Executive Council resolved as under:

RESOLVED THAT the shortlisting of applications for the post of Professors and Associate Professors be done on the basis of the combined scores obtained by the candidates in the following two parts:

Part-A: Academic/Research scores based on Appendix-II Table-2 of UGC Regulations-2018

Part-B: 100 additional marks allocated for Quality Parameters for shortlisting the applicants under the "Quality Assessment Category"

The quality parameters and their corresponding allocation of marks shall be as per the revised recommendations of Prof. A. Vaishampayan Committee enclosed as Annexure-16 of the minutes.

RESOLVED FURTHER THAT the ECR no. 136 dated 27.09.2019 shall be superseded to the aforesaid extent.

**ECR 186
ITEM 17**

CONSIDERED the recommendation of the Chairman, RAAC duly approved by the Vice-Chancellor for amendment of Regulation No. 8(III) (j) pertaining to allotment/regularization of the University quarter (on priority basis) to the daughter-in-law of an employee who has retired and is in occupation of the University accommodation at the time of retirement.

RESOLVED THAT the recommendation of the Chairman, RAAC duly approved by the Vice-Chancellor for amendment of Regulation No. 8(III) (j) pertaining to allotment/regularization of the University quarter (on priority basis) to the daughter-in-law of an employee who has retired and is in occupation of the University accommodation at the time of retirement, be approved and the same be incorporated in the relevant clause of RAAC Rules.

RESOLVED FURTHER THAT if any teacher of the University who is residing in the University quarter is appointed as a member of the Executive Council he/she shall be allowed to retain the University quarter during the term of his membership of the Executive Council.

**ECR 187
ITEM 18**

CONSIDERED the report of the Finance Officer on the financial status of the University and the investment policy and investments made during the financial year 2013-14 to 2019-20.

The Executive Council perused the report of the Finance officer on the financial status of the University and the investment policy and investments made during the financial year 2013-14 to 2019-20 and expressed its satisfaction on the financial health of the University. It also appreciated the efforts of the Finance Officer and the Investment Committee for the same.

**ECR 188
ITEM 19**

CONSIDERED the minutes of the meeting of the Academic Council held by circulation on 17.06.2020 pertaining to conversion of the post of Professor and Associate Professor in the Faculty of Medicine and Faculty of Dental Sciences, Institute of Medical Science, Banaras Hindu University as Assistant Professor (Pay Level-11) in the light of UGC letter No.F.54-4/2017(CU) dated 05.02.2020 following the implementation of DACP in the aforementioned two faculties of the Institute of Medical Sciences and the qualifications for recruitment as Assistant Professor in the Faculty of Medicine and Faculty of Dental Sciences, IMS as prescribed by the concerned faculties.

RESOLVED THAT the recommendations of the Academic Council held by circulation vide email dated 17.03.2020 be approved.

RESOLVED FURTHER THAT in case of exceptional circumstances, such as when a new course/ department is to be started in these faculties, etc. which requires availability of teachers at all levels to meet the requirements of MCI/DCI for grant of recognition or continuance of undergraduate/postgraduate/ superspeciality courses, the University

may fill the post of Associate Professor and Professor in the appropriate pay level as per DACP Scheme in such cases with the approval of UGC.

**ECR 189
ITEM 20**

CONSIDERED the report of Inquiry Committee headed by Hon'ble Mr. Justice Kalimullah Khan (Retd) duly constituted vide notification No.AA/RAC/Inq. Committee-Research Officer/926 dated 12.06.2019 **(Appendix-1)** on the complaint of Mr. Harikesh Bahadur Singh, RTI Activist thereby alleging irregularity/illegality in the appointment of Dr. Usha Tripathi on the post of Research Officer.

The Executive Council went through the report of the inquiry and the documents on record. Having gone through all the material on record pertaining to the matter, the Executive Council noted the following:

1. The matter pertains to appointment of Research Officer in Malaviya Moolya Anusheelan Kendra (MMAK) in the year 2010. The post was sanctioned by UGC for MMAK on the University's proposal for strengthening the Centre. The post was sanctioned in pay scale of Lecturer (8000-13500) but in the non-teaching (Research) Cadre. The post of Research Officer in MMAK was advertised by the University with the following qualification as prescribed by the Centre.

Essential Qualification:

Good academic record with atleast 55% of marks or an equivalent grade of B in the seven point scale with letter grades O, A, B, C, D, E and F at the masters degree level in the subject of Social

Sciences/Humanities from an Indian University or an equivalent degree from a foreign University.

Desirable Qualification:

- (i) Evidence of some publications in the area of ethics and human values
 - (ii) Knowledge and/ or experience of research work.
2. Pertinently, another post of Research Officer in Women's Study Centre, in the University was advertised in the year 2003 with the same essential qualification and recruitment was made on the said post in the year 2003.
 3. The recruitment to the post of Research Officer in MMAK was made by following the due process of screening of applications by a Screening Committee consisting of the Dean, Faculty of Social Sciences, the Co-ordinator MMAK and a member of the Advisory Committee of MMAK, and through a process of interview by a duly constituted Selection Committee Chaired by the Vice-Chancellor and consisting of two outside experts alongwith Registrar and Co-ordinator of MMAK as members.
 4. Before the recommendation of the Selection Committee could be placed in Executive Council for its approval, Prof. A.N. Tripathi, a member of MMAK Advisory Committee made a representation to the Vice-Chancellor alleging unfairness, favoritism and nepotism in the selection on the post of Research Officer. On the representation of

Prof. A.N. Tripathi the Executive Council examined the entire matter in the light of the available records and found that there was no unfairness, favoritism, nepotism, irregularity, illegality in the selection process and the selection had been made by following the due procedure. After being satisfied, in all respect of the selection, the Executive Council approved the recommendation of the selection committee and appointed Smt. Usha Tripathi on the post of Research Officer in MMAK.

5. Being aggrieved with the appointment of Smt. Usha Tripathi on the post of Research Officer, one of the applicants for the post, Dr. Dharmendra Kumar Mishra filed a writ petition no. 63595 of 2010, Dr. Dharmendra Kumar Mishra vs Banaras Hindu University and others on the same ground of irregularity, favoritism, nepotism in the selection process. The writ petition is still pending in the Hon'ble High Court without any interim order.
6. Dr. Dharmendra Kumar Mishra subsequently also made a representation dated 04.10.2011 to the Vice-Chancellor alleging irregularity, favoritism, nepotism in the selection process against Dr. Neeraj Tripathi the then Dy. Registrar, RAC who happens to be the husband of Smt. Usha Tripathi, the selected candidate for the post of Research Officer in MMAK.
7. The Vice-Chancellor constituted an Inquiry Committee under the chairmanship of Prof. D.P. Verma the then Dean, Faculty of Law with

Dy. Registrar, RAC as the secretary to the Inquiry Committee to enquire into the facts of the matter of complaint of Dr. Dharmendra Kumar Mishra.

8. The Committee conducted its inquiry into the allegations made by Dr. Dharmendra Kumar Mishra in his complaint dated 04.10.2011 and completed it. However, the committee could not submit its final report to the Vice-Chancellor.
9. Prof. D.P. Verma the Chairman of the committee in his letter dated 29.03.2019 written to the Vice-Chancellor has explained the reasons of the non submission the inquiry report. He has sated on record that the inquiry was complete and only report was to be submitted but he was not provided with the relevant documents of inquiry and the statements of persons recorded during the inquiry by Dr. Sunita Chandra the then Dy. Registrar, RAC and secretary to the committee and Dr. Ashwani Kumar Singh who replaced Dr. Sunita Chandra as Dy. Registrar, RAC after her transfer from RAC in the year 2012 and thus became secretary to the committee, despite writing several letters to him requesting for the concerned file containing the records of inquiry and the statements recorded during it to finish the work of writing the report of inquiry. But all his efforts were in vain and he did not get any response to his requests nor did he get the desired concerned files. After the transfer of Dr. Ashwani Kumar Singh from RAC in 2014, Dr. NandLal the then Dy. Registrar,

RAC informed him vide his letter dated 06.06.2016 and 14.07.2017 that nothing was available related to the inquiry in RAC except the files already shown to him. But Prof. D.P. Verma stated that he was never provided with the files containing the relevant records of the statements of persons recorded during the inquiry.

10. Having explained the circumstances under which he could not submit the formal report of inquiry in his aforementioned letter, Prof. D.P. Verma the Chairman of the Inquiry Committee had put on record in his aforesaid letter that based on the inquiry there was **no substance found in the allegations made in the complaint of Dr. Dharmendra Kumar Mishra and these could not be established.**
11. In the meantime, one ShriHarikeshBahadur Singh, a RTI Activist vide his letter dated 24.05.2018 and 09.07.2018 made another complaint to the Vice-Chancellor in the same matter on the same and similar grounds as was alleged in the previous complaints of Prof. A.N. Tripathi and Dr. Dharmendra Kumar Mishra, and sought permission for criminal prosecution of Dr. Neeraj Tripathi presently Registrar and the then Dy. Registrar, RAC , Dr. Usha Tripathi and Prof. S.N. Upadhyay, former Co-ordinator of MMAK.
12. The Vice-Chancellor constituted another Inquiry Committee under the Chairmanship of Justice Kalimullah Khan, former Judge of the Hon'ble High

Court of Allahabad and Prof. M. Joshi, Dean, Faculty of Science and former Co-ordinator, IQAC, to inquire into the facts of the matter of complaint of Shri Harikesh Bahadur Singh.

13. The Inquiry Committee headed by Justice Kalimullah Khan after conducting the due inquiry into the entire matter has submitted its detailed report and has interalia concluded that:

"Resultantly, we are of the considered opinion that the allegations made in the complaint are baseless, unsubstantiated and devoid of any merit and therefore, both the applications dated 24th May 2018 and 9th July 2018 seeking permission from Kashi Hindu Vishv Vidyalay and its Executive Council for criminal prosecution sought for deserves to be rejected"

14. The University has examined/inquired into the same matter and the same allegations based on similar grounds three times. Firstly, by the Executive Council itself, secondly, by Prof. D.P. Verma committee and lastly by an Inquiry Committee headed by a former judge of Hon'ble High Court of Allahabad. Each time the examination/inquiry into the matter has yielded the same results that the allegations are baseless, unsubstantiated and devoid of any merit. The selection to the post of Research Officer in MMAK was made by the due process of recruitment and there was no irregularity, illegality, unfairness, favoritism and nepotism in the entire selection process. Dr. Neeraj Tripathi the then Dy. Registrar,

RAC had no role in the selection process and he was not associated at any stage, or at anytime during the entire selection process beginning from framing and finalization of the qualification by the MMAK till final selection by Selection Committee and approval of the same by Executive Council.

After considering the entire matter carefully and deliberating over it in detail, the Executive Council decided to accept the report of the inquiry of Justice Kalimullah Khan Committee and reject the request of Shri Harikesh Bahadur Singh the so called RTI Activist seeking permission of criminal prosecution of Dr. Neeraj Tripathi, Registrar, Dr. Usha Tripathi and Prof. S.N. Upadhyay, former Co-ordinator, MMAK.

It also decided that since a writ petition on the same matter is still pending before the Hon'ble High Court and the same matter has been examined/inquired into by the University thrice and each time no irregularity, illegality, unfairness, favoritism and nepotism in the entire selection process was found in the inquiry. Further, the selection to the post of Research Officer was found to have been made by following the due process of selection and the allegations levelled were found to be baseless and without any substance, the matter should now attain finality in the University and no any further complaint in this matter should be entertained by the University in future.

In the light of the aforementioned facts the Executive Council resolved the following:

RESOLVED THAT the report of the inquiry of Justice Kalimullah Khan Committee be accepted and the request of Shri Harikesh Bahadur Singh the so called RTI Activist seeking permission of criminal prosecution of Dr. Neeraj Tripathi, Registrar, Dr. Usha Tripathi and Prof. S.N. Upadhyay, former Co-ordinator, MMAK be rejected.

RESOLVED FURTHER THAT since a writ petition on the same matter is still pending before the Hon'ble High Court and the same matter has been examined/inquired into by the University thrice and each time no irregularity, illegality, unfairness, favoritism and nepotism in the entire selection process was found in the inquiry and the selection to the post of Research Officer was found to have been made by following the due process of selection and the allegations levelled were found to be baseless and without any substance, the matter should now attain finality in the University and no ~~any~~ further complaint in this matter should be entertained by the University in future.

**ECR 190
ITEM 21**

CONSIDERED the minutes of the meeting of the Finance Committee held on 22nd June, 2020.

RESOLVED THAT the minutes of the Finance Committee meeting held on 22nd June, 2020 as per ANNEXURE-21 be approved.

ECR 191
EX-Agenda-1

Prof. Anand Mohan, Member Executive Council inquired about the date wise action taken in the matter of Dr. Dheeraj Kishore, Department of Medicine after the last decision of the Executive Council.

It was resolved that the aforesaid information be put up in the next meeting of the Executive Council.

ECR 192
EX-Agenda-2

Prof. Anand Mohan, Member, Executive Council raised the issue of the progress made on the suggestion of Prof. Bachcha Singh, member, Executive Council for providing cashless facility in the ICU/CCU/Indoor wards and the disbursements of prescribed medicines to the employees and pensioners and their dependent family members of the University to minimize the hassles of reimbursement of medicines and hospitalization charges.

It was informed by the Registrar that much efforts have been made in this regard and M/s AMRIT Pharmacy, an initiative of Government of India, which is already running its pharmacy in SSH had been approached and consulted for the provision of this facility to our employees and pensioners and their dependent family members by a committee. Only some issues remained to be resolved before finalizing such a scheme.

It was resolved that a committee under the Chairmanship of Prof. Bachcha Singh, Member, Executive Council and consisting of Rector, Director, IMS, Medical Superintendent, SSH, Registrar, Finance Officer shall consider and submit its recommendation to the Executive Council for implementation of such a scheme.

ECR 193
EX-Agenda-3

Prof. Anand Mohan, Member, Executive Council moved an agenda for review of the last resolution of ECR No. 22 dated 14.07.2018.

He emphasized that a provision of a Governing Body for IMS, BHU was made in our ordinances exclusively for IMS, BHU considering its special needs to make it as an AIIMS like institution. However, similar provision for other institutes of the University was uncalled for, undesirable and detrimental to the unified character and legal status of Banaras Hindu University.

After a detailed deliberation on the matter it was resolved that last part of the resolution of the Executive Council vide ECR No. 22 dated 14.07.2018 be modified as under:

RESOLVED THAT the ECR No.22 dated 14.07.2018 be modified to read as under:

.....

.....

“RESOLVED STILL FURTHER that the aforesaid amendment in the Ordinance 3.6 be sent to the MHRD for submitting the same before the Hon’ble Visitor in terms of the provisions of Sub-Clause 6 of Clause 18 of BHU Act and before the Parliament in terms of Sub-Clause 5 of Clause 19 of BHU Act.”

The other contents of ECR No.22 dated 14.07.2020 shall remain the same.

ECR 194
EX-Agenda-4

The Executive Council members informed that they are flooded with the emails purportedly written by the current and former faculty members and others on different issues including opening of the envelopes of selection committees putting pressure on them for approval of the recommendations. The members took strong exception to such kind of action and denounced such a practice stating it to be uncalled for and not a good conduct. The emails of such persons were handed over by the members to the Registrar. Expressing its anguish and concern, the Executive Council resolved to issue a displeasure notice of the Executive Council to be communicated by the Registrar to such persons.

ECR 195
EX-Agenda-5

The members pointed out that the present legal cell has been functioning for the last eight years since 2012 and therefore Executive Council resolved that the legal cell be reconstituted with other suitable person from the Faculty of Law.

ECR 196
EX-Agenda-6

Members invited the attention of the home towards the posts of Professor/Associate Professor advertised under EWS category.

Members, opined that it is highly unlikely to get the eligible candidates for such posts going by the condition of

categorization under EWS. This would, resultantly leave the vacancies remain unfilled. Hence the reservation for EWS should be implemented at the entry level of Associate Professor.

After deliberation over the matter in detail it was resolved to bring this facts to the knowledge of MHRD and UGC for appropriate direction/clarification in the rules of reservation for EWS.

The meeting then came to an end with a vote of thanks to the Chair.



(Neeraj Tripathi)
Secretary



(Rakesh Bhatnagar)
Chairman