

Minutes of the 37th meeting of the Executive Council held on 26th July 2021 at 11 AM in Conference Hall Barad Sadan, Academic Block

37th meeting of the Executive Council was held on 26th July 2021 at 11 AM in Conference Hall, Barad Sadan. Following were present:

1. Prof. Avinash Khare
Vice-Chancellor - Chairperson
2. Prof. N. Sathyanarayana
Dean, School of Life Sciences - Member
3. Dr. Manesh Choubey
Dean, School of Social Sciences - Member
4. Prof. Sanjay Dahal
Dean, School of Physical Sciences - Member
5. Dr. Kabita Lama
Dean, School of Languages & Literature - Member
6. Dr. Laxuman Sharma
Dean Students' Welfare - Member
7. Prof. S.S. Mahapatra
Professor, Department of Commerce - Member
8. Dr. Sohel Firdos
Associate Professor, Department of Geography - Member
9. Prof. N. K. Paswan
Finance Officer (In-Charge) - Special Invitee
10. Shri K.V.S. Kameswara Rao
Registrar - Secretary

Following members attended the meeting online through video conferencing:

11. Prof. Gurmeet Singh
Vice-Chancellor
Pondicherry University - Member
12. Prof. Ramesh Kumar Yadava
Vice-Chancellor
Baba Mastnath University - Member
13. Prof. Bidyut Chakraborty
Vice-Chancellor
Visva Bharati, Santiniketan - Member

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| 14. Shri G.P. Upadhyaya Additional Chief Secretary Education Department, Govt. of Sikkim | - | Member |
| 15. Prof. Inder Mohan Kapahy Professor & Advisor School of Basic & Applied Sciences Maharaja Agrasen University | - | Member |
| 16. Prof. Krishna Kumar Head, Department of Physics IIT Kharagpur | - | Member |
| 17. Prof. Mahendra Singh Seveda Professor & Head Department of Renewable Energy Engineering Central Agricultural University, Ranipool | - | Member |
| 18. Shri Tashi Densapa Former Director Namgyal Institute of Tibetology | - | Member |
| 19. Prof. Jyoti Prakash Tamang Head, Department of Microbiology | - | Special Invitee |

Mrs. Grace D. Chankapa, Deputy Registrar and Shri Satyam Rana, Assistant were present to assist the Council. Shri Anil Khati, Senior Technical Assistant was present to provide technical support during the meeting.

At the outset Vice-Chancellor welcomed all members of the Council to its 37th meeting. He introduced Shri K.V.S Kameswara Rao to all the members as the new Registrar of the University who joined on 19.07.2021 and welcomed Sh. Rao in the meeting. Vice-Chancellor also specifically welcomed Prof. Manesh Choubey, Dean, School of Social Sciences and Prof. Sanjay Dahal, Dean, School of Physical Sciences who were attending the meeting for the first time. Vice-Chancellor also placed on record contributions of Prof. A.P. Pandey, Former Vice-Chancellor, Manipur University, Prof. Abhijit Dutta, Former Dean, School of Professional Studies and Dr. K.R. Rama Mohan, Dean, School of Human Sciences for their contribution in the meetings of the Executive Council. All of them completed their term in the Executive Council.

Thereafter, agenda items were taken up as under:

SECTION-1
CONFIRMATION OF THE MINUTES AND
ACTION TAKEN REPORT

EC 37.1.1: Confirmation of the minutes of the 36th meeting of the Executive Council held on 28th January 2021.

The minutes of the 36th meeting of the Executive Council held on 28th January 2021 were circulated to all members on 28th January 2021. No comments were received from any of the members of the Council.

The minutes of the 36th meeting of the Executive Council held on 28th January 2021 as circulated to all members on 28th January 2021 were confirmed.

EC 37.1.2: Action taken report on the minutes of the 36th meeting of the Executive Council held on 28th January 2021.

The Secretary presented the action taken report on the minutes of the 36th meeting of the Council. The Council noted the action taken report by the University.

SECTION-2
REPORTING ITEMS

EC 37.2.1: Brief on ongoing campus construction work (Ph-I, Pkg-I) at Yangang, South Sikkim

The Executive Engineer of the University presented an update on the ongoing campus construction work through a power point presentation in detail and explained the upcoming plan regarding the campus construction.

He informed that the Package-I of Phase-I is the current ongoing work comprises of only the basic building structures (skeleton) and no finishing items have been included in the package. The work has now been completed and ready to be handed over to the University by M/s NCC Ltd. The final billing work and other final financial settlement works are under progress.

He further informed that the preparation of Engineering Procurement Contract (EPC) tender document for Phase-I Package-II of the Campus Construction project was under progress. The Phase-I Package-II would constitute of finishing works for the three structures constructed in Package-I, hostel blocks, residential blocks and classroom block along with other peripheral items.

The Council noted the progress in the campus development.

SECTION-3
RATIFICATION MATTERS

EC 37.3.1: Members of the Selection Committee nominated by the Executive Council

It was reported that the University carried out interviews for various Statutory and Faculty positions. The Vice-Chancellor nominated the following experts in the Selection Committee.

| Statutory Positions | | | | |
|----------------------------|-----------------|---|--|-------------------------------|
| SI. No. | Post | Members | | Date of Interview |
| 1 | Registrar | 1. Shri G. P Upadhaya, Additional Chief Secretary (Education), HRDD, Govt. of Sikkim, Gangtok | Two members of the Executive Council nominated by it | 25.03.2021 & 26.03.2021 |
| | | 2. Shri Tashi Densapa National Institute of Tibetology, Gangtok | | |
| | | 1. Prof. S. S Hasan Vice-Chancellor Sikkim Professional University, Tadong, Gangtok | One Person not in the Service nominated by Executive Council | |
| 2. | Finance Officer | 1. Prof. Abhijit Dutta | Two members of the Executive Council nominated by it | 21.06.2021 |
| | | 2. Prof. S.S. Mahapatra | | |

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|--------------------------|---|--|--|----------------------------|
| | | 1. Prof. S. S Hasan Vice-Chancellor Sikkim Professional University, Tadong, Gangtok | One Person not in the Service nominated by Executive Council | |
| Faculty Positions | | | | |
| 1. | Associate Professor in Chemistry deptt. | 1. Prof. Rajeev Gupta, University of Delhi | Subject Expert | 22.06.2021 & 23.06.2021 |
| | | 2. Prof. M. Nath, University of Delhi | Subject Expert | |
| 2. | Professor in Physics deptt. | 1. Prof. R. Ganesh , Institute for Plasma Research, Gandhinagar, Gujarat | Subject Expert | 24.06.2021 & 25.06.2021 |
| | | 2. Prof. Debajyoti Choudhury, University of Delhi | Subject Expert | |
| 3. | Associate Professor in Physics deptt. | 1. Prof. R. Ganesh , Institute for Plasma Research, Gandhinagar, Gujarat | Subject Expert | |
| | | 2. Prof. Debajyoti Choudhury, University of Delhi | Subject Expert | |

The Executive Council ratified the action of the Vice-Chancellor nominating experts as per details given above in the various Selection Committees.

EC 37.3.2: Extension of Contract of Teaching Staff

The Council noted that the contract of the following faculty members expired on the dated shown against each:

| Sl. No | Name | Designation | Department | Contract upto |
|---------------|----------------------------|---------------------|-------------------|----------------------|
| 1. | Prof. Intiaz Gulam Ahmed | Professor | Law | 30.06.2021 |
| 2. | Prof. Vinod Chandra Tiwari | Professor | Geology | 30.06.2021 |
| 1. | Shri Baichung Tsh. Bhutia | Associate Professor | Bhutia | 30.06.2021 |
| 2. | Dr. Hissey Wangchuk Bhutia | Assistant Professor | | 30.06.2021 |
| 3. | Shri Bal Bahadur Subba | Associate Professor | Limbu | 30.06.2021 |
| 4. | Shri Norbu Tshering Lepcha | Associate Professor | Lepcha | 30.06.2021 |
| 5. | Ms. Dukmit Lepcha | Assistant Professor | | 30.06.2021 |
| 6. | Dr. R. S. S. Nehru | Assistant Professor | Education | 30.06.2021 |

Due to the situation across the country on account of COVID-19 pandemic the recruitment process would take some more time. Therefore, the Vice-Chancellor extended their contractual appointment for a further period upto 31.12.2021.

The Executive Council ratified the action of the Vice-Chancellor extending the contractual appointment of the above faculty members upto 31.12.2021.

EC 37.3.3: Study Leave of Dr. Charisma K. Lepcha

Dr. Charisma K. Lepcha, Assistant Professor, Department of Anthropology was granted study leave of 10 months w.e.f. 01.09.2021 to 30.06.2022 by the Vice-Chancellor to take up the Harvard-Yenching Visiting Scholar in the Linguistic and Semiotic Anthropology training program for the academic year 2021-2022.

The Council ratified the action of the Vice-Chancellor for grant of study leave to Dr. Charisma K. Lepcha.

EC 37.3.4: Extension of Study Leave of Shri Bivek Tamang

The Council in its 32nd meeting held on 8th February 2019 granted Study Leave to Shri Bivek Tamang, Assistant Professor, Department of Commerce for a period of 1 (one) year 10 (ten) months from 2nd Feb

2019 to work for his Ph.D at Sikkim University. He has now requested for extension of his Study Leave for a period of 6 (six) months from 2nd Dec 2020 to 1st June 2021. Vice-Chancellor accepted his request and granted him extension of Study Leave for a period upto 1st June 2021.

The Council ratified the action of the Vice-Chancellor granting extension of Study Leave to Shri Bivek Tamang.

SECTION - 4
MATTER FOR CONSIDERATION AND APPROVAL

EC 37.4.1: Selection Committee proceedings for placement in next stage under CAS

- (i) The Council approved the recommendation of the Selection Committee and Screening Evaluation Committee for placement of the following faculty members from one stage to another as per the details given as under:

| Sl. No. | Name | Department | Stage of placement | Date of placement w.e.f. |
|----------------|--------------------------|-------------------|---------------------------|---------------------------------|
| 1. | Dr. Sohel Firdos | Geography | IV to V | 26.02.2019 |
| 2. | Dr. Kabita Lama | Nepali | IV to V | 13.09.2018 |
| 3. | Dr. Pushpa Sharma | | IV to V | 05.12.2018 |
| 4. | Dr. Laxuman Sharma | Horticulture | IV to V | 12.12.2018 |
| 5. | Dr. Dhani Raj Chhetri | Botany | IV to V | 06.02.2019 |
| 6. | Dr. Komol Singha | Economics | IV to V | 13.05.2019 |
| 7. | Dr. Subir Mukhopadhyay | Physics | IV to V | 27.11.2019 |
| 8. | Dr. Sandhya Thapa | Sociology | IV to V | 25.08.2020 |
| 9. | Dr. Anira Phipon Lepcha | History | II to III | 03.06.2020 |
| 10. | Dr. Amit Kumar Singh | Tourism | II to III | 13.05.2018 |
| 11. | Dr. Achanta Ravi Prakash | Management | I to II | 01.05.2018 |
| 12. | Dr. B. Muthu Pandian | Commerce | I to II | 29.03.2019 |
| 13. | Dr. Ravi Shekhar Vishal | | I to II | 01.06.2020 |

| | | | | |
|-----|------------------------|---------------------|---------|------------|
| 14. | Dr. Dinesh Shahu | Hindi | I to II | 25.02.2019 |
| 15. | Dr. Hemam Dinesh Singh | Physics | I to II | 01.07.2019 |
| 16. | Dr. Jasmine Yimchunger | Mass Communications | I to II | 01.06.2020 |

- (ii) However, the Selection Committee noted the following in the proceedings of Dr. Swati A. Sachdeva:

The candidate may apply for promoting from Academic Level 13A (Associate Professor) to Academic Level 14 (Professor) under CAS exactly one year from the date of rejection i.e. 24.03.2021.

The Council accepted the recommendation of the Selection Committee in this regard.

EC 37.4.2: Appointment of faculty positions

The Council noted that the University had conducted online interviews for faculty positions for the Department of Chemistry and Physics.

The Council approved the Selection Committee recommendations in respect of the selection in the Department as given for the post shown against each:

| Department | Date of Interview | Position | No. Of post/ Category | Name |
|-------------------|--------------------------|---------------------|------------------------------|--|
| Chemistry | 22.06.2021 & 23.06.2021 | Associate Professor | 1 (UR) | Dr. Akhilesh Kumar Gupta Selected |
| | | | | Dr. Subhankar Chatterjee <i>Waitlist</i> |
| Physics | 24.06.2021 | Professor | 1(UR) | None found suitable |
| | 25.06.2021 | Associate Professor | 1(UR) | Dr. Ajay Tripathi Selected |

EC 37.4.3: Appointment of Finance Officer

The Council noted that the University had advertised the post of Finance Officer vide appointment Notice No. SU/REG/Estt/F-2/09/2018/Vol.II/41 dated 12.04.2021. The online interview was held on 21.06.2021.

The Executive Council approved the recommendation of the Selection Committee as under:

| | | |
|-----------------|---------------------------|-------------------|
| Finance Officer | Shri Pratap Keshari Dash | Selected |
| | Shri Kochari John Joshep | <i>Waitlist 1</i> |
| | Shri Himanshu Sekhar Rout | <i>Waitlist 2</i> |

EC 37.4.4: MoU with Black Cat Division, Gangtok, East Sikkim

The Council was informed that 17 Mountain Division, a division of Indian Army, commonly known as “Black Cat Division” having its address at Gangtok, East Sikkim has approached Sikkim University for providing instructional guidance for its nominated officers posted in Eastern Command to undergo a course titled “ Eastern Command Tibetology Cadre”. They have proposed an MoU with the following salient features and objectives:

- The subjects that will be included in the “Eastern Command Tibetology Cadre” are the Political and Judicial Set Up in Tibet.
- The classes for the cadre will be conducted by the faculty members of Sikkim University.
- The exams and classes will be conducted at the Human Resource Development Centre of Gangtok Military Station.
- The annual curriculum would consist of three different categories comprising of a Trial Cadre for a duration of Two weeks, Four Long Cadres for a duration of Three Weeks & Two Short Cadres for a duration of Ten Days.
- The MoU will be valid for a period of one year from the date of its signing and may then be extended on mutually agreed terms and conditions.

The Council approved the MoU between Sikkim University and Black Cat Division.

EC 37.4.5: Revision of Recruitment & Promotion Rules for the post of Executive Engineer

The Council was informed that in the current Recruitment & Promotion Rules (Non-Teaching Staff) 2019 one of the essential prescribed qualifications for the post of Executive Engineer for both

Direct Recruitment and Promotion is eight years as Assistant Engineer. However, the prescribed UGC guidelines dated 14th August 2015 has provided the qualifying service for promotion from Grade Pay of ₹4,600 (Assistant Engineer) to Grade Pay of ₹6,600 (Executive Engineer) (as per the 6th CPC) as seven years.

In view of the prescribed period of experience as suggested by the UGC, the Executive Council approved the revision of essential qualification for the post of Executive Engineer from eight years to seven years for Direct Recruitment and Promotion.

TABLE ITEM

EC 37.4.6: ICC Report on an inquiry conducted on a complaint filed against Dr. Ram Bhawan Yadav, Assistant Professor, Department of English

The Council was informed that a complaint was filed by a PhD scholar from the Department of English against her supervisor Dr. Ram Bhawan Yadav, Assistant Professor, Department of English on 4th February 2021. The complaint was of physical, financial and emotional exploitation by her supervisor. Complaint was forwarded to the Presiding Officer, ICC on 5th February 2021. An inquiry based on the complaint was initiated by the Internal Complaints Committee (ICC).

Dr. Sandhya Thapa, Presiding Officer, ICC was called to present this item to the Council. She informed the Council that the ICC held a series of meetings/proceedings wherein personal hearing of the complainant, accused and various witnesses associated with the case including the faculty members of the Department were conducted.

The ICC also obtained legal advice and guidance from Justice (Retd.) A.P. Subba and submitted the inquiry report on 21st June 2021. The copy of the inquiry report was placed before the Council for its perusal.

It was observed by the Council that ICC after inquiry and after consideration of materials on record found that the complaint did not qualify to fall within the purview of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. However, with reference to judgement of the Hon'ble Delhi

High Court in Bibha Pandey Vs. Punjab National Bank & Ors., WP(C) 3249/2017 & CM APPL 14126/2017 that stated:

“Moral policing is not the job of the ICC and that any consensual relationship among adults would not be the concern of the Management or of the ICC as long as the said relationship does not affect the working and the discipline of the organization and is not contrary to the rules or code of conduct binding on the said employees”.

Going by the said judgement cited above, the ICC felt that as it clearly mentions that in the case relationship affects the working and the discipline of the organization and is contrary to the code of conduct binding on the said employees, then it would be the concern of the Management and the ICC. Therefore, the ICC found Dr. Ram Bhawan Yadav guilty of misconduct violating the provisions of the CCS (Conduct) Rules 1964 that he being an employee of this University committed gross moral misconduct by establishing relationship with the complainant which ought not have happen in an educational institution. Dr. Ram Bhawan Yadav being a teacher is expected to maintain integrity, high ethical standards and honesty and do nothing unbecoming of a Government servant at all times. A teacher student relationship is regarded as relation of respect in educational institutions and student enter higher educational institutions with a high expectation of getting quality education and build up their career.

Based on the views of the ICC, having found Dr. Ram Bhawan Yadav guilty of misconduct under CCS (Conduct) Rules 1964 and not of sexual harassment, the Executive Council recommended imposition of a minor penalty under rule 11 (iv), i.e. withholding of increments of pay for three years without cumulative effect. The same is to be restored at the end of the period of three years.

Additionally, the Council after detailed discussion also decided to impose the following penalties:

- i) Barring him from holding any administrative post or chair/member of any Committee in the University for three years.
- ii) Barring him from supervising any MPhil/PhD for 3 years including his current scholars under his supervision.

SECTION - 5
MINUTES OF AUTHORITIES/COMMITTEES

EC 37.5.1: Minutes of the 27th and 28th meeting of the Finance Committee

The minutes of the 27th meeting of the Finance Committee held by circulation on 9th February 2021 and 28th meeting of the Finance Committee held through online mode on 17th May 2021 was placed before the Executive Council.

The Council noted the recommendations and approved the same.

SECTION - 6
ITEM FORM THE CHAIR

Nil

The meeting ended with a vote of thanks to the chair.

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

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