

**BHAGAT PHOOL SINGH MAHILA VISHWAVIDYALAYA, KHANPUR KALAN**

**SUPPLEMENTARY AGENDA FOR THE 77<sup>th</sup> MEETING OF THE EXECUTIVE COUNCIL TO BE HELD ON 08/12/2023 AT 11.00 A.M. THROUGH BLENDED (PHYSICAL AND ONLINE) MODE IN THE CONFERENCE HALL, ADMINISTRATIVE BLOCK, BHAGAT PHOOL SINGH MAHILA VISHWAVIDYALAYA, KHANPUR KALAN.**

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25. To consider and approve the contents of the Memo No. 18/86-2023 UNP (1), dated 21.11.2023 received from the Additional Chief Secretary to Govt. Haryana Higher Education Department, Chandigarh regarding anomalies observed in the maximum age limit for recruitment for various teaching and non-teaching posts. Further, the instructions issued by the State Government dated 16.03.2022 and subsequent instructions dated 25.03.2022 & 03.05.2022 regarding minimum & maximum age may be adopted for making direct recruitment for teaching and non-teaching posts (Annexure-36, page-200-206).

**Statement of the case:-**

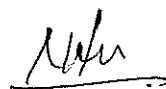
The Executive Council of the University vide resolution No. 4 in its 28<sup>th</sup> meeting held on 15.06.2012 has approved the enhancement in age for direct recruitment 18-40 to 18-50 years as per requirement of the University.

Now, the Additional Chief Secretary to Govt. Haryana Higher Education Department, Chandigarh vide Memo No. 18/86-2023 UNP (1) dated 21.11.2023 addressed to the Vice-Chancellors of all State Universities of Haryana has informed that the State Government has decided that future advertisement by the various State Universities be done based on the Government norms without any relaxations whatsoever. Recruitments for which advertisement have already been issued before 20.10.2023 based on relaxed age norms are allowed to be concluded logically.

It is pertinent to mention here that the lower and upper age limit in direct recruitment for non-teaching posts conveyed by the Chief Secretary, General Administration Department, Govt. of Haryana Memo No. 03/5/2014-4GS-III dated 16.03.2022 has been approved by the Executive Council vide resolution No. 6 of 74<sup>th</sup> meeting held on 05.04.2023.

The Chief Secretary to Government Haryana has further issued the instructions regarding age for entry into the Government service or to complete for regular recruitment and relaxation in age under various circumstances vide Nos. 22/06/2021-1GS-III dated 25.03.2022 and 3/5/2014-4GS-III dated 03.05.2023.

The above matter was placed before the Hon'ble Vice-Chancellor who ordered that the instructions issued by the State Government regarding minimum & maximum age for recruitment to be adopted vide letters dated 16.03.2022 and subsequent instructions dated 25.03.2022 & 03.05.2022 be referred to the Executive Council in light of Chief Secretary to Government Haryana letter No.



18/86-2023 UNP (1) dated 22.11.2023 as annexed above for consideration for recruitment of various teaching and non-teaching posts.

26. To consider the recommendations of the enquiry committee constituted by the Hon'ble Vice-Chancellor with reference to memo no 18/64-2023 UNP-1 dated 07.08.2023 issued by O/o Director Higher Education, Haryana, Panchkula regarding award of Gold Medal in respect of Ms. Pooja Kumari, M.Tech. student presently working as Assistant Professor (Temporary) in Department of F.T. BPSMV, Khanpur Kalan, Sonipat.

**Statement of the case:-**

Ms. Pooja Kumari, a student of M. Tech. Fashion Technology passed out during session 2013-15. She made a complaint regarding non-award of Gold Medal to her. The then Vice-Chancellor constituted the following enquiry committee on receipt of complaint made by her through CM Grievance Cell:-

1. Prof. Varsa Razdaan, Convener  
Former Retired Dean & Head Deptt. of Law, KUK
2. Dr. Joginder Singh Malik, Assoc. Prof. COE, Member
3. Mr. Harinder Pal, Assistant Professor, Dept. Fashion Technology, Member

The above committee recommends that Gold Medal cannot be given to any candidate passed out during 2015 for M. Tech (F.T.) students. **(Annexure-37, Pages-207-208)**

Ms. Pooja Kumari also filed CWP 28403 in 2018 related to this issue which was decided by the Hon'ble Punjab and Haryana High Court, Chandigarh on 16.01.2019, which is re-produced as under: **(Annexure-38, Page-209)**

*"Order sheets reveal that on two previous dates of hearing adjournments have been sought by counsel to complete instructions and to address submissions.*

*Case has been called out in the post lunch session. There is no representation caused on behalf of the petitioner.*

*Dismissed for non-prosecution."*

Recently, another complaint of Ms. Pooja Kumari received through memo no 18/64-2023 UNP-1 dated 07.08.2023 from O/o the Directorate Higher Education, Haryana, Panchkula. The Vice-Chancellor constituted the following committee with the direction that-

*To re-visit the case as per the findings of the enquiry report and also give personal hearing to the candidate.*

1. Prof. Ipshita Bansal, Deptt, of Management Studies, Convener
2. Dr. Shafali Nagpa, Assoc. Prof In-charge HRDC, Member
3. Dr. Sandeep Dahiya, Assoc. Prof.COE, Member
4. Supdt. Exams, PO

The minutes of the committee are enclosed herewith as **(Annexure-39, pages-210-211)** for kind perusal and further decision of the house.

The matter was placed before the Hon'ble Vice-Chancellor, who has after consideration ordered to place the matter before the Executive Council for decision.

27. To consider & decide the following issues in respect of Sh. Pawan Kumar Dahiya, Sr. Lecturer (under suspension), Department of Electronics & Communication Engineering, BPS Mahila Polytechnic, Khanpur Kalan in case of deployment of manpower in CDTP Scheme without following proper procedure and financial irregularities thereof.

i. To note the action taken by the Vice-Chancellor in issuing Memorandum, Statement of Charges and Allegations issued to Sh. Pawan Kumar Dahiya, Sr. Lecturer (under suspension) issued on 12/09/2023 as per findings of enquiry report submitted by Dr. Bhagwan Singh Chaudhary, Professor, Deptt. of Geophysics, KUK approved by EC vide Resolution No. 17 dated 16/06/2023.

ii. To decide the further course of action in the matter, as per rule, as he has not submitted his reply even after issuing another reminder vide letter No. BPSMV/ET/22/4764 dated 30/10/2023, i.e. appointment of regular Inquiry Officer as per HCS Punishment and Appeal Rules, 2016 Clause 7 (A), point 7.

**Statement of the Case:-**

The University has received various complaints regarding corruption in CDTP scheme under BPS Mahila Polytechnic with serious allegation of embezzlement of funds against the then Principal, Polytechnic. Accordingly, Dr. Bhagwan Singh Chaudhary, Professor, Deptt. of Geophysics, KUK was appointed as inquiry officer vide office letter No. 2054 dated 23/11/2022. After inquiry, he has submitted his report on 30/05/2023 with the observation that 12,28,700/- was disbursed as remuneration to guest trainers without following proper procedure, no advt. was issued for engaging these contractual staff, no committee was constituted for selection of these staff members, etc. The findings of inquiry report were placed before the EC vide Resolution No. 17 dated 16/06/2023 and it was resolved to issue charge sheet against the concerned as per Service and Conduct Rules of University/State Govt.

In terms of decision passed by the Executive Council and as per Service & Conduct Rules, Memorandum (Annexure-40, page-2012-213), Statement of Charges (Annexure-41, page-214-216) and Statement of Allegations (Annexure-42, page-217-221) were issued to Sh. Pawan Kumar Dahiya, Sr. Lecturer (under suspension) vide No. BPSMV/ET/4115 dated 12/09/2023. But, he has not submitted his written statement.

Moreover, after expiry of prescribed time limit, a reminder was also issued to Sh. Pawan Kumar Dahiya vide letter ref No. BPSMV/ET/22/4764 dated



30/10/2023 (**Annexure-43, page-222**) to submit his reply within fifteen (15) days with the condition that "competent authority has ordered to grant you another opportunity for submission of your reply to the charge sheet within fifteen days, failing which it will be presumed that you have nothing to say in this matter and further action will be taken as per University rules".

It is pertinent to mention here that Sh. Pawan Kumar Dahiya has not submitted his reply till date even after expiry of one month from the issuance of reminder letter dated 30/10/2023.

Further as per Haryana civil Services Punishment and Appeal Rules, 2016, Clause 7 (A), point no. 7, "if no written statement of defence is submitted by the charged person within the specified period or extended period, if any, allowed by the punishing authority after due consideration, the punishing authority may itself inquire into the statement of charges or may, if it considers it necessary to do so, appoint under sub-rule (2), inquiry officer for the purpose".

The matter was placed before the Hon'ble Vice Chancellor who after due consideration has ordered to place the same before the Executive Council for information & further decision as per above mentioned rule.

28. **To consider and approve the extension in contractual engagements /appointments on the existing terms and conditions in respect of following teachers for MSM Institute of Ayurveda, Khanpur Kalan (Sonipat).**

1. **Dr. Malvika, Assistant Professor in the Dravyaguna Vigyan Department for a period of another one year beyond 30.12.2023 to till the existence of leave vacancy whichever is earlier.**

2. **Dr. Hemlata, Assistant Professor in the Kayachikitsa Department for a period of another one year beyond 30.12.2023 or till the regular appointment of Assistant Professor (Swasthavrita) is made whichever is earlier.**

#### **Statement of the Case:-**

The representations /requests of the followings have been received through Principal, MSM Institute of Ayurveda, Khanpur Kalan Sonipat regarding extension in contractual engagement for another one year or till the existence of leave vacancy for Dravyaguna Vigyan Department and for Kayachikitsa Department –till the regular of Assistant Professor (Swasthavrita) is made whichever is earlier:

- (i) Dr. Malvika, Assistant Professor in the Dravyaguna Vigyan Department
- (ii) Dr. Hemlata, Assistant Professor in the Kayachikitsa Department

The both employees mentioned above have been appointed on the post of Assistant Professors in the department of Dravya Guna and Kayachikitsa on the contractual basis by follow of the due procedure in MSM Institute of Ayurveda for a period of one year w.e.f. 31.12.2021 and the contractual period were further extended up to 30.12.2023. The contractual period of both teachers are going to be over on 30.12.2023.

Further, the Principal MSM Institute of Ayurveda has submitted that the Institute has applied for P.G. (Post Graduate) in the Dravyaguna Vigyan and Kayachikitsa and two additional teaching faculties (one upper i.e. Professor/Associate Professor and One Assistant Professor) will be required in the above said departments to obtain the permission to start the P.G. Courses. Further, stated that as per NCISM norms, the vacancies arising out of retirement, resignations or transfer etc. either Govt. or Private shall be filled up by the Institutions within 90 days from the date of vacancy of the post or before 31<sup>st</sup> December of every year whichever is earlier under intimation to the Council. Principal has requested for extension in contractual engagement for another one year or till the existence of leave vacancy whichever is earlier for Dravyaguna Vigyan Department and for Kayachikitsa Department for a period of one year or till the regular appointment of Assistant Professor (Swasthavrita) is made whichever is earlier.

The Vice-Chancellor has considered the matter and ordered to refer the case for grant of extension as mentioned above.

29. Any other item with the permission of the Chair.

  
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